

STATE PROFILES⁶⁹

State Profile Example

The main source of information for these state-by-state profiles is the responses from the states, the District of Columbia and Puerto Rico to NCSL-AASHTO surveys 1, 2 and 4. NCSL-AASHTO survey data was supplemented by many other resources, listed in endnote 69 and in the Selected Bibliography, and detailed below. All data is current (2010 – 2011) unless otherwise noted.

Organizational Facts

Legislature	Name Structure Chambers Session Estimated no. of bills	Department of Transportation	Name
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This section outlines basic organizational facts for the state's legislature and its DOT, including the size and structure of each. The size of the DOT is expressed by the number of full-time equivalents (FTEs) it employs. Sources: NCSL-AASHTO survey data, original research using Westlaw, various NCSL and state legislative Web pages, Fazzalano (2007), StateNet (2010) and Washington State Department of Transportation (n.d.).

Statewide Transportation System Statistics

Roads and bridges	
Transit	
Rail	Freight
Aviation	Airports Enplanements
Marine	Ports

This section provides statistics about the state's entire transportation system, not just those elements managed by the DOT. Sources: Roads and bridges data is drawn from Federal Highway Administration *Highway Statistics* tables HM-60 (2009 data), BR-5 (2010 data) and HM-25 (2009 data) and Federal Highway Administration (2009). Transit trips include unlinked passenger trips made by all modes—including rail, bus, vanpools, ferries and others—as reported to the National Transit Database (Federal Transit Administration, 2008 data). Freight rail route-miles are provided by the Association of American Railroads (2008 data) and exclude trackage rights. Aviation data is from the Federal Aviation Administration (2009 data), the National Association of State Aviation Officials (years as noted) and various state Web sites. Marine data is from the Federal Highway Administration (2009) and U.S. Army Corps of Engineers (2009 data). In certain identified cases, information is from NCSL-AASHTO survey data or state DOT communications.

Legislative-DOT Collaboration and Communication

Mainly formal. The legislature and the DOT...	This section describes the collaboration and communication between the state legislature and the DOT, as described in the NCSL-AASHTO survey data. It includes information about whether the DOT employs a legislative liaison or an office of governmental relations or affairs. Sources: NCSL-AASHTO survey data and various state DOT Web pages.
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DOT Leadership Appointments and Requirements

The Director of Transportation is appointed by...	This section describes the appointment process, authority and statutory requirements for DOT leadership, with citations. Sources: Original research using Westlaw and NCSL-AASHTO survey data. See Appendix D for more information.
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Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	
Legislative Program Evaluation Office	Program evaluation
Sunset Review	The state conducts

This section describes other mechanisms for legislative oversight of the DOT. It includes a list of all mechanisms identified by the state in its survey data. It also identifies the legislative program evaluation office and whether the state DOT is subject to a sunset review process (see pages 17 and 18). Sources: Data is primarily from the NCSL-AASHTO survey data, supplemented by information from the National Legislative Program Evaluation Society (NLPEs), the Council of State Governments (2010), Council on Licensure, Enforcement and Regulation (n.d.), and NCSL and the Florida Office of Program Policy Analysis and Governmental Accountability (2008).

Legislation and Regulation

Transportation Governance Statutes	[State]
Administrative Rules Review	Legislative review

This section provides citations for the state's transportation governance statutes and describes the procedure for reviewing administrative rules (see pages 15 and 16). Sources: NCSL-AASHTO survey data, the Council of State Governments (2010), Rhyme (1990) and original research using Westlaw.

State Profile Example

Transportation Planning and Capital Program Management

Transportation Planning Process	This section describes the state's approach to transportation planning and capital program management, including a specific description of the legislative role in the process. Sources: NCSL-AASHTO survey data and original research using Westlaw, supplemented by various state DOT Web sites and planning documents.
Legislative Role in Transportation Planning	

Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins... This item describes the state's general approach to budgeting and appropriations, including whether the budget is annual or biennial and when the fiscal year begins. Source: Various NCSL Web pages.
Bonding or Pay-as-You-Go	The state mainly uses... This lists the amount of state-level funding provided for DOT budgets, including for operating and capital expenses in all modes as well as for debt service and administrative costs. It includes funding from state sources only and excludes federal funding of all kinds. This describes funding for the state DOT only and not for other transportation entities or projects in the state. Source: NCSL-AASHTO survey data.
State-Level Funding Provided for DOT Budgets	2009: \$## million 2008: \$## million
Allocation of Federal Transportation Funds to the DOT	The legislature appropriates federal funds ...
Allocation of State Transportation Funds to the DOT	These sections describe state-level funding and finance for highways, transit, passenger and freight rail, aviation, ports, bridges and other modes of transportation. Sources: NCSL-AASHTO survey data, supplemented by AASHTO (2010), Dierkers and Mattingly (2009), Farber (2010), Federal Highway Administration (2011) and Rall (2009).
Traditional State Funding and Finance for Highways	
State Funding and Finance for Other Modes	This section describes innovative funding and financing mechanisms used by the state, including public-private partnerships (PPPs or P3s); design-build; federal debt financing tools such as grant anticipation revenue vehicles (GARVEEs); federal credit assistance tools such as state infrastructure banks; federal-aid fund management tools such as advance construction; and other options such as weight-distance taxes and traffic camera fees. Sources: NCSL-AASHTO survey data, supplemented by American Association of State Highway and Transportation Officials (AASHTO) Center for Excellence in Project Finance (2010), Dierkers and Mattingly (2009), Federal Highway Administration (FHWA) Office of Innovative Program Delivery (2010), Rall, Reed and Farber (2010) and "U.S. & Canadian Transportation Projects Scorecard" (May 2010).
Innovative Transportation Funding and Finance	
Dedicated/Restricted State Funds and Revenues	
DOT Authorized to Retain Surplus Funds	
Legislative Approval Required to Move Funds Between Projects	No legislative approval required.
Transportation Funding Allocations through Local Aid	This section details how the state allocates transportation funds to counties, townships or municipalities through local aid programs (with citations). The focus is on allocation of state funds, but information is included about federal funds if that data was provided on a survey response. Sources: NCSL-AASHTO survey data and original research using Westlaw.

Alabama

Organizational Facts

Legislature	Alabama Legislature Structure: Bicameral, partisan Chambers: Senate (35 members) House (105 members) Session: Annual, approximately February – May Estimated no. of bills in 2011: 2,900	Department of Transportation	Alabama Department of Transportation (ALDOT) FTE: 9,355 Leadership: Director Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 194,126 (2009); miles of tolled roadway: 1 (2009); bridges: 16,018 (2010); toll bridges and tunnels: 3 (2009)
Transit	Trips per year (all transit modes): Approximately 2.8 million (2008)
Rail	Freight rail route-miles: 3,271 (2008)
Aviation	Airports (total): 202; public-use: 85; state-owned: 3 (2008) Enplanements per year: 2,513,150 (2009)
Marine	Port traffic per year (20-foot equivalent units): 86,050 (2009); waterborne tonnage per year: 66.2 million (2009); state-operated ferries: 2 (2009)

Legislative-DOT Collaboration and Communication

Mainly formal. The Legislature's permanent, 14-member Joint Transportation Committee, among other statutory duties, reviews and concurs in a long-range highway plan that is updated annually; annually reviews the budget for highway construction, maintenance and operation as well as ALDOT administration; issues annual reports about ALDOT performance; and makes recommendations (Ala. Code §29-2-4). ALDOT must recommend to the governor and Legislature such legislation as it deems advisable and to furnish any other information concerning road and bridge improvements as may be deemed expedient by the governor and the Legislature (Ala. Code §23-1-35). ALDOT has no dedicated legislative liaison or governmental affairs office.

DOT Leadership Appointments and Requirements

The director of transportation is appointed by, and serves at the pleasure of, the governor (Ala. Code §23-1-21).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s). Oversight is provided by the permanent Joint Transportation Committee (Ala. Code §§29-2-1 to 8).
Legislative Program Evaluation Office	Department of Examiners of Public Accounts, Operational Division
Sunset Review	The state conducts sunset reviews, but not of ALDOT.

Legislation and Regulation

Transportation Governance Statutes	Ala. Code §§23-1-20 to 166
Administrative Rules Review	Legislative review of proposed rules by a joint bipartisan standing committee; committee may suspend rule.

Transportation Planning and Capital Program Management

Transportation Planning Process	ALDOT develops a five-year highway plan and is primarily responsible for determining investment priorities and selecting projects.
Legislative Role in Transportation Planning	The Legislature's permanent Joint Transportation Committee reviews and concurs in a long-range (five-year) highway plan, and must review and concur in any deviation from the intent of that plan.

Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins October 1. ALDOT spending levels are set by the Legislature in the annual appropriation act.
Bonding or Pay-as-You-Go	The state mainly uses pay-as-you-go financing, but has done a small amount of bonding over the years.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$484 million FY 2010: \$501 million FY 2009: \$523 million FY 2008: \$433 million
Allocation of Federal Transportation Funds to the DOT	The Legislature appropriates federal funds in the annual appropriation act as a lump sum appropriation at the department level. The Joint Transportation Committee also approves the long-range highway plan, including the use of federal funds.
Allocation of State Transportation Funds to the DOT	The Legislature appropriates state transportation funds in the annual appropriation act as a lump sum appropriation at the agency level.
Traditional State Funding and Finance for Highways	Fuel taxes; vehicle registration/license/title fees; truck weight fees; outdoor advertising permit fees. The state has done a small amount of bonding over the years.
State Funding and Finance for Other Modes	Constitutional limits on use of vehicle taxes and fees prohibit use of any currently levied state taxes for transit. Attempts to change the constitution to allow funds to be used for transit have been unsuccessful. Aviation: Aviation fuel tax. Ports: Alabama State Docks fees and self-generated revenue. Bridges: The Public Road and Bridge Fund, including state fuel tax, vehicle registration and other miscellaneous ALDOT revenues.
Innovative Transportation Funding and Finance	GARVEE bonds; PPPs (authorized in statute, used for Foley Beach Express); design-build (authorized in statute); impact fees; advance construction.
Dedicated/Restricted State Funds and Revenues	The state constitution limits the use of any state revenues from fees or taxes on registration, operation or use of vehicles or on motor fuel to the construction, maintenance and repair of roads and bridges and enforcement of the state's traffic laws (Ala. Const. art. IV, §111.06). State highway bond proceeds and revenues appropriated to ALDOT are deposited in the State Highway Fund, use of which is restricted to transportation purposes (Ala. Code §23-1-62).
DOT Authorized to Retain Surplus Funds	Yes.
Legislative Approval Required to Move Funds Between Projects	No legislative approval required.
Transportation Funding Allocations through Local Aid	Transportation funds are distributed to counties, towns and municipalities based on statutory formulas. The gasoline tax is the biggest contributor of local transportation funding. Fifty-five percent of net gasoline tax proceeds and a portion of the supplemental net tax proceeds on gasoline are allocated to counties and municipalities to be used for highway purposes. These funds are distributed among the counties by a statutory formula based on equal distribution and population, and 10 percent of the amount allocated to each county must be distributed among its municipalities based on population (Ala. Code §§40-17-73 et seq.). A small portion of the diesel and motor carrier fuel tax is also distributed to counties and municipalities for public road and bridge purposes by statutory formulas based on equal distribution and population (Ala. Code §40-17-222). These allocations to local governments are subject to constitutional restrictions on the use of revenues from fees or taxes on registration, operation or use of vehicles or on vehicle fuel (Ala. Const. art. IV, §111.06).

Alaska

Organizational Facts

Legislature	Alaska Legislature Structure: Bicameral, partisan Chambers: Senate (20 members) House (40 members) Session: Annual, approximately January – April Estimated no. of bills in 2011: 650	Department of Transportation	Alaska Department of Transportation and Public Facilities (DOT&PF) FTE: 3,500 Leadership: Commissioner Organizational structure: Mainly by transportation mode
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 31,945 (2009); bridges: 1,134 (2010); toll bridges and tunnels: 1 (2009)
Transit	Trips per year (all transit modes): Approximately 5.0 million (2008)
Rail	Freight rail route-miles: 506 (2008)
Aviation	Airports (total): 292; public-use: 264; state-owned: 267 (2003) Enplanements per year: 4,413,919 (2009)
Marine	Port traffic per year (20-foot equivalent units): 465,845 (2009); waterborne tonnage per year: 46.2 million (2009); state-operated ferries: 11 (2009)

Legislative-DOT Collaboration and Communication

Proactive. The DOT&PF provides briefings to groups of legislators before construction season and before the legislative session. The DOT&PF also responds to legislative requests for information and provides educational sessions to House and Senate transportation committees. The DOT&PF employs a dedicated legislative liaison.

DOT Leadership Appointments and Requirements

Department heads—including the Commissioner of Transportation and Public Facilities—are appointed by the governor, subject to confirmation by the majority of the members of the Legislature in joint session, and serve at the pleasure of the governor. Each is constitutionally required to be a U.S. citizen (Alaska Const. art. III, §25).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Legislative program reviews or performance audits; reporting requirements; legislative requests for information.
Legislative Program Evaluation Office	Division of Legislative Audit
Sunset Review	The state conducts sunset reviews, but not of the DOT&PF.

Legislation and Regulation

Transportation Governance Statutes	Alaska Stat. §§19.05 to 75 and §44.42
Administrative Rules Review	Legislative review of proposed and existing rules by a joint bipartisan standing committee and the Legislative Affairs Agency; committee role is mainly advisory.

Transportation Planning and Capital Program Management

Transportation Planning Process	The DOT&PF develops regional and long-range transportation plans, using the Statewide Transportation Improvement Program (STIP) process for federally funded projects. All entities are eligible to submit projects and comment on the STIP. For state-funded projects, the DOT&PF works with the governor's office to prepare the capital budget that the governor then submits to the Legislature; the Legislature makes numerous changes. Local governments have a significant voice and influence legislative priorities.
Legislative Role in Transportation Planning	There are opportunities for informal, individual legislator participation; the Legislature also can change the capital budget submitted by the governor.

Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$554 million FY 2010: \$619 million FY 2009: \$893 million FY 2008: \$634 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated to the DOT&PF through state legislative appropriations at the program/category and project-specific levels.
Allocation of State Transportation Funds to the DOT	As with federal funds, state transportation funds are allocated to the DOT&PF through state legislative appropriations at the program/category and project-specific levels.
Traditional State Funding and Finance for Highways	Fuel taxes; motor vehicle/rental car sales taxes; vehicle registration/license/title fees; truck weight fees; general funds; interest income; general obligation bonds.
State Funding and Finance for Other Modes	Transit (Alaska Marine Highway, the state ferry program): General funds. Rail: The Alaska Railroad Corporation is a separate, self-sustaining state agency.
Innovative Transportation Funding and Finance	GARVEE bonds; private activity bonds (PABs) (allocated); Build America Bonds; state infrastructure bank (federally capitalized); PPPs (authorized in statute for the Knik Arm Bridge only); design-build (authorized in statute, used for the Anton Anderson Tunnel).
Dedicated/Restricted State Funds and Revenues	The state constitution prohibits dedication of state revenues to any special purpose, unless federally required or dedicated prior to statehood (Alaska Const. art. IX, §7). Thus, all state revenues are available for appropriation. The Legislature has tried to dedicate state revenues or funds for transportation, but has been unsuccessful. In 2010, for example, the Legislature considered but ultimately did not pass House Joint Resolution 42 and House Bill 329. These bills sought to establish and define a new, dedicated Transportation Infrastructure Fund that would have been fed by state fuel taxes and registration fees. The Legislature is considering similar bills—House Bill 30, House Bill 31, Senate Bill 37 and House Joint Resolution 4—in 2011.
DOT Authorized to Retain Surplus Funds	No. Funds are authorized for expenditure until a project is deemed complete; any unexpended funding upon project completion is administratively lapsed or reappropriated by the Legislature.
Legislative Approval Required to Move Funds Between Projects	Legislative action is required to move funds between project appropriations; movement between project allocations requires DOT&PF commissioner approval only.
Transportation Funding Allocations through Local Aid	Federal funds for MPOs flow through the DOT&PF and must be appropriated. The Legislature appropriates state funding to local governments as project-specific grants; there is no specific state-funded program for local transportation.

Arizona

Organizational Facts

Legislature	Arizona Legislature Structure: Bicameral, partisan Chambers: Senate (30 members) House (60 members) Session: Annual, approximately January – April Estimated no. of bills in 2011: 1,500	Department of Transportation	Arizona Department of Transportation (ADOT) FTE: 4,548 Leadership: Director; Transportation Board Organizational structure: Mainly by transportation mode
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 131,356 (2009); bridges: 7,572 (2010)
Transit	Trips per year (all transit modes): Approximately 92.7 million (2008)
Rail	Freight rail route-miles: 1,679 (2008)
Aviation	Airports (total): 327; public-use: 81; state-owned: 1 (2008) Enplanements per year: 21,311,026 (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, ongoing. Legislative research staff and ADOT communicate about transportation-related legislation before, during and after it is introduced. ADOT gives formal testimony to committees about relevant legislation, and also participates in formal meetings with legislators and staff. Legislators and ADOT also have ongoing, informal interactions. ADOT employs a dedicated government relations official.

DOT Leadership Appointments and Requirements

The ADOT director is nominated and appointed by the governor, with the consent of the Senate (Ariz. Rev. Stat. Ann. §28-361 and §38-211). The members of the Transportation Board are appointed to six-year terms by the governor, with the consent of the Senate, within statutory requirements for residency and taxpayer status. Each member of the board represents one of the state's transportation districts (Ariz. Rev. Stat. Ann. §28-302 and §38-211).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); legislative program reviews or performance audits; reporting requirements; legislative requests for information.
Legislative Program Evaluation Office	Office of the Auditor General, Performance Audit Division
Sunset Review	Yes. State agencies are scheduled for termination at least every 10 years unless affirmatively continued by the Legislature after a sunset review process. ADOT will terminate on July 1, 2016, unless continued (Ariz. Rev. Stat. Ann. §§41-2951 et seq. and §41-3016.27).

Legislation and Regulation

Transportation Governance Statutes	Ariz. Rev. Stat. Ann. tit. 28
Administrative Rules Review	Legislative and executive review of proposed and existing rules; legislative review by joint bipartisan committee; committee role is mainly advisory.

Transportation Planning and Capital Program Management

Transportation Planning Process	ADOT administers the state highway system and coordinates transportation planning. ADOT develops an annual priority program of capital improvements for highway and aviation and a Five-Year Highway Construction Program based on extensive public participation and technical evaluation, which are approved by the State Transportation Board. The Multimodal Planning Division facilitates multimodal planning in cooperation with MPOs, federal agencies, tribes, counties, cities, the public and other stakeholders.
Legislative Role in Transportation Planning	The Legislature has the power to appropriate funds for transportation projects in the state. It also can amend statutes that pertain to transportation planning, e.g., to conform to federal requirements. Otherwise, the legislative role is limited.

Funding and Finance

Budgeting and Appropriations	Annual budget for large state agencies (such as ADOT), biennial enactment of two 12-month budgets for all others; fiscal year begins July 1.
Bonding or Pay-as-You-Go	The State Transportation Board has exclusive authority to issue revenue bonds for financing needed transportation improvements in the state.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$440 million FY 2010: \$460 million FY 2009: \$643 million FY 2008: \$581 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds flow directly to ADOT from the U.S. DOT with no state legislative involvement.
Allocation of State Transportation Funds to the DOT	State transportation funds are allocated to ADOT as a legislative appropriation at the agency level.
Traditional State Funding and Finance for Highways	Fuel taxes; motor vehicle/rental car sales taxes; vehicle registration/license/title fees; truck weight fees; interest income; transportation excise tax in Maricopa County, some of the proceeds of which are deposited to the ADOT-administered Maricopa County Regional Area Road Fund; revenue bonds.
State Funding and Finance for Other Modes	Aviation: Aviation fuel tax; flight property tax; aircraft registration fees; interest income; miscellaneous other income. Bridges: Highway User Revenue Fund (HURF) funds to match federal funds. Transit: General funds; lottery. ADOT receives only very limited general funds for transit (around \$50,000 per year) and none for other transportation purposes.
Innovative Transportation Funding and Finance	GARVEE bonds; state infrastructure bank (federally capitalized); PPPs (authorized in statute); design-build (authorized in statute through Dec. 31, 2025; used as a component of at least two projects); impact fees; advance construction; board funding obligations. Traffic camera fees were eliminated in 2010.
Dedicated/Restricted State Funds and Revenues	The state constitution dedicates revenues from vehicle-related or fuel taxes and fees—but not the automobile license tax—to highway and street purposes, including state enforcement of traffic laws, state administration of traffic safety programs and publication of <i>Arizona Highways</i> magazine (Ariz. Const. art. IX, §14). These revenues are deposited into the Highway User Revenue Fund (HURF) (Ariz. Rev. Stat. Ann. §28-6533). In recent years, however, HURF funds have been diverted to the general fund. ADOT receives its main state highway funding from the HURF via the State Highway Fund, distribution of which is governed by Ariz. Rev. Stat. Ann. §§28-6534 et seq. Use of the Aviation Fund is restricted to publicly owned and operated airports (Ariz. Rev. Stat. Ann. §28-8202). Maricopa County transportation excise tax revenues are dedicated to freeways, arterials and transit (Ariz. Rev. Stat. Ann. §42-6105(E)).
DOT Authorized to Retain Surplus Funds	Yes. Unspent operating budget appropriations revert to the State Highway Fund or Aviation Fund, each of which is administered by ADOT.
Legislative Approval Required to Move Funds Between Projects	No legislative approval required.
Transportation Funding Allocations through Local Aid	ADOT allocates State Highway Fund discretionary funds (state and federal) to counties based on established percentages. The state treasurer distributes a portion of the Highway User Revenue Fund (HURF) to counties, cities and towns by statutory formulas based on population and fuel sales (Ariz. Rev. Stat. Ann. §§28-6534 et seq.). The ADOT director distributes a portion of the Vehicle License Tax to cities, counties and towns by a statutory formula based on population (Ariz. Rev. Stat. Ann. §28-5808). The state also distributes slightly more than \$10 million per year to cities, towns and counties for public or special needs transit.

Arkansas

Organizational Facts

Legislature	Arkansas General Assembly Structure: Bicameral, partisan Chambers: Senate (35 members) House (100 members) Session: Annual, approximately January – March (odd years), approximately February –March (even years) Estimated no. of bills in 2011: 2,500	Department of Transportation	Arkansas State Highway and Transportation Department (AHTD) FTE: 3,605 Leadership: Director; Highway Commission Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 204,710 (2009); bridges: 12,587 (2010)
Transit	Trips per year (all transit modes): Approximately 4.3 million (2008)
Rail	Freight rail route-miles: 2,780 (2008)
Aviation	Airports (total): 101; public-use: 91; state-owned: 2 (2008) Enplanements per year: 1,744,567 (2009)
Marine	Waterborne tonnage per year: 10.4 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, ongoing. The AHTD administration and the General Assembly interact in person at transportation committee meetings. They also meet or communicate directly by phone or e-mail as needed. The AHTD administration and State Highway Commission consult with legislators on policy issues and appropriate legislative staff about bill drafting or meeting issues. The AHTD has no dedicated legislative liaison or governmental affairs office.

DOT Leadership Appointments and Requirements

The State Highway Commission is, unusually, constitutionally created. Commissioners are appointed by the governor, by and with the advice and consent of the Senate and within constitutional and statutory requirements (Ark. Const. Am. 42, §2; Ark. Stat. Ann. §27-65-104). The governor may remove a commissioner only for the same causes as apply to other constitutional officers and after a hearing; the Senate also can remove a commissioner by majority vote, following a written request from at least five senators and a hearing. The commission appoints and can remove the AHTD director, who must be “a practical business or professional person” (Ark. Stat. Ann. §27-65-122).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); reporting requirements (Ark. Stat. Ann. §27-65-110 and §27-65-144); legislative requests for information. The Blue Ribbon Committee on Highway Finance does not provide direct oversight of the AHTD, but will propose and recommend legislation in 2011 (2009 Ark. Acts, Act 374).
Legislative Program Evaluation Office	Division of Legislative Audit
Sunset Review	No sunset review of state agencies or programs.

Legislation and Regulation

Transportation Governance Statutes	Ark. Const. Am. 42, Ark. Stat. Ann. §§27-65-102 et seq. and §§27-70-201 et seq.
Administrative Rules Review	Legislative review of proposed and existing rules by a joint bipartisan committee; committee role is mainly advisory.

Transportation Planning and Capital Program Management

Transportation Planning Process	The AHTD is responsible for all transportation planning processes and develops the Statewide Long-Range Intermodal Transportation Plan. The Highway Commission has final approval over the plan and projects to be funded, and solicits comments from other stakeholders. Projects are identified by various means, including by MPO plans and transit providers. Projects are selected based on an AHTD review of proposed needs and available funding.
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Legislative Role in Transportation Planning	The General Assembly plays a minimal role other than to identify projects it believes are needed and at times to “earmark” state funds for those projects.
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Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1. The General Assembly holds detailed biennial and summary annual budget hearings. Special language in the AHTD’s annual appropriation act requires quarterly reporting of the agency’s financial activities.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$498.4 million FY 2010: \$447.6 million FY 2009: \$423.9 million FY 2008: \$424.8 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated to the AHTD through a state legislative line-item appropriation.
Allocation of State Transportation Funds to the DOT	State transportation funds are allocated to the AHTD through a state legislative line-item appropriation.
Traditional State Funding and Finance for Highways	Fuel taxes; vehicle registration/license/title fees; truck weight fees; interest income; revenue bonds.
State Funding and Finance for Other Modes	Transit: 75 percent of rental vehicle sales taxes are deposited into a trust fund to be used for public transit programs. Transit also is funded by general funds (around 10 percent) and interest income. Rail: Ad valorem tax. Aviation: Sales and use tax on aviation fuel, services and parts.
Innovative Transportation Funding and Finance	GARVEE bonds; state infrastructure bank (federally capitalized); PPPs (authorized for counties in statute); design-build (authorized in statute); impact fees.
Dedicated/Restricted State Funds and Revenues	State statute dedicates fuel tax revenues to the purposes of constructing, widening, reconstructing, maintaining, resurfacing and repairing the public highways, and retiring highway indebtedness (Ark. Stat. Ann. §26-55-206). The State Highway and Transportation Department Fund, Department of Aeronautics Fund and Public Transit Trust Fund are designated special revenues to be used for the purposes collected (Ark. Stat. Ann. §19-5-1126, §27-70-207 and §27-115-110).
DOT Authorized to Retain Surplus Funds	Yes. Fund balances remain in most AHTD funds, since they are special revenues to be used for the purpose authorized.
Legislative Approval Required to Move Funds Between Projects	No.
Transportation Funding Allocations through Local Aid	State funds are distributed 70 percent to the AHTD and 15 percent each to the counties and cities. Funds are distributed to counties by a statutory formula based on area, population, license fees proportion and an equal distribution; funds are distributed to cities by a statutory formula based on population only (Ark. Stat. Ann. §§27-70-206 et seq.).

California

Organizational Facts

Legislature	California Legislature Structure: Bicameral, partisan Chambers: Senate (40 members) Assembly (80 members) Session: Annual, approximately January – September (odd years), approximately January – August (even years) Estimated no. of bills in 2011: 2,900	Department of Transportation	California Department of Transportation (Caltrans) FTE: 18,406* Leadership: Director; Commission; Secretary (of overarching agency) Organizational structure: Mainly by functional activity <i>* Number of FTEs as of June 30, 2010, as reported by Caltrans.</i>
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 385,860 (2009); miles of tolled roadway: 96 (2009); bridges: 24,549 (2010); toll bridges and tunnels: 8 (2009)
Transit	Trips per year (all transit modes): Approximately 1.45 billion (2008)
Rail	Freight rail route-miles: 5,200 (2008)
Aviation	Airports (total): 249; public-use: 249; state-owned: 0 (2008) Enplanements per year: 80,602,051 (2009)
Marine	Port traffic per year (20-foot equivalent units): 10,594,794 (2009); waterborne tonnage per year: 201.8 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal. The Legislature and Caltrans communicate in various ways. Through the budget process, legislators and legislative staff make formal requests for information and discuss budget issues in committee hearings. The Legislative Analyst’s Office works with Caltrans to understand its budget each year; a written report then is published with budget recommendations for the Legislature. Policy committee and individual members communicate directly with Caltrans about specific issues of interest. Caltrans has a dedicated legislative affairs office that analyzes bills and can request to propose specific legislation through the administration.

DOT Leadership Appointments and Requirements

Nine of the 13 members of the California Transportation Commission are appointed by the governor, with the advice and consent of the Senate. One is appointed by the Speaker of the Assembly and one by the Senate Committee on Rules, with neither subject to Senate confirmation. Two are ex officio, one a member of the Senate appointed by the Senate Committee on Rules and one a member of the Assembly appointed by the Speaker of the Assembly. All but ex officio members are appointed to staggered four-year terms. All but ex officio members are prohibited from simultaneously holding elected public office or serving on any local or regional public board or commission with business before the commission; for governor-appointed members, the governor must “make every effort to assure a geographic balance of representation.” Each member of the commission, however, represents the state at-large (Cal. Government Code §§14500 et seq.). The Caltrans director is appointed by the governor, subject to confirmation by the Senate, and holds office at the pleasure of the governor (Cal. Government Code §14003). Caltrans is one of 14 departments as well as several economic development programs and commissions under the secretary of the Business, Transportation and Housing Agency. The secretary is appointed by the governor, subject to confirmation by the Senate, and holds office at the pleasure of the governor (Cal. Government Code §13976).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements. Oversight occurs mainly through the budget committee process, which includes public hearings and a legislative analyst budget review. In addition, policy committees frequently will hold oversight hearings related to specific issues. Reporting requirements usually stem from a lack of information or past problem with a program. The California Transportation Commission also publishes an annual report to the Legislature on transportation programs and financing. When a non-legislative program review is released, the Legislature typically holds an oversight hearing to understand the findings of the report.
Legislative Program Evaluation Office	State Auditor, Bureau of State Audits. The Legislative Analyst’s Office also periodically reviews Caltrans programs in depth, informs the Legislature of concerns and makes recommendations.

Sunset Review	The state conducts sunset reviews, but not of Caltrans.
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Legislation and Regulation

Transportation Governance Statutes	Cal. Government Code §§14000 et seq.; Cal. Streets and Highways Code; various other state statutes and portions of the state constitution
Administrative Rules Review	Executive review of proposed and existing rules.

Transportation Planning and Capital Program Management

Transportation Planning Process	Caltrans develops the long-range plan for state highway repairs and expansion of the state’s inter-regional network—and selects projects for the State Highway Operation Protection Program (SHOPP) and interregional projects for the State Transportation Improvement Program (STIP)—with input from local agencies (counties and MPOs). Local agencies develop long-range plans for their regions and select projects for the regional portion of the STIP with input from transit operators, other local governments and sometimes Caltrans. Caltrans selects all state highway repair and rehabilitation projects and 25 percent of capacity expanding projects; county transportation agencies select 75 percent of capacity expanding projects. The state transportation commission is responsible for approving an entire program of projects, but cannot approve or reject individual projects. The governor’s office or the secretary of the Business, Transportation and Housing Agency occasionally will request that Caltrans select certain projects.
Legislative Role in Transportation Planning	The Legislature has no direct role in transportation planning activities. Funds are appropriated on a program rather than project basis. In some cases, the Legislature has had an indirect role by enacting policies to guide the transportation planning process.

Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1. Transportation programs receive state funding from several dedicated revenue sources. The Legislature can make some changes to the mix of transportation programs that are funded, but within various formulas, requirements and restrictions on funding certain programs or the uses of certain revenues.
Bonding or Pay-as-You-Go	California mostly uses pay-as-you-go, but voters have approved several general obligation bonds over the years, including \$20 billion for transportation in 2006 and \$10 billion for rail and transit in 2008.
State-Level Funding Provided for DOT Budgets	FY 2011: \$7.1 billion* FY 2010: \$5.5 billion* FY 2009: \$4.9 billion* FY 2008: \$6.4 billion* <i>*All numbers listed here refer to actual expenditures, not appropriations.</i>
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds flow directly to Caltrans, but Caltrans needs a budget appropriation in order to have the authority to spend the funds. Appropriation authority is given in the budget under broad categories (e.g., support, local assistance, capital outlay and others).
Allocation of State Transportation Funds to the DOT	As with federal funds, state transportation funds essentially flow directly to Caltrans, but authority to spend the funds is given in the budget under broad categories. The governor and Legislature typically include some more specific budget bill language each year regarding the use of some funds.
Traditional State Funding and Finance for Highways	Excise tax on fuel; truck weight fees; interest income; general obligation bonds. Toll revenues generally go to local transportation agencies or private entities, not the state, but are used to fund some work on highways and bridges.
State Funding and Finance for Other Modes	Transit and rail: Sales tax on diesel; general obligation bonds; locally implemented general sales tax; weight fees; interest income; excise tax on fuel. Most diesel sales taxes are deposited into a trust fund that can be used only for transit; these also are used to subsidize Amtrak passenger service. Aviation: Excise tax on aviation fuel; excise tax on jet fuel.
Innovative Transportation Funding and Finance	GARVEE bonds; Build America Bonds; federal credit assistance (TIFIA); state infrastructure bank (federally capitalized); PPPs (authorized in statute, used for at least two projects); design-build (authorized in statute, used as a component of at least 10 projects); advance construction. Traffic camera fees are used only at the local level and fee revenues are not dedicated to transportation uses. Developer impact fees also are collected only at the local level, and in some cases are dedicated to transportation.

California

<p>Dedicated/Restricted State Funds and Revenues</p>	<p>Restrictions are tied to both revenue sources and accounts. Many complex restrictions on the use of transportation revenues appear in the constitution, statute and case law. The constitution restricts the use of fuel excise tax revenues to public streets and highways and fixed guideway mass transit projects (Cal. Const. art. XIX §2). The constitution also dedicates the use of vehicle-related fees and taxes to the same purposes as fuel taxes, as well as to the administration and enforcement of laws regulating use, operation or registration of vehicles—including traffic and vehicle laws—and mitigation of the environmental effects of motor vehicle operation (Cal. Const. art. XIX §3). The constitution also dedicates to certain transportation purposes the use of the Highway Users Tax Account (trust fund) (Cal. Const. art. XIX §2); the Public Transportation Account (trust fund) (Cal. Const. art. XIXa); and the multimodal Transportation Investment Fund (trust fund) (Cal. Const. art. XIXb). The constitution, as amended by Proposition 22 (2010), prohibits the state from borrowing most fuel tax revenues or funds in the accounts listed above. Proposition 22 also restricts the state’s ability to use fuel tax revenues to pay debt service on transportation bonds. Other special accounts exist for aeronautics, bicycle, pedestrian and other purposes. Excise taxes and truck weight fees can be used mainly for highways and local roads. General obligation bonds are restricted as described in the ballot measures needed to authorize them.</p>
<p>DOT Authorized to Retain Surplus Funds</p>	<p>Yes and no, depending on the type of appropriation. Support appropriations expire after one year. The budget bill specifies how long Caltrans has to encumber and then liquidate capital appropriations. Caltrans cannot spend appropriations for which the budget authority has expired and the designated project has been de-obligated unless additional authority is granted in the state budget act. Unspent dedicated transportation funds remain in state transportation accounts and are available for future transportation purposes.</p>
<p>Legislative Approval Required to Move Funds Between Projects</p>	<p>No legislative approval is required. However, approval within the executive branch is required for certain changes. Specifically, for capital allocations and project development work performed by an agency other than Caltrans, the California Transportation Commission is required to deprogram funds on one project and reprogram them on another. For support allocations for project development work performed by Caltrans, the department has authority to move funds between projects without any approval.</p>
<p>Transportation Funding Allocations through Local Aid</p>	<p>State and federal funds are allocated to local agencies based on existing formulas, such as the federal STP formula, and other formulas related to population, lane miles, snow removal needs, etc. The Legislature must annually approve appropriation of these funds.</p>

Organizational Facts

Legislature	Colorado General Assembly Structure: Bicameral, partisan Chambers: Senate (35 members) House (65 members) Session: Annual, approximately January – May Estimated no. of bills in 2011: 800	Department of Transportation	Colorado Department of Transportation (CDOT) FTE: Approximately 3,000 Leadership: Director; Transportation Commission Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 183,587 (2009); miles of tolled roadway: 84 (2009); bridges: 8,506 (2010)
Transit	Trips per year (all transit modes): Approximately 109.7 million (2008)
Rail	Freight rail route-miles: 2,663 (2008)
Aviation	Airports (total): 444; public-use: 76; state-owned: 0 (2008) Enplanements per year: 26,035,706 (2009)

Legislative-DOT Collaboration and Communication

Mainly formal. The General Assembly has formal, statutorily mandated interactions with CDOT through required presentations and reports before House and Senate transportation committees and before the Transportation Legislation Review Committee during interim sessions, as well as several other statutorily required CDOT reports to the General Assembly. CDOT employs a full-time legislative liaison who communicates CDOT’s legislative needs to legislators, serves as an information resource for legislators, coordinates statutorily required reports to legislative committees, and formally communicates CDOT’s positions on legislation. CDOT also responds to research and information requests submitted by legislators or legislative staff.

DOT Leadership Appointments and Requirements

The 11 members of the Transportation Commission are appointed to four-year terms by the governor with the consent of the Senate, subject to statutory requirements relating to geographic representation and residency (Colo. Rev. Stat. §43-1-106). The governor must consider appointment of one or more individuals with knowledge or experience in transit and at least one individual with knowledge or experience in engineering. The governor is encouraged to include at least one member who is a person with a disability, has a family member with a disability, or is a member of an advocacy group for people with disabilities. The CDOT executive director also is appointed by the governor with the consent of the Senate and serves at the pleasure of the governor (Colo. Rev. Stat. §43-1-103).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); interim charges; legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information. Annually required reports include the Statewide Bridge Enterprise Report, the High Performance Transportation Enterprise Report and the Transportation Deficit Report.
Legislative Program Evaluation Office	Office of the State Auditor. This office conducts financial or performance audits at the request of legislative committees or individual legislators.
Sunset Review	The state conducts sunset reviews, but not of CDOT.

Legislation and Regulation

Transportation Governance Statutes	Colo. Rev. Stat. §24-1-128.7, §§43-1-101 et seq.
Administrative Rules Review	Legislative and executive review of existing rules; legislative review by joint bipartisan committee; no legislative objection constitutes approval of proposed rule.

Colorado

Transportation Planning and Capital Program Management

Transportation Planning Process	The Transportation Commission (appointed by the governor and approved by the General Assembly), in coordination with the CDOT executive director, is charged with allocation of funds and project identification, selection, prioritization and approval. CDOT provides the commission with reports, statistics, information and assistance. The CDOT executive director is required by state law to plan, develop, construct, coordinate and promote an integrated transportation system and initiate such comprehensive planning measures as he or she deems necessary. CDOT has an extensive planning process that includes local governments and other stakeholders in project selection and planning. Key priority decisions, however, rest with the Transportation Commission.
Legislative Role in Transportation Planning	Limited. The General Assembly determines statutory funding formulas and overall authority, gives some direction regarding priorities, and enacts some specific appropriations. Specific project planning and approval are delegated to the Transportation Commission.

Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1. The Transportation Commission develops the CDOT budget, subject to review and comment from legislative committees and approval by the governor. Only a few items in the budget are legislatively appropriated in the state budget bill. The entire CDOT budget is reflected in the budget bill for informational purposes.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$1.0 billion FY 2010: \$970 million FY 2009: \$1.6 billion FY 2008: \$1.1 billion
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds flow directly to CDOT from the U.S. DOT with no state legislative involvement.
Allocation of State Transportation Funds to the DOT	Most state transportation funds flow directly to CDOT with no legislative involvement, besides being reflected in state appropriations for informational purposes only. The General Assembly makes category-level appropriations for CDOT administration and other limited uses.
Traditional State Funding and Finance for Highways	Fuel taxes; vehicle registration/license/title fees; truck weight fees; tolls; interest income; general fund revenues for FY 2012–2016 (2009 Colo. Sess. Laws, Chap. 228); revenue bonds.
State Funding and Finance for Other Modes	Aviation: Aviation fuel taxes. Bridges: Dedicated portion of registration fee revenues. No funding for ports or rail. Transit: General sales tax.
Innovative Transportation Funding and Finance	GARVEE bonds; private activity bonds (PABs) (issued); Build America Bonds; federal credit assistance (TIFIA and TIGER); state infrastructure bank (federally capitalized); congestion pricing; PPPs (authorized in statute, used for at least two projects); design-build (authorized in statute, used as a component of at least six projects); traffic camera fees; impact fees; creation of nonprofit, quasi-public entities; tapered matching; advance construction; toll credits or “soft match.” The state has collected a weight-distance tax on commercial vehicles in the past, but that tax has been repealed.
Dedicated/Restricted State Funds and Revenues	The state constitution restricts the use of fuel taxes and other vehicle-related fees or charges to the construction, maintenance and supervision of public highways (Colo. Const. art. X, §18). These revenues are deposited into the Highway Users Tax Fund (HUTF) (Colo. Rev. Stat. §§43-4-201 et seq.), from which statutorily formula-based distributions are made to the State Highway Fund, the State Patrol, motor vehicle regulatory operations in the state Department of Revenue, and local governments. The constitution also requires all aviation fuel taxes to be used for aviation purposes (Colo. Const. art. X, §18).
DOT Authorized to Retain Surplus Funds	Yes.
Legislative Approval Required to Move Funds Between Projects	No, except for some legislatively controlled fund sources and uses that are very limited in the context of CDOT’s total budget.

<p>Transportation Funding Allocations through Local Aid</p>	<p>Highway User Tax Fund (HUTF) revenues are distributed to the State Highway Fund (65 percent), counties (26 percent), and cities and towns (9 percent). Revenues for counties are distributed by a statutory formula based on historical allocation ratios, specified percentages, rural motor vehicle registration, countywide motor vehicle registration, lane miles and square feet of bridge deck (Colo. Rev. Stat. §43-4-207). Revenues for cities and towns are distributed by a statutory formula based on adjusted urban motor vehicle registration and street miles (Colo. Rev. Stat. §43-4-208). CDOT makes discretionary grants to local governments for airport improvements; other grants are made, within statutory requirements, for enhanced drunk driving enforcement. The state infrastructure bank makes loans for highway and aviation purposes.</p>
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Connecticut

Organizational Facts

Legislature	Connecticut General Assembly Structure: Bicameral, partisan Chambers: Senate (36 members) House (151 members) Session: Annual, approximately January – June (odd years), approximately February – May (even years) Estimated no. of bills in 2011: 3,200	Department of Transportation	Connecticut Department of Transportation (ConnDOT) FTE: 3,396 authorized; 2,959 filled Leadership: Commissioner Organizational structure: Mainly by transportation mode
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 45,638 (2009); bridges: 4,191 (2010)
Transit	Trips per year (all transit modes): Approximately 42.0 million (2008)
Rail	Freight rail route-miles: 330 (2008)
Aviation	Airports (total): 119; public-use: 54; state-owned: 6 (2008) Enplanements per year: 2,660,132 (2009)
Marine	Waterborne tonnage per year: 16.8 million (2009); state-operated ferries: 2 (2009)

Legislative-DOT Collaboration and Communication

Formal and informal. State statutes require ConnDOT and transportation-related commissions to submit several regular reports to the General Assembly. Executive branch procedures and legislative rules determine how ConnDOT influences legislation. ConnDOT annually submits bill proposals to the state Office of Policy Management for approval; approved bills are presented to the General Assembly. ConnDOT staff brief transportation committee members about ConnDOT proposals early in the session and testify on these and other bills at public hearings. ConnDOT employs a full-time legislative liaison who advances ConnDOT initiatives and answers questions from legislators during the session and is in direct, frequent communication on various matters throughout the year.

