

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 473 be amended to read as follows:

- 1           Page 3, line 4, after "(C)" insert "**subject to subdivision (4)**".
- 2           Page 3, between lines 14 and 15, begin a new line block indented
- 3           and insert:
- 4           **"(4) Approve the location of a tollway as part of a project that**
- 5           **is located within a metropolitan planning area (as defined by**
- 6           **23 U.S.C. 134) and that connects the state of Indiana with the**
- 7           **commonwealth of Kentucky, other than the East End Ohio**
- 8           **River Bridge linking Charlestown, Indiana, to the eastern**
- 9           **suburbs of Louisville, Kentucky."**
- 10          Page 3, line 30, after "or" insert "**, subject to subsection (d)**".
- 11          Page 4, between lines 10 and 11, begin a new paragraph and insert:
- 12          **"(d) Notwithstanding any other law, neither the authority nor**
- 13          **the department may issue a request for proposals for, or enter into,**
- 14          **a public-private agreement under this article that would authorize**
- 15          **an operator to impose tolls for the operation of motor vehicles on**
- 16          **all or part of a project that is located within a metropolitan**
- 17          **planning area (as defined by 23 U.S.C. 134) and that connects the**
- 18          **state of Indiana with the commonwealth of Kentucky, other than**
- 19          **the East End Ohio River Bridge linking Charlestown, Indiana, to**
- 20          **the eastern suburbs of Louisville, Kentucky, unless the general**
- 21          **assembly adopts a statute authorizing the imposition of tolls.**
- 22          **(d) If the authority or the department issues a request for**
- 23          **proposals for, or enters into, a public-private agreement that**
- 24          **authorizes the imposition of tolls on a bridge that is part of the**
- 25          **Downtown Louisville - Jeffersonville Corridor as described in the**
- 26          **September 2003 Record of Decision in the Louisville-Southern**
- 27          **Indiana Ohio River Bridges Project, the request for proposals or**
- 28          **public-private agreement must provide that any revenue generated**
- 29          **from the imposition of tolls be distributed between Indiana and**
- 30          **Kentucky in the same percentages that capital cost estimates are**

1 distributed between Indiana and Kentucky in the Record of  
2 Decision."

3 Page 5, line 36, after "(C)" insert "subject to subdivision (4)".

4 Page 6, between lines 5 and 6, begin a new line block indented and  
5 insert:

6 **"(4) Issuing a request for proposals for, or entering into, a**  
7 **public-private agreement concerning a project that is located**  
8 **within a metropolitan planning area (as defined by 23 U.S.C.**  
9 **134) and that connects the state of Indiana with the**  
10 **commonwealth of Kentucky, other than the East End Ohio**  
11 **River Bridge linking Charlestown, Indiana, to the eastern**  
12 **suburbs of Louisville, Kentucky."**

13 Page 6, between lines 15 and 16, begin a new paragraph and insert:

14 **"(d) If the department, the authority, or an operator issues a**  
15 **request for proposals for, or enters into, a public-private**  
16 **agreement that authorizes the imposition of tolls on a bridge that**  
17 **is part of the Downtown Louisville - Jeffersonville Corridor as**  
18 **described in the September 2003 Record of Decision in the**  
19 **Louisville-Southern Indiana Ohio River Bridges Project, the**  
20 **request for proposals or public-private agreement must provide**  
21 **that any revenue generated from the imposition of tolls be**  
22 **distributed between Indiana and Kentucky in the same percentages**  
23 **that capital cost estimates are distributed between Indiana and**  
24 **Kentucky in the Record of Decision."**

25 Page 13, line 23, after "IC 8-15-3" insert ", subject to subsection  
26 (c)."

27 Page 14, line 1, after "(C)" insert "except as provided in  
28 subdivision (4)."

29 Page 14, between lines 12 and 13, begin a new line block indented  
30 and insert:

31 **"(4) Determine that all of part of a project that is located**  
32 **within a metropolitan planning area (as defined by 23 U.S.C.**  
33 **134) and that connects the state of Indiana with the**  
34 **commonwealth of Kentucky, other than the East End Ohio**  
35 **River Bridge linking Charlestown, Indiana, to the eastern**  
36 **suburbs of Louisville, Kentucky should become a tollway.**

37 **(c) If the governor, the department, or an operator determines**  
38 **that all of part of the Downtown Louisville - Jeffersonville**  
39 **Corridor as described in the September 2003 Record of Decision**  
40 **in the Louisville-Southern Indiana Ohio River Bridges Project**  
41 **should become a tollway, the governor, department, or operator**  
42 **shall ensure that all revenue generated from the imposition of tolls**  
43 **is distributed between Indiana and Kentucky in the same**  
44 **percentages that capital cost estimates are distributed between**  
45 **Indiana and Kentucky in the Record of Decision."**

(Reference is to SB 473 as printed February 18, 2011.)

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Senator SMITH J