DOT Leadership Appointments and Requirements

The ConnDOT commissioner is appointed to a four-year term by the governor, with the advice and consent by resolution of either house of the General Assembly, and serves at the pleasure of the governor. Each department head must be qualified by training and experience for the duties of the office (Conn. Gen. Stat. Ann. §§4-6 to 4-8).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information. The General Assembly's fiscal committees have oversight of ConnDOT regarding funding and fees, and the State Bond Commission (of which four members are legislators) authorizes transportation-related bonding. The transportation committee holds annual "oversight hearings" on various ConnDOT projects and processes. The General Assembly's Program Review and Investigations Committee may be asked to evaluate ConnDOT. The General Assembly's offices of Legislative Research and Fiscal Analysis also may be asked for information on transportation issues.
Legislative Program Evaluation Office	Legislative Program Review and Investigations Committee. The committee may be requested by legislators to evaluate ConnDOT, but is not required to review the department on a regular basis.
Sunset Review	The state conducts sunset reviews, but not of ConnDOT.

Legislation and Regulation

Transportation Governance Statutes	Conn. Gen. Stat. Ann. Titles 13a, 13b and 15
Administrative Rules Review	Legislative review of proposed rules by a joint bipartisan standing committee; no objection constitutes approval of proposed rule.

Transportation Planning and Capital Program Management

Transportation Planning Process	ConnDOT assesses existing transportation facilities biennially and starting in 2010 must develop a master transportation plan every five years. ConnDOT uses a structured planning process that requires the participation of regional entities and provides opportunities for public input.
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Legislative Role in Transportation Planning	State statute provides guidelines for the planning process, including conditions for approving projects. The General Assembly also passes legislation identifying specific projects or programs for ConnDOT to implement (see Conn. Gen. Stat. Ann. §13b-57h). In 2001, the General Assembly created a Transportation Strategy Board that includes legislatively appointed members, which proposes a transportation strategy for legislative approval every four years. The General Assembly also approves the five-year State Plan of Conservation and Development, which includes a transportation component.
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Funding and Finance

Budgeting and Appropriations	Biennial enactment of two 12-month budgets; fiscal year begins July 1. ConnDOT submits budget requests to the executive branch Office of Policy and Management, which prepares the governor's budget proposal and submits it to the General Assembly for review and approval.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$516.9 million FY 2010: \$488.2 million FY 2009: \$512.9 million FY 2008: \$492.7 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds flow directly to ConnDOT from the U.S. DOT with no state legislative involvement.
Allocation of State Transportation Funds to the DOT	State transportation funds are allocated to ConnDOT through a legislative appropriation at the program/category level.
Traditional State Funding and Finance for Highways	Fuel taxes; additional sales taxes on gasoline or diesel; motor vehicle/rental car sales taxes; vehicle registration/license/title fees; truck weight fees; interest income; statutory transfers from the general fund; general obligation bonds.
State Funding and Finance for Other Modes	State-owned and -operated public transit: Bond proceeds; appropriations from the Special Transportation Fund, to meet shortfalls in fare collections.
Innovative Transportation Funding and Finance	GARVEE bonds; design-build (reported in survey; no authorizing statute found).
Dedicated/Restricted State Funds and Revenues	The Special Transportation Fund receives revenues from various sources and is statutorily dedicated to debt service; payment of general obligation bonds for transportation purposes; and appropriations to ConnDOT, the Department of Motor Vehicles or the Department of Public Safety for members of the Division of State Police (Conn. Gen. Stat. Ann. §§13b-59 et seq.).
DOT Authorized to Retain Surplus Funds	Yes. The Connecticut Special Transportation Fund maintains a cumulative surplus that is carried forward each year.
Legislative Approval Required to Move Funds Between Projects	Yes, inasmuch as bond acts must be revised to reflect changes in state-funded capital projects.
Transportation Funding Allocations through Local Aid	Allocations generally are given through state legislative appropriations—which can be appropriated only from state funding sources—and ConnDOT allocation of funds by formula. A certain amount of funding is allocated to towns through the Town Aid program and is distributed by a statutory formula based on miles of improved road and population (Conn. Gen. Stat. Ann. §§13a-175a et seq.). Connecticut does not have organized county governments.

Delaware

Organizational Facts

Legislature	Delaware General Assembly Structure: Bicameral, partisan Chambers: Senate (21 members) House (41 members) Session: Annual, approximately January – June Estimated no. of bills in 2011: 600	Department of Transportation	Delaware Department of Transportation (DelDOT) FTE: 1,509 operating; 309 capital Leadership: Secretary Organizational structure: Modes administered by separate agencies
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 13,656 (2009); miles of tolled roadway: 47 (2009); bridges: 861 (2010); toll bridges and tunnels: 1 shared with New Jersey (2009)
Transit	Trips per year (all transit modes): Approximately 9.5 million (2008)
Rail	Freight rail route-miles: 218 (2008)
Aviation	Airports (total): 11; public-use: 11; state-owned: 2 (one jointly with New Jersey) (2010) Enplanements per year: 1,677 (2009)
Marine	Port traffic per year (20-foot equivalent units): 164,013 (2009); waterborne tonnage per year: 23.6 million (2009); state-operated ferries: 1 shared with New Jersey (operated by the Delaware River and Bay Authority) (2009)

Legislative-DOT Collaboration and Communication

Formal and informal. DelDOT uses the budget process to communicate its goals and project directions to the General Assembly. DelDOT attends executive and legislative budget meetings. Ongoing communication occurs as issues arise and projects proceed, through public and one-on-one meetings, letters, e-mails and phone calls. DelDOT employs a dedicated legislative program manager.

DOT Leadership Appointments and Requirements

The DelDOT secretary is appointed by the governor, with the advice and consent of the Senate and within statutory requirements for qualifications, and serves at the pleasure of the governor. Preference must be given to a state resident provided such person is acceptable and equally qualified (Del. Code Ann. tit. 29, §8403).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information.
Legislative Program Evaluation Office	Joint Sunset Committee
Sunset Review	The Joint Sunset Committee can initiate a sunset review of any state entity (Del. Code Ann. tit. 29, §§10201 et seq.), but has not reviewed DelDOT.

Legislation and Regulation

Transportation Governance Statutes	Del. Code Ann. tit. 29, ch. 84; Del. Code Ann. tit. 2, ch. 13 and ch. 14
Administrative Rules Review	Executive review of proposed rules.

Transportation Planning and Capital Program Management

Transportation Planning Process	DelDOT annually updates its Statewide Transportation Improvement Program (STIP), which also is the state's six-year Capital Transportation Plan. The STIP is adopted by the Council on Transportation.
Legislative Role in Transportation Planning	DelDOT presents the Capital Transportation Plan to the General Assembly's Bond Bill Committee and the operating budget to the Joint Finance Committee for committee approval, before they go to the full legislature for approval. In addition, the state has a Community Transportation Fund, from which legislators can each determine the use of an annual authorization for road and drainage projects in their respective districts. This fund allows individual lawmakers to address small transportation projects that may not meet DelDOT priorities.

Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1. The governor outlines priorities in an annual recommended budget, which must be approved by the General Assembly.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$485.9 million FY 2010: \$416.8 million FY 2009: \$621.2 million FY 2008: \$606.9 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated through state legislative approval of DelDOT's Capital Transportation Plan and operating budget.
Allocation of State Transportation Funds to the DOT	State transportation funds are allocated through state legislative approval of DelDOT's Capital Transportation Plan and operating budget.
Traditional State Funding and Finance for Highways	Fuel taxes; vehicle registration/license/title fees; tolls; interest income; general obligation bonds; revenue bonds.
State Funding and Finance for Other Modes	Transit, rail and bridges: Funded by the same revenue sources as highways through the Transportation Trust Fund.
Innovative Transportation Funding and Finance	GARVEE bonds (authorized by Vol. 77 Del. Laws, Chap. 223); Build America Bonds; state infrastructure bank (federally capitalized); PPPs (authorized in statute with legislative approval requirements); design-build (authorized in statute); traffic camera fees.
Dedicated/Restricted State Funds and Revenues	The state's multimodal Transportation Trust Fund is fed primarily by tolls, motor fuel taxes, DMV fees and fare revenues. State statute requires certain revenues to go solely to this fund. The transfer of motor fuel tax revenues or motor carrier registration fees to the general fund is prohibited (Del. Code Ann. tit. 2, §1415 and §1416). The state Community Transportation Fund is set aside for legislators to allocate to transportation-related projects in their districts.
DOT Authorized to Retain Surplus Funds	Yes. DelDOT can rollover any excess funds to the next fiscal year with approval of the Capital Transportation Plan (CTP).
Legislative Approval Required to Move Funds Between Projects	Yes, through a mini-bond bill session. Once changes are approved by the Bond Bill Committee, they go to the full legislative body for approval.
Transportation Funding Allocations through Local Aid	The General Assembly appropriates funds to local governmental entities. DelDOT also allocates certain funds by formula. Municipal Street Aid is allocated to municipalities by a statutory formula based on population and road mileage (Del. Code Ann. tit. 30, §§5161 et seq.).

Florida

Organizational Facts

Legislature	Florida Legislature Structure: Bicameral, partisan Chambers: Senate (40 members) House (120 members) Session: Annual, approximately March – May Estimated no. of bills in 2011: 2,400	Department of Transportation	Florida Department of Transportation (FDOT) FTE: 7,443 Leadership: Commission; Secretary Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 268,350 (2009); miles of tolled roadway: 679 (2009); bridges: 11,912 (2010); toll bridges and tunnels: 14 (2009)
Transit	Trips per year (all transit modes): Approximately 271.8 million (2008)
Rail	Freight rail route-miles: 2,874 (2008)
Aviation	Airports (total): 759; public-use: 128; state-owned: 0 (2008) Enplanements per year: 64,762,899 (2009)
Marine	Port traffic per year (20-foot equivalent units): 2,006,827 (2009); waterborne tonnage per year: 98.1 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, mainly through leadership. FDOT’s leadership team—which includes the secretary, chief of staff, legislative affairs director, communications director and director of the office of policy planning—is the main conduit of information between the agency and the Legislature. Six members of this team are registered lobbyists who can actively advocate for FDOT initiatives. These staff interact with legislators and legislative committee staff during the interim, appear before committees during session, and pursue FDOT’s policy and funding issues. FDOT also has a legislative affairs office that provides information to legislators and staff.

DOT Leadership Appointments and Requirements

The nine members of the Transportation Commission are appointed to four-year terms by the governor, subject to confirmation by the Senate and within statutory requirements for geographic representation, state citizenship and voter registration. Each appointee also must possess business managerial experience in the private sector. The secretary of transportation is nominated by the Transportation Commission and appointed by the governor, subject to confirmation by the Senate and within statutory requirements for qualifications, and serves at the pleasure of the governor (Fla. Stat. Ann. §20.23).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by one or more legislative committees; legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information.
Legislative Program Evaluation Office	Office of Program Policy Analysis and Government Accountability
Sunset Review	Yes. As of April 2011, state agencies and advisory committees are reviewed every 10 years. Each is abolished on June 30 following the review unless affirmatively continued by the Legislature. Under this process, FDOT will be reviewed starting July 1, 2012, and terminates June 30, 2013 unless continued (Fla. Stat. Ann. §§11.901 et seq.). (Note, however, Senate Bill 1204 in the 2011 legislative session proposes to repeal these state statutes and thus eliminate the sunset review process. As of April 2011, this bill had passed both chambers.)

Legislation and Regulation

Transportation Governance Statutes	Fla. Stat. Ann. §20.23; Fla. Stat. Ann. ch. 334 to 249
Administrative Rules Review	Legislative review of proposed and existing rules by a joint bipartisan committee; committee role is mainly advisory.

Transportation Planning and Capital Program Management

Transportation Planning Process	FDOT is responsible for coordinating and preparing statewide and local government transportation plans. FDOT collaboratively develops a Five-Year Work Program and the annually updated Florida Transportation Plan. The Transportation Commission performs an in-depth evaluation of the Florida Transportation Plan.
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Legislative Role in Transportation Planning	The Legislature requires FDOT to develop and annually update the statewide Florida Transportation Plan, and has set statutory requirements for its purpose and content. Statute establishes the prevailing principles to be considered in planning and developing an integrated, balanced state transportation system (Fla. Stat. Ann. §334.046). Each year, FDOT must develop a tentative work program and submit it to the Legislature as part of the legislative budget request. Based on appropriations, FDOT adopts a final work program prior to the beginning of the fiscal year. The tentative and final work programs are required to be planned to deplete the estimated resources of each fund for the fiscal year.
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Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1.
Bonding or Pay-as-You-Go	Operates on a cash flow basis (combination of bonding and pay-as-you-go). Major project phases begin before the total amount is available to fund that phase. Project commitments within the work program are converted to cash flow projections over several years.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$3.69 billion FY 2010: \$2.44 billion FY 2009: \$3.09 billion FY 2008: \$3.96 billion
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated through a state legislative appropriation at the program level and through approval of the FDOT work program, which is submitted to the Legislature as part of the legislative budget request. Occasionally, a legislative proviso may direct how funding may be used.
Allocation of State Transportation Funds to the DOT	As with federal funds, state transportation funds also are allocated through appropriation at the program level and approval of the FDOT work program.
Traditional State Funding and Finance for Highways	Fuel taxes (indexed to Consumer Price Index; see Fla. Stat. Ann. §206.41); motor vehicle/rental car sales taxes; vehicle registration/license/title fees; tolls; interest income; a portion of documentary stamp revenue; revenue bonds.
State Funding and Finance for Other Modes	All modes—including transit, aviation, rail, ports and bridges—are funded by revenue sources that flow into the State Transportation Trust Fund and receive allocations based on statutory guidance (Fla. Stat. Ann. §§339.08, §§332.003 et seq., §311.07(2), §320.20 and §206.46(2)). A minimum of 15 percent of fund revenues must be used for transit (Fla. Stat. Ann. §206.46). Starting in FY 2014-2015, \$60 million of documentary stamp proceeds are to be allocated to the Florida Rail Enterprise (Fla. Stat. Ann. §201.15(1)(c)(1)(d)).
Innovative Transportation Funding and Finance	GARVEE bonds (authorized but not used as of 2009); Build America Bonds; federal credit assistance (TIFIA); state infrastructure bank (separate federally and state-only capitalized accounts); congestion pricing; PPPs (authorized in statute with legislative approval requirements, used for at least seven projects); design-build (authorized in statute, used as a component of at least 14 projects); traffic camera fees; impact fees; advance construction; toll credits or “soft match.”
Dedicated/Restricted State Funds and Revenues	State Transportation Trust Fund money can be used only for certain purposes, including FDOT administration, highway construction and maintenance, public transit and grants to local governments (Fla. Stat. Ann. §339.08). This statute also allows a transfer from the trust fund to the general fund for FY 2010 – 2011 only. Toll revenues may be used only for turnpike projects.
DOT Authorized to Retain Surplus Funds	No. The Legislative Budget Committee must approve carrying forward any work program budget authority not yet committed. The transportation work program is required by law to deplete available revenues, and operating cash reverts to the fund from which it was appropriated.
Legislative Approval Required to Move Funds Between Projects	Yes. FDOT must submit any work program amendments to affected counties, the governor and the Legislature. The governor may not approve the amendment until 14 days after legislative notification. The amendment is approved after the 14-day period if there is no legislative objection.

Florida

<p>Transportation Funding Allocations through Local Aid</p>	<p>The state allocates funds to local governmental entities through state legislative appropriations; FDOT allocation of funds by formula; FDOT allocation of funds within existing statutory requirements; and FDOT discretionary allocation of funds. Florida levies state taxes specifically for local use. These include the constitutional fuel tax, the county fuel tax and the municipal fuel tax. The constitutional fuel tax is distributed to counties by a formula based on area, population and constitutional fuel tax collections (Fla. Const. art. XII, §9(c); Fla. Stat. Ann. §206.47). The county fuel tax is distributed by the same formula as the constitutional fuel tax (Fla. Stat. Ann. §206.60). Allowable uses of the municipal fuel tax are described in statute (Fla. Stat. Ann. §206.605). FDOT also provides funding to local entities through various grant programs, including the Small County Road Assistance Program (Fla. Stat. Ann. §339.2816), the County Incentive Grant Program (Fla. Stat. Ann. §339.2817), the Small County Outreach Program (Fla. Stat. Ann. §339.2818) and the Enhanced Bridge Program for Sustainable Transportation (Fla. Stat. Ann. 339.285). FDOT is decentralized into seven districts; these districts also receive discretionary funding through the Transportation Regional Incentive Program (Fla. Stat. Ann. §339.2819).</p>
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Organizational Facts

Legislature	Georgia General Assembly Structure: Bicameral, partisan Chambers: Senate (56 members) House (180 members) Session: Annual, approximately January – April Estimated no. of bills in 2011: 3,200	Department of Transportation	Georgia Department of Transportation (GDOT) FTE: Approximately 4,750 Leadership: Commissioner; Transportation Board; Director of Planning Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 256,952 (2009); miles of tolled roadway: 6 (2009); bridges: 14,670 (2010)
Transit	Trips per year (all transit modes): Approximately 173.4 million (2008)
Rail	Freight rail route-miles: 4,720 (2008)
Aviation	Airports (total): 465; public-use: 106; state-owned: 4 (2008) Enplanements per year: 43,487,786 (2009)
Marine	Port traffic per year (20-foot equivalent units): 1,898,745 (2009); waterborne tonnage per year: 34.4 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, mainly through the DOT legislative liaison. GDOT meets regularly with members of the General Assembly and must submit several reports every year to the House and Senate transportation committees. In addition to committee hearings, legislators often request information from GDOT. GDOT employs a dedicated legislative liaison in the commissioner’s office who drafts, finds sponsors for and lobbies for GDOT legislation and also testifies in legislative hearings. Most legislative-GDOT communication occurs through the liaison.

DOT Leadership Appointments and Requirements

The 13 members of the State Transportation Board represent congressional districts; they are elected by—and can be recalled by—a majority vote of state legislators in their respective districts. The board appoints and can remove the commissioner of transportation (Ga. Const. art. IV, §4; Ga. Code Ann. §32-2-20). The director of planning is appointed by the governor, subject to approval by a majority vote of both the House Transportation Committee and the Senate Transportation Committee. The director serves during the term of the governor by whom s/he is appointed and at the pleasure of the governor (Ga. Code Ann. §32-2-43).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); reporting requirements; legislative requests for information.
Legislative Program Evaluation Office	Department of Audits and Accounts, Performance Audit Operations Division
Sunset Review	No sunset review of state agencies or programs.

Legislation and Regulation

Transportation Governance Statutes	Ga. Code Ann. tit. 32; Ga. Code Ann. tit. 48 ch. 9. Also relevant: Ga. Code Ann. tit. 12, tit. 13, tit. 40, tit. 45, tit. 46, tit. 50.
Administrative Rules Review	Legislative review of proposed rules by standing committee; no objection constitutes approval of proposed rule.

Georgia

Transportation Planning and Capital Program Management

Transportation Planning Process	The position of director of planning was legislatively created in 2009 (2009 Ga. Laws, p. 340). The director of planning works with many planning partners to develop the state transportation plan and priorities. GDOT helps to develop projects to take into consideration for inclusion in the STIP. GDOT evaluates projects to determine the need and whether a project supports the state's Investing in Tomorrow's Transportation Today initiative. This initiative is an effort to bring a results-oriented, strategic direction to transportation planning and implementation. Once a need is established, a project is included in GDOT's program and subjected to GDOT's project prioritization process. Priority projects are included in the STIP, which is approved by the governor, the State Transportation Board and the U.S. DOT. GDOT also works with each MPO to develop a draft Transportation Improvement Program (TIP), which must be approved by the MPO and the governor.
Legislative Role in Transportation Planning	The General Assembly is given the opportunity to comment on the draft STIP, which typically is developed annually. Senate Bill 200 (2009) gave the General Assembly the ability to allocate-oriented, 10 percent and 20 percent of the motor fuel revenues to a Local Maintenance and Improvement Grant program. The General Assembly annually appropriates funding to GDOT for intermodal programs and can choose to emphasize rail, airports, transit or other modes in a given year.

Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1.
Bonding or Pay-as-You-Go	GDOT has been restricted to using only what is in the budget, so that the full amount for a contract must be encumbered in the current year's budget, whether or not the project will fully pay out in the current year. The FY 2011 budget included \$200 million in general obligation bonds; the debt service on these bonds, however, must be paid back with motor fuel funds.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$682 million* FY 2010: \$693 million* FY 2009: \$865 million* FY 2008: \$833 million* <i>*These numbers include GDOT appropriations only. A portion of motor fuel receipts also is allocated to debt service on general obligation bonds. Because this money is appropriated directly to the Georgia State Financing and Investment Commission, not to GDOT, it is not included here.</i>
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated to GDOT as a state legislative appropriation at the program level, by budgetary program (State Highway Construction, State Highway Maintenance, etc.).
Allocation of State Transportation Funds to the DOT	State transportation funds also are allocated to GDOT as a state legislative appropriation at the program level. Debt service for general obligation bonds paid with motor fuel tax revenues is taken off the top.
Traditional State Funding and Finance for Highways	Fuel taxes; truck oversize permit fees; interest income; general obligation bonds.
State Funding and Finance for Other Modes	Transit, aviation, rail, ports and intermodal: General funds. Bridges: Fuel taxes.
Innovative Transportation Funding and Finance	GARVEE bonds; Build America Bonds; state infrastructure bank (state-only capitalized); PPPs (authorized in statute); design-build (authorized in statute); traffic camera fees; impact fees; advance construction.
Dedicated/Restricted State Funds and Revenues	The state constitution restricts use of motor fuel revenues to roads and bridges, except in case of invasion or major catastrophe declared by the governor (Ga. Const. art. III, §9 ¶VI(b)). Transportation-related revenues are deposited into the State Public Transportation Fund, which must be used for certain transportation purposes (Ga. Code Ann. §§32-5-20 et seq.).
DOT Authorized to Retain Surplus Funds	Yes, for some funds. GDOT can retain excess motor fuel funds and amend them into the GDOT budget in a subsequent fiscal year.
Legislative Approval Required to Move Funds Between Projects	Yes, for some funds. GDOT cannot move state motor fuel funds from one program to another without legislative approval. Federal funds can be moved between programs with the approval of the governor's Office of Planning and Budget.
Transportation Funding Allocations through Local Aid	Between 10 percent and 20 percent of the state motor fuel tax must be appropriated by the General Assembly to the Local Maintenance and Improvement Grant program. Funds are distributed to local governments by a formula that state statute requires the director of planning to create within certain guidelines (Ga. Code Ann. §32-5-27). The formula used is based on centerline miles and population.

Organizational Facts

Legislature	Hawaii Legislature Structure: Bicameral, partisan Chambers: Senate (25 members) House (51 members) Session: Annual, approximately January – May Estimated no. of bills in 2011: 4,500	Department of Transportation	Hawaii Department of Transportation (DOT) FTE: 2,160 Leadership: Director; Commission (advisory only) Organizational structure: Mainly by transportation mode
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 9,539 (2009)*; bridges: 1,137 (2010) <i>* Total lane miles above are as reported by Federal Highway Administration. Hawaii's DOT reported 9,530 lane miles as of Dec. 31, 2009.</i>
Transit	Trips per year (all transit modes): Approximately 71.3 million (2008)
Rail	Freight rail route-miles: 0 (2008)
Aviation	Airports (total): 20; public-use: 20; state-owned: 15 (2008) Enplanements per year: 14,549,137 (2009)
Marine	Port traffic per year (20-foot equivalent units): 828,929 (2009); waterborne tonnage per year: 19.0 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal. The DOT exchanges formal and informal written and oral communications with individual legislators and legislative committees. The DOT testifies at, makes presentations for, and otherwise attends relevant legislative hearings during the legislative session and interim. The Staff Services office within the Highways Division provides coordination and liaison services for legislative matters. The office reviews legislation for its impact on the division; provides recommendations on legislation; coordinates and assists in drafting legislation and legislative testimonies; and recommends changes in law.

DOT Leadership Appointments and Requirements

The DOT director is appointed by the governor, with the advice and consent of the Senate, and also can be removed by the governor (Hawaii Rev. Stat. §26-31). The not more than 11 members of the advisory Commission on Transportation are appointed by the governor, within statutory requirements for geographic representation (Hawaii Rev. Stat. §26-19).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); legislative program reviews or performance audits; reporting requirements; legislative requests for information. Various state statutes require DOT reports to the Legislature. Legislative bills and resolutions may also request audit or performance data from the DOT.
Legislative Program Evaluation Office	Office of the Auditor, which performs periodic audits of executive departments, including the DOT.
Sunset Review	The state conducts sunset reviews, but not of the DOT.

Legislation and Regulation

Transportation Governance Statutes	Hawaii Rev. Stat. §26-13, tit. 15, tit. 17
Administrative Rules Review	Legislative review of proposed and existing rules by the Legislative Reference Bureau; bureau role is mainly advisory.

Transportation Planning and Capital Program Management

Transportation Planning Process	The governor and the DOT are responsible for short- and long-term planning with input from various public and private stakeholder groups, such as the harbor users group and MPOs.
Legislative Role in Transportation Planning	The Legislature approves all appropriations, both for operating costs and capital improvements.

Hawaii

Funding and Finance

Budgeting and Appropriations	Biennial enactment of two 12-month budgets; fiscal year begins July 1.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$1.23 billion FY 2010: \$1.46 billion FY 2009: \$1.04 billion FY 2008: \$862.3 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated by state legislative appropriations at the agency level, the program or category level, and for specific projects. The Legislature also approves a DOT transportation plan. The DOT, via a budget proviso, is allowed to increase federal appropriation ceilings when the Legislature is not in session, thus effectively allowing federal funds to flow directly to Hawaii's DOT from the U.S. DOT during the interim. All such actions, however, must be reported to the Legislature with details about why the appropriation was not sought during the normal legislative budgeting cycle.
Allocation of State Transportation Funds to the DOT	State transportation funds are allocated by direct flow from revenue sources to the DOT with no legislative involvement; state legislative appropriations at the agency, program/category and project-specific level; and legislative approval of a DOT transportation plan.
Traditional State Funding and Finance for Highways	Fuel taxes; motor vehicle/rental car sales taxes; vehicle registration/license/title fees; state vehicle weight tax; revenue bonds.
State Funding and Finance for Other Modes	Aviation: Consolidated facility charge; passenger facility charge; concession fees. Ports: Moorage, rental fees, tariffs, dockage, wharfage, demurrage, pipeline tolls and others. Transit and rail are funded at the county level.
Innovative Transportation Funding and Finance	Design-build (used but not specifically authorized in statute); impact fees; advance construction; toll credits or "soft match."
Dedicated/Restricted State Funds and Revenues	The State Highway Fund receives revenues from several sources, including the state fuel tax. Expenditures from the fund are statutorily restricted to highways, roads, bikeways and—for vehicle weight tax revenues—transit and certain other transportation-related purposes (Hawaii Rev. Stat. §248-9 and §249-18). The passenger facility charge special fund must be used for airport capital improvement program projects (Hawaii Rev. Stat. §261-5.5), and the rental motor vehicle customer facility charge special fund for rental motor vehicle customer facilities at state airports (Hawaii Rev. Stat. §261-5.6). Aviation fuel tax revenues are deposited in the Airport Revenue Fund, which is restricted to aeronautics purposes (Hawaii Rev. Stat. §248-8, §261-5). The Boating Special Fund, supported by boating fuel tax revenues, funds the statewide comprehensive boating program (Hawaii Rev. Stat. §200-8 and §248-8).
DOT Authorized to Retain Surplus Funds	Yes, inasmuch as all excess funds are retained by the respective DOT division. Funds, however, can be authorized for other purposes only via legislative appropriation unless budget proviso flexibility provisions apply.
Legislative Approval Required to Move Funds Between Projects	Yes. Budget provisos allow for DOT flexibility to transfer funds for existing projects when the Legislature is not in session, provided that all transfers are reported in detail to the Legislature. Unless otherwise indicated as part of a lump sum appropriation, funding must be reappropriated in the following year's budget acted for new projects.
Transportation Funding Allocations through Local Aid	The state allocates transportation funds to local entities through state legislative appropriations. Also, a temporary 0.5 percent state general excise tax in one county has been authorized for the development of a fixed rail system, which will be implemented at the county level.

Organizational Facts

Legislature	Idaho Legislature Structure: Bicameral, partisan Chambers: Senate (35 members) House (70 members) Session: Annual, approximately January – March Estimated no. of bills in 2011: 700	Department of Transportation	Idaho Transportation Department (ITD) FTE: 1,826.5 Leadership: Director; Transportation Board Organizational structure: Mainly by transportation mode
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 98,590 (2009); bridges: 4,132 (2010)
Transit	Trips per year (all transit modes): Approximately 1.8 million (2008)
Rail	Freight rail route-miles: 1,591 (2008)
Aviation	Airports (total): 69; public-use: 69; state-owned: 61 (2008) Enplanements per year: 1,700,595 (2009)
Marine	Port traffic per year (20-foot equivalent units): 4,785, plus 128 shared with Oregon and Washington (2009); waterborne tonnage per year: 692,000 (2009)

Legislative-DOT Collaboration and Communication

Formal and informal. ITD executive leadership and the governmental affairs manager communicate with legislators face-to-face, by phone or by e-mail throughout the year, and often attend the Legislature during session. Legislators request information from ITD staff. The ITD conducts legislative outreach meetings at each of its six district offices in December and invites legislators to attend board meetings each year when the board tours the state. The ITD has a governmental affairs office that monitors and assigns relevant legislation to subject matter experts for analysis. The analysis is supplied to the governor's office, the legislative services office and legislators. ITD prepares a package of legislation each year that, after being approved by the governor, is submitted to the Legislature. ITD staff assist the legislative sponsors of—and testify regarding—these bills.

DOT Leadership Appointments and Requirements

The seven members of the Idaho Transportation Board are appointed by the governor, subject to confirmation by the Senate and statutory requirements regarding state citizenship, residency, party affiliation and geographic representation. None can hold any other elective, appointive or political office, and each must be “well informed and interested in the construction and maintenance of public highways and highway systems.” At least one must have special training, experience or expertise in aeronautics. Six members are appointed to alternating six-year terms and represent designated districts; the seventh is appointed from the state at-large to act as chairman of the board; the chairman serves at the pleasure of the governor for an indefinite period (Idaho Code §§40-302 et seq.). The director of the ITD is appointed by the Idaho Transportation Board within broad statutory guidelines for knowledge and experience, and serves at its pleasure (Idaho Code §40-503).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); interim charges; legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information.
Legislative Program Evaluation Office	Office of Performance Evaluations. The Legislature may request that this office conduct an evaluation of a state agency or program. In 2008, for example, the Legislature requested a comprehensive review of the ITD (House Concurrent Resolution No. 50). Also, the Legislative Audits Division of the Legislative Services Office must conduct a full audit of all state agencies every three years.
Sunset Review	Sunset clauses have been enacted only for selected programs or legislation, not for ITD per se.

Legislation and Regulation

Transportation Governance Statutes	Idaho Code title 40; title 49; title 67
Administrative Rules Review	Legislative review of proposed rules by germane joint subcommittees, then the full Legislature; no objection constitutes approval of proposed rule.

Idaho

Transportation Planning and Capital Program Management

Transportation Planning Process	Project ideas are developed through a coordinated, cooperative process involving many stakeholders, including local and tribal governments. ITD identifies and selects projects according to existing priorities. Projects are confirmed through the public involvement process during the annual update of the Statewide Transportation Improvement Program (STIP).
Legislative Role in Transportation Planning	The Legislature has limited involvement in transportation planning beyond approving the departmental budget recommended by the Idaho Transportation Board through the office of the governor. In 2006, the Legislature selected projects and approved the use of GARVEE bonds to construct large expansion projects.

Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$224.2 million* FY 2010: \$259.8 million* FY 2009: \$225.9 million* FY 2008: \$214.2 million* <i>*All these numbers include state-funded GARVEE debt service.</i>
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated by a state legislative appropriation at the program or category level. The Legislature approves the departmental budget by object and program.
Allocation of State Transportation Funds to the DOT	State transportation funds also are allocated by a state legislative appropriation at the program or category level.
Traditional State Funding and Finance for Highways	Fuel taxes; vehicle registration/license/title fees; revenue bonds.
State Funding and Finance for Other Modes	Transit: Fuel taxes; vehicle registration/license/title fees. Rail: \$250,000 from fuel tax. Aviation: Tax on jet fuel. Bridges: \$100,000 from fuel tax.
Innovative Transportation Funding and Finance	GARVEE bonds; design-build (authorized in statute); impact fees.
Dedicated/Restricted State Funds and Revenues	The state constitution restricts the use of highway-user revenues to highway construction and maintenance (Idaho Const. art. VII, §17). Use of all funds in the State Highway Fund is restricted to defraying the costs incurred in carrying out the powers and duties of the Highway Board (Idaho Code §40-707).
DOT Authorized to Retain Surplus Funds	Yes. The ITD is provided reappropriation or carry-over authority for any unexpended and unencumbered balances of the State Highway Fund appropriated for the Contract Construction and Right-of-Way Acquisition program.
Legislative Approval Required to Move Funds Between Projects	No. Legislative appropriations are controlled at the program level, not by project. The ITD can transfer funds between projects in the same program without legislative approval.
Transportation Funding Allocations through Local Aid	The ITD allocates funds to local governments by legislative appropriation, by formula and within existing statutory requirements. After set-asides, 30 percent of the money appropriated from the highway distribution account to local units of government is distributed to cities by a statutory formula based on population. The remainder is apportioned to counties by a statutory formula based on equal distribution, motor vehicle registrations and miles of improved highways (Idaho Code §40-709).

Organizational Facts

Legislature	Illinois General Assembly Structure: Bicameral, partisan Chambers: Senate (59 members) House (118 members) Session: Annual, year-round Estimated no. of bills in 2011: 8,500	Department of Transportation	Illinois Department of Transportation (IDOT) FTE: 5,449 Leadership: Secretary Organizational structure: Mainly by transportation mode
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 292,845 (2009); miles of tolled roadway: 284 (2009); bridges: 26,337 (2010); toll bridges and tunnels: 1, plus 2 shared with Indiana and 1 shared with Iowa (2009)
Transit	Trips per year (all transit modes): Approximately 668.5 million (2008)
Rail	Freight rail route-miles: 7,306 (2008)
Aviation	Airports (total): 601; public-use: 117; state-owned: 0 (2008) Enplanements per year: 40,589,152 (2009)
Marine	Waterborne tonnage per year: 119.1 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal. IDOT actively participates in the legislative process, providing testimony and input on relevant legislation during the year-round session. IDOT annually submits its proposed five-year highway improvement plan to the General Assembly for review during the appropriations process. IDOT also submits required reports to the General Assembly. Every state executive agency in Illinois, including IDOT, employs a dedicated legislative liaison.

DOT Leadership Appointments and Requirements

The secretary of transportation is appointed to a two-year term by the governor, by and with the advice and consent of the Senate, and can be removed at the governor's discretion (Ill. Rev. Stat. ch. 20, §§5/5-605 et seq.).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); legislative program reviews or performance audits; reporting requirements; legislative requests for information. Both legislative chambers require detailed documents pertaining to IDOT budget requests. The General Assembly holds IDOT budget hearings before various appropriation committees. The General Assembly recently enacted an expenditure reporting law requiring detailed information on every capital project undertaken or expected to be undertaken by the state. The Legislative Research Unit maintains separate research and reporting functions.
Legislative Program Evaluation Office	Office of the Auditor General. Also, the Legislative Audit Commission can review the agency with or without the assistance of the auditor general, and last did so in FY 2008.
Sunset Review	The state's process for sunset reviews currently is inactive.

Legislation and Regulation

Transportation Governance Statutes	Ill. Rev. Stat. ch. 20, art. 5/ and art. 2705/; Ill. Rev. Stat. ch. 605, art. 5/ et seq.; Ill. Rev. Stat. ch. 610, art. 5/ et seq.; Ill. Rev. Stat. ch. 615, art. 10/ et seq.; Ill. Rev. Stat. ch. 620, art. 5/ et seq.
Administrative Rules Review	Legislative review of proposed and existing rules by a joint bipartisan committee; committee may suspend rule.

Transportation Planning and Capital Program Management

Transportation Planning Process	IDOT estimates revenues from federal and state sources, assesses highway needs, and issues funding targets and technical guidelines to its nine highway districts. IDOT districts develop, prioritize and submit projects for inclusion in the multi-year highway improvement plan. Each year, the plan is submitted for review and announcement to the governor. The governor then presents the plan to the General Assembly and the public for review and discussion during the appropriation process. The General Assembly approves or modifies the appropriation level, but there is no formal mechanism for legislative adoption of the plan.
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Illinois

Legislative Role in Transportation Planning	The General Assembly reviews and discusses the highway improvement plan as part of the appropriation process, during which projects can be added or removed. The annual appropriation is approved as part of the budget bill.
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Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1.
Bonding or Pay-as-You-Go	Pay-as-you-go is the main financing approach; bonding typically requires extraordinary action by the governor and the General Assembly.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): (No data) FY 2010: \$472 million* FY 2009: \$573 million* FY 2008: \$479 million* <i>* Numbers include only the state funding for new highway program contracts that were entered into each fiscal year, and not the balance of appropriations from prior years.</i>
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are assumed as a revenue source in the annual and multi-year transportation plans and are reflected in overall appropriation levels, but no legislative action is tied directly to federal funding.
Allocation of State Transportation Funds to the DOT	State transportation funds are allocated to IDOT as state legislative appropriations at the agency, program and project-specific levels. IDOT is required to prepare and present transportation plans to the General Assembly, but the General Assembly does not formally adopt these plans. Rather, the General Assembly approves or modifies the appropriation level.
Traditional State Funding and Finance for Highways	Fuel taxes; vehicle registration/license/title fees; truck weight fees; interest income; oversize/overweight truck permits; logo signing; general obligation bonds. Toll revenues are retained by the Illinois Toll Highway Authority, which technically is not a state agency.
State Funding and Finance for Other Modes	Transit: General obligation bonds; general funds. Rail, aviation, ports: General obligation bonds. Bridges: Fuel tax; vehicle registration/license/title fees; interest income; general obligation bonds.
Innovative Transportation Funding and Finance	Private activity bonds (PABs) (allocated); Build America Bonds; PPPs (authorized in statute for high-speed rail, magnetic levitation systems and the proposed Illiana Expressway; used at the city level for the Chicago Skyway); design-build (authorized for regional transportation authorities in statute); traffic camera fees; impact fees; advance construction; toll credits or "soft match."
Dedicated/Restricted State Funds and Revenues	Fuel taxes, vehicle registration/licensing/title fees, truck weight fees, interest income and logo signing are dedicated revenues that are distributed by statutory formula or direction (e.g., Ill. Rev. Stat. ch. 625, §5/20-101). Road Fund appropriations are limited to approved uses, including debt payment, highways and certain administrative expenses (Ill. Rev. Stat. ch. 30, §105/8.3). Funds deposited into the State Construction Account must be used for construction, reconstruction and maintenance of the state-maintained highway system (Ill. Rev. Stat. ch. 30, §105/5d). Special state funds also support transit and freight rail (Ill. Rev. Stat. ch. 30, §105/5.241 and §105/5.152 and 105/5.168). The use of general obligation bonds is limited to the purposes specified in the authorizing bond act.
DOT Authorized to Retain Surplus Funds	No. Unobligated appropriations lapse if they are not reappropriated into the succeeding fiscal year by explicit action of the governor and the General Assembly.
Legislative Approval Required to Move Funds Between Projects	Yes, if the appropriation is project-specific. In that case, a change in the appropriation is needed for IDOT to repurpose those funds. No further legislative action is required for lump sum or program-level appropriations. The General Assembly also can impose "release requirements," which require IDOT to obtain special permission from the governor to use certain appropriations. Released appropriations must be de-released and re-released if they are to be used for another purpose.
Transportation Funding Allocations through Local Aid	After set-asides, 54.4 percent of fuel tax revenues are shared with local entities. Of that amount, 49.1 percent is distributed to municipalities by a statutory formula based on population; 16.74 percent to counties with 1 million or more inhabitants (Cook County only); 18.27 percent to counties having fewer than 1 million inhabitants by a statutory formula based on motor vehicle license fees; and 15.89 to road districts by a statutory formula based on road mileage (Ill. Rev. Stat. ch. 35, §505/8). A certain percentage of federal funds also is allocated annually to the local program and distributed to local agencies by formula. The state has enacted separate appropriations for the local match of certain federal funds and the local share of the annual highway program. A series of separate appropriations termed "local benefits," each with its own distribution method, also are made each year.

Organizational Facts

Legislature	Indiana General Assembly Structure: Bicameral, partisan Chambers: Senate (50 members) House (100 members) Session: Annual, approximately January – April (odd years), approximately January – March (even years) Estimated no. of bills in 2011: 1,800	Department of Transportation	Indiana Department of Transportation (INDOT) FTE: 4,299 Leadership: Commissioner Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 198,265 (2009); miles of tolled roadway: 157 (2009); bridges: 18,548 (2010); toll bridges and tunnels: 2 shared with Illinois (2009)
Transit	Trips per year (all transit modes): Approximately 33.3 million (2008)
Rail	Freight rail route-miles: 4,448 (2008)
Aviation	Airports (total): 673; public-use: 111; state-owned: 4 (2008) Enplanements per year: 4,471,068 (2009)
Marine	Waterborne tonnage per year: 56.5 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, mainly through the DOT legislative liaison. INDOT testifies at committee hearings, including those of interim study committees and state budget committees. INDOT can request that a legislator introduce a bill. INDOT employs a legislative liaison who is primarily responsible for communication and interaction with the General Assembly.

DOT Leadership Appointments and Requirements

The commissioner of INDOT is appointed by the governor and serves at the pleasure of the governor (Ind. Code Ann. §8-23-2-2).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); interim charges; legislative program reviews or performance audits; reporting requirements. There are several standing committees, including the House Committee on Roads and Transportation and the Senate Committee on Homeland Security, Transportation and Veterans Affairs. The members of these committees also are members of the permanent interim Joint Study Committee on Mass Transit and Transportation Alternatives (Ind. Code Ann. §2-5-28-3). The Illiana Expressway Proposal Committee receives a consultant report on the Illiana Expressway project. INDOT also is required to report on the proceeds from the long-term lease of the Indiana Toll Road to a private concessionaire.
Legislative Program Evaluation Office	Office of Fiscal and Management Analysis, Legislative Services Agency. Indiana has a Legislative Evaluation and Oversight Policy Subcommittee of the Legislative Council that annually assigns topics for the Legislative Services Agency to study.
Sunset Review	No sunset review of state agencies or programs.

Legislation and Regulation

Transportation Governance Statutes	Ind. Code Ann. art. 8 and art. 8-23
Administrative Rules Review	Legislative review of proposed rules by a joint bipartisan committee; committee role is mainly advisory.

Indiana

Transportation Planning and Capital Program Management

Transportation Planning Process	INDOT is responsible for project selection and for compliance with state and federal planning requirements; as head of INDOT, the commissioner is ultimately responsible for agency priorities. The transportation planning process is structured by INDOT's Annual Program Development Process, which provides a comprehensive set of procedures that formally structure the evaluation, ranking and programming of proposed projects. The process begins with an internal INDOT review of currently programmed projects. Then a formal INDOT "call for new projects" is extended to all counties, cities and towns and to INDOT's district offices. A series of early consultation meetings follows, to solicit input from MPOs, regional planning organizations and local elected officials. The final product of this process is the Indiana State Transportation Improvement Program (INSTIP). Annual Open House District Meetings are held after the draft INSTIP has been published. At these meetings, the public hears presentations about the INSTIP, the Long-Range Plan and other transportation issues.
Legislative Role in Transportation Planning	Limited role. The General Assembly does not select projects in general, but does set overall funding levels and establishes the legal framework for INDOT. Also, Ind. Code Ann. art. 8-15.5 and art. 8-15.7 establish legislative approval requirements for public-private partnership projects.

Funding and Finance

Budgeting and Appropriations	Biennial enactment of two 12-month budgets; fiscal year begins July 1.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing. The state has two bond payment funds. The revenue from these funds is being used for repayment only, and is not available for further bond issues. The State Highway Fund does not have authority to use funds for debt repayment.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$1.54 billion FY 2010: \$1.10 billion FY 2009: \$1.33 billion FY 2008: \$1.07 billion
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated to INDOT as a state legislative appropriation at the program or category level. The three divisions in the budget bill are intermodal operations, highway operations and distributions to local units of government. Each division has subdivisions and account number identifications for appropriations. The accounts include functions rather than specific projects. For example, appropriations are made for Highway Maintenance Work Program or Right-of-Way Purchasing.
Allocation of State Transportation Funds to the DOT	As with federal funds, state transportation funds are allocated to INDOT as a state legislative appropriation at the program or category level.
Traditional State Funding and Finance for Highways	Fuel taxes; additional sales taxes on gasoline or diesel; vehicle registration/license/title fees; tolls.
State Funding and Finance for Other Modes	Transit and rail: General sales tax; situs tax. Of the proceeds from the sales and use tax, 0.67 percent goes to the Public Mass Transportation Fund; 0.029 percent to the Industrial Rail Service Fund; and 0.123 percent to the Commuter Rail Service Fund. Rail also receives revenues from railroad property taxes. Ports: Fees, tolls, rentals and other charges (Ind. Code Ann. §8-10-1-17).
Innovative Transportation Funding and Finance	State infrastructure bank (federally capitalized); PPPs (authorized in statute with legislative approval requirements, used for the Indiana Toll Road); impact fees. In relation to PPPs, the state also uses proceeds from lease of the Indiana Toll Road for transportation projects.
Dedicated/Restricted State Funds and Revenues	Fuel tax receipts are statutorily dedicated to highway and road purposes, including traffic safety (Ind. Code Ann. §6-6-1.1-801.5). The State Highway Fund is a dedicated fund for construction and reconstruction of state highways (Ind. Code Ann. §8-14-2-2, §§8-23-9-54 et seq.).
DOT Authorized to Retain Surplus Funds	Funds in the Major Moves Construction Fund and the State Highway Fund remain in the accounts at the end of the year.
Legislative Approval Required to Move Funds Between Projects	The State Budget Committee is responsible for approving transfers between line items. The overall budget makes appropriations to INDOT and not to specific projects, so INDOT can move funds between projects with federal approval.

<p>Transportation Funding Allocations through Local Aid</p>	<p>Various transportation-related revenues are allocated to local entities by statutory formula. Revenues allocated through the Motor Vehicle Highway Account of the state general fund—after set-asides—are distributed 53 percent to the State Highway Fund; 15 percent to cities and towns by a statutory formula based on population; and 32 percent to counties by a statutory formula based on equal distribution, road mileage and vehicle registrations. These funds must be used for certain highway, bridge or street purposes, but cannot be used for any toll road or toll bridge project (Ind. Code Ann. §8-14-1-3). Proceeds from \$0.01 of the gasoline tax and 30 percent of the revenues that go through the Special Distribution Account also are distributed to local entities according to this formula (Ind. Code Ann. §6-6-1.1-801.5 and §6-6-2.5-68). Another 30 percent of the Special Distribution Account and 45 percent of the Highway Road and Street Fund are distributed to counties by a formula based on vehicle registrations, population and road miles (Ind. Code Ann. §6-6-2.5-68 and §8-14-2-4).</p>
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Iowa

Organizational Facts

Legislature	Iowa General Assembly Structure: Bicameral, partisan Chambers: Senate (50 members) House (100 members) Session: Annual, approximately January – May Estimated no. of bills in 2011: 2,100	Department of Transportation	Iowa Department of Transportation (Iowa DOT) FTE: 3,373 (authorized); 3,109 (actual) Leadership: Director; Commission Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 235,751 (2009)*; bridges: 24,731 (2010); toll bridges and tunnels: 1 shared with Illinois and 4 shared with Nebraska (2009) <i>* Total lane miles above are as reported by the Federal Highway Administration. The Iowa DOT reported 114,740 public road miles as of 2009.</i>
Transit	Trips per year (all transit modes): Approximately 20 million (2008)* <i>* The number above is as reported by the National Transit Database. The Iowa DOT reported 26.6 million transit trips in 2009.</i>
Rail	Freight rail route-miles: 3,925 (2008)
Aviation	Airports (total): 320; public-use: 120*; state-owned: 0 (2003) Enplanements per year: 1,448,831 (2009) <i>* The numbers of airports above are as reported by the National Association of State Aviation Officials. The Iowa DOT reported 116 public-use airports as of April 2011, including seven private airports that are open for public use.</i>
Marine	Waterborne tonnage per year: 11.8 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, extensive. Communication strategies have varied over the years in response to needs. The Iowa DOT director and staff communicate and work with legislators throughout the year through committees, meetings, phone calls and upon request. The director of transportation and the Iowa DOT management team give briefings to the General Assembly during session. The Iowa DOT employs a full-time, dedicated legislative liaison who is the main Iowa DOT contact for the General Assembly; maintains a high level of communication in person, by phone and by e-mail; attends the General Assembly daily during session; responds to legislative requests and inquiries; acts as the Iowa DOT lobbyist; and brings proposed legislation as well as areas of concern to the attention of legislators and legislative staff. The liaison is within the Iowa DOT Office of Policy and Legislative Services, which works with legislators, government officials, staff, agencies and interest groups regarding state and federal legislative and rulemaking processes. The Iowa DOT has traditionally held fall legislative workshops throughout the state, but not in recent years due to tight budgets. The Iowa DOT also holds a legislative reception at the capitol at the beginning of each session. In Iowa, state agencies may pre-file legislative proposals that are introduced as “study bills” early in session for committee consideration; the Iowa DOT regularly sponsors such bills addressing both policy and technical matters. The Iowa DOT also works with other entities to move forward legislative initiatives of common interest.

DOT Leadership Appointments and Requirements

The seven members of the Transportation Commission are appointed to four-year terms by the governor, subject to confirmation by the Senate and within statutory requirements for party affiliation and restrictions pertaining to conflicts of interest (Iowa Code Ann. §§307.2 et seq.). Commissioners can be removed from office by a district court according to the process provided in Iowa Code Ann. ch. 66. The director of transportation is appointed by the governor, subject to confirmation by the Senate, and serves at the pleasure of the governor. The director may not hold any elected office or position for profit; engage in any occupation, business or profession interfering with or inconsistent with the director’s duties; serve on or under a committee of a political party; or contribute to campaign funds (Iowa Code Ann. §307.11).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); interim charges; legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information.
Legislative Program Evaluation Office	Legislative Services Agency. This agency has an oversight role and requests fiscal and other data for oversight and evaluation purposes.
Sunset Review	No sunset review of state agencies or programs.

Legislation and Regulation

Transportation Governance Statutes	Iowa Code Ann. tit. 8; Iowa Code Ann. ch. 307; Iowa Code Ann. ch. 307A
Administrative Rules Review	Legislative review of proposed and existing rules by a joint bipartisan committee; committee may suspend rule.

Transportation Planning and Capital Program Management

Transportation Planning Process	The Iowa DOT sets long-term, mode-specific planning and investment priorities that are approved by the Transportation Commission. The Iowa DOT also plans for more immediate projects in the annually updated Five-Year Transportation Improvement Program. Projects are identified by a wide range of sources including the Iowa DOT’s district offices, MPOs and local governments, and public input at Transportation Commission meetings. The Transportation Commission establishes annual programming objectives, then Iowa DOT staff evaluate potential projects based on technical factors. The Iowa DOT then develops the final program, which the Transportation Commission approves or amends. The governor’s office is briefed but has no other specific role.
Legislative Role in Transportation Planning	Limited. Legislative staff monitor the planning process. The General Assembly appropriates some funds for operations and non-highway modes—including some project-specific earmarks, which do not require Transportation Commission approval—but most Iowa DOT funding is not from legislative appropriations. Certain programs may have criteria set by the General Assembly. Individual legislators may raise constituent concerns to the Iowa DOT in the planning process.

Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1.
Bonding or Pay-as-You-Go	The state uses pay-as-you-go financing.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$643.2 million* FY 2010: \$640.1 million* FY 2009: \$607.6 million* FY 2008: \$589.9 million* <i>* These numbers include the Iowa DOT operating budget as well as highway programming funds and multimodal funds; they exclude funds that flow through to local entities.</i>
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds flow directly to the Iowa DOT from the U.S. DOT with no state legislative involvement. Federal funds, especially for highways, are incorporated into the funding estimates in the Five-Year Transportation Improvement Program, which is approved by the Transportation Commission.
Allocation of State Transportation Funds to the DOT	Some state transportation funds—mainly those from registration fees and fuel taxes—flow directly to the Iowa DOT from revenue sources with no state legislative involvement. These funds are allocated according to formulas in state statute and are used as programming funds for highway projects, subject to approval by the Transportation Commission. The General Assembly appropriates funds for other modes such as transit, rail and aviation, either through project-specific earmarks or at the program or category level. The Iowa DOT operating budget also must go through the General Assembly and be approved by the governor each year.
Traditional State Funding and Finance for Highways	Fuel taxes (variable excise tax based on a distribution percentage; see Iowa Code Ann. §452A.3); vehicle registration/license/title fees; interest income; underground storage tanks fees; special plates; miscellaneous other permits.
State Funding and Finance for Other Modes	Transit: Motor vehicle/rental car sales taxes; vehicle registration/license/title fees; use tax on mobile homes, manufactured homes and certain leased vehicles; casino taxes. State Transit Assistance is allocated by formula to transit agencies (Iowa Code Ann. ch. 920). Rail, aviation and recreational trails: State infrastructure funds, primarily from wagering taxes paid by casinos and revenue bond proceeds. Ports: Specific appropriations. Bridges: Included with highways; also a one-time allocation from revenue bonds.
Innovative Transportation Funding and Finance	State infrastructure bank (federally capitalized); tapered matching. Traffic camera fees are used only at the local level.

Iowa

<p>Dedicated/Restricted State Funds and Revenues</p>	<p>The state constitution restricts use of all motor vehicle registration fees and all licenses and excise taxes on motor vehicle fuel, except cost of administration, to construction, maintenance and supervision of public highways (Iowa Const. art. VII, §8). The Iowa DOT is funded primarily by the Road Use Tax Fund, the Primary Road Fund and the TIME-21 Fund, which are defined and allocated according to Iowa Code Ann. ch. 312, ch. 312A and ch. 313. The Transportation Commission is required to use a major portion of its annual budget on commercial and industrial highways (Iowa Code Ann. §313.2A). State Transit Assistance funds are dedicated in statute to transit systems (Iowa Code Ann. ch. 920), and the State Aviation Fund to aviation purposes (Iowa Code Ann. §328.56). Restrictions on specific appropriations are included in session law.</p>
<p>DOT Authorized to Retain Surplus Funds</p>	<p>Yes. Aside from statutory distributions to local entities, the Road Use Tax Fund and Primary Road Fund are allocated to the Iowa DOT in their entirety each year—either through statutory formula or appropriations—for road and highway purposes. Generally, any unspent balances remain in these funds. Funds that remain in the Road Use Tax Fund are re-distributed by applicable statutory formulas; funds in the Primary Road Fund remain available to the Iowa DOT for use on eligible projects, subject to approval by the Transportation Commission. Any unexpected revenues are typically allocated to current projects with approval the Transportation Commission after receipt. For funds that are appropriated by the General Assembly for Iowa DOT operating expenses, the Iowa DOT may keep half of any unused balance to be used in the next fiscal year for employee training and technology enhancement; otherwise, the money reverts to the respective funds and goes through the normal distribution process. Multimodal projects typically are funded by Iowa DOT grants drawn from non-road infrastructure funds and approved by the Transportation Commission; these funds are appropriated separately from road-related funds and the reversion date usually is four years. In the unusual case that grants for the total appropriated amounts are not made within four years, the Iowa DOT must apply to the General Assembly for an extension through the budget bill. Otherwise, the money reverts to the respective funds.</p>
<p>Legislative Approval Required to Move Funds Between Projects</p>	<p>Yes, but only for projects that received specific allocations or appropriations through the General Assembly in session law, which happens rarely. Otherwise, approval is through the Transportation Commission.</p>
<p>Transportation Funding Allocations through Local Aid</p>	<p>Cities and counties receive funding from both the Road Use Tax Fund and the TIME-21 Fund by statutory formulas. The Road Use Tax Fund, after set-asides, is distributed to the Secondary Road Fund for counties (24.5 percent), the Street Construction Fund for cities (20 percent), the Farm-to-Market fund, which is also used by counties for specified roads (eight percent) and the Primary Road Fund for state use (47.5 percent) (Iowa Code Ann. §312.2). Of the Primary Road Fund, 1.75 percent goes to the Transfer of Jurisdiction Fund and then is distributed to cities and counties, primarily for roads that formerly were under state management (Iowa Code Ann. §313.4). The TIME-21 Fund was created by 2008 Iowa Acts, Chap. 1113, which altered the structure of road funding in Iowa and caused a portion of registration fee revenues and increases in truck and other vehicle fees to flow into that fund. The TIME-21 Fund also is allocated to the Secondary Road Fund for counties (20 percent), the Street Construction Fund for cities (20 percent) and the Primary Road Fund for state use (60 percent) (Iowa Code Ann. §312A.3). The Secondary Road Fund for counties and the Farm-to-Market Fund are allocated according to a methodology developed under Iowa Code Ann. §312.3C; money that comes to the Secondary Road Fund through the TIME-21 Fund must be used for bridge projects and farm-to-market highways (Iowa Code Ann. §312A.3). The Street Construction Fund for cities is allocated by a statutory formula based on population (Iowa Code Ann. §312.3). Local entities also receive state legislative appropriations and discretionary grants approved by the Transportation Commission.</p>

Organizational Facts

Legislature	Kansas Legislature Structure: Bicameral, partisan Chambers: Senate (40 members) House (125 members) Session: Annual, approximately January – May Estimated no. of bills in 2011: 950	Department of Transportation	Kansas Department of Transportation (KDOT) FTE: Approximately 3,113.5 Leadership: Secretary; Commission (advisory only) Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 286,962 (2009); miles of tolled roadway: 236 (2009); bridges: 25,328 (2010)
Transit	Trips per year (all transit modes): Approximately 5.8 million (2008)
Rail	Freight rail route-miles: 4,849 (2008)
Aviation	Airports (total): 141; public-use: 126; state-owned: 0 (2008) Enplanements per year: 799,329 (2009)
Marine	Waterborne tonnage per year: 519,000 (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, proactive. The secretary of transportation has directed KDOT to take a proactive approach to interacting with the Legislature. KDOT staff provide written updates on the work of the department; track legislator requests and responses; offer information and testify at committee hearings, sometimes representing a KDOT position on a legislative proposal; and brief key and other requesting legislators on transportation topics, either with legislative research staff or independently. KDOT employs two state legislative liaisons (one full-time and one part-time) within an active government affairs office that organizes meetings and press releases and provides both proactive and responsive information to the Legislature. Legislative Research works closely with KDOT staff, especially in government relations and finance.

DOT Leadership Appointments and Requirements

The secretary of transportation is appointed by the governor, subject to confirmation by the Senate, and serves at the pleasure of the governor (Kan. Stat. Ann. §75-5001). The 12 members of the Highway Advisory Commission are appointed to four-year terms by the governor, within statutory requirements for geographic representation and restrictions on holding other public office or employment (Kan. Stat. Ann. §75-5002).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); interim charges; legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information; legislative review of reports and other information provided to the general public. KDOT provides an annual report to the Legislature.
Legislative Program Evaluation Office	Legislative Division of Post Audit. This division has the authority to review any aspect of KDOT operations, but legislators have requested no such audits in recent years.
Sunset Review	No sunset review of state agencies or programs.

Legislation and Regulation

Transportation Governance Statutes	Kan. Stat. Ann. art. 50
Administrative Rules Review	Legislative review of proposed rules by joint bipartisan committee; committee role is mainly advisory.

Kansas

Transportation Planning and Capital Program Management

Transportation Planning Process	KDOT leads all aspects of the transportation planning process. Construction projects are identified by KDOT, MPOs and other stakeholders. After scoring projects, KDOT solicits further input from stakeholders on a shortlist of candidate projects within a spending range for each region, including in local consultation meetings. KDOT, using that input, then selects and programs projects for construction. Maintenance projects are selected based solely on engineering criteria and available funding. Prioritization decisions ultimately rest with the secretary of transportation.
Legislative Role in Transportation Planning	Limited. The Legislature sets general priorities through statute (see 2010 Kan. Sess. Laws, Chap. 156) and approves the state's comprehensive transportation plan, which provides only general priorities and focuses mainly on revenues and financing. Beyond that, the Legislature has only an advisory role and has not claimed a role in project selection. The secretary of transportation reports to the Legislature annually on selected projects.

Funding and Finance

Budgeting and Appropriations	Annual budget for most state agencies (including KDOT); fiscal year begins July 1. The governor submits a budget for KDOT, but most funding comes from sources dedicated to KDOT and is appropriated without limit.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing. KDOT is statutorily limited in the amount of debt service it may incur, and the state constitution (Kan. Const. art. XI, §9) prohibits the use of general obligation bonds for highways.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$863.2 million FY 2010: \$864.7 million FY 2009: \$926.4 million FY 2008: \$882.9 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds flow directly to KDOT from the U.S. DOT without state legislative involvement.
Allocation of State Transportation Funds to the DOT	The Legislature enacts multi-year transportation plans—the most recent in 2010—that direct KDOT priorities. State transportation funds for capital improvements and preservation projects mainly come from the State Highway Fund, which is legislatively appropriated to KDOT with no limit on expenditure authority. Operating expenditures are provided with limits through a legislative appropriation at the program or category level. Generally, only overhead expenditures and building expenditures have specific legislative oversight.
Traditional State Funding and Finance for Highways	Fuel taxes; vehicle registration/license/title fees; truck weight fees; portion of sales tax and compensating use tax.
State Funding and Finance for Other Modes	Transit, rail, aviation and bridges: Funded by the same sources as highways through the State Highway Fund.
Innovative Transportation Funding and Finance	Build America Bonds; state infrastructure bank (state-only capitalized); design-build (authorized in statute for one demonstration project only); tapered matching. Special taxing districts may be used to generate funds to repay bonds for infrastructure improvements, including road and bridge projects.
Dedicated/Restricted State Funds and Revenues	The state constitution gives the state the power to levy special taxes on motor vehicles and motor fuels for road and highway purposes (Kan. Const. art. XI, §10; see also Kan. Stat. Ann. §79-3402). The State Highway Fund is statutorily dedicated to certain transportation purposes (Kan. Stat. Ann. §68-416 and §68-2314b), including a small amount for transit, rail and general aviation (Kan. Stat. Ann. §75-5035, §75-5048 and §75-5061).
DOT Authorized to Retain Surplus Funds	Yes. Excess funds remain within the State Highway Fund. Projects tend to exceed available funding, so most funds will be programmed or encumbered. If a significant balance were to remain within the fund, the Legislature might choose to redirect the portion of the sales tax and compensating use tax revenues that the State Highway Fund currently receives.
Legislative Approval Required to Move Funds Between Projects	Generally, no. KDOT, however, cannot use the funds statutorily dedicated to transit, rail and general aviation airports for other than those purposes.
Transportation Funding Allocations through Local Aid	All motor carrier property taxes and 33.63 percent of fuel taxes go into the Special City and County Highway Fund, which is distributed to cities and counties by statutory formulas based on number of registered vehicles, vehicle miles traveled, road mileage and, for cities only, population (Kan. Stat. Ann. §§79-3425 et seq. and §79-34,142). At least 25 percent of the funds received by a county must be used for mail and school bus routes on county roads.

Organizational Facts

Legislature	Kentucky General Assembly Structure: Bicameral, partisan Chambers: Senate (38 members) House (100 members) Session: Annual, approximately January – March (odd years), approximately January – April (even years) Estimated no. of bills in 2011: 1,300	Department of Transportation	Kentucky Transportation Cabinet (KYTC) FTE: Approximately 4,700 Leadership: Secretary Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 164,491 (2009); miles of tolled roadway: 74 (2009); bridges: 13,849 (2010)
Transit	Trips per year (all transit modes): Approximately 25.5 million (2008)
Rail	Freight rail route-miles: 2,558 (2008)
Aviation	Airports (total): 228; public-use: 60; state-owned: 4 (2008) Enplanements per year: 7,302,094 (2009)
Marine	Waterborne tonnage per year: 86.0 million (2009)

Legislative-DOT Collaboration and Communication

Mainly informal, ad hoc. Communication between the General Assembly and the KYTC is not formalized, but exists on more of an ad hoc basis. The secretary has an open-door policy for legislators and, with other KYTC administrators, is available to legislative staffers. Administrators regularly meet with legislators and appear before legislative committees. The KYTC has some formal reporting requirements to the General Assembly. The KYTC employs a dedicated legislative liaison, who regularly gives input to legislators—including bill sponsors and Senate and House transportation committee chairs—and testifies at committee meetings.

DOT Leadership Appointments and Requirements

The secretary of the KYTC is appointed to a four-year term by the governor and serves at the pleasure of the governor (Ky. Rev. Stat. §12.040 and §12.255).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information. There is no permanent oversight committee. During the interim, the General Assembly has an Interim Joint Committee on Transportation and a Budget Review Subcommittee on Transportation (of the Appropriations Committee). Both committees hold monthly meetings where KYTC activities are discussed and examined.
Legislative Program Evaluation Office	Program Review and Investigations Committee
Sunset Review	The state's process for sunset reviews currently is inactive.

Legislation and Regulation

Transportation Governance Statutes	Ky. Rev. Stat. ch. 174
Administrative Rules Review	Legislative review of proposed and existing rules by a joint bipartisan statutory committee; committee may suspend rule; no objection constitutes approval of proposed rule.

Transportation Planning and Capital Program Management

Transportation Planning Process	The state adopts a biennial highway construction plan and a six-year road plan every two years. The KYTC spearheads the planning process—coordinating input from MPOs, area development district agencies and other stakeholders—and is primarily responsible for identifying projects, most of which originate at the local level. Legislators also identify and recommend projects. The governor presents the proposed six-year plan to the General Assembly for consideration and approval; the General Assembly can amend the governor's recommended plan.
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Kentucky

Legislative Role in Transportation Planning	Legislators participate by identifying and recommending projects. The General Assembly also is required by statute to adopt the biennial highway construction plan in a bill and the last four years of the six-year road plan in a non-binding resolution. This allows for significant legislative involvement, and the final plan may differ significantly from the one prepared by the KYTC and submitted by the governor.
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Funding and Finance

Budgeting and Appropriations	Biennial enactment of two 12-month budgets; fiscal year begins July 1.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$1.49 billion FY 2010: \$1.30 billion FY 2009: \$1.23 billion FY 2008: \$1.74 billion
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are legislatively appropriated to the KYTC through the biennial budget process within the categories of General Administration and Support, Aviation, Debt Service, Highways, Public Transportation, Revenue Sharing and Vehicle Regulation. Within those appropriations, additional direction is provided to guide expenditures.
Allocation of State Transportation Funds to the DOT	State transportation funds also are legislatively appropriated to the KYTC within certain categories, and with additional direction to guide expenditures.
Traditional State Funding and Finance for Highways	Fuel taxes (variable excise tax based on the average wholesale price; see Ky. Rev. Stat. §138.220); motor vehicle/rental car usage taxes; vehicle registration/license/title fees; truck weight fees; interest income; revenue bonds.
State Funding and Finance for Other Modes	Transit: General funds. Rail: \$2 million from the Road Fund in the most recent transportation budget bill. Aviation: Jet fuel taxes; operation of the Commonwealth's aircraft; discretionary allocations from the Road Fund. Bridges: Included with highways.
Innovative Transportation Funding and Finance	GARVEE bonds; Build America Bonds; design-build (authorized in statute); weight-distance tax; advance construction; toll credits or "soft match."
Dedicated/Restricted State Funds and Revenues	The state constitution dedicates revenues from fuel taxes and motor vehicle-related taxes and fees to administration; statutory refunds and adjustments; payment of highway obligations; construction, reconstruction, rights-of-way, maintenance and repair of public highways and bridges; and enforcing state traffic and motor vehicle laws (Ky. Const. §230). These revenues are deposited to the Road Fund. Revenues from the jet fuel tax are statutorily restricted to aviation (Ky. Rev. Stat. §183.525), but in recent years the budget bill has transferred these funds to the general fund, notwithstanding the restriction.
DOT Authorized to Retain Surplus Funds	Yes, in most areas. Historically, most transportation resources have been retained by the KYTC for transportation purposes. The General Assembly, however, provides the appropriation authority necessary for the KYTC to expend the funds. Ky. Rev. Stat. §45.229 provides that appropriations for executive agencies lapse at the end of a fiscal year; thus, funds carried forward from a previous year in most areas must be legislatively reappropriated for the KYTC to expend them. Some areas have been exempted from this requirement through language in the budget bill allowing carry-forward of appropriation balances. Also, Ky. Rev. Stat. §48.710 requires excess money in the Road Fund to be deposited to a surplus fund and states that no expenditures can be made from the fund unless appropriated by the General Assembly or required by the branch budget bill.
Legislative Approval Required to Move Funds Between Projects	No, but there is a review and approval process for any modifications to the appropriation levels.
Transportation Funding Allocations through Local Aid	State law dedicates 48.2 percent of motor fuel tax revenues to county and city governments for construction, reconstruction and maintenance of local roads and bridges. The County Road Aid program receives 18.3 percent and the Rural Secondary Program 22.2 percent (Ky. Rev. Stat. §177.320). These funds are distributed by formula based on population, area and public road mileage (Ky. Rev. Stat. §177.360). The other 7.7 percent goes to the Municipal Aid Program and is allocated by population (Ky. Rev. Stat. §177.365 and §177.366). Local governments are involved in determining the projects for which the funds are used.

Organizational Facts

Legislature	Louisiana Legislature Structure: Bicameral, partisan Chambers: Senate (39 members) House (105 members) Session: Annual, approximately April – June (odd years), approximately March – June (even years) Estimated no. of bills in 2011: 2,000	Department of Transportation	Louisiana Department of Transportation and Development (DOTD) FTE: 4,524 authorized; 4,448 actual Leadership: Secretary Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 129,034 (2009); miles of tolled roadway: 2 (2009); bridges: 13,361 (2010); toll bridges and tunnels: 3 (2009)
Transit	Trips per year (all transit modes): Approximately 27.6 million (2008)
Rail	Freight rail route-miles: 2,789 (2008)
Aviation	Airports (total): 810; public-use: 64; state-owned: 0 (2008) Enplanements per year: 5,011,698 (2009)
Marine	Port traffic per year (20-foot equivalent units): 236,336 (2009); waterborne tonnage per year: 449.3 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal. DOTD staff interact formally and informally with the Senate and House Transportation and Public Works committees as well as other legislators and legislative staff. The secretary and executive staff engage with the Legislature on relevant issues. DOTD general counsel and legal staff work under the direction of the executive team on drafting, tracking and providing informational testimony on legislation. The general counsel also ensures that the DOTD is in compliance with legislative mandates or expectations. Transportation committee staff members give the DOTD advance notice of expected submissions. The DOTD employs a dedicated legislative liaison who works to maintain an engaged relationship with legislators and legislative staff. The DOTD, however, does not engage in lobbying the Legislature or local government.

DOT Leadership Appointments and Requirements

The secretary of transportation and development is appointed by the governor with consent of the Senate, and serves at the pleasure of the governor (La. Rev. Stat. Ann. §36:503). Other leadership positions including the undersecretary and certain assistant secretaries are appointed by the governor and confirmed by the Senate but serve at the pleasure of the secretary (La. Rev. Stat. Ann. §36:506 and §36:508).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); interim charges; legislative program reviews or performance audits; reporting requirements; legislative requests for information. The Legislature also must approve priority programs for highways (La. Rev. Stat. Ann. §48:228 to 232), ports (La. Rev. Stat. Ann. §§34:3451 et seq.), aviation (La. Rev. Stat. Ann. §§2:801 et seq.) and statewide flood control (La. Rev. Stat. Ann. §§38:90.1 et seq.).
Legislative Program Evaluation Office	Performance Audit Division, Office of the Legislative Auditor. State law mandates performance-based budgeting for executive agencies. This entails regular review of performance data by the Legislative Fiscal Office and audits by the Office of the Legislative Auditor.
Sunset Review	Yes. All statutory entities in Louisiana, including the DOTD, are subject to sunset provisions (La. Rev. Stat. Ann. §§49:191 et seq.). The DOTD underwent sunset review in the FY 2009–2010 interim and was re-created in the 2010 legislative session. It will begin termination again on July 1, 2014, and terminates on July 1, 2015, unless affirmatively re-created by the Legislature.

Legislation and Regulation

Transportation Governance Statutes	La. Rev. Stat. Ann. §§36:501 et seq.; La. Rev. Stat. Ann. §§49:191 et seq.; La. Rev. Stat. Ann. §36:4A. DOTD powers and duties are referred to in La. Rev. Stat. Ann. titles 2, 24, 32, 38, 47 and 48. La. Const. art. VII, §27 establishes the Transportation Trust Fund.
Administrative Rules Review	Legislative and executive review of existing rules; legislative review by standing committee; committee may suspend rule; no legislative objection constitutes approval of proposed rule.

Louisiana

Transportation Planning and Capital Program Management

Transportation Planning Process	Each year, the DOTD provides the Legislature with a program of construction to be begun in the next fiscal year and an additional list of projects proposed to be begun within the ensuing four years. DOTD district offices identify projects in coordination with MPOs. DOTD headquarters staff members select from among those projects and develop the proposed program, which then is submitted to the Joint Highway Priority Construction Committee. The committee holds public hearings and submits a report back to the DOTD for use in modifying the plan or developing future programs. The DOTD then creates the final Highway Priority Program and submits it to the House and Senate transportation committees for review. Ultimately, the program—both for the next fiscal year and ensuing years—is made part of the capital outlay bill and voted on by the full Legislature. The Legislature can delete any projects that are not prioritized according to statutorily provided criteria but cannot add or substitute projects (La. Rev. Stat. Ann. §§48:229 et seq.).
Legislative Role in Transportation Planning	The Legislature holds hearings around the state and reviews the proposed construction program. Committee feedback is used to modify proposed programs or to develop future ones. The Legislature can delete—but cannot add or substitute—projects in the approval process.

Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$746.6 million FY 2010: \$706.6 million FY 2009: \$683.6 million FY 2008: \$729.7 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated through legislative appropriation. Each year, after the Legislature approves the Highway Priority Program, the program is appropriated within the state's capital outlay bill (House Bill 2). Appropriations are made within the categories of Preservation, Operations, Safety and Capacity. Some project-specific appropriations also are made.
Allocation of State Transportation Funds to the DOT	State transportation funds also are allocated through legislative appropriation following approval of the Highway Priority Program.
Traditional State Funding and Finance for Highways	Fuel taxes; vehicle registration/license/title fees; truck weight fees; tolls; general funds; interest income; overweight permits and enforcement fees; general obligation bonds; revenue bonds.
State Funding and Finance for Other Modes	Transit, rail, aviation, ports and bridges: Funded by the same sources as highways through the Transportation Trust Fund.
Innovative Transportation Funding and Finance	Build America Bonds; federal credit assistance (TIFIA); PPPs (authorized in statute); design-build (authorized in statute, used for the Audubon Bridge); traffic camera fees; creation of nonprofit, quasi-public entities; tapered matching; advance construction; toll credits or "soft match."
Dedicated/Restricted State Funds and Revenues	The state's multimodal Transportation Trust Fund is established and its uses outlined in the state constitution (La. Const. art. VII, §27). The fund receives revenues from taxes on motor fuels, special fuels and aviation fuel, and must be used exclusively for highway construction and maintenance, the highway priority program, statewide flood control, ports and airports priority programs, transit, state policy traffic control, the Parish Transportation Fund and debt service. Funds must be appropriated annually. No more than 20 percent annually of the state-generated tax revenues in the Trust Fund can be used for ports, the Parish Transportation Fund, statewide flood control and state police for traffic control. The Parish Transportation Fund, however, must receive annually at least the proceeds of 1 cent of the state tax on gasoline and special fuels. The annual appropriation for airports must equal the annual estimated revenue from state taxes on aviation fuel.
DOT Authorized to Retain Surplus Funds	Yes. Unencumbered and unexpended balances at the end of each fiscal year remain in the trust fund (La. Const. art. VII, §27).
Legislative Approval Required to Move Funds Between Projects	Yes, but only for projects funded by a project-specific, line-item appropriation. Otherwise, the DOTD is required only to fund those projects that are consistent with the legislatively approved construction program.
Transportation Funding Allocations through Local Aid	The Parish Transportation Fund was established in 1990 for local transportation needs (La. Rev. Stat. Ann. §48:751 to 756) and is funded from the State Transportation Trust Fund. The Parish Transportation Fund must receive annually at least the proceeds of 1 cent of the state tax on gasoline and special fuels. Funds are distributed to parishes on a per capita basis in population categories. Funding in excess of the FY 1994–1995 level of \$34 million is distributed on a per-mile basis.

Organizational Facts

Legislature	Maine Legislature Structure: Bicameral, partisan Chambers: Senate (35 members) House (151 members) Session: Annual, approximately January – June (odd years), approximately January – April (even years) Estimated no. of bills in 2011: 1,450	Department of Transportation	Maine Department of Transportation (MaineDOT) FTE: Approximately 2,100 Leadership: Commissioner Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 46,771 (2009); miles of tolled roadway: 106 (2009); bridges: 2,393 (2010)
Transit	Trips per year (all transit modes): Approximately 3.4 million (2008)
Rail	Freight rail route-miles: 1,151 (2008)
Aviation	Airports (total): 165; public-use: 69; state-owned: 2 (2008) Enplanements per year: 1,305,877 (2009)
Marine	Waterborne tonnage per year: 23.0 million (2009); state-operated ferries: 8 (2009)

Legislative-DOT Collaboration and Communication

Formal and informal. The Legislature and MaineDOT interact and communicate in many ways. The Legislature communicates with MaineDOT on an ongoing basis through letters and memoranda, by overseeing the MaineDOT budget, and in other ways. MaineDOT executive staff—including the commissioner, the deputy commissioner and the director of finance and administration—testify regularly before the Joint Standing Committee on Transportation about relevant policy and budget issues, participate in work sessions, and are generally accessible to legislators. Either legislators or the governor may submit bills on behalf of MaineDOT. MaineDOT employs a dedicated legislative liaison who articulates MaineDOT’s stance on legislation, represents MaineDOT’s interests before the Legislature, provides outreach to legislators and staff, and acts as the primary contact for legislators who need constituent assistance.

DOT Leadership Appointments and Requirements

The commissioner of transportation is appointed by the governor, subject to review by the Joint Standing Committee on Transportation and confirmation by the Legislature, and serves at the pleasure of the governor (Me. Rev. Stat. Ann. tit. 23, §4205). Any person holding any civil office may be removed by impeachment for misdemeanor in office; any person holding any office may be removed by the governor on the address of both branches of the Legislature (Me. Const. art. IX, §5).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); interim charges; legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information.
Legislative Program Evaluation Office	Office of Program Evaluation and Government Accountability. Also, each state agency must be reviewed by its committee of jurisdiction every eight years. MaineDOT was last scheduled for review in 2007 (Me. Rev. Stat. Ann. tit. 3, §§501 et seq.).
Sunset Review	The state conducts sunset reviews, but not of MaineDOT.

Legislation and Regulation

Transportation Governance Statutes	Me. Rev. Stat. Ann. tit. 23; Me. Rev. Stat. Ann. tit. 29A
Administrative Rules Review	Legislative review of proposed rules by a joint bipartisan standing committee; no objection constitutes approval of proposed rule.

Maine

Transportation Planning and Capital Program Management

Transportation Planning Process	MaineDOT has primary responsibility for developing the Biennial Capital Work Plan as well as other plans (e.g., the Long-Range Plan and the Statewide Rail Plan). MaineDOT works extensively with other stakeholders, including MPOs, to identify projects. Projects are selected according to cost/benefit, policy objectives, modal distribution, equitability and funding availability. The plan is approved by MaineDOT leadership under the direction of the commissioner.
Legislative Role in Transportation Planning	The Legislature does not formally approve the Biennial Capital Work Plan, but does provide oversight and may influence the program through the budgetary process and legislation.

Funding and Finance

Budgeting and Appropriations	Biennial enactment of two 12-month budgets; fiscal year begins July 1. The governor—with MaineDOT—presents the Highway Fund budget to the Legislature for approval. The budget is reviewed and voted on by the Transportation Committee before it goes to the full Legislature.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing. The Legislature must approve any bonding. Highway Fund general obligation bond terms must be assumed to be 10 years, and the rolling, three-year average ratio of debt service payments for these bonds to highway fund revenue is limited to not more than 10 percent (Me. Rev. Stat. Ann. tit. 23, §1604).
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$387.9 million FY 2010: \$477.7 million FY 2009: \$311.2 million FY 2008: \$321.4 million
Allocation of Federal Transportation Funds to the DOT	All funding allocated to MaineDOT is approved by the Legislature. Federal transportation funds are appropriated to MaineDOT at the program or category level. Any funding received from the federal government must be allocated to specific programs by the Legislature before it can be spent.
Allocation of State Transportation Funds to the DOT	State transportation funds also are appropriated at the program level. All state funding must be allocated by the Legislature before it can be spent.
Traditional State Funding and Finance for Highways	Fuel taxes (indexed to Consumer Price Index; see Me. Rev. Stat. Ann. tit. 36, §3321); vehicle registration/license/title fees; truck weight fees; interest income; highway fund bonds; motor vehicle inspection fees; fines; general obligation bonds; revenue bonds.
State Funding and Finance for Other Modes	Transit, aeronautics and rail: Rental car sales taxes; bonds; off-road fuel tax. Bridges: Included with highways.
Innovative Transportation Funding and Finance	GARVEE bonds; state infrastructure bank (federally capitalized); PPPs (authorized in statute with legislative approval requirements); design-build (authorized in statute); impact fees. (No data regarding flexible management of federal funds.)
Dedicated/Restricted State Funds and Revenues	The state constitution restricts use of revenues from fuel taxes, registration fees and other related excise taxes to the cost of administration, construction, reconstruction, maintenance and repair of public highways and bridges (Me. Const. art. IX, §19). The State Highway Fund receives revenues from fuel taxes, fees, fines and interest income, and must be used for construction, reconstruction and maintenance and repair of highways and bridges; administration; and the enforcement of traffic laws (Me. Rev. Stat. Ann. tit. 23, §1653). The dedicated fund for transit and rail receives funds from rental car sales taxes and must be used for transit, aeronautics and rail (Me. Rev. Stat. Ann. tit. 23, §4210-B).
DOT Authorized to Retain Surplus Funds	Yes. Unexpended funds at the end of the fiscal year are carried over to the next fiscal year. Also, at the end of each fiscal year, any unallocated balance in the Highway Fund over \$100,000 is transferred to MaineDOT for capital and maintenance purposes.
Legislative Approval Required to Move Funds Between Projects	Yes and no. Legislative approval is required to move funds from one program to another, but not from one project to another.
Transportation Funding Allocations through Local Aid	Funds are mainly allocated through the Urban-Rural Initiative Program to eligible municipalities, counties or Indian reservations by statutory formulas based on lane miles (Me. Rev. Stat. Ann. tit. 23, §§1801 et seq.). These funds must be used for capital and maintenance needs of roads or bridges. MaineDOT also awards transit bonus payments, within statutory requirements (Me. Rev. Stat. Ann. tit. 23, §1807). Funds are also allocated to local entities through legislative appropriation.

Organizational Facts

Legislature	Maryland General Assembly Structure: Bicameral, partisan Chambers: Senate (47 members) House of Delegates (141 members) Session: Annual, approximately January – April Estimated no. of bills in 2011: 2,650	Department of Transportation	Maryland Department of Transportation (MDOT) FTE: 8,979 plus 137.9 contractual Leadership: Secretary Organizational structure: Mainly by transportation mode
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 69,049 (2009); miles of tolled roadway: 28 (2009); bridges: 5,190 (2010); toll bridges and tunnels: 6, plus 1 shared with Virginia (2009)
Transit	Trips per year (all transit modes): Approximately 156 million (2008)
Rail	Freight rail route-miles: 759 (2008)
Aviation	Airports (total): 139; public-use: 36; state-owned: 2 (2008) Enplanements per year: 10,417,883 (2009)
Marine	Port traffic per year (20-foot equivalent units): 453,125 (2009); waterborne tonnage per year: 35.3 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal. Several opportunities exist for formal and informal communication between the General Assembly and MDOT throughout the year. The General Assembly and MDOT interact during the legislative session through budget and bill hearings. Outside of session, individual legislators may request meetings with or information from MDOT. During the interim, MDOT interacts with elected officials on its Consolidated Transportation Program (CTP) tour, broader issues of interest and constituent issues. MDOT can introduce legislation through the governor's office or through the relevant committee chair. MDOT also can lobby for legislation or policy proposals. MDOT employs legislative liaisons.

DOT Leadership Appointments and Requirements

The secretary of transportation is appointed by the governor with the advice and consent of the Senate, and serves at the pleasure of the governor (Md. Transportation Code Ann. §2-102).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); interim charges; legislative program reviews or performance audits; reporting requirements; legislative requests for information. The General Assembly can request reports from MDOT through the budget or legislation; make funding contingent upon submission of a report or action; or require legislative notice before an action is taken. Commissions or study groups are created by the General Assembly to look at specific issues. Individual legislators can make individual requests of MDOT at any time.
Legislative Program Evaluation Office	Office of Legislative Audits, which conducts financial and performance audits of state agencies and reports to the General Assembly.
Sunset Review	The state conducts sunset reviews, but not of MDOT.

Legislation and Regulation

Transportation Governance Statutes	Md. Transportation Code Ann. tit. 2 establishes MDOT. The state's tolling authority, the Maryland Transportation Authority, is a separate entity and is addressed in Md. Transportation Code Ann. tit. 4.
Administrative Rules Review	Legislative and executive review of proposed and existing rules; legislative review by joint bipartisan committee; committee role is mainly advisory.

Maryland

Transportation Planning and Capital Program Management

Transportation Planning Process	MDOT prepares several long-term planning documents that are used to determine transportation investment priorities. These include the six-year Consolidated Transportation Program, updated annually, and the 20-year Maryland Transportation Plan, revised every five years. MDOT uses these plans to develop annual operating and capital budget requests for the General Assembly's consideration. The planning approach is bottom-up, in that local jurisdictions submit priority project lists to MDOT. The state has a consolidated funding mechanism for all modes, so MDOT and the governor must weigh the demands of all projects in all modes. Final project selection is by the governor, who approves the capital program before submitting it to the General Assembly for approval. Funding is provided at the program level in the budget; project-specific detail, however, is provided in the capital plan.
Legislative Role in Transportation Planning	The General Assembly has responsibility in the planning process to approve the capital program and the funding provided for in the budget. The General Assembly can reduce but not add funding for specific projects in the governor's budget. The General Assembly can add expenditures through a supplementary appropriations bill if matched with new revenues. The General Assembly also can require expenditures in the executive budget for a subsequent fiscal year. The General Assembly also has passed legislation that affects project prioritization (e.g., 2010 Md. Laws, Chap. 725).

Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing. MDOT uses bonding only for its capital program, and the level of debt is constrained by broader state debt limitations, a transportation debt outstanding limit, and coverage ratio limits agreed upon with bondholders. The state has also used nontraditional certificates of participation and GARVEE bonds.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$2.41 billion FY 2010: \$2.36 billion FY 2009: \$2.75 billion FY 2008: \$2.88 billion
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are appropriated by the General Assembly to different programs within each MDOT modal administration's budget—for example, to the capital program for the State Highway Administration within MDOT. The General Assembly appropriates at the program level, but reviews project-specific funding in the Consolidated Transportation Plan. Certain federal funds (e.g., GARVEE bond revenue) flow directly to MDOT, not through the state budget.
Allocation of State Transportation Funds to the DOT	As with federal funds, the General Assembly appropriates state transportation funding at the program level, but reviews project-specific funding in the Consolidated Transportation Plan.
Traditional State Funding and Finance for Highways	Fuel taxes; motor vehicle/rental car sales taxes; vehicle registration/license/title fees; truck weight fees; tolls; interest income; corporate income tax; general sales tax; revenue bonds.
State Funding and Finance for Other Modes	Transit, rail, aviation, ports and bridges: Funded by the same revenues as highways through the Transportation Trust Fund. Other revenue sources include the following. Transit: Fares. Rail: Operating revenues for commuter rail. Aviation: Operating revenues collected from airlines and vendors. Ports: Operating revenues. Toll highways, bridges and certain untolled portions of I-95 and I-395 are funded through revenue-backed bond proceeds and tolls collected by the Maryland Transportation Authority (not MDOT).
Innovative Transportation Funding and Finance	MDOT can use GARVEE bonds; Build America Bonds; federal credit assistance (TIFIA); congestion pricing; PPPs (authorized in regulation); design-build (authorized in statute, used as a component of at least one project); traffic camera fees; container fees; and toll credits or "soft match." The Maryland Transportation Authority can use GARVEE bonds; federal credit assistance (TIFIA); congestion pricing; and toll credits. Starting in FY 2013, all traffic camera fees will be transferred to the Transportation Trust Fund; they currently are split between that fund and the general fund.
Dedicated/Restricted State Funds and Revenues	Maryland has a consolidated, multimodal Transportation Trust Fund where all funds are collected, then spent on each mode. State statutes specify what revenues or percentage of revenues are deposited into the fund (e.g., Md. Tax General Code Ann. §2-1103 and §2-1104) to be used for transportation-related purposes. MDOT may use the Transportation Trust Fund for any lawful purposes related to the exercise of its rights, powers, duties and obligations (Md. Transportation Code Ann. §3-216). Expenditures from the fund must be in accordance with relevant legislative appropriations.

DOT Authorized to Retain Surplus Funds	Yes. MDOT is funded through the Transportation Trust Fund. Any funds not used in a fiscal year are retained by the Transportation Trust Fund unless otherwise specified.
Legislative Approval Required to Move Funds Between Projects	No. Annual budget bill language requires MDOT to notify the budget committees of proposed changes to the transportation capital program that will add a new project or increase a project's total cost by more than 10 percent or \$1 million due to a change in scope, but legislative approval is not required.
Transportation Funding Allocations through Local Aid	A percentage of the Gasoline and Motor Vehicle Revenue Account in the Transportation Trust Fund is allocated to the city of Baltimore (by specified percentage) and to counties and municipalities by statutory formulas based on road miles and motor vehicle registrations (Md. Transportation Code Ann. §§8-401 et seq.). Federal funds are allocated to Baltimore and local bridges. Funding uses are limited to debt service and transportation-related construction and maintenance costs, except in Baltimore and Kent County.

Massachusetts

Organizational Facts

Legislature	Massachusetts General Court Structure: Bicameral, partisan Chambers: Senate (40 members) House (160 members) Session: Annual, year-round Estimated no. of bills in 2011: 6,700	Department of Transportation	Massachusetts Department of Transportation (MassDOT) FTE: Approximately 10,000 Leadership: Board of Directors; Secretary/CEO Organizational structure: Mainly by transportation mode* <i>*Modes were administered by separate agencies prior to reform by 2009 Mass. Acts, Chap. 25.</i>
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 76,332 (2009); miles of tolled roadway: 138 (2009); bridges: 5,113 (2010); toll bridges and tunnels: 3 (2009)
Transit	Trips per year (all transit modes): Approximately 398.3 million (2008)
Rail	Freight rail route-miles: 952 (2008)
Aviation	Airports (total): 248; public-use: 43; state-owned: 1 (2008) Enplanements per year: 13,001,565 (2009)
Marine	Port traffic per year (20-foot equivalent units): 158,764 (2009); waterborne tonnage per year: 25.0 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, mainly through the DOT legislative liaisons. Primarily, individual legislative offices interact directly with MassDOT legislative liaisons. The legislative liaisons also testify before the Joint Committee on Transportation on transportation-related legislation and at oversight hearings on certain transportation topics. At times, MassDOT executives provide written and oral testimony to the Joint Committee on Transportation. At the discretion of the governor, MassDOT can file its own bills.

DOT Leadership Appointments and Requirements

The five members of the MassDOT Board of Directors are appointed by the governor to staggered, four-year terms, within statutory requirements for experience, expertise and party affiliation. Two must be experts in public or private transportation finance; two must have practical experience in transportation planning; one must be a registered civil engineer with at least 10 years experience. The governor can remove any director for cause. The governor also appoints a secretary to a term that coincides with that of the governor, to serve as MassDOT's chief executive, administrative and operational officer. The governor has sole discretion to remove the secretary (Mass. Gen. Laws Ann. ch. 6C, §2).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information. MassDOT, created in 2009, has many reporting requirements to the General Court, some of which will end when the transition is complete.
Legislative Program Evaluation Office	Senate Post Audit and Oversight Committee
Sunset Review	No sunset reviews of state agencies or programs.

Legislation and Regulation

Transportation Governance Statutes	Mass. Gen. Laws Ann. ch. 6C (2009 Mass. Acts, Chap. 25)
Administrative Rules Review	Executive review of proposed rules.

Transportation Planning and Capital Program Management

Transportation Planning Process	Projects are identified in three ways: through the regional MPO process; by the General Court in a transportation bond bill; or by MassDOT based on its selection criteria, to advance through its statewide capital program. MassDOT works with MPOs to determine investment plans and priorities. Approximately every three years, a transportation bond bill is created to fund transportation priorities over several years, and some projects are added to this bill by the General Court. Projects are selected, prioritized and approved by MassDOT through its selection process, and final approval of all projects rests with MassDOT.
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Legislative Role in Transportation Planning	The General Court can identify a project through a transportation bond bill or by working with a local community to advance a project on the Transportation Improvement Program (TIP). The General Court does not approve MassDOT’s capital program.
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Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing; the state tends to pass a transportation bond bill approximately every three years.
State-Level Funding Provided for DOT Budgets	FY 2011 (proposed as of Sept. 2010): \$2.14 billion (No data for FY 2008, FY 2009 or FY 2010)
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds flow directly to MassDOT via the Transportation Trust Fund with no state legislative involvement.
Allocation of State Transportation Funds to the DOT	Certain state transportation revenues—including the gas tax and registration fee revenues and a portion of the sales tax—go into the Commonwealth Transportation Fund, which is subject to annual appropriation by the General Court at the department level. Certain funds—including aviation, planning, highway, rail and transit—are allocated through this fund based on a formula, but still subject to appropriation. Typically, the General Court also appropriates supplemental funding for snow and ice removal.
Traditional State Funding and Finance for Highways	Fuel taxes; vehicle registration/license/title fees; tolls; general funds; sale of excess land; advertisements; revenue bonds. These are part of the Commonwealth Transportation Fund funding formula. A portion of the sales tax also goes through the Commonwealth Transportation Fund for turnpike debt repayment.
State Funding and Finance for Other Modes	Transit: Funded by fuel taxes, revenue bonds, service city and town payments, and fares through the Commonwealth Transportation Fund funding formula. A portion of the sales tax goes directly to transit agencies. Rail: Bonds. Aviation and ports are run by a quasi-public entity, MassPort. Bridges: Accelerated Bridge Program.
Innovative Transportation Funding and Finance	GARVEE bonds; PPPs (authorized in statute, used for at least one project); design-build (authorized in statute, used as a component of at least one project); traffic camera fees; creation of nonprofit, quasi-public entities; toll credits or “soft match.”
Dedicated/Restricted State Funds and Revenues	The state constitution requires that all revenue derived from vehicles—including fuel taxes and fees—be used only for certain transportation purposes, including highways, bridges, mass transit and the enforcement of state traffic laws (Mass. Const., art. LXXVIII). The transportation reform bill that created MassDOT in 2009 (2009 Mass. Acts, Chap. 25) also reconstituted the then-called Highway Fund as the Commonwealth Transportation Fund and established the Transportation Trust Fund; both are multimodal funds. The Commonwealth Transportation Fund mainly uses gas tax and registration fee revenues to pay debt service and contract assistance, subject to annual legislative appropriation. Remaining revenues are transferred annually into the Transportation Trust Fund. The Transportation Trust Fund receives all other transportation revenues, including tolls from the turnpike and the Tobin Bridge, and is used to pay for MassDOT operations and special obligation debt assumed by MassDOT. This fund is managed by MassDOT and is not subject to annual legislative appropriation. The 2009 act also specified that revenue from the turnpike and the Tobin Bridge can be used only for tolled assets.
DOT Authorized to Retain Surplus Funds	Yes. MassDOT can retain excess funds from the Commonwealth Transportation Fund in the Transportation Trust Fund, which is not subject to appropriation. However, excess funds tend to be minimal because the Commonwealth Transportation Fund is subject to appropriation.
Legislative Approval Required to Move Funds Between Projects	No, unless it is necessary to change bond bill language that was previously approved.
Transportation Funding Allocations through Local Aid	Funds are distributed to cities and towns by a statutory formula based on vehicle registrations, road miles and property valuation (Mass. Gen. Laws Ann. ch. 81, §31).

Michigan

Organizational Facts

Legislature	Michigan Legislature Structure: Bicameral, partisan Chambers: Senate (38 members) House (110 members) Session: Annual, year-round Estimated no. of bills in 2011: 3,200	Department of Transportation	Michigan Department of Transportation (MDOT) FTE: 3,022 Leadership: Commission; Director Organizational structure: Mainly by transportation mode
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 255,882 (2009); bridges: 10,928 (2010); toll bridges and tunnels: 7 (at least 1 operated by an international authority) (2009)
Transit	Trips per year (all transit modes): Approximately 99.9 million (2008)
Rail	Freight rail route-miles: 3,735 (2008)
Aviation	Airports (total): 499; public-use: 240; state-owned: 5 (2008) Enplanements per year: 17,370,130 (2009)
Marine	Waterborne tonnage per year: 52.1 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, mainly during the appropriations process. The main interaction between the Legislature and MDOT occurs during the annual appropriations process. Most budget communications are channeled through the House and Senate fiscal agencies and the Appropriations Subcommittee chairs on the legislative side, and the director and budget officers on the MDOT side. MDOT tracks the budget bill and communicates MDOT's position on line item appropriations and related boilerplate sections. MDOT has a dedicated governmental affairs office. This office is less involved in the budget and more involved in tracking and testifying on transportation policy bills as well as fielding questions or concerns from legislators. In some cases, bills are introduced at MDOT's request, by legislative sponsors identified through the governor's office. When bills are passed over MDOT's objections, MDOT may ask the governor to veto the bill or particular items.

DOT Leadership Appointments and Requirements

The six members of the state transportation commission are appointed by the governor to staggered three-year terms, with the advice and consent of the Senate and within constitutional requirements pertaining to party affiliation (Mich. Comp. Laws Ann. §247.802; Mich. Const. art. V, §28). The MDOT director also is appointed by the governor, with the advice and consent of the Senate and within broad statutory guidelines for abilities, and serves at the pleasure of the governor. If the director is not a licensed professional engineer, the director must designate a deputy director who is, to be responsible for the engineering content of policies and programs (Mich. Comp. Laws Ann. §16.455 and §247.805; Mich. Const. art. V, §28).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); legislative program reviews or performance audits; reporting requirements; legislative requests for information.
Legislative Program Evaluation Office	Office of the Auditor General. This office conducts departmental performance audits.
Sunset Review	Sunset clauses have been enacted only for selected programs or legislation, not for MDOT per se.

Legislation and Regulation

Transportation Governance Statutes	Mich. Comp. Laws Ann. §§16.451 et seq.; Mich. Comp. Laws Ann. §§247.801 et seq.; Mich. Comp. Laws Ann. chapters 220 to 260
Administrative Rules Review	Legislative review of proposed rules by a joint bipartisan committee; committee may suspend rules during interim.

Transportation Planning and Capital Program Management

Transportation Planning Process	MDOT has jurisdiction over only 8.1 percent of the state's road miles, and local agencies control the rest. MDOT guides the process and selects projects for its capital road and bridge construction/reconstruction program. Projects are selected primarily with a view to meeting pavement and bridge performance goals established in 1997 within federal constraints, and statewide geographic distribution. MPOs coordinate local projects but do not select projects for the state plan. The state transportation commission approves the five-year plan as a broad planning document, but does not select or question specific projects.
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Legislative Role in Transportation Planning	Legislative involvement is very limited. The Legislature has made efforts to designate specific projects and to require legislative approval of the five-year MDOT plan. These efforts have largely failed, and the Legislature neither selects projects nor approves the five-year plan.
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Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins October 1. The Legislature approves the transportation budget, but the budget is largely driven by how much revenue is generated and by statutory formulas for distribution.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$1.97 billion FY 2010: \$2.08 billion FY 2009: \$2.03 billion FY 2008: \$2.21 billion
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are included in the annual state budget. They must be appropriated before they can be spent by MDOT on state projects or made available for local projects. The Legislature approves a budget with line items at the category level, not for specific projects, and MDOT decides how to allocate funds within those categories. State law requires 25 percent of most federal-aid programs to be set aside for local projects.
Allocation of State Transportation Funds to the DOT	State transportation funds are distributed by statutory formula, but still must be appropriated in the annual state budget (at the program or category level) before they can be spent by MDOT or distributed to local agencies.
Traditional State Funding and Finance for Highways	Fuel taxes; vehicle registration/license/title fees; tolls. Tolls support the toll facilities but not other transportation projects.
State Funding and Finance for Other Modes	Transit, passenger and freight rail, and ports: Funded by a statutory share of fuel taxes, registration taxes and a share of the state sales tax on auto-related products—including on gasoline and diesel fuel—through the state’s Comprehensive Transportation Fund. Aviation: Aviation fuel taxes; aircraft registration fees; airport parking tax. State trunkline bridges: Share of fuel taxes and registration taxes.
Innovative Transportation Funding and Finance	GARVEE bonds (indirect only); Build America Bonds; state infrastructure bank (federally capitalized); design-build (reported in survey; no authorizing statute found); advance construction; toll credits or “soft match.”
Dedicated/Restricted State Funds and Revenues	The state constitution dedicates motor fuel taxes and vehicle registration taxes to transportation purposes; at least 90 percent must be used for roads, streets and bridges, and the balance for comprehensive transportation purposes as defined by law (Mich. Const. art. IX, §9). The Michigan Transportation Fund is the main collection and distribution fund for state transportation revenues, mainly from fuel and registration taxes. Revenues are credited to this fund, then distributed to other funds and programs by statutory formula (Mich. Comp. Laws Ann. §§247.660 et seq.). Recipients include the State Trunkline Fund for state highways and MDOT administration, the Transportation Economic Development Fund, the Comprehensive Transportation Fund—statutorily dedicated to public transportation—and local agencies. An auto-related sales tax also is deposited into the Comprehensive Transportation Fund (Mich. Comp. Laws Ann. §205.75). An earmark of certain driver’s license fees is statutorily dedicated to transportation economic development (Mich. Comp. Laws Ann. §28.306). The State Aeronautics Fund is dedicated to aeronautics and funded by aviation fuel taxes, aircraft registration fees and an airport parking tax (Mich. Comp. Laws Ann. §259.34 and §259.35).
DOT Authorized to Retain Surplus Funds	Yes. MDOT can carry forward appropriated funds for projects into subsequent years. Carry-forward funds do not need to be reappropriated.
Legislative Approval Required to Move Funds Between Projects	No. MDOT must notify the Legislature before using bond funds for a different project than originally specified, but bond proceeds are not appropriated and no legislative approval is required.
Transportation Funding Allocations through Local Aid	Local agencies—including 83 county road commissions and 533 counties and villages—control nearly 92 percent of the state’s road miles, including many that are federal-aid eligible. Most state transportation revenue is distributed to local road agencies by statutory formula (Mich. Comp. Laws Ann. §247.660 and §247.663). State law also requires that an average of 25 percent of federal aid be set aside for local projects (Mich. Comp. Laws Ann. §247.660). There is little state oversight of these local agencies.

Minnesota

Organizational Facts

Legislature	Minnesota Legislature Structure: Bicameral, partisan Chambers: Senate (67 members) House (134 members) Session: Annual, approximately January – May (odd years), approximately February – May (even years) Estimated no. of bills in 2011: 4,800	Department of Transportation	Minnesota Department of Transportation (Mn/DOT) FTE: 5,107 Leadership: Commissioner Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 283,378 (2009); bridges: 13,108 (2010); toll bridges and tunnels: 1, plus 1 shared with North Dakota (2009)
Transit	Trips per year (all transit modes): Approximately 102.1 million (2008)
Rail	Freight rail route-miles: 4,528 (2008)
Aviation	Airports (total): 371; public-use: 165; state-owned: 0 (2008) Enplanements per year: 15,884,588 (2009)
Marine	Waterborne tonnage per year: 28.7 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, extensive. Mn/DOT and the Legislature have extensive contact. District management and executive staff have regular contact with legislators to discuss specific transportation issues and projects. Special briefings for legislators are occasionally held to acquaint them with Mn/DOT activities. Legislators and legislative staff frequently request information from Mn/DOT, which is regarded as the expert source of transportation-related information, and often contact Mn/DOT offices or districts directly. Mn/DOT provides considerable information and testimony to the Legislature during session about the transportation-related legislation. Mn/DOT has a dedicated Office of Government Affairs.

DOT Leadership Appointments and Requirements

The commissioner of transportation is appointed by the governor to a term that coincides with that of the governor, with the advice and consent of the Senate. The commissioner serves at the pleasure of the governor (Minn. Stat. Ann. §174.02, §15.06, §15.066).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by one or more legislative committees or commission; interim charges; legislative program reviews or performance audits; reporting requirements; legislative requests for information.
Legislative Program Evaluation Office	Office of the Legislative Auditor, Program Evaluation Division. This office conducts various studies.
Sunset Review	Sunset clauses have been enacted only for selected programs or legislation, not for Mn/DOT per se.

Legislation and Regulation

Transportation Governance Statutes	Minn. Stat. Ann. chapters 15, 160 to 174A, 218 to 222, and 360 to 362
Administrative Rules Review	Legislative review of proposed and existing rules by joint bipartisan standing committee; committee role is mainly advisory.

Transportation Planning and Capital Program Management

Transportation Planning Process	Mn/DOT develops a 20-year state plan, a 10-year highway investment plan and an annually updated four-year State Transportation Improvement Program (STIP) using an extensive public involvement process. These plans are informed by special studies and metropolitan, regional and tribal plans. Mn/DOT identifies and develops projects for the state trunk highway system and coordinates involvement of other stakeholders on all modes. The process of prioritizing projects for funding in the STIP is done with the participation of Area Transportation Partnerships, which are committees of local government office holders or their delegates and Mn/DOT employees.
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Legislative Role in Transportation Planning	The Legislature has no formal role in this process. With rare exceptions, the Legislature does not identify projects in legislation. Legislators do, however, regularly introduce bills that would prioritize certain projects more highly than in the existing plan. The Legislature does not approve the transportation plans, but may review them at legislative hearings. The Legislature appropriates funds within broad categories, and can set investment priorities in that way.
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Funding and Finance

Budgeting and Appropriations	Biennial enactment of two 12-month budgets; fiscal year begins July 1. Unanticipated federal funds may be appropriated through a contingent appropriations process, which requires the written approval of the governor and at least five members of a subset of the Legislature.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$1.80 billion* FY 2010: \$1.60 billion* FY 2009: \$1.74 billion* FY 2008: \$1.46 billion* <i>*These numbers include year-specific, direct appropriations; continuing appropriations; ongoing, statutory appropriations; and bonding.</i>
Allocation of Federal Transportation Funds to the DOT	Federal funds that flow through the state's federal fund are reviewed by the Legislature, but do not require legislative appropriation or approval to be spent. Federal funds that flow through the state's trunk highway fund are appropriated through the biennial budget process, usually in categories such as construction or maintenance and occasionally as project-specific appropriations. These funds also can be approved via a contingent appropriation process in the case of unanticipated federal funds, maintenance emergencies or tort claims.
Allocation of State Transportation Funds to the DOT	State revenues are constitutionally dedicated to the state's Highway User Tax Distribution Fund, then appropriated through direct and statutory appropriations to state agencies and programs. Appropriations usually are at the category level, but occasionally are project-specific.
Traditional State Funding and Finance for Highways	Fuel taxes; motor vehicle/rental car sales taxes (up to 60 percent of the motor vehicle sales tax starting in FY 2012); vehicle registration/license/title fees; truck weight fees; interest income; various fines and fees; general obligation bonds.
State Funding and Finance for Other Modes	Transit: General funds; general obligation bonds; motor vehicle/rental car sales taxes (at least 40 percent of the motor vehicle sales tax starting in FY 2012). Rail: General funds; general obligation bonds. Aviation: Airport property taxes; aviation fuel taxes; license taxes; general obligation bonds. Ports: General funds; general obligation bonds.
Innovative Transportation Funding and Finance	State infrastructure bank (federally capitalized); congestion pricing; PPPs (authorized in statute); design-build (authorized in statute, used as a component of at least five projects); advance construction.
Dedicated/Restricted State Funds and Revenues	The state constitution establishes the Highway User Tax Distribution Fund, which consists of motor fuel taxes and taxes on motor vehicles and is dedicated solely to highway purposes (Minn. Const. art. XIV, §§1 et seq.). The constitution distributes the fund to trunk highways (62 percent), county roads (29 percent) and municipal streets (9 percent); 5 percent is set aside and can be apportioned to any of those purposes. Starting in FY 2012, the constitution also distributes at least 60 percent of motor vehicle sales tax receipts to the Highway User Tax Distribution Fund, and not less than 40 percent to a Transit Assistance Fund, where money is statutorily dedicated to greater Minnesota and metro area transit (Minn. Stat. Ann. §16A.88). Aviation-related revenues go to the State Airport Fund (e.g., Minn. Stat. Ann. §270.077, §296A.18 and §360.66), which is dedicated to aviation purposes (Minn. Stat. Ann. §360.017). These revenues are only statutorily dedicated, and transfers have been made from the State Airport Fund to deal with budget deficits. The use of aviation taxes is statutorily restricted by type of airport, zoning requirements, type of projects, and so on. Truck weight fees and other various fines and fees flow through the state's Trunk Highway Fund via statutory requirements; the constitution restricts uses of this fund (Minn. Const. art. XIV, §2 and §6). General obligation bonds are constitutionally restricted to public purposes and capital expenditures only (Minn. Const. art. XI, §5). Bonds may be designated to specific projects.
DOT Authorized to Retain Surplus Funds	Yes and no. Appropriations can be carried forward within a biennium. Specific language accompanying an appropriation is needed for carry-forward authority across biennia. This authority generally is given in the aviation section of the transportation budget, but not necessarily in others.

Minnesota

Legislative Approval Required to Move Funds Between Projects	Yes. Based on session law, Mn/DOT may transfer spending authority between maintenance funds and other Mn/DOT funds (other than construction) through a notification process. This authority may also be transferred to the construction appropriation. However, the spending authority from the construction appropriation may not be transferred to other areas of the budget without a legislative charge.
Transportation Funding Allocations through Local Aid	In the biennial budget process, the Legislature makes lump sum appropriations to Mn/DOT for county roads and municipal streets based on a constitutional formula for distributing Highway User Tax Distribution Fund resources (Minn. Const. art. XI, §5). Mn/DOT then allocates funds to counties using statutory formulas based on equal distribution, need, motor vehicle registrations and lane miles (Minn. Stat. Ann. §§162.07 et seq.) and to municipalities based on needs and population (Minn. Stat. Ann. §162.13). The state's general obligation bonds assist with local road and bridge projects, which are mostly funded on a first-come, first-serve basis.

Organizational Facts

Legislature	Mississippi Legislature Structure: Bicameral, partisan Chambers: Senate (52 members) House (122 members) Session: Annual, approximately January – April Estimated no. of bills in 2011: 3,800	Department of Transportation	Mississippi Department of Transportation (MDOT) FTE: 3,464 Leadership: Commission; Executive Director Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 156,532 (2009); bridges: 17,065 (2010)
Transit	Trips per year (all transit modes): Approximately 1.3 million (2008)
Rail	Freight rail route-miles: 2,618 (2008)
Aviation	Airports (total): 251; public-use: 80; state-owned: 0 (2008) Enplanements per year: 1,199,015 (2009)
Marine	Port traffic per year (20-foot equivalent units): 156,507 (2009); waterborne tonnage per year: 52.2 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal. MDOT representatives are at all transportation-related committee meetings and represent MDOT’s position on pending legislation. MDOT employs a dedicated legislative liaison who, with the MDOT executive director, briefs transportation committees about relevant issues and policies. The liaison also is available to legislators on an ongoing basis, and responds to legislative requests for information.

DOT Leadership Appointments and Requirements

The three members of the Mississippi Transportation Commission are elected by the people, one from each of the state’s three Supreme Court districts, at the same time and in the same manner as the governor. They must be qualified electors and citizens of the district in which they offer for election (Miss. Code Ann. §65-1-3). The executive director is appointed to a four-year term by the commission, with the advice and consent of the Senate and within statutory requirements for expertise and knowledge; can be removed by a majority of the commission; and cannot have been a member of the commission within two years of appointment (Miss. Code Ann. §65-1-9).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); interim charges; legislative review of non-legislative program reviews or performance audits; legislative requests for information; reporting requirements. MDOT is required to make reports to or notify the Legislature about certain MDOT programs, activities or actions. MDOT also must file detailed annual reports with the Legislature on its operations, major programs and six-year program of work. MDOT is audited at the end of each fiscal year by the State Auditor, and a copy of the audit is sent to the Legislative Budget Office (Miss. Code Ann. §65-1-149).
Legislative Program Evaluation Office	Joint Legislative Performance Evaluation and Expenditure Review Committee
Sunset Review	No sunset reviews of state agencies or programs.

Legislation and Regulation

Transportation Governance Statutes	Miss. Code Ann. §65-1-1 through §65-1-709
Administrative Rules Review	No formal review process.

Transportation Planning and Capital Program Management

Transportation Planning Process	MDOT identifies projects with input from MPOs and develops the Statewide Transportation Improvement Program (STIP). The Transportation Commission approves all projects, contracts and expenditures. MDOT maintains a Six-Year Plan of projects submitted to the Legislature each January. MDOT also produces a long-range plan called the Mississippi Unified Long-Range Transportation Infrastructure Plan (MULTIPLAN) that is a comprehensive analysis of transportation infrastructure and needs throughout the state with a 25-year horizon.
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Mississippi

Legislative Role in Transportation Planning	MDOT submits its Six-Year Plan of projects to the Legislature each January, but the Legislature does not approve this plan. The Legislature can identify a project through a transportation bond bill. The Legislature also has passed statutes identifying specific projects or programs for MDOT to implement, for example, the 1987 Four-Lane Program and the Vision 21 Program (Miss. Code Ann. §65-3-97 and §65-1-145). These statutes generally provide MDOT with guidelines for project prioritization but give MDOT flexibility to change prioritization of these projects and to determine when each prioritized project is to be completed.
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Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1. MDOT’s annual budget request is approved by the elected, three-member Transportation Commission before it is submitted to the Legislature.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$575.0 million FY 2010: \$509.5 million FY 2009: \$539.2 million FY 2008: \$434.2 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated to MDOT through a state legislative appropriation at the program or category level.
Allocation of State Transportation Funds to the DOT	State taxes and fees dedicated to transportation are deposited directly into the State highway Fund, but still must be appropriated annually to MDOT by the Legislature.
Traditional State Funding and Finance for Highways	Fuel taxes; vehicle registration/license/title fees; truck weight fees; interest income; contractors’ tax on certain highway projects; lubricating oil tax; general obligation bonds; revenue bonds.
State Funding and Finance for Other Modes	Transit has no dedicated state funding but has received allocations from the Multi-Modal Transportation Improvement Fund, which is funded by MDOT out of its state source special funds that are not otherwise dedicated (i.e., a portion of the fuel tax, truck and bus taxes, and other). Rail: Tax on locomotive fuel. Aviation: Tax on aviation fuel (distributed to the Mississippi Aeronautics Commission). Ports: General funds. Bridges: Included with highways.
Innovative Transportation Funding and Finance	GARVEE bonds; private activity bonds (PABs) (allocated); Build America Bonds; PPPs (authorized in statute); design-build (authorized in statute); advance construction; bridge credits (in-kind or “soft match”).
Dedicated/Restricted State Funds and Revenues	State statute indicates that gasoline taxes are to be used to provide highways, streets and roads (Miss. Code Ann. §27-55-3). Fuel taxes and certain other transportation-related taxes and fees—including vehicle registration/license/title fees and truck weight fees—are dedicated to the State Highway Fund and can be used for MDOT operations and programs. Any bond proceeds usually are dedicated to a specific project or program by the bond enabling legislation. The state also has a Multi-Modal Transportation Improvement Fund, which is distributed to ports, airports, transit and railroads (Miss. Code Ann. §§65-1-701 et seq.). The Legislature established this fund in 2001 (2001 Miss. Laws, Chap. 552) but has not appropriated any funding to it since its passage; MDOT has chosen to fund the program from its state revenues.
DOT Authorized to Retain Surplus Funds	Yes. All state fees and taxes dedicated to transportation and all federal reimbursements on federal projects are deposited directly into the State Highway Fund and retained until spent.
Legislative Approval Required to Move Funds Between Projects	No legislative approval is required.
Transportation Funding Allocations through Local Aid	Local entities receive state transportation funds through statutory formulas. MDOT allocates part of its federal funds to local projects through the Local Public Agencies program, and part through the separate Office of State Aid. A portion of state fuel tax revenues is distributed to counties for local bridge and highway projects through the Office of State Aid by a statutory formula based on equal distribution, rural road miles and rural population (Miss. Code Ann. §27-65-75); another portion is received directly by cities and counties for transportation projects (Miss. Code Ann. §27-5-101 and §27-5-103). Cities and counties also receive part of the state sales tax, which can be used for any local government purpose, including transportation.

Organizational Facts

Legislature	Missouri General Assembly Structure: Bicameral, partisan Chambers: Senate (34 members) House (163 members) Session: Annual, approximately January – May Estimated no. of bills in 2011: 2,000	Department of Transportation	Missouri Department of Transportation (MoDOT) FTE: 6,125 salaried; 115 temporary Leadership: Commission; Director Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 270,903 (2009); bridges: 24,245 (2010); toll bridges and tunnels: 1 (2009)
Transit	Trips per year (all transit modes): Approximately 75.2 million (2008)
Rail	Freight rail route-miles: 4,078 (2008)
Aviation	Airports (total): 516; public-use: 130; state-owned: 0 (2008) Enplanements per year: 11,460,911 (2009)
Marine	Waterborne tonnage per year: 24.1 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, extensive. Communication occurs formally and informally through visits at a legislative member’s request, written policy statements, testimony before committees, and distribution of annual reports and Statewide Transportation Improvement Program (STIP) documents, as well as Tracker, MoDOT’s quarterly performance management document. MoDOT has a Division of Governmental Relations, the role of which includes advocating for MoDOT objectives, advancing legislative initiatives, and communicating and interacting with the General Assembly on an ongoing basis. Governmental relations staff and MoDOT’s senior management team testify before legislative committees. MoDOT’s director and governmental relations staff are registered lobbyists and interact with legislators regarding transportation-related legislation. During session, the Missouri Highways and Transportation Commission holds monthly meetings at MoDOT headquarters. This provides convenience to any legislator who wishes to attend the meeting or address commission members. Finally, the Joint Committee on Legislative Research Oversight Division is required to prepare a fiscal note for each bill. To do this, the division solicits a statement of impact from all potentially affected agencies; MoDOT responds to approximately 650 fiscal note requests annually.

DOT Leadership Appointments and Requirements

The six members of the bipartisan Missouri Highways and Transportation Commission are appointed to staggered six-year terms by the governor, by and with the advice and consent of the Senate, subject to statutory requirements for party affiliation, taxpayer status and residency. Any commissioner may be removed by the governor if fully satisfied of his inefficiency, neglect of duty or misconduct in office (Mo. Rev. Stat. §226.030). The MoDOT director is appointed by the commission—subject to statutory requirements for state citizenship, residency and experience—and serves at the pleasure of the commission (Mo. Rev. Stat. §226.040).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); interim charges; legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information. Legislative committees having some oversight of MoDOT include the Joint Committee on Transportation Oversight and the Joint Committee on Legislative Research Oversight Division. Reporting requirements include an annual accountability report that is provided to the General Assembly, the governor and the lieutenant governor, and presented in person before the Joint Committee on Transportation Oversight. The General Assembly periodically creates interim committees to study certain aspects of MoDOT.
Legislative Program Evaluation Office	Joint Committee on Legislative Research, Oversight Division. This division has the authority to conduct performance audits of state executive departments and has performed five audits of MoDOT programs and funds.
Sunset Review	The state conducts sunset reviews, but not of MoDOT.

Legislation and Regulation

Transportation Governance Statutes	Mo. Rev. Stat. §§226.005 et seq.; Mo. Rev. Stat. §§227.010 et seq.
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Missouri

Administrative Rules Review	Legislative review of proposed and existing rules by joint bipartisan standing committee; committee may suspend rule; no objection constitutes approval of proposed rule.
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Transportation Planning and Capital Program Management

Transportation Planning Process	MoDOT annually develops a rolling five-year Statewide Transportation Improvement Program (STIP) through a collaborative process called the planning framework. MoDOT coordinates the involvement of MPOs, regional planning commissions, local elected officials and the general public, who work collaboratively with MoDOT to select and prioritize projects. The plan is approved by the Highways and Transportation Commission.
Legislative Role in Transportation Planning	No formal legislative role. Legislators have opportunities to be involved in the decision-making process by attending a public meeting, contacting their respective regional planning partners or contacting MoDOT directly.

Funding and Finance

Budgeting and Appropriations	The state's operating budget is annual, and the capital budget is biennial; fiscal year begins July 1.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$1.81 billion FY 2010: \$1.68 billion FY 2009: \$1.77 billion FY 2008: \$1.49 billion
Allocation of Federal Transportation Funds to the DOT	Federal highway funds are deposited directly into the State Road Fund per statute, without legislative involvement. The State Road Fund is authorized by the Missouri Highways and Transportation Commission. Federal funds for highway safety and other modes—including transit, rail and aviation—must be appropriated by the General Assembly at the program or category level.
Allocation of State Transportation Funds to the DOT	Various state funds flow directly to MoDOT per statute, without legislative involvement, for construction and maintenance of highways and bridges. The funding for other modes is appropriated by the General Assembly at the program or category level.
Traditional State Funding and Finance for Highways	Fuel taxes; motor vehicle/rental car sales taxes; vehicle registration/license/title fees; truck weight fees; interest income; revenue bonds.
State Funding and Finance for Other Modes	Rail: Railroad regulation fees. Aviation: Sales tax on jet fuel; aviation fuel tax; interest income. Ports: General revenue. Transit, rail, waterways and aviation also are funded by 2 percent of half the proceeds from the state sales tax on motor vehicles, trailers, motorcycles, mopeds and motortricycles. General revenue also may be appropriated to these uses by the General Assembly.
Innovative Transportation Funding and Finance	GARVEE bonds; Build America Bonds; state infrastructure bank (federally capitalized); PPPs (authorized in statute with legislative and voter approval requirements); design-build (authorized in statute, used as a component of three projects according to MoDOT); creation of nonprofit, quasi-public entities; advance construction; toll credits or "soft match." Traffic camera fees are used only at the local level.
Dedicated/Restricted State Funds and Revenues	The state constitution dedicates use of all motor vehicle-related taxes and fees—including fuel taxes and license fees and less certain set-asides—to roads, bridges and tunnels and prohibits any state revenues from highway users that are allocated to the State Road Fund from being diverted from highway purposes and uses (Mo. Const. art. IV, §30(b)) and §30(d)). Fuel tax proceeds are distributed by constitutional formulas to the State Road Fund, cities and counties. The same section of the constitution also dedicates half the proceeds from the state sales tax on motor vehicles, trailers, motorcycles, mopeds and motortricycles to highway and transportation use. These revenues are distributed to counties (10 percent), cities (15 percent), the State Road Fund (73 percent) and the State Transportation Fund (2 percent); the State Transportation Fund also supports other transportation modes such as rail, transit, waterways and aviation. The other half of the proceeds from the state sales tax on motor vehicles, trailers, motorcycles, mopeds and motortricycles is constitutionally directed to the State Road Bond Fund for the repayment of bonded debt issued by the Highways and Transportation Commission (Mo. Const. art. IV, §30(b)). The Aviation Trust Fund, which collects a 9-cent-per-gallon tax on aviation fuel and a portion of the state sales tax on jet fuel (Mo. Rev. Stat. §155.090 and §144.805), is dedicated to aviation purposes (Mo. Rev. Stat. §305.230). General revenue is legislatively appropriated and restricted by language.

<p>DOT Authorized to Retain Surplus Funds</p>	<p>Yes, for certain funds. The remaining balance of the State Road Fund, which is dedicated to roads and bridges, is used and expended at the sole discretion of and under the supervision and direction of the Highways and Transportation Commission (Mo. Const. art. IV, §30(b)). All other funds with remaining balances also are authorized to retain excess funds, with the exception of the state Grade Crossing Safety Account, which may be swept at the end of a biennium if funds are not already obligated to future projects.</p>
<p>Legislative Approval Required to Move Funds Between Projects</p>	<p>No legislative approval is required.</p>
<p>Transportation Funding Allocations through Local Aid</p>	<p>The state constitution allocates portions of the state motor fuel tax and a state sales tax on vehicles to cities and counties. After set-asides, 15 percent of the proceeds of the fuel tax are deposited in the County Aid Road Trust Fund. A portion of this fund is distributed to cities not within any county, and the remainder to counties by a formula based on road mileage and rural land valuation; these funds are dedicated to the construction, reconstruction, maintenance and repairs of roads, bridges and highways. Fifteen percent of fuel tax proceeds goes to cities, towns and villages for roads and street purposes, and are distributed by a population-based formula (Mo. Const. art. IV, §30(a)). Half the proceeds from the state sales tax on motor vehicles, trailers, motorcycles, mopeds and motortricycles are constitutionally dedicated to highway and transportation use. Of this half, 10 percent is distributed to counties and 15 percent to cities as provided in section 30(a) (Mo. Const. art. IV, §30(b)).</p>

Montana

Organizational Facts

Legislature	Montana Legislature Structure: Bicameral, partisan Chambers: Senate (50 members) House (100 members) Session: Biennial, approximately January – April (odd years only) Estimated no. of bills in 2011: 1,350	Department of Transportation	Montana Department of Transportation (MDT) FTE: 2,242 Leadership: Commission; Director Organizational structure: Mainly by transportation mode
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 150,125 (2009); bridges: 5,119 (2010)
Transit	Trips per year (all transit modes): Approximately 2 million (2008)
Rail	Freight rail route-miles: 3,179 (2008)
Aviation	Airports (total): 569; public-use: 120; state-owned: 15 (2008) Enplanements per year: 1,455,588 (2009)

Legislative-DOT Collaboration and Communication

Mainly formal and through DOT staff members and legislative committees. Communication mainly takes place between MDT staff members and legislative committees. During the interim, MDT staff—generally the director—provide reports on MDT activities, planning and activities to the Revenue and Transportation Interim Committee. This committee also can request legislation on behalf of MDT. During session, MDT frequently appears before the House Transportation Committee and the Senate Highways and Transportation Committee to influence or provide input on transportation-related legislation. MDT also appears before the Senate Finance and Claims and House Appropriations Joint Subcommittee on General Government, which deals with the MDT budget. MDT has no dedicated legislative liaison; however, the Legal Services Division drafts, reviews and may provide testimony on legislation, rules and policies.

DOT Leadership Appointments and Requirements

The five members of the Transportation Commission are appointed by the governor, subject to confirmation by the Senate (Mont. Const. art. VI, §8) and statutory requirements for residency, geographic representation and party affiliation. At least one must have specific knowledge of Indian culture and tribal transportation needs, and must be selected by the governor after consultation with the Montana members of the Montana-Wyoming Tribal Leaders Council. No elected or appointed state official or state employee may serve on the commission (Mont. Code Ann. §2-15-2502). The MDT director is appointed by the governor to hold office until the end of the governor's term, subject to confirmation by the Senate, and serves at the pleasure of the governor (Mont. Code Ann. §2-15-2501 and §2-15-111).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); interim charges; legislative program reviews or performance audits; reporting requirements; legislative requests for information.
Legislative Program Evaluation Office	Legislative Audit Division
Sunset Review	Sunset clauses have been enacted only for selected programs or legislation, not for MDT per se.

Legislation and Regulation

Transportation Governance Statutes	Mont. Const. art. VIII, §6; Mont. Code Ann. title 2, ch. 15; Mont. Code Ann. title 15; Mont. Code Ann. title 60; Mont. Code Ann. title 61; Mont. Code Ann. title 67; Mont. Code Ann. title 75
Administrative Rules Review	Legislative review of proposed rules by germane joint bipartisan committees; committee may suspend rule.

Transportation Planning and Capital Program Management

Transportation Planning Process	MDT staff engage in a number of different planning processes, including the Statewide Transportation Improvement Program (STIP). The Transportation Commission selects and prioritizes projects for construction and maintenance, based on information, research and recommendations provided by MDT staff and local governments (Mont. Code Ann. §60-2-110).
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Legislative Role in Transportation Planning	No formal legislative role. Legislators may testify at commission meetings like any member of the public. Rarely, the Legislature will require or address an individual highway or project in statute (for example, Mont. Code Ann. §60-2-133). This kind of special legislation is generally discouraged. The Legislature approves the MDT budget at the program, not project-specific, level.
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Funding and Finance

Budgeting and Appropriations	Biennial enactment of two 12-month budgets; fiscal year begins July 1. Biennial budget requests are reviewed and approved by the Legislature, but projects are approved by the Transportation Commission, not the Legislature.
Bonding or Pay-as-You-Go	The state uses pay-as-you-go financing.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$256.5 million* FY 2010: \$227.4 million* FY 2009: \$244.0 million* FY 2008: \$230.6 million* <i>*These numbers include local transit matches that pass through MDT.</i>
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are legislatively appropriated at the program or category level as part of the biennial budget process.
Allocation of State Transportation Funds to the DOT	As with federal funds, state transportation funds are legislatively appropriated at the program or category level in the biennial budget process.
Traditional State Funding and Finance for Highways	Fuel taxes; motor vehicle/rental car sales taxes; vehicle registration/license/title fees; truck weight fees; interest income.
State Funding and Finance for Other Modes	Transit: Primarily local government funding; also some state fuel taxes and registration/license/title fees. Aviation: Aviation fuel tax; allocation of gasoline and diesel taxes. Bridges: Included with highways.
Innovative Transportation Funding and Finance	GARVEE bonds; design-build (authorized in statute); impact fees.
Dedicated/Restricted State Funds and Revenues	The state constitution requires highway user fee revenues (including weight fees and fuel taxes) to be used as authorized by the Legislature—after deduction of statutory refunds and adjustments—solely for specific road and bridge funding purposes, including enforcement of highway safety, driver education, tourist promotion and administrative collective costs. Such revenues may be appropriated for other purposes by a three-fifths vote of the members of each house of the Legislature (Mont. Const. art. VIII, §6). State statute allocates a small portion of the gasoline dealers' license tax to other purposes, including aeronautics (Mont. Code Ann. §60-3-201).
DOT Authorized to Retain Surplus Funds	Yes. Funds derived from highway user fees are constitutionally protected from diversion from the highway fund. MDT is authorized to retain excess funds with no stated limit.
Legislative Approval Required to Move Funds Between Projects	No legislative approval is required.
Transportation Funding Allocations through Local Aid	Transportation funds are allocated to local entities through a statutory distribution of gasoline and diesel taxes (Mont. Code Ann. §15-70-101). The funds provided for counties are distributed by a statutory formula based on rural road mileage, rural population and land area; the amount for incorporated cities and towns is distributed by a formula based on population and street and alley mileage; consolidated city-county governments receive a single payment based on a combined calculation. All funds are subject to low-bid requirements. These funds must be used for construction or maintenance of streets or roads.

Nebraska

Organizational Facts

Legislature	Nebraska Legislature Structure: Unicameral, nonpartisan Chamber: Legislature (49 members*) Session: Annual, approximately January – June (odd years), approximately January – April (even years) Estimated no. of bills in 2011: 1,050 <i>*All members go by the title of senator.</i>	Department of Transportation	Nebraska Department of Roads (NDOR) FTE: 2,292 Leadership: Commission (advisory only); Director Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 190,478 (2009); bridges: 15,376 (2010); toll bridges and tunnels: 4 shared with Iowa (2009)
Transit	Trips per year (all transit modes): Approximately 6.1 million (2008)
Rail	Freight rail route-miles: 3,215 (2008)
Aviation	Airports (total): 241; public-use: 83; state-owned: 3 (2008) Enplanements per year: 2,279,966 (2009)
Marine	Waterborne tonnage per year: 179,000 (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, mainly through legislative committees and the DOT legislative liaison. NDOR has a government affairs office; most communication occurs between that office and the Legislature's Transportation and Telecommunications committee. All senators' offices also have direct contact with the NDOR government affairs office when they have questions or need information. As a "code agency" subject to the governor's direct control, NDOR must work through the Governor's Policy and Research office to introduce legislation, support or oppose a bill, or offer an amendment to a bill. If NDOR is given permission, then the government affairs office or director will usually work through the Transportation and Telecommunications Committee. NDOR also must present certain reports to the Legislature, including an annual Needs Assessment Report.

DOT Leadership Appointments and Requirements

The eight members of the State Highway Commission are appointed by the governor with the consent of a majority of all the members of the Legislature, within statutory requirements for geographic representation, U.S. citizenship, age, residency and party affiliation (Neb. Rev. Stat. §39-1101). The governor can remove commission members for inefficiency, neglect of duty or misconduct in office, after an opportunity for a hearing (Neb. Rev. Stat. §39-1104). The commission is advisory only and has no authority over NDOR (Neb. Rev. Stat. §39-1110). The NDOR director is appointed by the governor, subject to confirmation by a majority vote of the members elected to the Legislature, and can be removed by the governor (Neb. Rev. Stat. §81-102; Neb. Const. art. IV, §10).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information.
Legislative Program Evaluation Office	Legislative Performance Audit Section
Sunset Review	Sunset clauses have been enacted only for selected programs or legislation, not for NDOR per se.

Legislation and Regulation

Transportation Governance Statutes	Neb. Rev. Stat. §39-1301 to §39-1308; Neb. Rev. Stat. §81-101; Neb. Rev. Stat. §81-701.01 to §81-704.04
Administrative Rules Review	Legislative review of proposed rules by standing committee; committee role is mainly advisory; no objection constitutes approval of proposed rule.

Transportation Planning and Capital Program Management

Transportation Planning Process	All transportation planning and project prioritization is done by NDOR with ultimate authority resting with the governor. The State Highway Commission reviews NDOR's plans, but acts in an advisory and informational capacity only. MPOs, city and county departments work with NDOR when the need arises.
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Legislative Role in Transportation Planning	The state constitution expressly prohibits the Legislature from laying out, planning or directing the construction of roads or highways (Neb. Const. art. III, §18). The role of the Legislature is to determine the amount of funding to provide. NDOR presents its annual needs assessment to a joint meeting of the Appropriations and Transportation committees before session. The Legislature then determines the overall level of state funding to be provided for transportation through the normal budgeting process for executive agencies.
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Funding and Finance

Budgeting and Appropriations	Biennial enactment of two 12-month budgets; fiscal year begins July 1. NDOR is required by statute to present an annual needs assessment to the Legislature. This occurs before session and provides a forum for discussion. Once in session, the Legislature determines the overall amount of state funding to be provided to NDOR through the normal budget and appropriations process, which includes Appropriations Committee review, public hearings, and discussion and passage by the full Legislature. The governor approves NDOR's budget request before it is submitted to the Legislature and can exercise veto power.
Bonding or Pay-as-You-Go	The state uses pay-as-you-go financing. No bonds have been issued since 1969.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$370.0 million FY 2010: \$368.0 million FY 2009: \$370.3 million FY 2008: \$359.5 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds flow directly into NDOR's cash fund. The Legislature does not limit the flow of federal funds, but does provide an appropriation at the program level that reflects a cash flow estimate. NDOR can exceed this estimate as needed without legislative involvement.
Allocation of State Transportation Funds to the DOT	A department-wide Highway Cash Fund appropriation sets the amount of state funds available to the agency. The variable fuel tax is then set to generate revenue equal to this amount when added to other revenue sources. The Legislature provides an appropriation of these same state funds at the program level that reflects a cash flow estimate. NDOR can exceed this estimate as needed without legislative involvement. The exception is the appropriation for transit aid, which is a set dollar amount.
Traditional State Funding and Finance for Highways	Fuel taxes (variable based on state debt service and appropriations; see Neb. Rev. Stat. §§66-4,140 et seq.); motor vehicle/rental car sales taxes; vehicle registration/license/title fees; interest income; train-mile tax for grade separation projects.
State Funding and Finance for Other Modes	Transit: Funded by the same sources as for highways through the Highway Cash Fund (but not the train-mile tax). Aviation: Aviation fuel tax; jet fuel tax. Bridges: Included with highways.
Innovative Transportation Funding and Finance	State infrastructure bank (federally capitalized); advance construction; toll credits or "soft match."
Dedicated/Restricted State Funds and Revenues	Statutes require fuel tax and other revenues to be credited to the Highway Trust Fund and, after set-asides, allocated to the Highway Cash Fund (Neb. Rev. Stat. §66-499, §60-3,104.01 and §39-2215). This fund must be used for highway construction and maintenance, with limited exceptions, including transit aid (Neb. Rev. Stat. §66-4,100). The use of aviation fuel taxes are limited by statute to aviation-related purposes (Neb. Rev. Stat. §3-149) and, after credits and refunds, are credited to the Department of Aeronautics Cash Fund. Transfers may be made from this fund to the general fund at the direction of the Legislature through June 30, 2011 (Neb. Rev. Stat. §3-126). Other state funds include the State Aid Bridge Fund, the Recreation Road Fund and the Grade Crossing Protection Fund.
DOT Authorized to Retain Surplus Funds	Yes. The Highway Cash Fund appropriation determines the amount of state funding available to NDOR each year and the variable fuel tax is set to attempt to generate this amount of revenue. The tax rate can be raised or lowered mid-year if needed. If actual revenues exceed the appropriation, they remain in the Highway Cash Fund until subsequently appropriated by the Legislature. If collections fall short, NDOR is simply out this amount of money.
Legislative Approval Required to Move Funds Between Projects	No. The Legislature does not get involved in project earmarking. NDOR is given the discretion to select and prioritize projects.
Transportation Funding Allocations through Local Aid	A portion of state fuel taxes and other transportation-related revenues is distributed to counties and municipalities by the Department of Revenue and the state treasurer, according to statutory formulas, via the Highway Allocation Fund. Funds are distributed to counties for road purposes by a statutory formula based on rural and total population, lineal feet of bridges and overpasses, rural and total motor vehicle registrations, road mileage and value of farm products sold (Neb. Rev. Stat. §39-2507). Funds are distributed to municipalities for street purposes, by a statutory formula based on population, motor vehicle registrations and lane miles (Neb. Rev. Stat. §39-2517). Counties and municipalities also can receive incentive payments based on population and the level of license of the county highway superintendent or city street superintendent (Neb. Rev. Stat. §§39-2501 et seq. and §§39-2511 et seq.).

Nevada

Organizational Facts

Legislature	Nevada Legislature Structure: Bicameral, partisan Chambers: Senate (21 members) Assembly (42 members) Session: Biennial, approximately February – June (odd years only) Estimated no. of bills in 2011: 1,150	Department of Transportation	Nevada Department of Transportation (NDOT) FTE: 1,785 (approved) Leadership: Board; Director Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 73,242 (2009*); miles of tolled roadway: 6 (2009); bridges: 1,753 (2010) <i>*The number of total lane miles above is as reported by the Federal Highway Administration. NDOT uses centerline miles and reports 5,401 centerline miles as of April 2011.</i>
Transit	Trips per year (all transit modes): Approximately 75.5 million (2008)
Rail	Freight rail route-miles: 1,192 (2008)
Aviation	Airports (total): 140; public-use: 84; state-owned: 0 (2008) Enplanements per year: 21,541,766 (2009)

Legislative-DOT Collaboration and Communication

Mainly formal. NDOT and the Legislature interact primarily through committee hearings, the budget process and policy decisions. NDOT can request legislation through the executive branch and has open access to legislators. The chief of the Communications Office acts as NDOT's legislative liaison, among other duties.

DOT Leadership Appointments and Requirements

Three of the seven members of NDOT's Board of Directors are appointed to four-year terms by the governor, within statutory requirements for geographic representation, state residency and qualifications as well as restrictions pertaining to conflicts of interest. The governor, lieutenant governor, attorney general and state controller serve ex officio. The three appointed members must be informed on and interested in the construction and maintenance of highways and other transportation matters, and must possess either knowledge of engineering; demonstrated expertise in financial matters and business administration; or demonstrated expertise in the business of construction (Nev. Rev. Stat. §408.106). The NDOT Director is appointed by the Board of Directors, within statutory requirements for qualifications and experience as well as prohibitions on other employment, and serves at its pleasure (Nev. Rev. Stat. §§408.160 et seq.).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); interim charges; legislative program reviews or performance audits; reporting requirements; legislative requests for information. The NDOT Director is required to submit a performance report to the Board of Directors and the Legislature's Interim Finance Committee (Nev. Rev. Stat. §408.133). The Interim Finance Committee reviews executive branch fiscal and programmatic operations during each interim and considers modifications to NDOT's biennial work program when necessary. Other interim committees are occasionally formed to review state financing of highway construction and other projects. The Legislative Council Bureau's Fiscal Analysis Division provides ongoing fiscal and programmatic oversight of NDOT's interim activities.
Legislative Program Evaluation Office	Legislative Counsel Bureau, Audit Division
Sunset Review	Sunset clauses have been enacted only for selected programs or legislation, not for NDOT per se.

Legislation and Regulation

Transportation Governance Statutes	Nev. Rev. Stat. tit. 35
Administrative Rules Review	Legislative review of proposed rules by ongoing statutory committee (Legislative Commission); committee may suspend rule; no objection constitutes approval of proposed rule.

Transportation Planning and Capital Program Management

Transportation Planning Process	NDOT is responsible for identifying projects, developing and approving transportation plans, coordinating with the state's four MPOs and facilitating all transportation improvements in non-MPO areas. NDOT develops the Statewide Transportation Improvement Program (STIP) annually in collaboration with MPOs, local entities and 23 tribal governments; the MPOs have primary stewardship for transportation planning within their boundaries. Projects are evaluated by a standardized criterion, which determines the projects' feasibility and user benefits. Areas not under MPO authority must submit applications for proposed transportation improvement projects; these applications are ranked by an NDOT project evaluation team, and high-priority projects are forwarded to the director and deputy director for final selection. The number of projects in the STIP is limited by the amount of anticipated available funding. The NDOT Board of Directors approves the STIP annually.
Legislative Role in Transportation Planning	The Legislature approves the overall NDOT budget in its biennial session, but not specific line-item projects. To do this, the Legislature considers investment priorities, the state funding levels needed to satisfy federal requirements, and NDOT's combination of funding as recommended by the governor. The Legislature also may adopt specific legislation authorizing tax modifications or bond issuances for use toward highway construction projects, as necessary.

Funding and Finance

Budgeting and Appropriations	Biennial enactment of two 12-month budgets; fiscal year begins July 1.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$345 million FY 2010: \$419 million FY 2009: \$348 million FY 2008: \$377 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated to NDOT as a state legislative appropriation at the agency level or, when the Legislature is not in session, are approved by the Interim Finance Committee.
Allocation of State Transportation Funds to the DOT	State transportation funds are allocated to NDOT as state legislative appropriations at the agency, program/category and project-specific levels.
Traditional State Funding and Finance for Highways	Fuel taxes; motor vehicle/rental car sales taxes; vehicle registration/license/title fees; truck weight fees; general funds; interest income; general obligation bonds; revenue bonds. 2007 Nev. Stats., Chap. 344 requires counties with a population of 100,000 or more to allocate a portion of ad valorem tax for capital projects to the State Highway Fund. It also allocates a portion of recovery surcharge fees to that fund and requires the Las Vegas Convention and Visitors Authority to provide up to \$300 million in bond funding to NDOT for Clark County Projects.
State Funding and Finance for Other Modes	No state funds are allocated to transit or other modes.
Innovative Transportation Funding and Finance	GARVEE bonds (authorized but not used as of 2009); federal credit assistance (TIFIA); PPPs (authorized in statute, used for at least one local project); design-build (authorized in statute, used as a component of at least two local projects); traffic camera fees; advance construction. NDOT uses soft match but not toll credits.
Dedicated/Restricted State Funds and Revenues	The state constitution restricts the use of proceeds from any fuel tax or motor vehicle-related fee or charge—except any tax imposed upon vehicles in lieu of an ad valorem property tax—to the construction, maintenance and repair of public highways and administrative costs (Nev. Const. art. IX, §5). These revenues are deposited into the State Highway Fund, established by Nev. Rev. Stat. §408.235. This statute limits the costs of administration for the collection of any fuel tax to not more than 1 percent of the total proceeds collected. It also restricts the Department of Motor Vehicles' (not within NDOT) Highway Fund appropriations to not more than 22 percent of fund revenues, not including fuel tax, for funding administrative expenses.
DOT Authorized to Retain Surplus Funds	Unspent appropriations—unless specifically eligible to carry forward to the second year within a biennium by approval of the Legislature—typically revert to their respective funds at the end of each fiscal year. Excess bond proceeds may be carried forward to future years relative to specific construction schedules for NDOT investment priorities.
Legislative Approval Required to Move Funds Between Projects	No. NDOT's funding is established for each year of the biennium based on the authorized level of state Highway Funds, federal funds and bond proceeds to implement the state's capital construction priorities. However, NDOT retains authority within those legislatively approved funding levels to modify project-specific funding to maintain flexibility in its program and ensure approved investment priorities are implemented efficiently and effectively.
Transportation Funding Allocations through Local Aid	The state allocates transportation funding to local entities by state legislative appropriation.

New Hampshire

Organizational Facts

Legislature	New Hampshire General Court Structure: Bicameral, partisan Chambers: Senate (24 members) House (400 members) Session: Annual, approximately January – July Estimated no. of bills in 2011: 1,000	Department of Transportation	New Hampshire Department of Transportation (NHDOT) FTE: 1,671 Leadership: Commissioner Organizational structure: Mainly by transportation mode
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 33,008 (2009); miles of tolled roadway: 131 (2009); bridges: 2,409 (2010); toll bridges and tunnels: 7, plus 1 shared with Vermont (2009)
Transit	Trips per year (all transit modes): Approximately 1.3 million (2008)
Rail	Freight rail route-miles: 415 (2008)
Aviation	Airports (total): 118; public-use: 25; state-owned: 2 (2008) Enplanements per year: 1,602,066 (2009)
Marine	Waterborne tonnage per year: 3.6 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, extensive. Legislators and legislative staff develop direct lines of communication with NHDOT staff at every level of the agency. Communications are both formal and informal, depending on the circumstances. NHDOT staff are available to discuss issues involving transportation planning, funding and systems. Agency officials also appear regularly at public hearings before the House and Senate Transportation Committees. Legislators rely on this communication to consider all aspects of state transportation policy. NHDOT employs a director of policy and administration, who oversees the Office of Hearings and Legislation, among others (N.H. Rev. Stat. Ann. §21-L:5-b).

DOT Leadership Appointments and Requirements

The NHDOT Commissioner is appointed to a four-year term by the governor, with the consent of the Executive Council. The Executive Council is a five-member, elected, executive branch agency that has authority and responsibility, with the governor, over the administration of the affairs of the state. State statute requires the NHDOT commissioner only “to be qualified to hold the position by reason of education and experience.” (N.H. Rev. Stat. Ann. §21-L:3) The commissioner can be removed only for cause. The attorney general, the governor or an Executive Council member may petition for a commissioner’s removal, which is effected by a vote of three or more council members in concurrence with the governor (N.H. Rev. Stat. Ann. §4:1).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); legislative program reviews or performance audits; reporting requirements; legislative requests for information. A reporting requirement for the 2009 – 2011 biennium is for the NHDOT commissioner to submit quarterly reports on the status of the highway fund balance to the House and Senate Ways and Means committees, the General Court’s Fiscal Committee, the governor and the Executive Council (N.H. Rev. Stat. Ann. §143.8).
Legislative Program Evaluation Office	Legislative Budget Assistant Office, Audit Division
Sunset Review	No sunset reviews of state agencies or programs.

Legislation and Regulation

Transportation Governance Statutes	N.H. Rev. Stat. Ann. chapter 2L
Administrative Rules Review	Legislative review of proposed rules by joint bipartisan committee; committee role is mainly advisory; no objection constitutes approval of proposed rule; full legislature may permanently block rule through legislation.

Transportation Planning and Capital Program Management

Transportation Planning Process	NHDOT uses the Governor's Advisory Council on Intermodal Transportation (GACIT) process for transportation planning and creation of the Ten-Year Transportation Improvement Plan, which by statute must be updated every other year (N.H. Rev. Stat. Ann. §228:99 and ch. 240). In this process, NHDOT gathers information and input from the local level, which is presented to the GACIT and debated during public hearings. After the hearings, the governor reviews the plan, then submits it to the General Court for consideration and approval. After further hearings, the General Court adopts the plan. MPOs then incorporate approved projects into their plans, and NHDOT updates the Statewide Transportation Improvement Plan. NHDOT also developed a Long-Range Transportation Plan with extensive review by NHDOT, the General Court and others. The latest version was released in July 2010.
Legislative Role in Transportation Planning	The General Court biennially adopts the 10-year plan after holding public hearings. The General Court also reviewed the Long-Range Transportation Plan.

Funding and Finance

Budgeting and Appropriations	Biennial enactment of two 12-month budgets; fiscal year begins July 1. The governor approves the NHDOT budget.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$286.5 million FY 2010: \$277.1 million FY 2009: \$258.0 million FY 2008: \$247.9 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated to NHDOT as a state legislative appropriation as a lump sum to the agency.
Allocation of State Transportation Funds to the DOT	State transportation funds are allocated to NHDOT as a state legislative appropriation at the program or category level.
Traditional State Funding and Finance for Highways	Fuel taxes; vehicle registration/license/title fees; truck weight fees; tolls; interest income; general obligation bonds; revenue bonds (for turnpikes only). A surcharge on registration fees will sunset in June 2011.
State Funding and Finance for Other Modes	Transit and rail: General funds; bonds; Highway Fund. Ports: Other funds and fees.
Innovative Transportation Funding and Finance	GARVEE bonds (authorized but not used as of 2009); Build America Bonds; design-build (authorized in statute); advance construction; toll credits or "soft match."
Dedicated/Restricted State Funds and Revenues	The state constitution restricts use of revenues from any charges or taxes on the operation of motor vehicles or the sale or consumption of motor fuel to the construction, reconstruction and maintenance of public highways, including traffic supervision, and prohibits diversion of these revenues to any other purpose (N.H. Const. part II, art. 6-a). The restrictions are on the revenues that feed the highway fund, rather than on the fund itself.
DOT Authorized to Retain Surplus Funds	Yes, NHDOT is authorized to retain excess funds.
Legislative Approval Required to Move Funds Between Projects	No legislative approval is required.
Transportation Funding Allocations through Local Aid	Local aid is generally allocated by the commissioner of transportation. State statute requires at least 12 percent of fuel tax and motor vehicle fee revenue to be allocated to the local highway aid fund, which is distributed to cities, towns and unincorporated places by a statutory formula based on population and class IV and V highway mileage. An additional amount is allotted to municipalities by a statutory formula based on population and valuation (N.H. Rev. Stat. Ann. §235:23). A portion of fuel tax revenues is distributed to highway districts through the highway and bridge betterment program, by a statutory formula based on class I, II and III highway and highway bridge mileage (N.H. Rev. Stat. Ann. §235:23-a). A city or town may apply to the commissioner for discretionary state aid for class I, II or III highway projects; a local match is required (N.H. Rev. Stat. Ann. §§235:10 et seq.). The state also allocates transportation funds to local entities through state legislative appropriations.

New Jersey

Organizational Facts

Legislature	New Jersey Legislature Structure: Bicameral, partisan Chambers: Senate (40 members) General Assembly (80 members) Session: Annual, year-round Estimated no. of bills in 2011: 1,650	Department of Transportation	New Jersey Department of Transportation (NJ-DOT) FTE: 3,443 Leadership: Commissioner Organizational structure: Modes administered by separate agencies
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 84,463 (2009); miles of tolled roadway: 335 (2009); bridges: 6,520 (2010); toll bridges and tunnels: 6 shared with New York and 15 shared with Pennsylvania (2009)
Transit	Trips per year (all transit modes): Approximately 418.2 million (2008)
Rail	Freight rail route-miles: 993 (2008)
Aviation	Airports (total): 448; public-use: 45; state-owned: 42 (2008) Enplanements per year: 17,217,644 (2009)
Marine	Port traffic per year (20-foot equivalent units): 100,468, plus 3,761,330 shared with New York (2009); waterborne tonnage per year: 155.6 million (2009); state-operated ferries: 1 shared with Delaware (operated by the Delaware River and Bay Authority) (2009)

Legislative-DOT Collaboration and Communication

Formal and informal. Formal communication between NJDOT and the Legislature or legislative committees occurs at the budget committees' hearings on the Executive Budget for NJDOT each spring, and under the statute governing the adoption and financing of the annual Transportation Capital Program, as well as other transportation plans (N.J. Stat. Ann. §27:1B-22). NJDOT also advises the chairs, members and staff of the two transportation committees of its position on pending legislation and, in many cases, offers suggestions for amendments. NJDOT employs an assistant commissioner of government and community relations; an assistant commissioner of legislation, regulation and multimodal services; and a director of policy, legislative and regulatory actions.

DOT Leadership Appointments and Requirements

The commissioner of transportation is appointed by the governor, with the advice and consent of the Senate, and serves at the pleasure of the governor during the governor's term of office. The commissioner must be "qualified by training and experience to perform the duties of his office" (N.J. Stat. Ann. §27:1A-4). The state also has a legislatively created, seven-member Transportation Trust Fund Authority, the sole purpose of which is to finance the annual capital programs of NJDOT and the New Jersey Transit Corporation. Five members are appointed by the governor, within statutory requirements for party affiliation. Three of these are appointed to four-year terms with the advice and consent of the Senate, and may be removed by the governor for cause; one must represent the interest of trade unions and another the interests of owners of eligible construction firms. The fourth is appointed to a four-year term upon recommendation of the president of the Senate and the fifth to a two-year term upon recommendation of the speaker of the General Assembly. The commissioner of transportation and state treasurer serve ex officio (N.J. Stat. Ann. §27:1B-4).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); legislative program reviews or performance audits; reporting requirements; legislative requests for information.
Legislative Program Evaluation Office	Office of the State Auditor. The Legislature reviews periodic operational audits conducted by this office.
Sunset Review	Sunset clauses have been enacted only for selected programs or legislation, not for NJDOT per se.

Legislation and Regulation

Transportation Governance Statutes	N.J. Stat. Ann. Title 27, Chapter 1A
Administrative Rules Review	Legislative review of rules by joint bipartisan committee; committee role is mainly advisory; no objection constitutes approval of proposed rule; full Legislature may invalidate or prohibit proposed or existing rules.

Transportation Planning and Capital Program Management

Transportation Planning Process	NJDOT annually prepares a proposed Annual Transportation Capital Program. NJDOT selects and prioritizes projects for the program in consultation with MPOs. The commissioner of transportation then submits it to the Legislature; either chamber may return it with objections or recommended modifications (N.J. Stat. Ann. §27:1B-22). The Legislature approves the program as part of the annual appropriations act.
Legislative Role in Transportation Planning	The Legislature approves the Annual Transportation Capital Program as part of the annual appropriations act. It also has some discretion in how it appropriates transportation funds. Constitutional dedication of revenues is considered binding, but the appropriations act traditionally takes precedence over statutory dedication language.

Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing. The Transportation Trust Fund Act caps bonding at \$1.6 billion annually. The cap is reduced by any revenue appropriations in excess of \$895 million (N.J. Stat. Ann. §27:1B-9).
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$1.6 billion* FY 2010: \$1.6 billion* FY 2009: \$1.6 billion* FY 2008: \$1.6 billion* <i>*These numbers are for the NJDOT/NJ TRANSIT Transportation Capital Program only. In addition, in FY 2011, NJ TRANSIT has a total operating budget of \$1.8 billion.</i>
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds that support the capital program, like other funding of state government activities, is constitutionally subject to appropriation by law through the annual appropriations act (N.J. Const. art. VIII, §1, ¶2). Any federal funds that become available to the state for transportation projects that have not been appropriated to NJDOT in the annual appropriations act are deemed appropriated and may, subject to approval by the Joint Budget Oversight Committee and the state treasurer, be expended for any qualified purpose (N.J. Stat. Ann. §27:1B-21).
Allocation of State Transportation Funds to the DOT	State transportation funds are generally legislatively appropriated as a lump sum appropriation to the Transportation Trust Fund, from which they are appropriated for specific projects as part of the annual appropriations act. The Transportation Trust Fund Act limits the final appropriation, exclusive of federal funds, to \$1.6 billion (N.J. Stat. Ann. §27:1B-21.1 and §27:1B-22.2).
Traditional State Funding and Finance for Highways	Fuel taxes; motor vehicle/rental car sales taxes; vehicle registration/license/title fees and surcharges; truck weight fees; interest income; \$200 million from the general sales tax; \$200 million from the petroleum products gross receipts tax; contractual contributions; revenue bonds.
State Funding and Finance for Other Modes	Transit, rail, aviation, ports and bridges: Funded by the same sources as highways through the multi-modal Transportation Trust Fund. Dedicated revenue supports the state transportation system generally.
Innovative Transportation Funding and Finance	GARVEE bonds; Build America Bonds; PPPs (used for at least two transit projects); design-build (no authorizing statute found, used as a component of at least three projects); traffic camera fees; toll credits or “soft match.”
Dedicated/Restricted State Funds and Revenues	The state constitution dedicates certain revenues—including from the motor fuel tax, petroleum products gross receipts tax and a portion of the general sales tax—to transportation system capital improvements, and prohibits the Legislature from borrowing, appropriating or using any part of these funds for any other purpose (N.J. Const. art. VIII, §2, ¶4). Statute dedicates other revenue sources—including certain vehicle registration fees and contractual contributions—to the multi-modal Transportation Trust Fund (N.J. Stat. Ann. §27:1B-20). The statutory dedication of revenues, unlike that in the constitution, is not binding on the Legislature. The appropriation act takes precedence over dedication language in statute, and the Legislature has chosen not to fully appropriate the statutory revenues eight times since 1985.
DOT Authorized to Retain Surplus Funds	No. Funds lapse at the end of the fiscal year to the general fund and are reappropriated to NJDOT the following year.
Legislative Approval Required to Move Funds Between Projects	Yes, in some cases. In general, executive agencies may apply to the director of the Division of Budget and Accounting to transfer appropriated funds. If approved, the funds are transferred and the Legislative Budget and Finance Officer must be notified. Certain requests, however, must be submitted to the Legislative Budget and Finance Officer for legislative approval.
Transportation Funding Allocations through Local Aid	Local aid is allocated by the commissioner of transportation, pursuant to annual legislative appropriations from the Transportation Trust Fund and subject to statutory minimums. Aid is allocated to municipalities and counties by statutory formulas based on road mileage and population, then the commissioner determines the priority for funding projects based on certain criteria. Municipal aid is used for road improvement projects and county aid for road and transit projects (N.J. Stat. Ann. §27:1B-25).

New Mexico

Organizational Facts

Legislature	New Mexico Legislature Structure: Bicameral, partisan Chambers: Senate (42 members) House (70 members) Session: Annual, approximately January – March (odd years), approximately January – February (even years) Estimated no. of bills in 2011: 2,250	Department of Transportation	New Mexico Department of Transportation (NMDOT) FTE: 2,448 Leadership: Commission; Secretary Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 142,939 (2009); bridges: 3,903 (2010)* <i>* The number of bridges above is as reported by the Federal Highway Administration. NMDOT reported 3,733 bridges as of April 2011.</i>
Transit	Trips per year (all transit modes): Approximately 12 million (2008)* <i>* The number above is as reported by the National Transit Database. The New Mexico Legislature reported 16.1 million transit trips in 2010.</i>
Rail	Freight rail route-miles: 1,835 (2008)* <i>* The number above is as reported by the Association of American Railroads. The New Mexico Legislature reported 2,005 freight rail miles as of April 2011.</i>
Aviation	Airports (total): 170; public-use: 53; state-owned: 2 (2008)* Enplanements per year: 2,950,912 (2009) <i>* The numbers of airports above are as reported by the National Association of State Aviation Officials. NMDOT reported 178 total airports including 50 public-use airports as of April 2011.</i>

Legislative-DOT Collaboration and Communication

Formal and informal, mainly during the legislative session. Frequent communication occurs between NMDOT and legislative analysts, and communication occurs as needed between NMDOT and legislators. NMDOT has ongoing communication with the Legislature regarding transportation-related legislation all year, but especially from the time the fiscal year legislative cycle begins until the end of the session. NMDOT does not employ legislative liaisons. Legislative committee staff members communicate with senior NMDOT staff directly in an informal, hands-on manner as required to prepare budgets and legislation or provide answers for legislators.

DOT Leadership Appointments and Requirements

The six members of the State Transportation Commission are appointed to staggered six-year terms by the governor, with the advice and consent of the Senate and subject to statutory requirements for geographic representation and residency. Commissioners serve at the pleasure of the governor. If the governor fails to follow the procedure for Senate confirmation, however, the Senate appoints and confirms the commissioners and must approve their removal (N.M. Stat. Ann. §67-3-2 to §67-3-5). The secretary of transportation is appointed by the governor, with the approval of the transportation commission and the advice and consent of the Senate (N.M. Stat. Ann. §67-3-23).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); interim charges; legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information.
Legislative Program Evaluation Office	Legislative Finance Committee
Sunset Review	The state conducts sunset reviews, but not of NMDOT.

Legislation and Regulation

Transportation Governance Statutes	N.M. Stat. Ann. §67-1-1 through §67-16-14
Administrative Rules Review	Executive review of rules.

Transportation Planning and Capital Program Management

Transportation Planning Process	The Legislature, the Department of Finance and Administration and NMDOT come to agreement during the legislative session on budget numbers and priorities. NMDOT then develops the state's Long-Range Multi-Modal Transportation Plan and coordinates the process for the Statewide Transportation Improvement Program (STIP), with input from MPOs, tribes and other stakeholders. The State Transportation Commission provides advice and amends these plans as appropriate, given changing needs in the state. The Legislature has oversight of and can comment upon the commission's amendments, but cannot change the amendments. The governor provides input through the budget process and prior to State Transportation Commission meetings.
Legislative Role in Transportation Planning	The Legislature is one of the three critical actors in the planning process, along with NMDOT and the State Transportation Commission. The primary legislative role is to set budget priorities in cooperation with the Department of Finance and Administration and NMDOT and then to approve those priorities through committee action. The Legislature has oversight of and can comment upon the commission's amendments to the State Transportation Improvement Program, but cannot change the amendments.

Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1. Unusually, both the governor and a legislative agency (Legislative Finance Committee) propose comprehensive state budgets to the Legislature.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing (see N.M. Const. art. IX, §6; N.M. Stat. Ann. §§67-3-59.1 et seq. and §67-3-72).
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$402.4 million FY 2010: \$446.7 million FY 2009: \$467.7 million FY 2008: \$445.9 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated to NMDOT in several ways, including direct flow from the U.S. DOT with no state legislative involvement; legislative appropriation at the agency level; appropriation at the category level; appropriation to specific projects; and through approval of the NMDOT transportation plan.
Allocation of State Transportation Funds to the DOT	State transportation funds are allocated to NMDOT in the same ways as federal funds.
Traditional State Funding and Finance for Highways	Fuel taxes; additional sales taxes on gasoline or diesel; motor vehicle/rental car sales taxes; vehicle registration/license/title fees; truck weight fees; interest income; general obligation bonds; revenue bonds. More than 95 percent of NMDOT's operating budget is dedicated to highways.
State Funding and Finance for Other Modes	Transit, rail, aviation, ports and bridges: Funded by the same sources as highways through the multimodal State Road Fund, which can be used for state transportation projects generally. Additional sources of funds for aviation: Aircraft registration fees; aviation fuel tax.
Innovative Transportation Funding and Finance	GARVEE bonds; state infrastructure bank (federally capitalized); design-build (N.M. Stat. Ann. §13-1-119.1 specifically excludes highway and road projects from design-build authorization; used as a component of one project in 2002); weight-distance tax; traffic camera fees (collected by local governments); impact fees; tapered matching; advance construction.
Dedicated/Restricted State Funds and Revenues	Fuel tax receipts go to the State Road Fund, the State Aviation Fund, the Motorboat Fuel Tax Fund, local governments, qualified tribes and the general fund (N.M. Stat. Ann. §§7-1-6.7 et seq.). The State Road Fund consists of transportation-related revenues including from the fuel tax, special fuel tax, motor carrier use and trip tax, and vehicle registration fees. State statute dedicates the fund to maintenance, construction and improvement of state transportation projects; federal allotments under federal-aid road laws; and debt payments for state transportation revenue bonds (N.M. Stat. Ann. §67-3-65.1). The Highway Infrastructure Fund is dedicated to state highway projects (N.M. Stat. Ann. §67-3-59.2) and use of the State Aviation Fund is restricted to aviation-related purposes (N.M. Stat. Ann. §64-1-15).
DOT Authorized to Retain Surplus Funds	Funds are reverted to next fiscal year appropriations.
Legislative Approval Required to Move Funds Between Projects	Yes. Legislative approval is obtained through budget adjustment requests to the Legislature.

New Mexico

<p>Transportation Funding Allocations through Local Aid</p>	<p>NMDOT distributes aid by formula. The NMDOT-administered Local Governments Road Fund receives a portion of transportation-related revenues, including the fuel tax (N.M. Stat. Ann. §7-1-6.28 and §7-1-6.39). NMDOT has discretion over some allocations to localities in financial hardship. Otherwise, the fund is distributed by percentage to the cooperative agreements program, the municipal arterial program, school bus routes and the county arterial program. Funds for the county arterial program are further allocated by a statutory formula based on road mileage. Preference for the cooperative agreements program, the municipal arterial program and school bus routes must be given to local entities that provide at least 25 percent of the project cost; distribution of an entitlement amount from the county arterial program requires a county to contribute at least 25 percent of the entitlement (N.M. Stat. Ann. §67-3-28.2 and §67-3-32). A portion of fuel tax revenues is also distributed directly to local entities (N.M. Stat. Ann. §7-1-6.9 and §7-1-6.27).</p>
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Organizational Facts

Legislature	New York Legislature Structure: Bicameral, partisan Chambers: Senate (62 members) Assembly (150 members) Session: Annual, year-round Estimated no. of bills in 2011: 16,000	Department of Transportation	New York State Department of Transportation (NYSDOT) FTE: Approximately 8,700 Leadership: Commissioner Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 242,920 (2009); miles of tolled roadway: 512 (2009); bridges: 17,364 (2010); toll bridges and tunnels: 26 plus 6 shared with New Jersey (2009)
Transit	Trips per year (all transit modes): Approximately 3.83 billion (2008)
Rail	Freight rail route-miles: 3,528 (2008)
Aviation	Airports (total): 490; public-use: 147; state-owned: 2 (2008) Enplanements per year: 42,588,961 (2009)
Marine	Port traffic per year (20-foot equivalent units): 3,761,330 shared with New Jersey (2009); water-borne tonnage per year: 52.0 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, extensive. Interaction between NYSDOT and the Legislature occurs at all levels. Individual legislators reach out to NYSDOT, and vice versa. Legislators and NYSDOT often work together on legislative initiatives. The legislative approval process includes “departmental” bills that are sent to the governor’s office by NYSDOT and that NYSDOT wants to advance. NYSDOT staff participate in public hearings in order to promote or refine transportation-related legislative initiatives. NYSDOT has an Office of External Relations that maintains communication with stakeholders and governmental partners and provides advice and counsel to elected officials; the office contains a State and Local Relations Bureau.

DOT Leadership Appointments and Requirements

The commissioner of transportation is appointed by the governor, by and with the advice and consent of the Senate, and holds office until the end of the term of the governor by whom s/he was appointed and a successor is appointed and qualified (N.Y. Transportation Law §11).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); legislative program review or performance audit; reporting requirements; legislative requests for information. NYSDOT is required to submit numerous reports to the Legislature.
Legislative Program Evaluation Office	Assembly Committee on Oversight, Analysis and Investigation
Sunset Review	Sunset clauses have been enacted only for selected programs or legislation, not for NYSDOT per se.

Legislation and Regulation

Transportation Governance Statutes	N.Y. Transportation Law; N.Y. Highway Law
Administrative Rules Review	Legislative review of proposed and existing rules by joint bipartisan commission; commission role is mainly advisory.

Transportation Planning and Capital Program Management

Transportation Planning Process	In general, NYSDOT develops the state’s transportation plans and the governor and the Legislature are responsible for developing and approving the necessary funding to support these programs. NYSDOT takes the lead role in advancing the planning process and developing the Statewide Transportation Improvement Plan (STIP) in collaboration with MPOs, local transportation agencies and other stakeholders. NYSDOT oversees project identification, prioritization and the approval process as part of a comprehensive planning process that includes public outreach. The governor’s approval is required to advance the process. NYSDOT also oversees the state rail plan and aviation and port issues.
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New York

Legislative Role in Transportation Planning	Limited. The Legislature authorizes programs and funding allocations in the state budget process. State transportation plans—including multi-year capital programs—are usually prepared as part of the budget, which is proposed by the governor and requires legislative approval. In addition, the Legislature’s approval of a multi-year capital spending program often involves a memorandum of understanding with specific statewide and regional goals that have been agreed upon by NYSDOT. Legislators also typically work with NYSDOT to advance specific projects of interest or to resolve specific issues.
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Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins April 1. The governor proposes the budget and the Legislature gives final approval.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$6.28 billion FY 2010: \$6.52 billion FY 2009: \$4.97 billion FY 2008: \$4.67 billion
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated to NYSDOT through state legislative appropriation at the agency level; state legislation appropriation at the program or category level; and state legislative approval of an NYSDOT transportation plan.
Allocation of State Transportation Funds to the DOT	State transportation funds are allocated to NYSDOT through state legislative appropriation at the agency level; state legislation appropriation at the program or category level; state legislative appropriation at the project-specific level; and state legislative approval of an NYSDOT transportation plan.
Traditional State Funding and Finance for Highways	Fuel taxes; motor vehicle/rental car sales taxes; vehicle registration/license/title fees; truck weight fees; general funds; petroleum business tax; various other revenues; general obligation bonds. The Dedicated Highway and Bridge Trust Fund no longer is able to fully support existing commitments and now requires significant annual support from the state’s general fund. The New York State Thruway Authority is supported by toll revenues; the authority is a separate operating entity, and its finances are not part of the state budget.
State Funding and Finance for Other Modes	Transit, rail, aviation, ports and bridges: Funded by the same sources as highways through the Dedicated Highway and Bridge Trust Fund. In 2009, the Legislature also enacted a payroll tax in the 12-county region served by the Metropolitan Transportation Authority to help support authority operations.
Innovative Transportation Funding and Finance	Federal credit assistance (TIFIA); state infrastructure bank (federally capitalized); PPPs (used for at least one transit project); design-build (no authorizing statute found, used as a component of at least two projects); weight-distance tax; traffic camera fees; advance construction; toll credits or “soft match.”
Dedicated/Restricted State Funds and Revenues	The Dedicated Highway and Bridge Trust Fund is a multimodal fund that can be used for highways, airports, ports, rail, ferries and transit (N.Y. State Finance Law §89-b).
DOT Authorized to Retain Surplus Funds	NYSDOT typically obligates annually the majority of the capital program funding that is appropriated. Funds that are not obligated in the year of appropriation are reappropriated. NYSDOT is largely funded by a dedicated fund; if revenues in the enacted budget exceed projections, the additional money remains in the dedicated funds.
Legislative Approval Required to Move Funds Between Projects	No. In general, legislative approval is not required for NYSDOT to be able to move funds from one project to another.
Transportation Funding Allocations through Local Aid	Funds are appropriated to the Consolidated Local Highway Assistance Program, from which New York City and the counties receive 41.4 percent by a statutory formula based on motor vehicle registrations and highway mileage. The rest of the appropriated funds are distributed to cities, counties, villages and towns by a formula based on vehicle miles of travel and, for municipalities within each jurisdiction, lane miles (N.Y. Highway Law §10-c).

Organizational Facts

Legislature	North Carolina General Assembly Structure: Bicameral, partisan Chambers: Senate (50 members) House (120 members) Session: Annual, approximately January – July (odd years), approximately May–July (even years) Estimated no. of bills in 2011: 2,800	Department of Transportation	North Carolina Department of Transportation (NCDOT) FTE: 12,395 Leadership: Secretary; Transportation Board Organizational structure: Mainly by transportation mode
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 262,871 (2009); bridges: 18,099 (2010)
Transit	Trips per year (all transit modes): Approximately 53.9 million (2008)
Rail	Freight rail route-miles: 3,250 (2008)
Aviation	Airports (total): 413; public-use: 112; state-owned: 1 (2008) Enplanements per year: 23,773,561 (2009)
Marine	Port traffic per year (20-foot equivalent units): 184,268 (2009); waterborne tonnage per year: 10.7 million (2009); state-operated ferries: 4 (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, mainly through DOT leadership and legislative committees. The primary formal means of communication between NCDOT and the General Assembly are appearances of the secretary of transportation and members of the Board of Transportation before the Joint Legislative Transportation Oversight Committee (which meets several times per year) and before the legislative appropriations committees during session. NCDOT employs a dedicated legislative liaison, who serves as the main contact at the General Assembly and is responsible for representing NCDOT's interests in the development and passage of state laws. The liaison also works with NCDOT staff to manage issues during the legislative session.

DOT Leadership Appointments and Requirements

The 19 members of the Board of Transportation are appointed to staggered four-year terms by the governor. Fourteen members represent the state's highway divisions. Five at-large members must meet statutory requirements for knowledge and expertise. One must have knowledge of environmental issues; one of ports and aviation; one of government-related finance and accounting; one must reside in a rural area and have knowledge of rural transportation issues; and one must reside in an urban area and have knowledge of transit issues. The governor may remove a member for any cause the governor finds sufficient, and must remove a member for certain convictions or violations (N.C. Gen. Stat. §143B-350). The secretary of transportation is appointed by, and serves at the pleasure of, the governor (N.C. Gen. Stat. §143B-9).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information. The Joint Legislative Transportation Oversight Committee can consider any transportation-related topic. The State Auditor regularly reviews NCDOT programs.
Legislative Program Evaluation Office	Program Evaluation Division
Sunset Review	No sunset reviews of state agencies. The General Assembly's appropriations committees have, however, instituted "continuation reviews" of certain executive agency funds, programs and divisions to determine if they should be continued.

Legislation and Regulation

Transportation Governance Statutes	N.C. Gen. Stat. Chapter 136; N.C. Gen. Stat. §143B-346 to §143B-350
Administrative Rules Review	Executive review of proposed and existing rules by the Rules Review Commission (public membership appointed by the General Assembly).

North Carolina

Transportation Planning and Capital Program Management

Transportation Planning Process	Executive Order No. 2 (2009) required transportation projects to be awarded based on professional standards that meet the needs of citizens and not other considerations. To support this, NCDOT developed a “strategic prioritization process.” The initial process focused primarily on highway projects and was based on data, multimodal benefits and stakeholder input inclusive of MPOs, rural planning organizations and NCDOT staff. After projects were categorized, a series of investment summits were held to determine funding allocation for each category using level-of-service grades. Then, other financial and scheduling constraints were applied, including restrictions on funding distribution. The initial prioritization effort was completed with the release of the draft State Transportation Improvement Program (STIP) in June 2010. Executive Order No. 2 also transferred some authority of the Board of Transportation to NCDOT, so the roles of these entities are in transition.
Legislative Role in Transportation Planning	The General Assembly reviews transportation plans, and NCDOT submits regular reports to the Joint Legislative Transportation Oversight Committee (N.C. Gen. Stat. §136-12). The General Assembly also reviews the NCDOT budget as part of the appropriation process. NCDOT selects and approves highway projects, but transit and rail projects are approved as part of the appropriation process.

Funding and Finance

Budgeting and Appropriations	Biennial enactment of two 12-month budgets; fiscal year begins July 1. The budget of the Highway Fund is recommended by the governor and goes through the full legislative process. The distribution of the Highway Trust Fund is determined by statute, the Board of Transportation and NCDOT.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$2.72 billion FY 2010: \$2.62 billion FY 2009: \$2.93 billion FY 2008: \$2.96 billion
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds flow directly to NCDOT from the U.S. DOT, with no state legislative involvement. These funds generally are project specific, and individual projects typically have no legislative involvement.
Allocation of State Transportation Funds to the DOT	All state spending must be authorized by appropriation as part of the budget approved by the General Assembly, either at the agency, program or category, or project-specific level. Highway projects are selected by NCDOT, while many transit and rail projects or programs are approved as part of the legislative appropriation process.
Traditional State Funding and Finance for Highways	Fuel taxes; motor vehicle/rental car sales taxes; vehicle registration/license/title fees; truck weight fees; tolls; interest income; general obligation bonds. The motor fuel excise tax includes a variable component based on average wholesale price (see N.C. Gen. Stat. §105-449.80). The first toll road project of the North Carolina Turnpike Authority—which operates as a separate business unit within NCDOT—is set to open in 2011.
State Funding and Finance for Other Modes	Transit, rail, aviation and bridges: Funded by the same revenue sources as certain highways through the multimodal Highway Fund, which is fed by fuel taxes, vehicle registration/license/title fees, truck weight fees and interest income. Ports: General funds (not under NCDOT).
Innovative Transportation Funding and Finance	GARVEE bonds; federal credit assistance (TIFIA); state infrastructure bank (federally capitalized); PPPs (authorized in statute with legislative approval requirements); design-build (authorized in statute, used as a component of at least three projects); traffic camera fees; tapered matching; advance construction.
Dedicated/Restricted State Funds and Revenues	The state has two transportation funds: The multimodal Highway Fund and the Highway Trust Fund. The Highway Fund receives revenues from various transportation-related sources—including fuel taxes—and is used for maintenance, transit and rail, aviation, ferries, the Division of Motor Vehicles, the State Highway Patrol, local aid and secondary road improvement. The budget of the Highway Fund is recommended by the governor and goes through the full legislative process. Some continuing appropriations from this fund, however, are determined by statute (see N.C. Gen. Stat. §§136-16.4 et seq.). The second fund, the Highway Trust Fund, receives funds from fuel taxes, motor vehicle use taxes, titling fees and interest. It is a construction budget for certain highways, local aid, secondary road improvement and toll road construction. Distribution of the Highway Trust Fund is determined by statute (N.C. Gen. Stat. §136-176), although the General Assembly sometimes overrides the statutes during the appropriations process. Specific projects for the trust fund are selected by the Board of Transportation and NCDOT.

North Carolina

DOT Authorized to Retain Surplus Funds	Excess funds revert to the funds from which they came—the Highway Fund or the Highway Trust Fund—and are available for expenditure.
Legislative Approval Required to Move Funds Between Projects	Yes and no. Generally, legislative approval is required for transit and rail projects that have specific appropriations, but not for highway projects that are selected by NCDOT.
Transportation Funding Allocations through Local Aid	The state provides aid to eligible municipalities from the Highway Fund and the Highway Trust Fund. These so-called Powell Bill funds are appropriated by statutory formula based on population and road mileage (N.C. Gen. Stat. §§136-41.1 et seq., §136-176 and §136-181). The funds must be used for streets, bikeways or sidewalks (N.C. Gen. Stat. §136-41.3). North Carolina has a centralized transportation funding system, and secondary roads are built and maintained by NCDOT; there are no county road departments.

North Dakota

Organizational Facts

Legislature	North Dakota Legislative Assembly Structure: Bicameral, partisan Chambers: Senate (47 members) House (94 members) Session: Biennial, approximately January – April (odd years only) Estimated no. of bills in 2011: 1,150	Department of Transportation	North Dakota Department of Transportation (NDDOT) FTE: 1,054.5 Leadership: Director Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 175,976 (2009); bridges: 4,418 (2009); toll bridges and tunnels: 1 shared with Minnesota (2009)
Transit	Trips per year (all transit modes): Approximately 0.7 million (2008)
Rail	Freight rail route-miles: 3,478 (2008)
Aviation	Airports (total): 310; public-use: 90; state-owned: 2 (2008) Enplanements per year: 728,771 (2009)

Legislative-DOT Collaboration and Communication

Mainly formal. NDDOT provides reports and updates to legislative committees regarding transportation issues. NDDOT is allowed to introduce legislation relating to any transportation topic, and can testify on any bill being considered by the Legislative Assembly. NDDOT has no dedicated legislative liaison; it disseminates information to NDDOT stakeholders, including legislative bodies, through its Communications Division.

DOT Leadership Appointments and Requirements

The NDDOT director is appointed by the governor and serves at the pleasure of the governor (N.D. Cent. Code §24-02-01.3).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); interim charges; legislative program reviews or performance audits; reporting requirements; legislative requests for information. The Legislative Assembly requires certain reports to be provided to legislative committees regarding the use of transportation funding.
Legislative Program Evaluation Office	Legislative Council
Sunset Review	No sunset reviews of state agencies or programs.

Legislation and Regulation

Transportation Governance Statutes	N.D. Cent. Code title 24; N.D. Cent. Code §26.1-23-03; N.D. Cent. Code §26.1-41-02; N.D. Cent. Code title 39; N.D. Cent. Code §49-10.1-17; N.D. Cent. Code chapter 49-17.1; N.D. Cent. Code §49-17.2-27; N.D. Cent. Code §55-01-01; N.D. Cent. Code chapter 57-40.3
Administrative Rules Review	Legislative review of existing rules by interim committee; no objection constitutes approval of proposed rule.

Transportation Planning and Capital Program Management

Transportation Planning Process	NDDOT is responsible for developing and maintaining transportation plans for the state, including the Statewide Strategic Transportation Plan (TransAction) and the Statewide Transportation Improvement Program (STIP). NDDOT identifies transportation needs, selects projects and develops the plans, with input from political subdivisions and members of the public. The governor may provide direction in determining investment priorities.
Legislative Role in Transportation Planning	No formal process exists to involve the Legislative Assembly in transportation planning, and transportation plans do not need legislative approval. The Legislative Assembly can provide input into the Statewide Transportation Improvement Program (STIP) and occasionally provides direction for specific plans. NDDOT may be asked to provide transportation plan updates to legislative committees.

Funding and Finance

Budgeting and Appropriations	Biennial enactment of one 24-month budget; fiscal year begins July 1. NDDOT presents a budget request to the Legislative Assembly that may be modified. The Legislative Assembly approves the budget at the agency level.
Bonding or Pay-as-You-Go	The state uses pay-as-you-go financing.
State-Level Funding Provided for DOT Budgets	2009 to 2011 biennium: \$280.5 million 2007 to 2009 biennium: \$248.5 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated to NDDOT as a lump sum at the agency level. NDDOT receives a lump sum legislative appropriation from all funding sources for roadway construction projects. Appropriations do not include funding for specific projects.
Allocation of State Transportation Funds to the DOT	State transportation funds also are allocated to NDDOT as a lump sum legislative appropriation at the agency level.
Traditional State Funding and Finance for Highways	Fuel taxes; motor vehicle/rental car sales taxes; vehicle registration/license/title fees; truck weight fees; general funds; interest income.
State Funding and Finance for Other Modes	Transit: General funds; vehicle registration/license/title fees; net unobligated balance. Aviation: Aircraft registration fees; aircraft excise tax; aircraft fuel tax. Bridges: Included with highways.
Innovative Transportation Funding and Finance	GARVEE bonds; state infrastructure bank (federally capitalized); PPPs (authorized in statute, used for at least one project); design-build (authorized in statute for two pilot projects).
Dedicated/Restricted State Funds and Revenues	The state constitution restricts the use of revenues from motor fuel taxes and motor vehicle registration fees and license taxes to public highways (N.D. Const. art. X, §11). All transportation-related revenue received by NDDOT is deposited into the State Highway Fund (N.D. Cent. Code §24-02-41), which is used for NDDOT projects and administration. State Highway Fund priorities are set forth in statute (N.D. Cent. Code §24-02-37). Revenues dedicated to aviation must be used for airport projects approved by the Aeronautics Commission (N.D. Cent. Code §57-43.3-06 and §57-40.5-09).
DOT Authorized to Retain Surplus Funds	Yes. However, NDDOT must receive legislative appropriations to spend any funds from state or federal sources. Though any funding that is not spent by the end of the biennial budget cycle is retained by NDDOT, it must be reappropriated to be spent in a subsequent biennium. NDDOT may seek legislative approval to spend any additional funds received that are above the biennial budget appropriation.
Legislative Approval Required to Move Funds Between Projects	No legislative approval is required.
Transportation Funding Allocations through Local Aid	A highway tax distribution fund is used to allocate state funding to counties and cities. The state treasurer allocates the funds by statutory formula based on number of vehicles registered and population (N.D. Cent. Code § 54-27-19). The funds are subject to constitutional restrictions on the use of revenue from motor fuel taxes and motor vehicle registration fees and license taxes (N.D. Const. art. X, §11). A township highway aid fund is used to distribute funds to eligible townships. To receive any funds, townships must provide 50 percent matching funds. The state treasurer allocates these funds by statutory formula based on road miles. Funds must be used for highway and bridge purposes (N.D. Cent. Code §54-27-19.1). NDDOT has discretion over how to allocate federal funds.

Ohio

Organizational Facts

Legislature	Ohio General Assembly Structure: Bicameral, partisan Chambers: Senate (33 members) House (99 members) Session: Annual, year-round Estimated no. of bills in 2011: 1,050	Department of Transportation	Ohio Department of Transportation (ODOT) FTE: 5,536 Leadership: Director Organizational structure: Modes administered by separate agencies* <i>* ODOT is a multimodal agency organized by functional division. Transit and aviation are administered by modal offices in ODOT's Division of Transportation System Development. Rail programs are handled by the Ohio Rail Development Commission, an independent commission within ODOT.</i>
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 262,024 (2009); miles of tolled roadway: 241 (2009); bridges: 28,033 (2010); toll bridges and tunnels: 2 shared with West Virginia (2009)
Transit	Trips per year (all transit modes): Approximately 131.5 million (2008)
Rail	Freight rail route-miles: 5,318 (2008)
Aviation	Airports (total): 783; public-use: 174; state-owned: 6 (2008) Enplanements per year: 9,877,234 (2009)
Marine	Waterborne tonnage per year: 90.6 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, limited. ODOT interacts with legislators and testifies in hearings about transportation-related legislation. No unique, formalized methods exist by which ODOT influences or provides input about transportation-related legislation. ODOT also interacts with the General Assembly through making required reports and responding to legislative requests for information. ODOT has a dedicated legislative affairs coordinator.

DOT Leadership Appointments and Requirements

The director of transportation is appointed by the governor, with the advice and consent of the Senate, for the duration of the term of the appointing governor, and is subject to removal at the pleasure of the governor (Ohio Rev. Code Ann. §121.03, Ohio Const. art. III, §21). The director also may be removed by the governor with the advice and consent of the Senate for cause as specified (Ohio Rev. Code Ann. §3.04).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Reporting requirements; legislative requests for information. Legislative oversight generally is ad hoc. Among the reports required are a biennial report to the General Assembly and the governor, approved by the Transportation Review Advisory Council, on the selection, prioritization and progress of transportation capacity projects (Ohio Rev. Code Ann. §5512.06). ODOT also must provide reports on its transactions, proceedings and expenditures for each fiscal year and a fiscal forecast at least biennially (Ohio Rev. Code Ann. §5501.06, §5501.20, §5501.52 and §5512.04).
Legislative Program Evaluation Office	None.
Sunset Review	The state conducted sunset reviews from 2009 to 2010 (per 2004 Ohio Laws, H. 516), but not of ODOT. Under Ohio Rev. Code Ann. §101.83, the Transportation Review Advisory Council was to sunset on Dec. 31, 2010, if not renewed; 2010 Ohio Laws, H. 495, however, postponed operation of this law until July 1, 2011.

Legislation and Regulation

Transportation Governance Statutes	Ohio Rev. Code Ann. §121.02; Ohio Rev. Code Ann. Title LV [55].
Administrative Rules Review	Legislative review of new, amended, rescinded and existing rules by a joint bipartisan committee; committee role is mainly advisory.

Transportation Planning and Capital Program Management

Transportation Planning Process	Projects are nominated by ODOT, rail development commissions, MPOs, transit and port authorities, local governments and other authorized entities. The director of transportation develops the project selection process for prioritizing new transportation capacity projects (Ohio Rev. Code Ann. §§5512.02 et seq.). The director also serves on the Transportation Review Advisory Council with eight other appointees. The council reviews and ranks nominated projects. The council was legislatively created in 1997 to bring an open, numbers-driven system to choosing major new transportation projects. It is required to hold no more than six public hearings per year and accept public comment on new projects (Ohio Rev. Code Ann. §5512.05).
Legislative Role in Transportation Planning	Minimal legislative involvement. The General Assembly sets general appropriation limits, within which funds are allocated to projects and programs. The General Assembly historically has refrained from establishing or controlling specific projects by legislation. ODOT submits a biennial report to the General Assembly and the governor, with approval of the Transportation Review Advisory Council, on the selection, prioritization and progress of transportation capacity projects (Ohio Rev. Code Ann. §5512.06).

Funding and Finance

Budgeting and Appropriations	Biennial enactment of two 12-month budgets; fiscal year begins July 1. State executive agencies, including ODOT, submit a budget request to the Office of Budget and Management, which then makes recommendations to the governor. The governor submits a budget bill to the General Assembly, and has line item veto power over the legislatively approved version.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing. State motor fuel tax revenues are supplemented by state highway bonds that are retired with motor fuel tax proceeds and by GARVEE bonds that are retired primarily with federal-aid highway program revenues.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$1.29 billion FY 2010: \$1.32 billion FY 2009: \$1.20 billion FY 2008: \$1.32 billion
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated to ODOT by legislative appropriation based on line items rather than by programs or projects. The governor’s budget submission to the General Assembly, however, includes a document that details the programs funded within each line item.
Allocation of State Transportation Funds to the DOT	As with federal transportation funds, state transportation funds are allocated to ODOT by legislative appropriation based on line items.
Traditional State Funding and Finance for Highways	Fuel taxes; vehicle registration/license/title fees; truck weight fees; interest income; leases of right-of-way; highway logo sign program; general obligation bonds; miscellaneous. The Ohio Turnpike Commission is not a state agency and is not appropriated state funds; it manages the turnpike using revenues from tolls; service concession agreements; truck weight fees; a portion of the tax on fuel sold at turnpike gas stations; and other sources.
State Funding and Finance for Other Modes	Transit: General fund appropriations for transit system operating and capital grant support. Rail (via a dedicated fund): General funds; loan repayments; loan servicing fees; permit fees; private contributions. Aviation (via a dedicated fund): General funds; aircraft registration fees. Bridges: Included with highways.
Innovative Transportation Funding and Finance	GARVEE bonds; Build America Bonds; state infrastructure bank (separate federally and state-only capitalized accounts); PPPs (authorized by 2011 Ohio Laws, House Bill 114); design-build (authorized in statute); traffic camera fees; advance construction; toll credits or “soft match.” The state transportation budget increased the limit on ODOT design-build contracts from \$250 million to \$1 billion for FY 2010 – 2011 only.
Dedicated/Restricted State Funds and Revenues	The state constitution restricts expenditure of revenues from fuel tax and vehicle fees to certain uses, including highway obligations; construction, reconstruction, maintenance and repair of public highways and bridges; other statutory highway purposes; state enforcement of traffic laws; and hospitalization of indigent people injured in motor vehicle accidents on public highways (Ohio Const. art. XII, §5a; also in Ohio Rev. Code Ann. §5501.05). State statute provides that, to the extent practicable, Ohio products, materials, services and labor shall be used in any project financed in whole or in part from the Highway Capital Improvement Fund (Ohio Rev. Code Ann. §5528.53). Use of the Rail Development Fund is restricted to rail-related purposes (Ohio Rev. Code Ann. §4981.09). Use of the Airport Assistance fund is restricted to maintenance and capital improvements of publicly owned airports (Ohio Rev. Code Ann. §4561.21(B)).

Ohio

DOT Authorized to Retain Surplus Funds	Yes, inasmuch as the transportation budget bill routinely includes language permitting unencumbered appropriations remaining at the end of one fiscal year to be reappropriated into the next. Re-appropriations are subject to the approval of the director of the Office of Budget and Management.
Legislative Approval Required to Move Funds Between Projects	No legislative approval is required.
Transportation Funding Allocations through Local Aid	<p>Portions of each of the five levies making up the state fuel tax are allocated to counties, townships and municipalities by formula. The percentages allocated to municipalities as a whole then are distributed to individual municipalities by formula based on number of motor vehicle registrations. The percentages for counties as a whole are distributed among counties equally, and the same is done for townships. The main operating budget appropriates these distributions in two line items corresponding to the funds that receive the revenue, the Gasoline Excise Tax Fund (created in Ohio Rev. Code Ann. §5735.27) and the State and Local Government Highway Distribution Fund (created in Ohio Rev. Code Ann. §5735.23(B)(1)). State statute generally applies the restrictions on fuel tax revenue used by the state to fuel tax revenue distributed to local governments (Ohio Rev. Code Ann. §5735.27). Likewise, a portion of the revenue from motor vehicle license taxes is distributed to local governments according to a statutory formula. Five percent of these funds are divided equally among all of the counties in the state, 9 percent among all counties by a formula based on county road miles and 5 percent among townships by a formula based on township road miles (Ohio Rev. Code Ann. §4501.04). License tax revenues are appropriated mainly in one line item in the main operating budget. Sub-allocated federal funding for local projects also is included within the ODOT budget and appropriated in two line items, one for federal funds and the other for local matching dollars. ODOT has discretion in allocating these funds to various programs, and selects projects to fund using a criteria-based process.</p>

Organizational Facts

Legislature	Oklahoma Legislature Structure: Bicameral, partisan Chambers: Senate (48 members) House (101 members) Session: Annual, approximately February – May Estimated no. of bills in 2011: 2,800	Department of Transportation	Oklahoma Department of Transportation (ODOT) FTE: 2,850 (authorized) Leadership: Secretary of Transportation (governor's cabinet); Transportation Commission; Director Organizational structure: Mainly by transportation mode
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 234,747 (2009); miles of tolled roadway: 596 (2009); bridges: 23,692 (2010)
Transit	Trips per year (all transit modes): Approximately 6.9 million (2008)
Rail	Freight rail route-miles: 3,240 (2008)
Aviation	Airports (total): 448; public-use: 149; state-owned: 4 (2008) Enplanements per year: 3,154,263 (2009)
Marine	Waterborne tonnage per year: 3.8 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, mainly through the DOT legislative liaison. ODOT communicates with the Legislature mainly through the dedicated legislative liaison. The legislative liaison maintains constant contact with members of the Legislature, works to influence relevant legislation, and remains available to respond to legislative requests and inquiries. ODOT also provides legislation for consideration.

DOT Leadership Appointments and Requirements

The secretary of transportation is appointed to the governor's cabinet by the governor, with the advice and consent of the Senate, and serves at the pleasure of the governor (Okla. Stat. Ann. tit. 74, §10.3). The eight members of the Transportation Commission are appointed by the governor, with the advice and consent of the Senate (Okla. Stat. Ann. tit. 69, §302), within statutory requirements for residency and geographic representation. The ODOT director is elected by a majority vote of the commission and serves at the pleasure of the commission (Okla. Stat. Ann. tit. 69, §305).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); interim charges; legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; legislative requests for information.
Legislative Program Evaluation Office	Office of the State Auditor and Inspector. This organizationally independent office provides oversight through audits. The Legislature also conducts annual performance reviews of all appropriated state agencies.
Sunset Review	The state's process for sunset reviews is currently inactive.

Legislation and Regulation

Transportation Governance Statutes	Okla. Stat. Ann. tit. 69
Administrative Rules Review	Legislative review of proposed and existing rules by standing committee; committee role is mainly advisory; no objection constitutes approval of proposed rule; the full Legislature may suspend rules by resolution.

Transportation Planning and Capital Program Management

Transportation Planning Process	The entire planning process for projects on the highway system is completed within ODOT. MPOs are responsible for projects that are eligible for local surface transportation program funding. ODOT submits the eight-year construction work plan to the Transportation Commission for approval. After the plan is approved, it is delivered to the governor and the Legislature and made publicly available on the ODOT Web site, and projects are initiated.
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Oklahoma

Legislative Role in Transportation Planning	No formal role. The Legislature in recent years has avoided directing ODOT about project prioritization. The Legislature directs certain expenditures towards such elements as public transit, rail and other modes besides roads and bridges.
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Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1. Unusually, the Legislature develops a budget completely separately from the governor's.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing. All bond financing must be authorized by the Legislature in a bill or joint resolution.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$592.6 million FY 2010: \$576.3 million FY 2009: \$412.9 million FY 2008: \$396.2 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds flow directly to ODOT from the U.S. DOT, with no state legislative involvement.
Allocation of State Transportation Funds to the DOT	A portion of fuel tax and motor vehicle fee revenues are apportioned to the State Transportation Fund directly. A maximum amount of expenditure in a fiscal year is authorized by the Legislature at the program or category level. In addition, legislation enacted in 2005 annually increases funding to ODOT through the newly created "ROADS" Fund, whereby each year \$30 million is added to the previous year's apportionment until the annual amount reaches \$370 million. This money comes from the general fund as authorized by the State Board of Equalization.
Traditional State Funding and Finance for Highways	Fuel taxes; vehicle registration/license/title fees; general funds; revenue bonds.
State Funding and Finance for Other Modes	Transit: Fuel taxes; general funds. Rail: \$2 million per year from the "ROADS" fund created in 2005. Aviation: Aviation fuel tax; aircraft registration fees and taxes.
Innovative Transportation Funding and Finance	GARVEE bonds; toll credits or "soft match."
Dedicated/Restricted State Funds and Revenues	State statute apportions gasoline tax receipts to the State Transportation Fund, the High Priority State Bridge Revolving Fund, the Public Transit Revolving Fund, the Oklahoma Tourism and Passenger Rail Revolving Fund and local entities (Okla. Stat. Ann. tit. 68, §500.6). State statute dedicates use of all money accruing to the credit of the State Transportation Fund—including gasoline tax and other revenues—to construction, repair and maintenance of state highways, other transportation systems and such other transportation purposes as the Legislature may authorize (Okla. Stat. Ann. tit. 15, §1501.1). State statute also dedicates the use of the Public Transit Revolving Fund (Okla. Stat. Ann. tit. 69, §§4031 et seq.) and the Oklahoma Tourism and Passenger Rail Revolving Fund (Okla. Stat. Ann. tit. 66, §325) as well as the Oklahoma Aeronautics Commission Revolving Fund, which receives revenues from aircraft fuel taxes and registration fees (Okla. Stat. Ann. tit. 3, §91).
DOT Authorized to Retain Surplus Funds	Yes. ODOT is authorized to retain any excess funds. All appropriations and authorizations are subsequently transferred to various revolving funds within ODOT, making them non-fiscal. However, the maximum amount per year of expenditure from the State Transportation Fund is legislatively authorized.
Legislative Approval Required to Move Funds Between Projects	No legislative approval is required.
Transportation Funding Allocations through Local Aid	A percentage of motor fuel taxes is distributed to counties and incorporated cities and towns by statutory formulas based on road mileage, population, area and/or other formulas developed by ODOT and approved by the DOT County Advisory Board. Funds allocated to cities and towns must be used for construction, repair and maintenance of streets and alleys. Funds allocated to counties must be used to construct and maintain county highways and bridges and cannot be diverted (Okla. Stat. Ann. tit. 68, §500.6).

Organizational Facts

Legislature	Oregon Legislative Assembly Structure: Bicameral, partisan Chambers: Senate (30 members) House (60 members) Session: Ballot Measure 71 (2010) changed from biennial (odd years only) to annual (shorter session in even years)* Estimated no. of bills in 2011: 2,800 <i>*This change may affect the descriptions below.</i>	Department of Transportation	Oregon Department of Transportation (ODOT) FTE: 4,538 (4,635 total positions) Leadership: Commission; Director Organizational structure: Mainly by transportation mode
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 122,163 (2009); bridges: 7,255 (2010); toll bridges and tunnels: 2 shared with Washington (2009)
Transit	Trips per year (all transit modes): Approximately 122.9 million (2008)
Rail	Freight rail route-miles: 2,155 (2008)
Aviation	Airports (total): 478; public-use: 97; state-owned: 27 (2008) Enplanements per year: 7,331,244 (2009)
Marine	Port traffic per year (20-foot equivalent units): 178,588, plus 128 shared with Idaho and Washington (2009); waterborne tonnage per year: 26.9 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal. ODOT personnel testify regularly on the status of ODOT programs before House and Senate Committees, the Joint Ways and Means Committee and the Legislative Emergency Board. ODOT introduces agency bills at the beginning of every session. ODOT provides information to the Legislative Fiscal Office to develop fiscal impact statements for proposed bills; occasionally gives technical support for bill and amendment drafting; and testifies on transportation-related measures. ODOT employs two dedicated legislative liaisons who provide an interface between the Legislative Assembly and ODOT's director and division administrators. The liaisons coordinate legislative committee testimony by ODOT personnel and provide periodic updates to the Legislative Assembly on activities of ODOT and the Transportation Commission. Legislative leadership, the co-chairs of the Ways and Means Committee and its Transportation Subcommittee, and the chairs of the House and Senate Committees on Transportation communicate regularly with ODOT leadership and liaisons, and occasionally request background information on ODOT programs, procedures and past legislation.

DOT Leadership Appointments and Requirements

The five members of the Oregon Transportation Commission are appointed to four-year terms by the governor, subject to confirmation by the Senate and within statutory requirements for residency, geographic representation and party affiliation (Or. Rev. Stat. §184.612; Or. Const. art. III, §4). The director of transportation is appointed by the governor, subject to confirmation by the Senate, and holds office at the pleasure of the governor (Or. Rev. Stat. §184.620).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); interim charges; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information. Required reports include a Highway Construction Plan (Or. Rev. Stat. §184.658) and a report on audits of ODOT (Or. Rev. Stat. §184.649). Other required ODOT reports to legislative committees concern the flat fee weight-mile tax alternative (Or. Rev. Stat. §825.482) and the congestion pricing pilot program (2009 Or. Laws, Chap. 865).
Legislative Program Evaluation Office	None.
Sunset Review	No sunset review of state agencies or programs.

Legislation and Regulation

Transportation Governance Statutes	Or. Rev. Stat. §184.610 to §184.639
Administrative Rules Review	Legislative review of existing rules by the Office of Legislative Counsel; office role is mainly advisory; office may suspend rule; no objection constitutes approval of proposed rule.

Oregon

Transportation Planning and Capital Program Management

Transportation Planning Process	The Transportation Commission—in consultation with stakeholders—reviews, updates criteria for, and selects projects for the four-year Statewide Transportation Improvement Plan (STIP). ODOT’s primary responsibility is in its capacity as staff and support for the commission. Other entities that participate in the STIP process include ODOT divisions and regions; Area Commissions on Transportation; the Oregon Freight Advisory Committee; tribal and local governments; MPOs; and transportation management areas. ODOT staffs some of the Area Commissions on Transportation that organize stakeholder input for regional transportation planning. ODOT prepares, publishes and presents the draft STIP for review and comment in public hearings across the state.
Legislative Role in Transportation Planning	The Legislative Assembly does not approve the STIP. The Legislative Assembly has in recent years enacted legislation that identified and funded specific transportation projects, including multimodal projects and highway projects (see Or. Rev. Stat. §§367.080 et seq.; 2009 Or. Laws, Chap. 865). The Legislative Assembly also approves the two-year budget plan for transportation projects.

Funding and Finance

Budgeting and Appropriations	Biennial enactment of one 24-month budget; fiscal year begins July 1. ODOT prepares a two-year budget request, which is approved by the Transportation Commission, then by the governor. The governor’s proposed budget is presented to the Legislative Assembly. The Legislative Assembly, through the Joint Committee on Ways and Means, hold public hearings, incorporates any legislative policy initiatives, makes modifications based on legislative priorities and adopts an appropriation bill, which is subject to gubernatorial approval or veto.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing. Bonding, which historically had been low in Oregon, was substantially increased by three bonding programs passed in 2001, 2002 and 2003, known collectively as the Oregon Transportation Improvement Act. The resulting bond revenue now supplies most state funds available for highways.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$1.36 billion FY 2010: \$1.36 billion FY 2009: \$1.11 billion FY 2008: \$1.11 billion
Allocation of Federal Transportation Funds to the DOT	Federal formula funds for transportation flow directly to ODOT with no state legislative appropriation. However, ODOT is subject to an expenditure limit on those funds that is set by the Legislative Assembly on a biennial basis. Legislative approval also is required for ODOT to apply for federal grants that are not allocated by formula (Or. Rev. Stat. §291.375).
Allocation of State Transportation Funds to the DOT	State transportation funds flow directly from the revenue source to ODOT but, like federal funds, are subject to the biennial expenditure limit. Some state funds are appropriated to specific projects in special legislation.
Traditional State Funding and Finance for Highways	Fuel taxes; vehicle registration/license/title fees; truck weight fees; interest income; revenue bonds.
State Funding and Finance for Other Modes	Transit: General funds; tobacco tax revenue; personal identification card fees; a portion of fuel tax attributable to non-road uses; Mass Transit Tax (administrated by the Department of Administrative Services, not ODOT). Rail: Custom license plate fees; safety inspection and rail regulation fees; fares. Aviation: Jet fuel taxes; aviation fuel taxes; lease income; pilot registration fees; aircraft registration fees. Air, marine, rail and transit projects also can receive funds from the Multimodal Transportation Fund, which is supported by lottery-backed revenue bonds (Or. Rev. Stat. §367.080).
Innovative Transportation Funding and Finance	GARVEE bonds; Build America Bonds; state infrastructure bank (federally capitalized); PPPs (authorized in statute); design-build (authorized in statute, used as a component of at least two projects); vehicle-miles traveled fees (pilot project); weight-distance tax; container fees; traffic camera fees; impact fees; tapered matching; advance construction.
Dedicated/Restricted State Funds and Revenues	The state constitution restricts the use of motor fuel tax and motor vehicle-related revenues to highways, roads, streets roadside rest areas, administrative expenses and bond repayment. Taxes or excises levied on ownership, operation or use of recreational vehicles and snowmobiles may be used for parks or recreation areas; taxes on commercial vehicles may be used to enforce commercial vehicle regulations (Or. Const. art. IX, §3a). Net revenues from dedicated taxes and fees are deposited into the State Highway Fund, to be used only for the purposes authorized by law (Or. Rev. Stat. §366.505). Revenues from taxes on jet fuel and aviation gasoline are deposited in the State Aviation Account and statutorily dedicated to aviation (Or. Rev. Stat. §319.417). The Multimodal Transportation Fund, supported by lottery-backed revenue bonds, is statutorily dedicated to air, marine, rail and transit projects, and cannot be used for projects that are eligible for motor fuel tax expenditures (Or. Rev. Stat. §367.080).

DOT Authorized to Retain Surplus Funds	Yes and no. Other than general funds, excess highway funds are retained in the ODOT ending balance that serves as a beginning balance for the next biennial budget. Excess general funds are reverted to the general state ending balance for reallocation by the Legislative Assembly. ODOT cannot spend funds in excess of its expenditure limit without legislative approval.
Legislative Approval Required to Move Funds Between Projects	Yes, in some cases. Generally, ODOT must seek approval from the Transportation Commission, not the Legislative Assembly, to move funds between projects. In 2009, however, the Legislative Assembly allocated funds to 37 specific projects and 12 local governments; these allocations cannot be changed except by legislative action.
Transportation Funding Allocations through Local Aid	The State Highway Fund is distributed among the state, cities and counties for road construction and maintenance. ODOT allocates a portion of several transportation-related revenues, including fuel tax receipts, from the State Highway Fund to counties and cities by statutory formula. Funds are distributed to counties by a statutory formula based on vehicle registrations, with additional funds distributed to counties with a road base funding deficit in the prior fiscal year. Funds are distributed to cities by a statutory formula based on population (Or. Rev. Stat. §§366.739 et seq.). State funds also are allocated to local entities through state legislative appropriations and ODOT discretionary allocation of funds.

Pennsylvania

Organizational Facts

Legislature	Pennsylvania General Assembly Structure: Bicameral, partisan Chambers: Senate (50 members) House (203 members) Session: Annual, year-round Estimated no. of bills in 2011: 4,100	Department of Transportation	Pennsylvania Department of Transportation (PennDOT) FTE: 12,833 (authorized) Leadership: Commission; Secretary Organizational structure: Mainly by transportation mode
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 255,552 (2009); miles of tolled roadway: 533 (2009); bridges: 22,359 (2010); toll bridges and tunnels: 15 shared with New Jersey (2009)
Transit	Trips per year (all transit modes): Approximately 445.4 million (2008)
Rail	Freight rail route-miles: 5,139 (2008)
Aviation	Airports (total): 739; public-use: 134; state-owned: 0 (2008) Enplanements per year: 20,475,824 (2009)
Marine	Port traffic per year (20-foot equivalent units): 203,164 (2009); waterborne tonnage per year: 90.8 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, extensive. The House and Senate Committees on Transportation share their agendas with the PennDOT Office of Legislative Affairs and the governor's office. The committees also have maintained an open line of communication with PennDOT officials. PennDOT provides office staff to assist legislators with driver licensing and motor vehicle issues. The PennDOT Office of Legislative Affairs provides a liaison staff of five to interact with legislators and legislative staff.

DOT Leadership Appointments and Requirements

The State Transportation Commission consists of 15 members including, by virtue of their office, the chairs and minority chairs of the Senate and House transportation committees. The secretary of transportation serves as chair of the commission. The remaining 10 members are appointed to six-year terms by the governor, by and with the advice and consent of the Senate and within statutory requirements for residency, party affiliation and general characteristics, as well as restrictions on holding other state employment. At least one appointee must hold at least a private pilot's license and derive part of his or her livelihood from aviation-related activities or be otherwise actively involved in aviation, and at least two must be members of the board of directors of a transportation authority at the time of appointment. Each member is appointed to represent the interests of the state, not a region or district (Pa. Cons. Stat. Ann. tit. 71, §178). The secretary of transportation is appointed by the governor, by and with the advice and consent of the Senate (Pa. Cons. Stat. Ann. tit. 71, §67.1).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); legislative program reviews or performance audits; reporting requirements; legislative requests for information.
Legislative Program Evaluation Office	Legislative Budget and Finance Committee. This committee periodically conducts performance audits.
Sunset Review	The state's process for sunset reviews is currently inactive.

Legislation and Regulation

Transportation Governance Statutes	1970 Pa. Laws, Act 120 (found in Pa. Cons. Stat. Ann. tit. 71, art. 20); 1836 Pa. Laws, Act 169 (The General Road Law); 1945 Pa. Laws, Act 428 (The State Highway Law); 1984 Pa. Laws, Act 119 (Rail Freight Preservation and Improvement Act)
Administrative Rules Review	Legislative review of existing rules by joint bipartisan standing committee; committee may suspend rule; no objection constitutes approval of proposed rule.

Transportation Planning and Capital Program Management

Transportation Planning Process	Every two years, PennDOT—in cooperation with other planning partners—prepares and submits to the State Transportation Commission a multimodal, fiscally constrained Twelve-Year Transportation Program that details transportation improvements to be undertaken during the next 12 years, along with anticipated schedules and costs. Projects are identified by diverse stakeholders, then prioritized by MPOs, rural planning organizations or county planning agencies in conjunction with PennDOT. Other modal organizations are provided the opportunity for representation on the MPO/rural planning organization coordinating and technical committees. The program is approved by the State Transportation Commission.
Legislative Role in Transportation Planning	The State Transportation Commission includes legislative leaders. Legislators generally can provide testimony for specific projects during the update of the Twelve-Year Transportation Program. On occasion, legislators also are appointed to MPO and rural planning organization boards.

Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing, with heavier reliance on pay-as-you-go. Bond financing includes \$200 million per year for bridges; \$150 million per year for transit, aviation and rail; and bonding by the Pennsylvania Turnpike Commission for transit and highways.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$4.18 billion FY 2010: \$4.65 billion FY 2009: \$4.48 billion FY 2008: \$4.36 billion
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds flow directly to PennDOT from the U.S. DOT. The General Assembly has statutorily authorized PennDOT to expend federal funds for highway projects so no further appropriation is needed (1970 Pa. Laws, Act 120). Federal funds for transit systems, however, are appropriated at the program or category level when not directly sent to a transit agency by the U.S. DOT. Similar to highway funds, federal aviation funds are executively authorized by the governor.
Allocation of State Transportation Funds to the DOT	Spending levels are generally determined by the available revenues in the various funds established for transportation. Some state transportation funds flow directly to PennDOT from the revenue source by statutory formula; others are appropriated in the annual budget bill.
Traditional State Funding and Finance for Highways	Fuel taxes; vehicle registration/license/title fees; tolls; interest income; general obligation bonds; revenue bonds. Revenue bonds are issued by the Pennsylvania Turnpike Commission. Tolls are used by the turnpike and a few bridges connecting to New Jersey. Fuel taxes include an oil company franchise tax for maintenance and construction, which is a variable rate tax adjusted annually within a wholesale price floor of 90 cents and ceiling of \$1.25 (Pa. Cons. Stat. Ann. tit. 75, §9004).
State Funding and Finance for Other Modes	Transit: Portion of the sales tax; payments from the Pennsylvania Turnpike Commission generated by tolls and revenue bonds; transfer from the Lottery Fund; rental car excise tax; tire tax; general obligation bonds. Rail: General fund appropriations; portion of the sales tax dedicated to transit. Aviation: Restricted revenue account primarily from tax on jet fuel. Ports: General fund. Bridges: Portion of Turnpike Commission payments; restricted account for bridges using an excise tax on diesel fuel and a portion of registration fees; supplemented with the same funding as is used for highways.
Innovative Transportation Funding and Finance	Build America Bonds; state infrastructure bank (separate federally and state-only capitalized accounts); design-build (authorized in statute); traffic camera fees (limited program in Philadelphia only); impact fees; toll credits or “soft match.”
Dedicated/Restricted State Funds and Revenues	The state constitution restricts use of motor fuel taxes and registration and license fees to public highways and bridges, administration thereof and public safety thereon, and prohibits diversion to other purposes. The same section restricts use of aviation fuel excise taxes to aviation purposes and prohibits diversion (Pa. Const. art. VIII, §11). State statute dedicates use of the Aviation Restricted Revenue Account to aviation purposes (Pa. Cons. Stat. Ann. tit. 71, §210). Use of the Public Transportation Trust Fund is statutorily restricted to transit purposes (Pa. Cons. Stat. Ann. tit. 74, §1506), and use of the Highway Bridge Improvement Restricted Account to bridges (Pa. Cons. Stat. Ann. tit. 75, §§9619 et seq.).
DOT Authorized to Retain Surplus Funds	Yes, in most cases. The general rule in the case of transportation is that unspent money is lapsed back into the dedicated transportation fund from which it came. The exception is rail freight, which is legislatively appropriated in the annual budget bill. Unspent rail freight funds lapse back into the general fund and lose the dedication for rail projects.

Pennsylvania

Legislative Approval Required to Move Funds Between Projects	No, but funds cannot be spent outside the appropriations or statutory revenue streams from which they were made. In addition, transit funding cannot be moved to a highway project or vice versa.
Transportation Funding Allocations through Local Aid	Funds to local governments are mainly distributed by statutory formula. Municipalities receive a certain amount of fuel tax receipts, a portion of the Motor License Fund and supplemental funding for municipal highway maintenance as appropriated by the General Assembly. These funds are distributed by a statutory formula based on population and road mileage (Pa. Cons. Stat. Ann. tit. 72, §2615.4; tit. 75, §8915.6; tit. 75, §9301; and tit. 75, §9511). Counties receive a certain amount of liquid fuel tax receipts based on a historic formula (Pa. Cons. Stat. Ann. tit. 75, §9010) and a portion of the Motor License Fund based on bridge deck area (Pa. Cons. Stat. Ann. tit. 75, §8915.6). A limited amount of funding to local governments is made for selected bridge projects and for transferring state-owned roads to local ownership.

Organizational Facts

Legislature	Rhode Island General Assembly Structure: Bicameral, partisan Chambers: Senate (38 members) House (75 members) Session: Annual, approximately January – June Estimated no. of bills in 2011: 2,450	Department of Transportation	Rhode Island Department of Transportation (RIDOT) FTE: 780.2 Leadership: Director Organizational structure: Modes administered by separate agencies
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 13,513 (2009); bridges: 757 (2010); toll bridges and tunnels: 1 (2009)
Transit	Trips per year (all transit modes): Approximately 21.9 million (2008)
Rail	Freight rail route-miles: 87 (2008)
Aviation	Airports (total): 7; public-use: 7; state-owned: 6 (2010) Enplanements per year: 2,170,616 (2009)
Marine	Waterborne tonnage per year: 8.4 million (2009)

Legislative-DOT Collaboration and Communication

Mainly informal and through the DOT legislative liaison. House and Senate fiscal staff interact with deputy directors, financial administrators and other RIDOT staff for issues involving RIDOT program status, expenditure patterns and statutory compliance. RIDOT employs a dedicated legislative liaison who attends the General Assembly during the legislative session. During the months when the General Assembly is in session, legislators and legislative staff communicate with RIDOT about legislative and municipal issues, often through the RIDOT legislative liaison. The liaison also helps legislators work through any concerns they may have with RIDOT.

DOT Leadership Appointments and Requirements

The director of transportation is appointed by the governor with the advice and consent of the Senate (R.I. Gen. Laws §42-13-1).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s).
Legislative Program Evaluation Office	Office of the Auditor General. Neither the legislative Office of the Auditor General nor the executive Bureau of Audits has recently audited RIDOT.
Sunset Review	The state's process for sunset reviews is currently inactive.

Legislation and Regulation

Transportation Governance Statutes	R.I. Gen. Laws ch. 24; R.I. Gen. Laws ch. 91; R.I. Gen. Laws ch. 37
Administrative Rules Review	No formal review process.

Transportation Planning and Capital Program Management

Transportation Planning Process	Because of the state's size, transportation planning is carried out on a consolidated statewide basis rather than at state, regional and metropolitan levels, as in other states. Projects are selected by the Transportation Advisory Committee (TAC) of the State Planning Council; RIDOT has one of 24 seats on the TAC, which meets monthly. The Statewide Planning Program within the Department of Administration—in collaboration with the TAC, RIDOT and the statewide transit operator—prepares the state's long-range planning document and the four-year state Transportation Improvement Program (TIP) for adoption by the State Planning Council. The council also serves as the single statewide MPO for the state. The governor also makes a series of recommendations for state-generated transportation funding. The planning process must be in accordance with the Unified Planning Work Program for Transportation Planning that is approved annually by the council.
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Rhode Island

Legislative Role in Transportation Planning	In recent years, the legislative role has been to approve the five-year RIDOT capital plan, appropriate additional revenues for transportation outside the federal apportionment, set motor fuel tax rates to generate revenues for transportation, and include referendum questions on the ballot for voters to approve initiatives funded by general obligation bonds. The General Assembly does not have an active role in prioritizing federally funded projects, but does when state capital funds are used.
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Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1. RIDOT's budget request is submitted to the State Budget Office in the Department of Administration, the House, the Senate and the governor's office. The Budget Office provides analysis and recommendations to the governor, who then prepares a unified budget request for all state departments and agencies. The General Assembly makes adjustments to proposed expenditures and revenues, and appropriates funding at the program level.
Bonding or Pay-as-You-Go	Bonding is the major source of financing; about 25 percent is pay-as-you-go.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$152.4 million FY 2010: \$177.9 million FY 2009: \$181.3 million FY 2008: \$149.4 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated to RIDOT through a state legislative appropriation at the program or category level.
Allocation of State Transportation Funds to the DOT	State transportation funds also are allocated to RIDOT through a state legislative appropriation at the program or category level.
Traditional State Funding and Finance for Highways	Fuel taxes; general obligation bonds.
State Funding and Finance for Other Modes	Transit: General funds; fuel taxes; general obligation bonds.
Innovative Transportation Funding and Finance	GARVEE bonds; federal credit assistance (TIFIA); state infrastructure bank (federally capitalized); PPPs (reported in survey; no authorizing statute found); design-build (reported in survey; no authorizing statute found); traffic camera fees; impact fees; creation of nonprofit, quasi-public entities (one for transit and one to operate the state's single toll bridge).
Dedicated/Restricted State Funds and Revenues	State statute restricts use of motor fuel tax revenues to transportation purposes. Fuel tax receipts are deposited primarily to the Intermodal Surface Transportation Fund, with a certain portion set aside for transit (R.I. Gen. Laws §31-36-20). General obligation bonds must be used for the purposes set forth in the ballot question and may not exceed the amount authorized by the voters.
DOT Authorized to Retain Surplus Funds	Yes. Excess federal funds can be carried forward into the next fiscal year. Certain state funds, such as capital funds, are automatically reappropriated to the following fiscal year. Revenues in excess of budgeted amounts are retained in the fund dedicated to transportation uses.
Legislative Approval Required to Move Funds Between Projects	Yes, if RIDOT is using funds derived from the state fuel tax or other state sources.
Transportation Funding Allocations through Local Aid	Funds for road construction and maintenance are allocated by RIDOT to cities and towns by a formula based on road miles (R.I. Gen. Laws §24-8-17). RIDOT also allocates state aid for maintenance of town highways and bridges, up to one-fifth of an eligible town's appropriations for these purposes (R.I. Gen. Laws §24-5-4). Rhode Island does not have organized county governments.

South Carolina

Organizational Facts

Legislature	South Carolina General Assembly Structure: Bicameral, partisan Chambers: Senate (46 members) House (124 members) Session: Annual, approximately January – June Estimated no. of bills in 2011: 2,100	Department of Transportation	South Carolina Department of Transportation (SCDOT) FTE: 4,861 Leadership: Commission; Secretary Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 139,952 (2009); miles of tolled roadway: 24 (2009); bridges: 9,252 (2010)
Transit	Trips per year (all transit modes): Approximately 8.4 million (2008)
Rail	Freight rail route-miles: 2,289 (2008)
Aviation	Airports (total): 214; public-use: 68; state-owned: 0 (2008) Enplanements per year: 3,093,818 (2009)
Marine	Port traffic per year (20-foot equivalent units): 941,091 (2009); waterborne tonnage per year: 16.0 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, proactive. The General Assembly—especially the four committees that handle most transportation issues—often contact SCDOT for input on bills and budget provisos before they are scheduled for public hearing. The General Assembly notifies SCDOT of hearings on any transportation-related bills so SCDOT may testify. The General Assembly has a lower level of staff support, and expects state agencies like SCDOT to perform research when requested. SCDOT monitors bills and contacts key legislators when bills will affect SCDOT. The secretary of transportation also contacts legislators regarding important or urgent transportation matters. SCDOT employs a dedicated legislative liaison.

DOT Leadership Appointments and Requirements

Six of the seven members of the Commission of the Department of Transportation are elected to four-year terms by the legislators residing in each of the state's six congressional districts, and can be removed by the governor for cause (S.C. Code Ann. §1-3-240). The seventh is an at-large member appointed by the governor who serves at the pleasure of the governor. Such elections or appointments must take into account race and gender so as to represent all segments of the state's population to the greatest extent possible. Candidates and appointees must be screened by the Joint Transportation Review Committee to determine whether they meet statutory requirements for education and experience. No legislator or legislator's immediate family member is eligible (S.C. Code Ann. §§57-1-310 et seq.). The secretary of transportation is appointed by the governor, with the advice and consent of the Senate and within statutory requirements for knowledge and ability, and serves at the pleasure of the governor (S.C. Code Ann. §57-1-410). The gubernatorial appointment of the secretary of transportation expires in 2015, at which time the responsibility reverts to the commission (2007 S.C. Acts, Act 114).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information. Various reports are produced by the State Comptroller as well as SCDOT at the request of the General Assembly. State law requires two annual audits of SCDOT, one by the Budget and Control Board, with copies made available to the governor and the legislative oversight committees.
Legislative Program Evaluation Office	Legislative Audit Council. The council published an audit of SCDOT in 2006 that resulted in restructuring SCDOT to place it in the governor's cabinet, setting up a legislative committee to oversee the agency, and allowing for periodic audits (S.C. Code Ann. §57-1-490).
Sunset Review	No sunset review of state agencies or programs.

Legislation and Regulation

Transportation Governance Statutes	S.C. Code Ann. tit. 57
Administrative Rules Review	Legislative review of proposed rules by a standing committee; no objection constitutes approval of proposed rule.

South Carolina

Transportation Planning and Capital Program Management

Transportation Planning Process	The commission develops a long-range Statewide Transportation Plan and must also approve a Statewide Transportation Improvement Plan (STIP), with input from MPOs, councils of government and SCDOT staff. The commission selects and approves projects, according to a statutory list of criteria (S.C. Code Ann. §57-1-370).
Legislative Role in Transportation Planning	When SCDOT was restructured in 2007, the General Assembly provided criteria for project prioritization in statute. The General Assembly has no formal role in the project selection process. Legislators have the opportunity to participate in public hearings, and the commission is sensitive to their interests.

Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$517.3 million FY 2010: \$581.2 million FY 2009: \$524.1 million FY 2008: \$529.4 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are considered “other” revenues to the state and flow directly to SCDOT from the U.S. DOT. The General Assembly approves the SCDOT budget as “other funds” in total and at the program or category level.
Allocation of State Transportation Funds to the DOT	State transportation funds are restricted funds classified as “other funds” in the state Appropriation Act. The General Assembly approves the SCDOT budget as “other funds” in total and at the program or category level.
Traditional State Funding and Finance for Highways	Fuel taxes; vehicle registration/license/title fees; tolls.
State Funding and Finance for Other Modes	Transit: Fuel taxes.
Innovative Transportation Funding and Finance	Federal credit assistance (TIFIA); state infrastructure bank (federally capitalized); PPPs (authorized in statute, used for the Southern Connector); design-build (authorized in statute, used as a component of at least five projects); impact fees; tapered matching; advance construction.
Dedicated/Restricted State Funds and Revenues	Fuel tax revenues go to counties, SCDOT and the State Highway Fund. State statute dedicates a portion of fuel tax revenues to mass transit (S.C. Code Ann. §12-28-2725). Some uses of the State Highway Fund are directed in statute (e.g., S.C. Code Ann. §57-5-150 and §57-5-1610).
DOT Authorized to Retain Surplus Funds	Yes. SCDOT is allowed to retain any unspent funds remaining in the cash account. The annual SCDOT budget is developed based on projected revenues plus unspent funds carried forward into the next budget year.
Legislative Approval Required to Move Funds Between Projects	No legislative approval is required.
Transportation Funding Allocations through Local Aid	A portion of motor fuel tax revenue is distributed to counties for use on county or regional transportation projects, by a statutory formula based on land area, population and road mileage (S.C. Code Ann. §12-28-2740). SCDOT also allocates a portion of the federal funds received each year to MPOs and councils of government; this allocation is not required by statute. The commission determines the funding amount and established the distribution formula.

South Dakota

Organizational Facts

Legislature	South Dakota Legislature Structure: Bicameral, partisan Chambers: Senate (35 members) House (70 members) Session: Annual, approximately January – March Estimated no. of bills in 2011: 600	Department of Transportation	South Dakota Department of Transportation (SDDOT) FTE: 1,026 Leadership: Commission; Secretary Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 169,359 (2009); bridges: 5,891 (2010)
Transit	Trips per year (all transit modes): Approximately 1.4 million (2008)
Rail	Freight rail route-miles: 1,675 (2008)
Aviation	Airports (total): 74; public-use: 74; state-owned: 1 (2008) Enplanements per year: 643,205 (2009)

Legislative-DOT Collaboration and Communication

Mainly formal. SDDOT usually makes a report to the Senate and House Transportation Committees at the beginning of each legislative session regarding the state's highway needs and funding to meet those needs. A process exists by which standing committees will introduce legislation at the request of SDDOT. SDDOT monitors legislative committees and tracks bills of interest. SDDOT officials testify about bills that the agency supports or opposes. SDDOT has no dedicated legislative liaison; its Legal Office assists in formulating, drafting and monitoring legislation that affects the department.

DOT Leadership Appointments and Requirements

The nine members of the Transportation Commission are appointed by the governor to four-year terms, within statutory requirements for party affiliation, residency and geographic representation (S.D. Codified Laws Ann. §§1-44-4 et seq.). The secretary of transportation is appointed by the governor, by and with the advice and consent of the Senate, and serves at the pleasure of the governor (S.D. Const. art. IV, §9; S.D. Codified Laws Ann. §1-32-3).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); interim charges; legislative program reviews or performance audits; legislative requests for information.
Legislative Program Evaluation Office	Department of Legislative Audit. This department conducts a financial audit of SDDOT; there is no legislative performance audit.
Sunset Review	Every state agency and the statutes that govern it are reviewed by an interim legislative committee every 10 years (S.D. Codified Laws Ann. ch. 1-26E). This is not a true sunset, however, because the statutes do not automatically repeal if there is no action of the Legislature. SDDOT was last reviewed in 2009.

Legislation and Regulation

Transportation Governance Statutes	S.D. Codified Laws Ann. ch. 1-44; S.D. Codified Laws Ann. ch. 31-2
Administrative Rules Review	Legislative review of proposed rules by joint bipartisan committee; committee may suspend rule; no objection constitutes approval of proposed rule.

Transportation Planning and Capital Program Management

Transportation Planning Process	Each year, the Transportation Commission with the assistance of SDDOT proposes, holds public hearings about, and adopts a highway construction program for the next year. SDDOT administers the entire planning process and gathers input from various stakeholders, including MPOs, the governor, local governments, the commission, legislators and the public. The program—synonymous with the Statewide Transportation Improvement Program (STIP)—is based on highway needs and funding availability.
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South Dakota

Legislative Role in Transportation Planning	No formal legislative role. Legislators can participate in the public hearings. The Legislature has essentially given control over the SDDOT budget and transportation investment priorities to the Transportation Commission, with guidance from SDDOT.
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Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1. The appropriations committee holds hearings for SDDOT to present its budget but do not become involved in project-level details.
Bonding or Pay-as-You-Go	The state does not have state bonding authority, according to the AASHTO Center on Excellence for Project Finance (2010).
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$189.1 million FY 2010: \$182.1 million FY 2009: \$183.5 million FY 2008: \$177.6 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated to SDDOT through a state legislative appropriation at the agency level as well as at the program or category level. This appropriation, however, is only for informational purposes, and budgetary control lies with the Transportation Commission. Thus, in effect, the funds flow directly to SDDOT from the U.S. DOT.
Allocation of State Transportation Funds to the DOT	As with federal funds, state transportation funds are allocated to SDDOT through a state legislative appropriation that is for informational purposes only. Budgetary control lies with the Transportation Commission.
Traditional State Funding and Finance for Highways	Fuel taxes; additional sales taxes on gasoline or diesel; motor vehicle/rental car sales taxes; vehicle registration/license/title fees; truck weight fees; interest income; sign fees; billboard permits.
State Funding and Finance for Other Modes	Nearly all revenue generated for transportation is restricted to highways and bridges. No revenues are dedicated to transit, although operating assistance has been provided from general funds. The Railroad Board has a fund that grants or loans money to regional railroad authorities for construction or maintenance of rail lines.
Innovative Transportation Funding and Finance	Build America Bonds; state infrastructure bank (federally capitalized).
Dedicated/Restricted State Funds and Revenues	The state constitution restricts use of any fuel tax or motor vehicle-related revenues to highways and bridges (S.D. Const. art. XI, §8). These revenues are deposited into the State Highway Fund, use of which is restricted by statute to construction, maintenance and supervision of highways and bridges, related administrative costs, matches for federal funds and the Highway Patrol (S.D. Codified Laws Ann. §32-2-11, §31-2-14.2, §31-5-8 and §31-6-9).
DOT Authorized to Retain Surplus Funds	Unspent or unencumbered funds revert to the fund in which the appropriation was made. For state purposes, this is the State Highway Fund.
Legislative Approval Required to Move Funds Between Projects	No legislative approval is required.
Transportation Funding Allocations through Local Aid	Local aid is distributed by the secretary of revenue from the Local Government Highway and Bridge Fund, which receives revenues from various transportation-related sources. Funding is allocated to counties for highways, roads and bridges by a statutory formula based on population, road mileage and area. Funding is allocated to municipalities for municipal streets by a statutory formula based on population (S.D. Codified Laws Ann. §32-11-35).

Organizational Facts

Legislature	Tennessee General Assembly Structure: Bicameral, partisan Chambers: Senate (33 members) House (99 members) Session: Annual, approximately January – May Estimated no. of bills in 2011: 6,550	Department of Transportation	Tennessee Department of Transportation (TDOT) FTE: Approximately 4,600 Leadership: Commissioner Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 196,969 (2009); bridges: 19,892 (2010)
Transit	Trips per year (all transit modes): Approximately 30.4 million (2008)
Rail	Freight rail route-miles: 2,641 (2008)
Aviation	Airports (total): 210; public-use: 78; state-owned: 1 (2008) Enplanements per year: 10,783,463 (2009)
Marine	Port traffic per year (20-foot equivalent units): 9,229 (2009); waterborne tonnage per year: 38.2 million (2009); state-operated ferries: 1 (2009)

Legislative-DOT Collaboration and Communication

Mainly informal. Few formal mechanisms exist for interactions between TDOT and the General Assembly. TDOT leadership frequently contacts the General Assembly to provide input on transportation-related legislation. TDOT employs dedicated legislative liaisons who respond to legislative inquiries, provide information, work with sponsors of legislation that affects TDOT, and seek help from legislators who sponsor legislation proposed by TDOT.

DOT Leadership Appointments and Requirements

The commissioner of transportation is appointed by the governor and serves at the pleasure of the governor, within broad statutory guidelines for qualifications (Tenn. Code Ann. §4-3-2302). TDOT is a cabinet agency that reports directly to the governor.

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information. Required reports to the General Assembly include the annually updated transportation improvement program, quarterly status reports on highway projects in each district, quarterly status reports on projects approved in the TDOT budget and an annual report on transit projects. Seven legislative committees oversee TDOT: Senate and House Transportation Committees (general oversight); Senate and House Ways and Means Committees (budget and expenditures); Senate and House Government Operations Committees (rules and regulations, as well as review of performance audits); and the Fiscal Review Committee (contracts).
Legislative Program Evaluation Office	Offices of Research and Education Accountability
Sunset Review	Yes. Tennessee's sunset law (Tenn. Code Ann. §§4-29-101 et seq.) requires that each agency, board, commission and other entity be reviewed at least once every eight years by a joint legislative committee. TDOT is scheduled to terminate on June 30, 2011, unless affirmatively continued by the General Assembly (Tenn. Code Ann. §4-29-232).

Legislation and Regulation

Transportation Governance Statutes	Tenn. Code Ann. §§4-3-2301 et seq., §13-10-107(d), §54-1-105, §54-1-115, §54-1-302, §§54-5-101 et seq. and §54-5-1401
Administrative Rules Review	Legislative review of proposed rules by a joint bipartisan committee; committee may suspend rule.

Tennessee

Transportation Planning and Capital Program Management

Transportation Planning Process	TDOT is generally responsible for all transportation planning and project identification. TDOT sets priorities based on needs and available funding, with input from the governor's office, local governments and MPOs, transit agencies, and rural planning organizations. TDOT presents the "Proposed Highway Program" to the General Assembly annually for review. The General Assembly approves the program by reference in the state budget.
Legislative Role in Transportation Planning	The General Assembly reviews and approves the annual work program. Occasionally legislation is introduced to specify a particular project, but overall project identification is done by TDOT.

Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1.
Bonding or Pay-as-You-Go	Mainly pay-as-you-go financing. A three-year bond program using federal highway bridge funds to pay debt service was authorized, but as of June 2010, the bonds were unissued. In general, since the mid-1990s, Tennessee's highway program has been debt-free.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$868.0 million FY 2010: \$885.6 million FY 2009: \$1.03 billion FY 2008: \$840.4 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated to TDOT as a state legislative appropriation at the program or category level.
Allocation of State Transportation Funds to the DOT	State transportation funds are allocated to TDOT as a state legislative appropriation at the program or category level.
Traditional State Funding and Finance for Highways	Fuel taxes; additional sales taxes on gasoline or diesel; vehicle registration/license/title fees; vehicle or truck weight fees.
State Funding and Finance for Other Modes	Transit: Fuel taxes; vehicle registration/license/title fees.
Innovative Transportation Funding and Finance	State infrastructure bank (federally capitalized); PPPs (authorized in statute with legislative approval requirements); design-build (authorized in statute); advance construction.
Dedicated/Restricted State Funds and Revenues	All revenues allocated to TDOT, including a portion of fuel tax receipts, are deposited into the State Highway Fund and distributed according to broad statutory guidelines. The fund is used mainly for highways and transit projects; diversions or transfers are prohibited (Tenn. Code Ann. §67-3-901 and §§54-2-102 et seq.). All revenues from fuels used for railways, waterways and aviation are deposited into the Transportation Equity Trust Fund, and those funds must be used in the same mode of transportation by which they were generated (Tenn. Code Ann. §9-4-207 and §67-6-103).
DOT Authorized to Retain Surplus Funds	Yes, TDOT retains excess funds.
Legislative Approval Required to Move Funds Between Projects	No legislative approval is required.
Transportation Funding Allocations through Local Aid	A portion of state fuel tax funds is allocated to counties and municipalities (Tenn. Code Ann. §67-3-901). County funds are used for roads, bridges and transit projects by a statutory formula based on equal distribution, population and area. No more than 22.22 percent of county aid funds can be used for transit (Tenn. Code Ann. §54-4-103). A portion of fuel tax funds is allocated to municipalities for street aid by a statutory formula based on population (Tenn. Code Ann. §54-4-203). Funds are distributed by the commissioner of finance and administration.

Organizational Facts

Legislature	Texas Legislature Structure: Bicameral, partisan Chambers: Senate (31 members) House (150 members) Session: Biennial, approximately January – May (odd years only) Estimated no. of bills in 2011: 12,400	Department of Transportation	Texas Department of Transportation (TxDOT) FTE: 14,067 (authorized); 11,819 (actual) Leadership: Commission; Executive Director Organizational structure: Mainly by transportation mode
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 669,190 (2009); miles of tolled roadway: 306 (2009); bridges: 51,448 (2010); toll bridges and tunnels: 24 (2009)
Transit	Trips per year (all transit modes): Approximately 298.1 million (2008)
Rail	Freight rail route-miles: 10,743 (2008)
Aviation	Airports (total): 1,653; public-use: 369; state-owned: 0 (2008) Enplanements per year: 66,385,453 (2009)
Marine	Port traffic per year (20-foot equivalent units): 1,328,801 (2009); waterborne tonnage per year: 451.8 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal. TxDOT staff members provide updates to the Legislature on Texas Transportation Commission actions and TxDOT activities, usually through reports, correspondence, e-mail or bimonthly electronic newsletters. TxDOT also responds to requests for information from legislators and legislative staff. State agency employees are prohibited from influencing legislation, but can act as neutral resource witnesses; the Texas Transportation Commission has the authority to provide recommendations to the governor and the Legislature on department operations and efficiencies (Tex. Transportation Code Ann. §201.0545). Upon request, TxDOT gives input to the Legislative Budget Board (LBB) to inform its fiscal notes on legislation. TxDOT has a dedicated government affairs office.

DOT Leadership Appointments and Requirements

The five members of the Texas Transportation Commission are appointed to staggered six-year terms by the governor, with the advice and consent of the Senate and within statutory requirements for geographic representation and reflection of the diversity of the state as well as restrictions pertaining to conflicts of interest. One member must reside in a rural area (Tex. Transportation Code Ann. §§201.051 et seq.). Grounds for removal are provided in Tex. Transportation Code Ann. §201-057. The executive director of TxDOT is elected by the commission, within broad statutory guidelines for experience and skills, and serves at the will of the commission (Tex. Transportation Code Ann. §201.301).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); interim charges; legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information. House and Senate interim committees oversee various TxDOT budget and policy issues during the legislative interim. TxDOT also is required to submit monthly revenue and expenditure forecast reports to the Legislative Budget Board and the governor.
Legislative Program Evaluation Office(s)	The Legislative Budget Board, the State Auditor’s Office and the Sunset Advisory Commission
Sunset Review	Yes. The Texas Sunset Act makes the Sunset Advisory Commission responsible for auditing each state agency every 12 years. In most cases, agencies under review are automatically abolished unless legislation is enacted to affirmatively continue them. TxDOT was reviewed in 2009, but the bill to continue it was not enacted; instead, an extension until another, limited-scope review in 2011 was granted in a special session. Unless continued, TxDOT will now expire on Sept. 1, 2011 (Tex. Transportation Code Ann. §201.204).

Legislation and Regulation

Transportation Governance Statutes	Tex. Transportation Code Ann. §§201.001 et seq.
Administrative Rules Review	Legislative review of proposed rules by a standing committee; committee role is mainly advisory.

Texas

Transportation Planning and Capital Program Management

Transportation Planning Process	The Transportation Commission, TxDOT and MPOs work together to create the Unified Transportation Program and the State Transportation Improvement Plan (STIP). Project needs are identified at the local level by TxDOT district offices, MPOs, transit and rail agencies, port authorities and local toll project entities. TxDOT works with local entities to identify, develop and approve plans and funding strategies, with commission oversight. After funding is identified, the project planning and development process begins, with public involvement and hearings. Projects contracts then must be approved. The Transportation Commission finally approves funding and authorizes construction based on funding availability and local priorities. TxDOT oversees implementation.
Legislative Role in Transportation Planning	The Legislature has no formal role in transportation planning, except to set statutory guidelines for the process and to help set spending levels through appropriations. The Legislature has statutorily delegated responsibilities for transportation planning and determining investment priorities to the Texas Transportation Commission (Tex. Transportation Code Ann. §201.103).

Funding and Finance

Budgeting and Appropriations	Biennial enactment of two 12-month budgets; fiscal year begins September 1.
Bonding or Pay-as-You-Go	Texas used pay-as-you-go financing until the Transportation Commission was granted approval through a 2001 constitutional amendment to issue bonds secured by a newly created Texas Mobility Fund. Another amendment—approved in 2003—allows the Legislature to authorize the commission to issue bonds, known as Proposition 14 bonds, secured by revenues deposited to the State Highway Fund such as motor fuel taxes and vehicle registration fees. The Transportation Commission and TxDOT started using these bond programs in 2005. In 2007, Texas voters approved Proposition 12 bonds secured by revenues deposited to the General Revenue Fund. The Legislature authorized issuance of a portion of these bonds in 2009, and the bond program began in 2010.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$6.1 billion FY 2010: \$5.1 billion FY 2009: \$4.9 billion FY 2008: \$5.2 billion
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated to TxDOT through state legislative appropriation at the program or category level. The state General Appropriations Act provides appropriation authority for federal funds. All funds received are deposited into the State Highway Fund. TxDOT is the state administrative authority for these funds.
Allocation of State Transportation Funds to the DOT	State transportation funds are allocated to TxDOT through state legislative appropriation in the General Appropriations Act by category.
Traditional State Funding and Finance for Highways	Fuel taxes; vehicle registration/license/title fees; vehicle or truck weight fees; tolls; interest income; sales tax on motor lubricants; vehicle inspection fees; driver record information fees; general obligation bonds; revenue bonds.
State Funding and Finance for Other Modes	No dedicated funding sources for other modes. TxDOT can and has used State Highway Fund revenues from sources that are not constitutionally dedicated to highway purposes for other functions carried out by the department (Tex. Transportation Code Ann. §222.002), including transit, rail, aviation, ports and bridges.
Innovative Transportation Funding and Finance	GARVEE bonds (authorized but not used as of 2009); private activity bonds (PABs) (issued); Build America Bonds; federal credit assistance (TIFIA); state infrastructure bank (federally capitalized); PPPs (authorized in statute, many provisions expired in 2009; used for at least four projects); design-build (authorized in statute, many provisions expired in 2009; used as a component of at least eight projects); impact fees; creation of nonprofit, quasi-public entities; tapered matching; advance construction; toll credits or “soft match;” pass-through financing (shadow tolls); other. Traffic camera fees are used only at the local level; 50 percent of the revenues after operating costs must be used for traffic safety programs (Tex. Transportation Code Ann. §707.008).
Dedicated/Restricted State Funds and Revenues	The state constitution restricts the use of motor fuels taxes, sales tax on motor lubricants and vehicle registration fees to acquiring rights-of-way, constructing, maintaining and policing public roadways and for administration of laws pertaining to the supervision of traffic and safety on such roads. A quarter of motor fuel tax revenues, however, are constitutionally allocated to the Available School Fund (Tex. Const. art. VIII, §7-a). The State Highway Fund, which receives the rest of these revenues, cannot be used to guarantee a loan or issue bonds for a toll facility (Tex. Transportation Code Ann. §222.001). The Texas Mobility Fund cannot receive revenues from motor fuel taxes, sales tax on motor lubricants or vehicle registration fees, and use of the fund is constitutionally restricted to financing state highways, public toll roads and transit projects (Tex. Const. art. III, §49-k).

<p>DOT Authorized to Retain Surplus Funds</p>	<p>TxDOT has traditionally been granted authority through the General Appropriations Act to carry forward unspent appropriations between years of a state fiscal biennium for major transportation planning, construction and maintenance. In general, unexpended appropriations remaining at the end of one biennium are subject to legislative appropriations for the next.</p>
<p>Legislative Approval Required to Move Funds Between Projects</p>	<p>Yes, at the category level. TxDOT must receive approval from the Texas Legislative Budget Board and the governor to transfer funds between items of appropriation at the General Appropriations Act category level. Legislative approval is not required to transfer funds between projects within those categories, however.</p>
<p>Transportation Funding Allocations through Local Aid</p>	<p>A portion of state gasoline tax receipts is deposited to the County and Road District Highway Fund (Tex. Tax Code Ann. §162.503), from which the state comptroller distributes money to counties by a statutory formula based on area, rural population and lateral road mileage (Tex. Transportation Code Ann. §256.002). Counties also receive funds from appropriations to the Special County Road Assistance Program. These funds are distributed by a statutory formula based on total and unincorporated population; and lineal, paved and concrete road miles (Tex. Local Government Code Ann. §§615.101 et seq.). In addition, counties act as agents for the state in collecting vehicle registration fees; a portion of these fees is retained by the collecting county (Tex. Transportation Code Ann. §502.102). The state allocates federal local aid per federal requirements; some is discretionary based on the state transportation plan and, for aviation, project qualifications.</p>

Utah

Organizational Facts

Legislature	Utah Legislature Structure: Bicameral, partisan Chambers: Senate (29 members) House (75 members) Session: Annual, approximately January – March Estimated no. of bills in 2011: 800	Department of Transportation	Utah Department of Transportation (UDOT) FTE: 1,730 (authorized); 1,603 (actual) Leadership: Commission; Director Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 94,410 (2009); miles of tolled roadway: 1 (2009); bridges: 2,911 (2010)
Transit	Trips per year (all transit modes): Approximately 43.7 million (2008)
Rail	Freight rail route-miles: 1,365 (2008)
Aviation	Airports (total): 141; public-use: 47; state-owned: 1 (2008) Enplanements per year: 10,018,345 (2009)
Marine	State-operated ferries: 1 (2009)

Legislative-DOT Collaboration and Communication

Formal and informal. UDOT mainly interacts with the Legislature by testifying before and providing information to standing and interim committees—as well as interacting with individual legislators—about relevant bills or issues. UDOT also makes annual reports to interim committees. UDOT may ask legislators to sponsor particular bills or be invited to present to a caucus on a particular issue. UDOT has a dedicated office of Legislative and Government Affairs.

DOT Leadership Appointments and Requirements

The seven members of the Transportation Commission are appointed by the governor, with the consent of the Senate and within statutory requirements for residency and geographic representation (Utah Code Ann. §72-1-301). Prior to July 1, 2009, six commissioners represented counties and one was at-large. Now, four commissioners represent each of the four UDOT regions and three are at-large; no more than two can be from any one region. At least one must be selected from a rural county. The executive director of UDOT is appointed by the governor, with recommendations from the Transportation Commission and the consent of the Senate, and within broad statutory guidelines for experience and training (Utah Code Ann. §72-1-202).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); interim charges; legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information. The Legislature requires UDOT to make annual reports to its interim committees, both by statutory requirements and as the need arises.
Legislative Program Evaluation Office	Office of the Legislative Auditor General. This office has authority to audit any branch, department, agency or political subdivision of the state.
Sunset Review	The state conducts sunset reviews, but not of UDOT.

Legislation and Regulation

Transportation Governance Statutes	Utah Code Ann. tit. 72, ch. 1; Utah Code Ann. §72-2-104, §72-2-118, §72-2-123, §72-2-124, §72-4-102, §72-6-118, §72-6-206, §72-10-106, §41-6a-702 and §63g-6-502
Administrative Rules Review	Annual review of proposed and existing rules by the full Legislature; all existing rules not legislatively reauthorized by February 28 of any calendar year expire on May 1 of that year (Utah Code Ann. §63G-3-502).

Transportation Planning and Capital Program Management

Transportation Planning Process	The state adopts a long-range plan, and priority projects from that plan are added to the Statewide Transportation Improvement Program (STIP). In general, UDOT and MPOs identify projects. The Transportation Commission prioritizes new capacity projects using a written process, the Decision Support System, which was established per Utah Code Ann. §72-1-304 and §72-1-305. Besides new capacity projects on the long-range plan, smaller-scale projects to alleviate specific traffic bottlenecks also are prioritized. UDOT's role is to recommend projects to the Transportation Commission for construction; the commission approves or rejects this recommendation.
Legislative Role in Transportation Planning	The Legislative Management Committee approved the rules establishing the written project prioritization process and must approve any amendments to those rules. The Legislature determines general funding levels and can fund specific new capacity projects in the annual appropriations act. Delays of any projects with specific appropriations must be prioritized and approved by the Transportation Commission (Utah Code Ann. §72-1-305).

Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1. The governor works with UDOT to develop budget recommendations, which are submitted to the Legislature.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$1.3 billion FY 2010: \$1.4 billion FY 2009: \$1.1 billion FY 2008: \$1.1 billion
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated to UDOT as a state legislative appropriation at the program or category level.
Allocation of State Transportation Funds to the DOT	As with federal funds, state transportation funds also are allocated to UDOT as a state legislative appropriation at the program or category level.
Traditional State Funding and Finance for Highways	Fuel taxes; motor vehicle/rental car sales taxes; vehicle registration/license/title fees; truck weight fees; general funds; interest income; general obligation bonds.
State Funding and Finance for Other Modes	Transit: A portion of the general sales tax. Aviation: Aviation fuel tax; aircraft registration fees.
Innovative Transportation Funding and Finance	Build America Bonds; state infrastructure bank (federally capitalized); PPPs (authorized in statute, with legislative approval required only to convert an existing facility to a privately operated toll road); design-build (authorized in statute, used for at least two projects); impact fees.
Dedicated/Restricted State Funds and Revenues	The state constitution restricts use of revenues from the fuel tax and related to the operation of motor vehicles on public highways primarily to construction, maintenance and repair of state and local roads, driver education, and enforcement of motor vehicle and traffic laws (Utah Const. art. XIII, §5). The state Transportation Fund is statutorily dedicated to highway purposes (Utah Code Ann. §72-2-102). The Aeronautics Restricted Account within the Transportation Fund is dedicated to aviation purposes (Utah Code Ann. §72-2-126).
DOT Authorized to Retain Surplus Funds	Yes. Transportation Fund balances can be reallocated within the same line item.
Legislative Approval Required to Move Funds Between Projects	No legislative approval is required.
Transportation Funding Allocations through Local Aid	Transportation funds are allocated to local entities through state legislative appropriations and UDOT allocation of funds by formula. UDOT receives an annual appropriation from the Transportation Fund for deposit into the Class B and Class C Roads Account, which is expended under the direction of UDOT as the Legislature provides. Funds in the account are apportioned among counties and municipalities by a statutory formula based on weighted mileage and population (Utah Code Ann. §§72-2-107 et seq.).

Vermont

Organizational Facts

Legislature	Vermont General Assembly Structure: Bicameral, partisan Chambers: Senate (30 members) House (150 members) Session: Annual, approximately January – May Estimated no. of bills in 2011: 750	Department of Transportation	Vermont Agency of Transportation (VTrans or AOT) FTE: (No data) Leadership: Transportation Board; Secretary Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 29,672 (2009); miles of tolled roadway: 12 (2009); bridges: 2,712 (2010); toll bridges and tunnels: 1 shared with New Hampshire (2009)
Transit	Trips per year (all transit modes): Approximately 2.3 million (2008)
Rail	Freight rail route-miles: 590 (2008)
Aviation	Airports (total): 122; public-use: 16; state-owned: 10 (2008) Enplanements per year: 705,091 (2009)

Legislative-DOT Collaboration and Communication

Mainly formal and through DOT leadership. The heads of the various divisions of VTrans testify before the House and Senate Transportation Committees at the beginning of each session to provide an overview of agency activities and to discuss its annual multi-year transportation program, which includes a recommended budget and describes project priorities. In February, VTrans counsel typically transmits to legislative counsel other proposed legislation; agency officials with relevant expertise then testify before the transportation committees about each proposal. Legislative committees frequently solicit testimony from VTrans officials on transportation-related bills and other specific issues that may arise. VTrans also communicates through required written reports. The responsibilities of the director of the Policy, Planning and Intermodal Development Division include state and federal legislative relations.

DOT Leadership Appointments and Requirements

The seven members of the Transportation Board are appointed to three-year terms by the governor, with the advice and consent of the Senate and within statutory requirements for party affiliation and restrictions pertaining to conflicts of interest. The governor must, so far as is possible, appoint members “whose interests and expertise lie in various areas of the transportation field” (Vt. Stat. Ann. tit. 19, §3). The board provides appellate review of various VTrans decisions and rulings, has original jurisdiction over certain claims and conducts public hearings. The secretary of transportation is appointed by the governor, with the advice and consent of the Senate, and serves at the pleasure of the governor (Vt. Stat. Ann. tit. 19, §7).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by one or more legislative committees; reporting requirements; legislative requests for information. VTrans is obligated to report on major transportation-related developments during the interim to the General Assembly’s Joint Transportation Oversight Committee. Since the annual transportation budget process is detailed and the state is small enough, the legislative transportation committees are able to review progress on nearly all active projects.
Legislative Program Evaluation Office	In the past, the Legislative Council conducted programmatic audits and evaluations of state agencies and departments, but does not do so at this time. Among other duties, permanent council staff continue to be responsible for legal and general research as well as review of agency rules. No legislative office is now tasked with conducting program evaluations of state agencies. The Joint Fiscal Office, however, does conduct audits that at times contain programmatic elements. The State Auditor of Accounts, a statewide elected officer, also conducts audits that sometimes contain programmatic components.
Sunset Review	Sunsets are at the General Assembly’s discretion, and their structure varies on an individual basis. VTrans has not been subject to the sunset process.

Legislation and Regulation

Transportation Governance Statutes	Vt. Stat. Ann. tit. 19, §2 to §10l, §12a and §12b
Administrative Rules Review	Legislative review of proposed rules by a joint bipartisan committee; a committee vote opposing a rule does not prohibit its adoption but assigns the burden of proof in any legal challenge to the executive agency.

Transportation Planning and Capital Program Management

Transportation Planning Process	Annually, VTrans proposes to the General Assembly a multi-year transportation program containing a proposed project list. VTrans takes the lead in the transportation planning process (see Vt. Stat. Ann. tit. 19, §10b and §10g), but all projects must be approved by the General Assembly. In formulating the transportation program, VTrans is required by statute to use a numerical grading system to assign a priority rating to paving, road, bridge, safety and traffic operation projects, and to provide a description of how the ratings were assigned. The system requires consideration of asset management factors, the priority rating from regional planning commissions and the state's one MPO, economic impact, and cultural and social effects on surrounding communities. VTrans also voluntarily uses this system to prioritize projects in other modes. State law also requires VTrans to coordinate efforts with the Climate Change Oversight Committee and local and regional planning entities.
Legislative Role in Transportation Planning	The House and Senate Transportation Committees receive VTrans' proposed transportation program each January and solicit testimony from VTrans officials before voting to approve it in the annual transportation bill. The General Assembly adopts the program and the VTrans budget, except as specifically modified in the bill. If the governor certifies a transportation project as essential to the state's economic infrastructure, a committee of legislators may approve the project without explicit authorization through an enacted transportation program. Otherwise, no money can be spent on any project unless it is included in the transportation program, which requires legislative approval.

Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1.
Bonding or Pay-as-You-Go	The state uses predominantly pay-as-you-go financing, with some bonding. All financing methods, including bonding, require legislative approval.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$217.4 million FY 2010: \$178.4 million FY 2009: \$187.2 million FY 2008: \$192.9 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated to VTrans as a state legislative appropriation at agency, program and project-specific levels. VTrans' annual proposed budget details funding sources on a project-by-project basis (including total funds spent to date and funding needed for completion), but by general statute, the agency has broad discretion to re-allocate funds in certain circumstances.
Allocation of State Transportation Funds to the DOT	As with federal funds, state transportation funds are allocated to VTrans as a state legislative appropriation at agency, program and project-specific levels.
Traditional State Funding and Finance for Highways	Fuel taxes; additional sales taxes on gasoline or diesel; motor vehicle/rental car sales taxes; vehicle registration/license/title fees; truck weight fees; interest income; general obligation bonds; revenue bonds. General funds have on occasion been transferred to the transportation fund when needed, but this is an exception to the general rule.
State Funding and Finance for Other Modes	Transit, rail and aviation: Funded by the same sources as highways through the Transportation Fund. No state funds are dedicated by mode; all transportation-related revenues go into one multimodal Transportation Fund to support the AOT budget and are available to support highways, transit, rail and aviation. The state has no ports or toll bridges.
Innovative Transportation Funding and Finance	State infrastructure bank (federally capitalized); design-build (authorized in statute); tapered matching; advance construction; toll credits or "soft match."
Dedicated/Restricted State Funds and Revenues	By statute, transportation-related revenues are deposited into the Transportation Fund and reserved primarily for the VTrans budget, though not restricted by mode (Vt. Stat. Ann. tit. 19, §§11 et seq.). One exception is the statutory dedication of a portion of the gasoline tax to the Fish and Wildlife Fund and the Department of Forests, Parks and Recreation (Vt. Stat. Ann. tit. 23, §3106). Another is an allocation of a portion of the motor vehicle purchase and use tax to the Education Fund (1998 Vt. Acts, Act 60). A third exception is an allocation of a portion of total Transportation Fund revenues to non-VTrans state government functions. This allocation is part of the annual political process, with the governor's budget proposing an amount and the General Assembly responding. This allocation has generally decreased each year.

Vermont

DOT Authorized to Retain Surplus Funds	Yes and no. Revenues in excess of appropriations are credited to the Transportation Fund, although the annual transportation bill may provide a contingency for their expenditure. State law gives the administration the authority to carry forward any unspent state fund appropriations into the next fiscal year. Unspent federal appropriations lapse and must be reappropriated. The administration may not re-allocate any excess transportation revenue or unspent appropriations to non-transportation purposes.
Legislative Approval Required to Move Funds Between Projects	No legislative approval is required. By statute, VTrans has the authority to re-allocate funds in the event of cost overruns, project delays and emergency projects. In such cases, VTrans must notify the Joint Fiscal Office and legislative members in affected districts.
Transportation Funding Allocations through Local Aid	State transportation funds are legislatively appropriated to towns for highways or public transit assistance by a statutory formula based on road mileage. State aid is provided for town highway bridges according to a program plan based on applications submitted by towns. There are also annual appropriations for grants to municipalities for highway structures and roadway improvements (Vt. Stat. Ann. tit. 19, §306).

Organizational Facts

Legislature	Virginia General Assembly Structure: Bicameral, partisan Chambers: Senate (40 members) House of Delegates (100 members) Session: Annual, approximately January – February (odd years), approximately January – March (even years) Estimated no. of bills in 2011: 2,600	Department of Transportation	Virginia Department of Transportation (VDOT) FTE: 6,755 Leadership: Secretary; Commissioner; Transportation Board Organizational structure: Modes administered by separate agencies
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 160,727 (2009)*; miles of tolled roadway: 56 (2009); bridges: 13,522 (2010)*; toll bridges and tunnels: 4, plus 1 shared with Maryland (2009) <i>*The numbers of total lane miles and bridges above are as reported by the Federal Highway Administration. VDOT reported 155,335 lane miles (excluding federal public roads and privately maintained toll roads) and 13,216 bridges as of April 2011.</i>
Transit	Trips per year (all transit modes): Approximately 78.1 million (2008)
Rail	Freight rail route-miles: 3,205 (2008)
Aviation	Airports (total): 66; public-use: 66; state-owned: 0 (2008) Enplanements per year: 24,081,772 (2009)
Marine	Port traffic per year (20-foot equivalent units): 1,421,633 (2009); waterborne tonnage per year: 67.2 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, proactive. VDOT and the General Assembly have a proactive approach to communication. VDOT is in the process of starting regional town hall meetings with legislators to provide information of interest. VDOT reviews and provides comments on the effects of all proposed legislation, including in committee hearings during the legislative session. VDOT legislative analyses and recommendations also are provided to the secretary of transportation, the Virginia Department of Planning and Budget and the governor's office for consideration. The governor can introduce legislation either by soliciting proposals from cabinet members that then are prepared in collaboration with state agencies, or at his or her discretion with assistance from cabinet members, state agencies or other stakeholders. In either case, a proposal must be sponsored by a legislator to be considered by the General Assembly. VDOT posts key studies, project updates and financial information on its Web site. VDOT has a chief of policy and environment, who oversees VDOT's activities around legislative and regulatory affairs.

DOT Leadership Appointments and Requirements

The 14 voting, citizen members of the Commonwealth Transportation Board are appointed to four-year terms by the governor, subject to confirmation by the General Assembly and within statutory requirements for residency, and are removable from office by the governor at his pleasure. The secretary of transportation, Commonwealth transportation commissioner and director of the Department of Rail and Public Transportation also serve on the board as nonvoting members (Va. Code §§33-1.1 et seq.). The Commissioner is appointed by the governor, subject to confirmation by the General Assembly, within broad statutory guidelines for experience and ability (Va. Code §33.1-3). The secretary of transportation is appointed by the governor, subject to confirmation by the General Assembly, and holds office at the pleasure of the governor for a term that coincides with that of the governor making the appointment (Va. Code §2.2-200).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); interim charges; legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information. VDOT is required to submit a biennial report to the General Assembly regarding expenditures. In 2010, the governor independently commissioned two VDOT audits; private audits also may be performed at the request of the General Assembly. The auditor of public accounts undertakes periodic reviews of VDOT activities.
Legislative Program Evaluation Office	Joint Legislative Audit and Review Commission. The commission recently reviewed VDOT planning and programming.
Sunset Review	Sunset clauses have been enacted only for selected programs or legislation, not for VDOT per se.

Virginia

Legislation and Regulation

Transportation Governance Statutes	Va. Code tit. 15.2, tit. 33.1 and tit. 46.2
Administrative Rules Review	Legislative and executive review of proposed rules; legislative review by a joint bipartisan standing committee; the full legislature can suspend a rule through legislation, with the concurrence of the governor.

Transportation Planning and Capital Program Management

Transportation Planning Process	VDOT works cooperatively with MPOs, localities, and other modal entities in transportation planning. At the state level, the various modal agencies work cooperatively with representatives from MPOs and regional planning organizations on development of an overall state vision—with goals and strategies—in the statewide multimodal transportation plan (VTrans), which is adopted by the Commonwealth Transportation Board. Each modal agency then develops plans and programs with the state vision, goals and strategies in mind. VDOT is heavily involved in project identification and planning for highways in rural areas; MPOs, the state and transit operators are cooperatively responsible for planning within urbanized areas. Each modal agency drafts recommendations and priorities, based on an assessment of need as well as indications of support from local, regional, MPO and state stakeholders (i.e., elected officials). VDOT, MPOs, localities, regional planning organizations, elected officials, and citizens are invited to present recommendations and feedback through a public hearing process annually to the Commonwealth Transportation Board. This information is used by the Commonwealth Transportation Board to determine specific projects and investment priorities to advance to the Six-Year Improvement Program.
Legislative Role in Transportation Planning	The General Assembly can identify priority projects in the annual Appropriation Act. State elected officials also serve on some of the larger MPOs, which play a critical role in determining which projects advance within the MPO area. The statewide multimodal transportation plan, VTrans, must be updated and presented to the General Assembly and the governor every four years (2011 Va. Acts, Chap. 104 and 164). The General Assembly determines funding for rail, transit, ports and airports in statute, and must authorize debt.

Funding and Finance

Budgeting and Appropriations	The budget is adopted for a biennium, but is amended in the second year of the biennium; fiscal year begins July 1.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing.
State-Level Funding Provided for DOT Budgets	VDOT: FY 2011 (approved): \$2.38 billion FY 2010: \$2.44 billion FY 2009: \$2.44 billion FY 2008: \$3.03 billion Virginia Department of Rail and Public Transportation (DRPT): FY 2011 (approved): \$318.2 million FY 2010: \$206.5 million FY 2009: \$268.7 million FY 2008: \$330.9 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated to VDOT through a state legislative appropriation at the program or category level.
Allocation of State Transportation Funds to the DOT	State transportation funds are allocated to VDOT through a state legislative appropriation at the program or category level.
Traditional State Funding and Finance for Highways	Fuel taxes; additional sales taxes on gasoline or diesel; motor vehicle/rental car sales taxes; vehicle registration/license/title fees; overweight permit fees; tolls; general funds; interest income; a portion of certain state sales taxes; revenue bonds. Overweight permit fees for tank wagon vehicles are deposited into the Highway Maintenance and Operating Fund for highway purposes; all other overweight vehicle fees remain with the Department of Motor Vehicles for operating expenses.
State Funding and Finance for Other Modes	Transit, rail, aviation and ports: Funded by the same sources as highways through the Transportation Trust Fund. Transit and rail receive 14.7 percent of the fund, aviation 2.4 percent and ports 4.7 percent. Each mode has a dedicated account (Va. Code §33.1-23.03:2).

Innovative Transportation Funding and Finance	GARVEE bonds; private activity bonds (PABs) (issued); Build America Bonds; federal credit assistance (TIFIA); state infrastructure bank (federally capitalized); congestion pricing (as part of the I-395 HOT Lanes project now under construction); PPPs (authorized in statute, used for at least three projects); design-build (authorized in statute, used as a component of at least four projects); impact fees; creation of nonprofit, quasi-public entities. The current administration is proposing the use of advance construction and toll credits or “soft match.” Traffic camera fees are used only at the local level and fee revenues are not dedicated to transportation uses.
Dedicated/Restricted State Funds and Revenues	The Transportation Trust Fund is generally dedicated to transportation purposes, but state law allows diversion from the fund by the General Assembly or the governor in the budget bill if they include language setting out the plan for repayment of such funds within three years (Va. Code §2.2-1509.2). State law specifically allows the use of highway funds for aid to mass transit facilities (Va. Code §33.1-46.1).
DOT Authorized to Retain Surplus Funds	Yes. VDOT may retain excess funds with no restrictions.
Legislative Approval Required to Move Funds Between Projects	No legislative approval is required.
Transportation Funding Allocations through Local Aid	Local aid is distributed through state legislative appropriation, VDOT allocation of funds by formula and within existing statutory requirements, and VDOT discretionary allocation of funds. Construction funds are allocated for urban system highways by a statutory formula based on population (Va. Code §33.1-23.3). A revenue-sharing statute requires the Commonwealth Transportation Board to match any appropriation for state highways with an equivalent local aid allocation (Va. Code §33.1-23.05).

Washington

Organizational Facts

Legislature	Washington Legislature Structure: Bicameral, partisan Chambers: Senate (49 members) House (98 members) Session: Annual, approximately January – April (odd years), approximately January – March (even years) Estimated no. of bills in 2011: 2,800	Department of Transportation	Washington State Department of Transportation (WSDOT) FTE: 7,329 Leadership: Secretary; [Commission] Organizational structure: Mainly by function and region
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 174,723 (2009); bridges: 7,755 (2010); toll bridges and tunnels: 1, plus 2 shared with Oregon (2009)
Transit	Trips per year (all transit modes): Approximately 238.9 million (2008)
Rail	Freight rail route-miles: 3,209 (2008)
Aviation	Airports (total): 546; public-use: 136; state-owned: 17 (2008) Enplanements per year: 17,680,430 (2009)
Marine	Port traffic per year (20-foot equivalent units): 2,397,395, plus 128 shared with Idaho and Oregon (2009); waterborne tonnage per year: 107.0 million (2009); state-operated ferries: 11 (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, extensive. There is regular interaction between WSDOT executive management and legislative transportation leadership—weekly during the legislative session—on transportation policy and budgetary matters. Significant and consistent interaction occurs at the staff level as well. WSDOT testifies before committees on relevant issues and can request legislation through the governor’s office. WSDOT employs a dedicated state liaison.

DOT Leadership Appointments and Requirements

The secretary of transportation is appointed by the governor, with the advice and consent of the Senate, and serves at the pleasure of the governor (Wash. Rev. Code Ann. §47.01.041). The seven voting members of the Transportation Commission are appointed to staggered six-year terms by the governor, with the consent of the Senate and within statutory requirements for residency and geographic representation and that commissioners should reflect a “wide range of transportation interests.” No elective state official, state officer or state employee may be a member of the commission. Commissioners may be removed by the governor for cause. The governor or designee serves as a nonvoting member and the secretary of transportation as an ex officio member (Wash. Rev. Code Ann. §47.01.051). Since 2005, the Transportation Commission has been separate from, and no longer has direct oversight of, WSDOT; WSDOT now reports to the secretary of transportation (2005 Wash. Laws, Chap. 319). The Transportation Commission’s roles and responsibilities were further revised in 2006 (2006 Wash. Laws, Chap. 334).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by one or more legislative committees; interim charges; legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information. Statute requires the Office of Financial Management to submit a report every two years on the progress of state transportation agencies toward policy goals and objectives prescribed by statute, appropriation and governor directive.
Legislative Program Evaluation Office	Joint Legislative Audit and Review Committee. Both this committee and the state auditor (a separately elected official) periodically conduct audits—including performance audits—of WSDOT programs and activities. The interim Joint Transportation Committee also conducts a number of studies and evaluations of WSDOT expenditures and activities. The 2003 and 2005 funding packages included performance audits of state transportation agencies and other accountability measures. In addition, from 2003 to 2006, the state had a legislatively created, separate transportation audit unit, the Transportation Performance Audit Board (repealed by 2006 Wash. Laws, Chap. 334).
Sunset Review	The state conducts sunset reviews, but not of WSDOT.

Legislation and Regulation

Transportation Governance Statutes	Wash. Rev. Code Ann. ch. 47.01, §47.04.280, §47.56.030 and §47.56.850
Administrative Rules Review	Legislative review of proposed and enacted rules by a joint bipartisan committee; committee role is mainly advisory.

Transportation Planning and Capital Program Management

Transportation Planning Process	Both WSDOT and the Transportation Commission have planning roles. The commission conducts statewide and general planning activities whereas WSDOT is charged with program-level planning. In general, WSDOT is responsible for project identification and prioritization. The governor's office also plays a significant role in identifying, selecting and prioritizing projects, through submitting the executive branch budget proposal and being a part of legislative budget negotiations. MPOs, transit agencies, port authorities and local governments play a minor role in state projects—mainly through lobbying—but are solely responsible for programming local funds. The Legislature approves the budget and also selects, approves and funds projects at the project level.
Legislative Role in Transportation Planning	Historically, WSDOT had considerable discretion over how the capital budget was spent. In 2003 and 2005, the Legislature enacted motor fuel tax and other fee increases and a bond authorization, and earmarked much of the new funding for specific projects. WSDOT may shift funding between earmarked projects but must request approval for any changes through the governor's budget office. This process includes review by legislative staff. The Legislature also approves the overall WSDOT budget. In recent years, WSDOT has sometimes sought input from the Transportation Committee chairs before deciding how to allocate certain federal funds for capital purposes.

Funding and Finance

Budgeting and Appropriations	Biennial enactment of one 24-month budget; fiscal year begins July 1.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing. Much of the revenue in the enacted 2003 and 2005 funding packages was used to support bonding to accelerate project construction. Pre-existing revenue streams, however, are mainly used for pay-as-you-go and operations.
State-Level Funding Provided for DOT Budgets	2010 to 2011 biennium (approved): \$4.7 billion 2008 to 2009 biennium: \$4.0 billion
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated to WSDOT mainly as a state legislative appropriation at the program or category level. If federal funding is received for operating purposes and is outside current appropriation authority, WSDOT must seek approval through the governor's budget office using the "unanticipated receipts" process, which includes feedback from legislative staff. Some funds flow directly to WSDOT from the U.S. DOT with no state legislative involvement.
Allocation of State Transportation Funds to the DOT	State transportation funds are allocated to WSDOT through state legislative appropriation at the program or category level and some project-specific earmarks.
Traditional State Funding and Finance for Highways	Fuel taxes; vehicle registration/license/title fees; truck weight fees; tolls; interest income; sale of WSDOT property and other business-related revenues; general obligation bonds.
State Funding and Finance for Other Modes	Rail and transit: Motor vehicle/rental car sales taxes; vehicle registration/license/title fees; interest income; passenger vehicle weight fees, penalty fees, plate number retention fees and filing fees. The state does not directly participate in transit, but makes grants to local entities and provides coordination. Aviation: Aircraft excise tax; aircraft dealer license fees; aircraft fuel tax; aircraft registration fees. Bridges: included with highways. Ferries: Same as for highways, plus ferry fares.
Innovative Transportation Funding and Finance	GARVEE bonds (authorized per Wash. Rev. Code Ann. §47.29.060, subject to further legislative authorization and appropriation); Build America Bonds; state infrastructure bank (federally capitalized); congestion variable tolling; photo tolling (beginning 2011); PPPs (authorized in statute with legislative approval requirements); design-build (authorized in statute, used as a component of several projects); advance construction. Traffic camera fees and impact fees are used only at the local level (Wash. Rev. Code Ann. §39.92.040 and §46.63.170). Washington also has a state-funded rail bank, capitalized at a rate of \$2.5 million per year. To date, the rail bank has been used more than the state infrastructure bank.

Washington

Dedicated/Restricted State Funds and Revenues	The state constitution requires vehicle license fees and fuel taxes to be used exclusively for highway purposes (Wash. Const. art. II, §40). Vehicle sales taxes, rental car sales taxes, and passenger vehicle and motor home weight fees are deposited to the multimodal transportation account and must be used for transportation purposes; in addition, other vehicle-related fees can be used for non-highway transportation purposes if state law makes it clear that they are not vehicle license fees (Wash. Rev. Code Ann. §46.68.415, §47.66.070 and §82.08.020). Ferry fares must be used to maintain and operate state ferries (Wash. Rev. Code Ann. §47.60.530). Revenues associated with the 2003 and 2005 funding packages are deposited into dedicated accounts for funding the projects identified in those packages. Tolls must be used for the facility from which they were collected, and general obligation bonds must be used for the projects for which they were approved.
DOT Authorized to Retain Surplus Funds	WSDOT is not authorized to retain excess funds (i.e., unspent appropriation authority), which then remain within the funds and become part of balances going forward. Every fiscal biennium, WSDOT must seek new expenditure authority for unfinished projects or activities.
Legislative Approval Required to Move Funds Between Projects	Yes. Section 603 of the budget (2009 Wash. Laws, Chap. 470) provides a process for WSDOT to request fund transfers between projects that received funds as part of the 2003 and 2005 funding packages, and limitations on such transfers. The Office of Financial Management reviews WSDOT requests with the legislative staff of the House and Senate Transportation Committees.
Transportation Funding Allocations through Local Aid	Transportation funds are allocated to local entities by state legislative appropriation, WSDOT allocation by formula and WSDOT discretion. A portion of certain transportation revenues is distributed to cities and counties by statutory formulas. For cities, the formula is based on population only and for counties it is based on population, road costs and money need (Wash. Rev. Code Ann. §46.68.110 and §§46.68.120 et seq.). WSDOT awards certain public transportation grants through the regional mobility grant program—which receives funds from the multimodal transportation account, subject to appropriation—for cost-effective transportation projects that reduce delay and improve connectivity (Wash. Rev. Code Ann. §47.66.030 and §46.68.320). WSDOT also can make grants or loans to municipalities or tribal governments for aviation purposes, out of legislative appropriations made for that purpose (Wash. Rev. Code Ann. §47.68.090).

Organizational Facts

Legislature	West Virginia Legislature Structure: Bicameral, partisan Chambers: Senate (34 members) House of Delegates (100 members) Session: Annual, approximately January – March Estimated no. of bills in 2011: 2,550	Department of Transportation	West Virginia Department of Transportation (WVDOT) FTE: Approximately 5,500 Leadership: Secretary (WVDOT); Commissioner (Division of Highways) Organizational structure: Mainly by transportation mode
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 79,452 (2009); miles of tolled roadway: 87 (2009); bridges: 7,069 (2010); toll bridges and tunnels: 2 shared with Ohio (2009)
Transit	Trips per year (all transit modes): Approximately 4.5 million (2008)
Rail	Freight rail route-miles: 2,232 (2008)
Aviation	Airports (total): 31; public-use: 31; state-owned: 0 (2008) Enplanements per year: 377,338 (2009)
Marine	Waterborne tonnage per year: 58.1 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal, mainly through DOT management. Communication between the Legislature and WVDOT is generally through management, with all written correspondence signed by the commissioner of highways or the assistant commissioner. WVDOT employs a dedicated legislative liaison and during the legislative session, communication is through the legislative liaison, the state highway engineer, the commissioner of highways and the assistant commissioner. When the Division of Highways does not support a piece of legislation, it informs the full committee, the committee chair or the sponsor and offers to assist with rewrites. WVDOT drafts bills for consideration by the Legislature.

DOT Leadership Appointments and Requirements

The secretary of transportation is appointed by the governor, with the advice and consent of the Senate, and serves at the will and pleasure of the governor (W. Va. Code §5F-1-2). The commissioner of highways is appointed by the governor, by and with the advice and consent of the Senate, within broad statutory guidelines for experience and qualifications (W. Va. Code §17-2A-2).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by one or more legislative committees; interim charges; legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information. WVDOT submits monthly reports to the Legislature. The Legislature conducts an annual independent financial audit of WVDOT. The next performance review by the Legislative Auditor's Office is scheduled for 2013.
Legislative Program Evaluation Office	Legislative Auditor's Office—Performance Evaluation and Research Division
Sunset Review	The Joint Committee on Government Operations and the Joint Standing Committee on Government Organization conduct scheduled agency reviews or authorize the Performance Evaluation and Research Division of the Legislative Auditor to do so. As a result of a review, the committees may vote on whether an agency should be continued, consolidated or terminated (W. Va. Code §§4-10-1 et seq.). This is not a true sunset, however, because the statutes do not automatically repeal if there is no action of the Legislature. WVDOT will undergo a review in 2013 and must subsequently be reviewed at least every six years.

Legislation and Regulation

Transportation Governance Statutes	W. Va. Code §5F-1-2; W. Va. Code §17-2A-2
Administrative Rules Review	Legislative review of proposed and existing rules by a joint bipartisan committee; committee role is mainly advisory.

West Virginia

Transportation Planning and Capital Program Management

Transportation Planning Process	WVDOT is primarily responsible for creating the statewide, long-term transportation plan. WVDOT works with MPOs to identify projects and programs, as funding allows. MPOs provide and approve projects for the Statewide Transportation Improvement Program (STIP), with the governor's office providing input when appropriate. A public comment period is provided for each project. WVDOT has final approval of the state's transportation plan.
Legislative Role in Transportation Planning	The Legislature's input is received in the public comment process, and members are provided with lists of projects scheduled in their districts. In some cases, the Legislature may designate specific projects in the language of the budget bill or specifically indicate a project as a line item. The Legislature also appropriates the State Road Fund in the annual budget, but appropriations are based on revenue estimates for the budget year rather than on project priorities.

Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing. The outstanding principal for general obligation bonds was \$339.5 million as of June 2010.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$1.4 billion FY 2010: \$1.4 billion FY 2009: \$1.2 billion FY 2008: \$1.1 billion
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds are allocated to WVDOT as a state legislative appropriation at the agency level.
Allocation of State Transportation Funds to the DOT	As with federal funds, state transportation funds are allocated to WVDOT as a state legislative appropriation at the agency level.
Traditional State Funding and Finance for Highways	Fuel taxes; additional sales taxes on gasoline or diesel; motor vehicle/rental car sales taxes; vehicle registration/license/title fees; highway litter control fund; general obligation bonds.
State Funding and Finance for Other Modes	Transit, rail, aviation and ports: General funds. These funds must be appropriated by the Legislature in the annual budget bill, which gives the authority to the agency to spend the appropriation (see W. Va. Code ch. 12). Bridges: Included with highways.
Innovative Transportation Funding and Finance	GARVEE bonds; PPPs (authorized in statute with legislative approval requirements, used for at least one project prior to enactment of current requirements); design-build (authorized in statute); impact fees.
Dedicated/Restricted State Funds and Revenues	The state constitution restricts use of all revenues derived from motor vehicles or motor fuels solely to public highways (W. Va. Const. art. VI, §52). Use of the State Road Fund—to which such revenues are deposited—is statutorily restricted to state roads and WVDOT administration (W. Va. Code §§17-3-1 et seq.).
DOT Authorized to Retain Surplus Funds	Surplus funds are retained by WVDOT in the State Road Fund without restrictions. Although the cash balance is retained at the end of the fiscal year, WVDOT must adhere to the appropriations for the new fiscal year. Thus, in order for surplus funds to be spent beyond an existing appropriation, WVDOT must request additional spending authority from the Legislature.
Legislative Approval Required to Move Funds Between Projects	Yes. Expenditure schedules must be amended with the Budget Office of Administration and the Legislative Auditor.
Transportation Funding Allocations through Local Aid	Available funds are allocated by the commissioner of highways to counties for maintenance, construction and reconstruction of feeder and state local service roads. Funds are distributed by statutory formulas based on road mileage. The commissioner can require local matching funds (W. Va. Code §§17-3-6 et seq.).

Organizational Facts

Legislature	Wisconsin Legislature Structure: Bicameral, partisan Chambers: Senate (33 members) Assembly (99 members) Session: Annual, year-round Estimated no. of bills in 2011: 1,250	Department of Transportation	Wisconsin Department of Transportation (WisDOT) FTE: 3,544 Leadership: Secretary Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 231,264 (2009); bridges: 13,982 (2010)
Transit	Trips per year (all transit modes): Approximately 80.1 million (2008)
Rail	Freight rail route-miles: 3,503 (2008)
Aviation	Airports (total): 706; public-use: 131; state-owned: 0 (2008) Enplanements per year: 5,497,640 (2009)
Marine	Waterborne tonnage per year: 30.6 million (2009)

Legislative-DOT Collaboration and Communication

Formal and informal. The executive assistant—one of three leadership positions in the Office of the Secretary—oversees all legislative and communication activities for WisDOT. The executive assistant regularly interacts with legislators and chairs WisDOT’s Legislative Committee, which meets regularly to discuss pending legislation. It is common for other WisDOT staff members, particularly those in WisDOT regional offices, to meet with local legislators over the course of the year. WisDOT staff regularly testify at hearings and committee meetings on legislation affecting the department, and can influence transportation-related legislation through the biennial budget process. WisDOT also typically develops policy and fiscal notes on pending legislation.

DOT Leadership Appointments and Requirements

The secretary of transportation is nominated by the governor, and with the advice and consent of the Senate appointed, to serve at the pleasure of the governor (Wis. Stat. Ann. §15.05).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); legislative program reviews or performance audits; reporting requirements; legislative requests for information. The secretaries of state agencies are required to submit to the governor and to the Legislature a report on the performance and operations of the agency during the preceding biennium, and its goals and objectives for the program budget report (Wis. Stat. Ann. §15.04). Occasionally, the Legislature will establish special committees to review special topics, such as the Joint Committee on Transportation Needs and Financing in 2006.
Legislative Program Evaluation Office	Program Evaluation Division, Legislative Audit Bureau. WisDOT is subject to annual financial audits and periodic programmatic audits by the Program Evaluation Division; the division is not, however, required to conduct regular programmatic audits of WisDOT.
Sunset Review	Sunset clauses have been enacted only for selected programs or legislation, not for WisDOT per se.

Legislation and Regulation

Transportation Governance Statutes	Wis. Stat. Ann. §13.489; Wis. Stat. Ann. §§15.46 et seq.; Wis. Stat. Ann. §20.395; Wis. Stat. Ann. ch. 8, ch. 82 to 86, ch. 110, ch. 114, ch. 189, ch. 190, ch. 191, ch. 192, ch. 194, ch. 218, ch. 237, ch. 340 to 349, ch. 351 and ch. 429
Administrative Rules Review	Legislative review by proposed and existing rules by a joint bipartisan standing committee; committee may suspend rule; no objection constitutes approval of proposed rule.

Wisconsin

Transportation Planning and Capital Program Management

Transportation Planning Process	WisDOT is responsible for both short- and long-term multimodal planning. Project identification is an iterative process that begins with a needs analysis completed by the central WisDOT office. WisDOT regional planning sections review the analysis and develop a range of alternatives. “Backbone” projects are ranked using a comprehensive prioritization process focused on safety and life-cycle cost estimates. These projects are approved by a statewide peer review process. In this process, WisDOT works closely with MPOs to coordinate transportation planning in metropolitan areas. Significant capacity expansion projects have an added layer of analysis, identified in the state administrative code, and require legislative approval.
Legislative Role in Transportation Planning	The main role of the Legislature is to review and approve study and construction projects that require significant capacity expansion, per Wis. Stat. Ann. §13.489. The review is performed largely by the Transportation Projects Commission with recommendations from WisDOT. The commission is a governor-led joint legislative body composed of legislators and three citizen members; the secretary of transportation is a nonvoting member. Projects then are approved by the full Legislature. The Legislature also approves overall funding levels in the biennial budget process.

Funding and Finance

Budgeting and Appropriations	Biennial enactment of two 12-month budgets; fiscal year begins July 1. WisDOT submits biennial budget requests for approval by the Legislature.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing. Bonds are used for state highways, passenger and freight rail, and harbor improvements.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$2.1 billion FY 2010: \$1.8 billion FY 2009: \$1.8 billion FY 2008: \$1.6 billion
Allocation of Federal Transportation Funds to the DOT	Federal airport, transit and traffic safety funds are allocated by a state legislative appropriation at the program level, but with little legislative input. Federal highway funds are allocated among several programs by legislative appropriation, based on an estimate of the total amount that will be received. If the amount received differs from the estimates by more than 5 percent, WisDOT must submit a plan to the Legislature’s Joint Committee on Finance to adjust the appropriations accordingly; the committee may approve or modify the plan. WisDOT makes administrative adjustments for any difference under the 5 percent threshold.
Allocation of State Transportation Funds to the DOT	State transportation funds are allocated to WisDOT through a state legislative appropriation at the program or category level. WisDOT generally has spending discretion within broad categories (state highway rehabilitation, major highway development, airport improvement, etc.), each of which has its own appropriation. With a few minor exceptions, there are no automatic or formula-based appropriations of state funds to transportation programs.
Traditional State Funding and Finance for Highways	Fuel taxes; vehicle registration/license/title fees; truck weight fees; interest income; general obligation bonds; revenue bonds. Because Wisconsin uses a comprehensive, multimodal transportation fund, highways also are funded by other sources including railroad and airline taxes. As of April 2011, the transportation fund was receiving a few specific, limited annual transfers from the general fund. As a rule, however, state general funds have not been used for transportation purposes in recent years.
State Funding and Finance for Other Modes	Wisconsin uses a comprehensive, multimodal transportation fund, so all modes are funded by traditional road user fees and taxes as well as other sources of income such as railroad and airline taxes.
Innovative Transportation Funding and Finance	Build America Bonds; state infrastructure bank (federally capitalized); PPPs (authorized in statute); design-build (authorized in statute for bridge projects); advance construction. The state infrastructure bank as well as PPP and design-build authorizations are quite limited and have not been widely used.

<p>Dedicated/Restricted State Funds and Revenues</p>	<p>Fuel tax and other transportation-related revenues are deposited into a comprehensive, multimodal trust fund, the Transportation Fund. Use of the fund is restricted by statute to certain transportation purposes such as highways, airports, harbors, ferries, railroads, and bicycle or pedestrian facilities; this law also prohibits money deposited to the fund from being transferred to other funds or accounts (Wis. Stat. Ann. §25.40). This, however, has not prevented the state from adopting budget management measures over the past several years that use transportation revenues to support the general fund. Transfers to the general fund have been partially, but not entirely, repaid with use of general fund-supported bonds. In the fall of 2010, voters in 54 Wisconsin counties approved county-level referenda advising the Legislature to amend the state constitution so as to prohibit any further transfers or lapses from the segregated transportation fund; voters approved the measure in all counties that qualified it. These referenda, however, are not binding.</p>
<p>DOT Authorized to Retain Surplus Funds</p>	<p>Within most capital improvement and maintenance programs, WisDOT retains appropriated but unobligated funds from year to year. Excess fund revenues are not available for expenditure, however, unless appropriated by the Legislature. For administrative functions, unspent funds lapse to the transportation fund at the end of the fiscal year.</p>
<p>Legislative Approval Required to Move Funds Between Projects</p>	<p>Yes and no. WisDOT cannot move funds between broad appropriation categories without legislative approval. Within those categories, however, WisDOT has discretion to move funds between projects.</p>
<p>Transportation Funding Allocations through Local Aid</p>	<p>The state has several local aid programs, some of which use statutory formulas, some of which use WisDOT formulas, and some of which are discretionary. Most local aid programs for roads, bridges and transit are distributed through statutory formulas (Wis. Stat. Ann. §85.20, §86.30 and §86.31). Federal highway aid is distributed to local governments using formulas developed by WisDOT. Smaller amounts are distributed to certain projects (airports, transportation enhancements, etc.) on a discretionary basis. Although the state does not use the general fund for transportation as a rule, significant general aid is provided to local governments from the general fund and likely has the effect of supporting local transportation expenditures.</p>

Wyoming

Organizational Facts

Legislature	Wyoming Legislature Structure: Bicameral, partisan Chambers: Senate (30 members) House (60 members) Session: Annual, approximately January – March (odd years), approximately February – March (even years) Estimated no. of bills in 2011: 500	Department of Transportation	Wyoming Department of Transportation (WYDOT) FTE: Approximately 2,000 Leadership: Commission; Director Organizational structure: Mainly by functional activity
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 58,387 (2009); bridges: 3,060 (2010)
Transit	Trips per year (all transit modes): Approximately 0.4 million (2008)
Rail	Freight rail route-miles: 1,860 (2008)
Aviation	Airports (total): 120; public-use: 42; state-owned: 0 (2008) Enplanements per year: 483,745 (2009)

Legislative-DOT Collaboration and Communication

Formal and informal. WYDOT and the Legislature interact face-to-face and through issue-specific materials provided at the request of the Legislature or on WYDOT's initiative. WYDOT's executive team works closely with the Legislature during the legislative session and with the Joint Transportation, Highways and Military Affairs Committee during the interim. WYDOT is generally given one full day to present its concerns and issues at each of three committee meetings. Between committee meetings, the state's legislative attorneys work directly with WYDOT to draft and prepare legislation for the committee to consider. Typically, WYDOT personnel are given the opportunity to comment and suggest revisions to legislative drafts before those drafts are presented to the committee. WYDOT is also given the opportunity to suggest topics for the committee to consider and study during its interim work. WYDOT employs a dedicated legislative coordinator.

DOT Leadership Appointments and Requirements

The seven members of the Transportation Commission are appointed to six-year terms by the governor, by and with the advice and consent of the Senate and within statutory requirements for party affiliation and geographic representation (Wyo. Stat. §24-2-101). The director of WYDOT is nominated by the Transportation Commission—which must submit a minimum of three names of qualified candidates—and appointed by the governor (Wyo. Stat. §24-2-105). A commissioner or the director may be removed at the governor's pleasure (Wyo. Stat. §9-1-202).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); interim charges; legislative program reviews or performance audits; legislative review of non-legislative program reviews or performance audits; reporting requirements; legislative requests for information. Oral and written reports to the Joint Transportation, Highways and Military Affairs Committee typically are used to monitor and evaluate performance.
Legislative Program Evaluation Office	Program Evaluation Section, Legislative Service Office
Sunset Review	No sunset reviews of state agencies.

Legislation and Regulation

Transportation Governance Statutes	Wyo. Stat. tit. 24
Administrative Rules Review	Executive and legislative review of existing rules; legislative review by joint bipartisan committee; committee role is mainly advisory; no legislative objection constitutes approval of proposed rule; full Legislature may suspend a rule by a legislative order adopted by both houses.

Transportation Planning and Capital Program Management

Transportation Planning Process	WYDOT under the direction of the Transportation Commission is responsible for determining priorities for highway improvements and maintenance, highway safety programs and rural mass transit programs. WYDOT—working with local governments, the Transportation Commission, various stakeholders and the public—takes the lead in a planning process that emphasizes public involvement and interaction with local officials. WYDOT undertakes project identification, selection and prioritization. Identified and programmed projects are presented to and finally approved by the Transportation Commission annually. The resulting document is the six-year State Transportation Improvement Program (STIP). Local entities select projects in cities, towns and counties that are not on the state highway system.
Legislative Role in Transportation Planning	The Legislature, by and large, has remained in the mode of assessing needs and providing funding through the budget process. It has refrained from large-scale earmarking or prioritizing projects. The Legislature can provide special appropriations for promoting types of projects, but the constitution limits the Legislature’s ability to provide special funding for individual projects (Wyo. Const. §97-3-027).

Funding and Finance

Budgeting and Appropriations	Biennial enactment of one 24-month budget; fiscal year begins July 1.
Bonding or Pay-as-You-Go	The state uses pay-as-you-go financing and does not have state bonding authority.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$284 million FY 2010: \$331 million FY 2009: \$404 million FY 2008: \$360 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds flow directly to WYDOT from the U.S. DOT with no state legislative involvement.
Allocation of State Transportation Funds to the DOT	Highway user tax and fee revenues flow directly to WYDOT with no state legislative involvement. The Legislature may also make appropriations for transportation each biennium.
Traditional State Funding and Finance for Highways	Fuel taxes; vehicle registration/license/title fees; truck weight fees; general funds; interest income; state-distributed mineral royalties and mineral severance taxes.
State Funding and Finance for Other Modes	Transit: General funds; interest income; state-distributed mineral royalties and mineral severance taxes. Rail: None. Aviation: General fund appropriations; state-distributed mineral royalties and mineral severance taxes. Bridges: Funded by the same sources as highways.
Innovative Transportation Funding and Finance	State infrastructure bank (federally capitalized); design-build (authorized in statute); container fees; advance construction.
Dedicated/Restricted State Funds and Revenues	The state constitution restricts use of proceeds from state or local taxes or other charges on registration, operation or use of vehicles on public highways or on vehicle fuels to the costs of administering such laws; statutory refunds and adjustments; payment of highway obligations; costs for construction, reconstruction, maintenance and repair of public highways, county roads, bridges, and streets, alleys and bridges in cities and towns; and expense of enforcing state traffic laws (Wyo. Const. §97-15-016). State statute directs WYDOT to fund the public mass transit account with a portion of unrestricted state highway funds (Wyo. Stat. §24-15-102). General fund appropriations must be used for the specific purposes set by the Legislature.
DOT Authorized to Retain Surplus Funds	Yes. WYDOT is authorized to retain excess funds except in the case of legislatively appropriated general funds not spent or obligated by the end of each biennium.
Legislative Approval Required to Move Funds Between Projects	No legislative approval required.
Transportation Funding Allocations through Local Aid	The Legislature has appropriated funds for city, county and industrial road improvements, airport improvements, rural transit and the purchase of certain pavement materials. WYDOT and the Transportation Commission have earmarked funds for urban, local and county projects. State statutes specify amounts to be provided by WYDOT each biennium for the Industrial Road Program (Wyo. Stat. §24-5-118) and public transit program (Wyo. Stat. §24-15-102).

District of Columbia

Organizational Facts

Legislature	Council of the District of Columbia Structure: Unicameral, partisan Chamber: Council (13 members) Session: Annual, year-round Estimated no. of bills in 2011: 1,300	Department of Transportation	District of Columbia Department of Transportation (DDOT) FTE: Approximately 1,100 Leadership: Director* Organizational structure: (No data) <i>*The deputy mayor for planning and economic development and the chair of the Committee on Public Works and Transportation also exercise leadership on some decisions.</i>
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 3,532 (2008); bridges: 243 (2010)
Transit	Trips per year (all transit modes): Approximately 425.2 million (2008)
Rail	Freight rail route-miles: 23 (2008)
Aviation	Enplanements: 3 (2009)* <i>*This data is only for the Washington metropolitan area general aviation airport. Enplanements at commercial airports in the D.C. area are counted under Maryland and Virginia, where those airports are located.</i>
Marine	Waterborne tonnage per year: 119,000 (2009)

Legislative-DOT Collaboration and Communication

Formal and informal. The Council's Committee on Public Works and Transportation holds oversight hearings on DDOT policies and programs as required throughout the year, in addition to one annual performance oversight hearing and one annual budget oversight hearing. The DDOT director usually testifies at these hearings. The DDOT director or relevant staff also are invited to testify before the committee when transportation-related legislation is under consideration. DDOT submits legislative proposals through the mayor. DDOT employs dedicated legislative liaisons. Individual councilmembers are in contact with the DDOT director and legislative liaisons on various projects, and committee staff and DDOT staff communicate daily about specific issues.

DOT Leadership Appointments and Requirements

The DDOT director is appointed by the mayor, with the advice and consent of the Council (D.C. Code Ann. §50-921.02).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	Ongoing oversight by legislative committee(s) or commission(s); legislative program reviews or performance audits; reporting requirements; legislative requests for information.
Program Evaluation	The Council receives occasional audit reports from the Auditor of the District of Columbia as well as regular audit reports on the State Highway Trust Fund from the Inspector General.
Sunset Review	DDOT is not subject to sunset review.

Legislation and Regulation

Transportation Governance Statutes	D.C. Code Ann. §§50-921.01 et seq. DDOT is also subject to budgetary provisions of the District's Home Rule Charter.
Administrative Rules Review	(No data)

Transportation Planning and Capital Program Management

Transportation Planning Process	DDOT leads the process of project identification, development and transportation plan approval. All projects must be consistent with the District's Comprehensive Development Plan and the Statewide Transportation Improvement Plan (STIP). Though DDOT is required to participate in the MPO process, the District acts as both the state and the city.
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District of Columbia

Legislative Role in Transportation Planning	Councilmembers talk to the mayor and the DDOT director about project priorities before and during the annual budget process. The Council reviews the proposed transportation budget as part of the annual budget formulation before submitting it to Congress. Plans for some projects must be approved by the Council due to individual legislative requirements. DDOT is considering submitting certain transportation plans to the Council for endorsement.
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Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins October 1. The Council reviews the proposed transportation budget that is formally submitted by the mayor as part of the annual budget formulation, then submits it to Congress.
Bonding or Pay-as-You-Go	Combination of bonding and pay-as-you-go financing.
District Funding Provided for DOT Budgets	FY 2011 (approved): \$649 million FY 2010: \$570 million FY 2009: \$557 million FY 2008: \$535 million
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds flow directly to DDOT from the U.S. DOT with no Council involvement.
Allocation of State Transportation Funds to the DOT	District transportation funds flow directly from the revenue source to DDOT or are allocated by Council appropriation at the program/category or project-specific level.
Traditional State Funding and Finance for Highways	Fuel taxes; general funds; interest income; master equipment lease/short-term borrowing; rights-of-way revenue; public space revenue; parking meter revenues; general obligation bonds.
State Funding and Finance for Other Modes	Transit: General funds; general obligation bonds; parking meter revenues.
Innovative Transportation Funding and Finance	GARVEE bonds; PPPs (used for at least one street maintenance project); design-build (used as a component of at least one transit project). As of late 2010, the District was planning to issue \$100 million in GARVEE bonds for a transportation project.
Dedicated/Restricted State Funds and Revenues	Fuel tax receipts are deposited into the Highway Trust Fund; excess funds from the Highway Trust Fund and other dedicated revenues flow into the Transportation Unified Fund, use of which is generally restricted by statute to multimodal transportation purposes. A certain amount from the Unified Fund, however, also is transferred annually to the general fund (D.C. Code Ann. §9-111.01 and §50-921.11).
DOT Authorized to Retain Surplus Funds	Yes. Excess funds can be held by DDOT and, as part of the budgeting process, a prospective is presented to the various approval entities—including Congress—to reflect the prior budget year, current year and subsequent five years of the fund's use and balance projections.
Legislative Approval Required to Move Funds Between Projects	Yes. DDOT must follow the District's budget reprogramming laws to move funds between projects.
Transportation Funding Allocations through Local Aid	N/A

Puerto Rico

Organizational Facts

Legislature	Puerto Rico Legislative Assembly (<i>Asamblea Legislativa de Puerto Rico</i>) Structure: Bicameral, partisan Chambers: Senate (31 members) House (54 members) Session: Annual, approximately January – June and September – November; only January – June every fourth year Estimated no. of bills in 2011: 6,000	Department of Transportation	Puerto Rico Department of Transportation and Public Works (<i>Departamento de Transportación y Obras Públicas</i>) (DTOP)* FTE: (No data) Leadership: Secretary; Board (advisory only) Organizational structure: Mainly by mode *The DTOP is an umbrella organization that coordinates activities between the Highway and Transportation Authority (Autoridad de Carreteras y Transportación or ACT), the Metropolitan Bus Authority (Autoridad Metropolitana de Autobuses or AMA) and the Maritime Transportation Authority (Autoridad de Transporte Marítimo or ATM).
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Statewide Transportation System Statistics

Roads and bridges	Total highway, road and street lane miles: 35,016 (2009); miles of tolled roadway: 208 (2009); bridges: 2,201 (2010); toll bridges and tunnels: 1 (2009)
Transit	Trips per year (all transit modes): Approximately 56.5 million (2008)
Rail	Freight rail route-miles: (2008)
Aviation	Airports (total): 10 (2008) Enplanements per year: 4,459,086 (2009)
Marine	Port traffic per year (20-foot equivalent units): 818,047 (2009); waterborne tonnage per year: 22.2 million (2009); Puerto Rico-operated ferries: 4 (2009)

Legislative-DOT Collaboration and Communication

(No data)

DOT Leadership Appointments and Requirements

The secretary of transportation and public works is appointed by the governor with the advice and consent of the Senate (P.R. Const. art. IV, §5). The governor can remove any officer whom he or she may appoint, except those whose removal is otherwise provided for by the constitution (3 L.P.R.A. §6). The two citizen members of the Advisory Board on Transportation are appointed to staggered four-year terms by the governor, within statutory requirements that they be “related to the transportation system in Puerto Rico,” have satisfactory knowledge in the area of transportation and have an “excellent reputation in the Puerto Rican community.” These members may be removed from office by the governor for negligence in the performance of duties, immoral conduct or other reasonable cause, after due notice and hearing. The other members of the board are the secretary of transportation and public works, the director of the Puerto Rico Office of Energy, the police superintendent, the chair of the Puerto Rico Public Service Commission and the chair of the Puerto Rico Planning Board (9 L.P.R.A. §3153).

Other Legislative Oversight of the DOT

Legislative Oversight Mechanisms	The Treasury and Financial Affairs Commission holds quarterly public hearings on financial aspects and budgets of key agencies.
Program Evaluation	(No data)
Sunset Review	(No data)

Legislation and Regulation

Transportation Governance Statutes	L.P.R.A. tit. 9
Administrative Rules Review	No formal review process.

Transportation Planning and Capital Program Management

Transportation Planning Process	Investments are made in accordance with the priorities of the DTOP and municipalities. The Legislative Assembly evaluates the DTOP's programmatic commitments, priorities and spending levels for urgent needs.
Legislative Role in Transportation Planning	The Legislative Assembly plays an important role in determining spending levels for urgent needs.

Funding and Finance

Budgeting and Appropriations	Annual budget; fiscal year begins July 1.
Bonding or Pay-as-You-Go	Puerto Rico primarily uses bonding authority.
State-Level Funding Provided for DOT Budgets	FY 2011 (approved): \$416.9 million* FY 2010: \$327.1 million* FY 2009: \$482.7 million* FY 2008: \$496.8 million* <i>*These amounts are for the Highway and Transportation Authority only. The authority operates and maintains toll roads, connecting roads, free expressways and the Tren Urbano rapid transit system. It also operates bus service in San Juan through private operators.</i>
Allocation of Federal Transportation Funds to the DOT	Federal transportation funds flow directly to the DTOP from the U.S. DOT with no legislative involvement.
Allocation of State Transportation Funds to the DOT	State transportation funds are allocated to the DTOP through a legislative appropriation at agency, program/category and project-specific levels. The Legislative Assembly approves the agency's operating budget; the budget capital improvements budget contains general obligations for specific projects.
Traditional State Funding and Finance for Highways	Fuel taxes; additional sales taxes on gasoline or diesel; vehicle registration/license/title fees; tolls; interest income; excise taxes on petroleum products; revenue bonds.
State Funding and Finance for Other Modes	Transit and rail: Funded by the same sources as highways, plus fares. Bridges: Funded by the same sources as highways.
Innovative Transportation Funding and Finance	GARVEE bonds; federal credit assistance (TIFIA); state infrastructure bank (federally capitalized); PPPs (authorized in statute, with legislative approval required only to convert an existing facility to a privately operated toll road); design-build (authorized in statute).
Dedicated/Restricted State Funds and Revenues	All money of the Highway and Transportation Authority must be deposited into a separate account or accounts in the name of the authority, and all disbursements must be made pursuant to regulations and budgets approved by the authority (9 L.P.R.A. §2008). Toll revenues must be used to secure debt service; excess revenues can be used for operations.
DOT Authorized to Retain Surplus Funds	A surplus of non-federal funds for the DTOP rarely occurs and would be a general fund surplus. Excess federal funds are returned to the U.S. DOT or might be reassigned if authorized by the federal government.
Legislative Approval Required to Move Funds Between Projects	Legislative approval is required to move general obligation capital improvement funds to another projects, but not for DTOP operating funds.
Transportation Funding Allocations through Local Aid	Non-federal and federal funds are allocated to local agencies through legislative appropriations and by DTOP allocations of funds within existing statutory requirements.