

SECOND REGULAR SESSION

HOUSE BILL NO. 2156

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HURLBERT.

5105H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 21.795, RSMo, and to enact in lieu thereof two new sections relating to motor fuel tax.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 21.795, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 21.795 and 142.805, to read as follows:

21.795. 1. There is established a permanent joint committee of the general assembly to be known as the "Joint Committee on Transportation Oversight" to be composed of seven members of the standing transportation committees of both the senate and the house of representatives and three nonvoting ex officio members. Of the fourteen members to be appointed to the joint committee, the seven senate members of the joint committee shall be appointed by the president pro tem of the senate and minority leader of the senate and the seven house members shall be appointed by the speaker of the house of representatives and the minority floor leader of the house of representatives. The seven senate members shall be composed, as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the senate bears to the total membership of the senate. No major party shall be represented by more than four members from the house of representatives. The ex officio members shall be the state auditor, the director of the oversight division of the committee on legislative research, and the commissioner of the office of administration or the designee of such auditor, director or commissioner. The joint committee shall be chaired jointly by both chairs of the senate and house transportation committees. A majority of the committee shall constitute a quorum, but

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 the concurrence of a majority of the members, other than the ex officio members, shall be
18 required for the determination of any matter within the committee's duties.

19 2. The department of transportation shall submit a written report prior to December
20 thirty-first of each year to the governor and the lieutenant governor. The report shall be
21 posted to the department's internet website so that general assembly members may elect to
22 access a copy of the report electronically. The written report shall contain the following:

23 (1) A comprehensive financial report of all funds for the preceding state fiscal year
24 which shall include a report by independent certified public accountants, selected by the
25 commissioner of the office of administration, attesting that the financial statements present
26 fairly the financial position of the department in conformity with generally accepted
27 government accounting principles;

28 (2) A copy of the department's most current and annual publication titled "Citizen's
29 Guide to Transportation Funding in Missouri";

30 (3) A copy of the department's most current and annual publication titled "Financial
31 Snapshot - An appendix to the Citizen's Guide to Transportation Funding in Missouri",
32 **including a summary of the department's external expenditures and internal**
33 **expenditures, as such term is defined under section 142.805;**

34 (4) A copy of the department's most current and annual publication titled "MoDOT
35 Results: Accountability. Innovation. Efficiency."

36 3. Prior to February fifteenth of each year, the committee shall hold an annual
37 meeting and call before its members, officials or employees of the state highways and
38 transportation commission or department of transportation, as determined by the committee,
39 for the sole purpose of receiving and examining the report required pursuant to subsection 2
40 of this section. The committee shall not have the power to modify projects or priorities of the
41 state highways and transportation commission or department of transportation. The
42 committee may make recommendations to the state highways and transportation commission
43 or the department of transportation. Disposition of those recommendations shall be reported
44 by the commission or the department to the joint committee on transportation oversight.

45 4. In addition to the annual meeting required by subsection 3 of this section, the
46 committee shall meet two times each year. The co-chairs of the committee shall establish an
47 agenda for each meeting that may include, but not be limited to, the following items to be
48 discussed with the committee members throughout the year during the scheduled meeting:

49 (1) Presentation of a prioritized plan for all modes of transportation;

50 (2) Discussion of department efficiencies and expenditure of cost-savings within the
51 department;

52 (3) Presentation of a status report on department of transportation revenues and
53 expenditures, including a detailed summary of projects funded by new state revenue as
54 provided in paragraph (a) of subdivision (1) of subsection 2 of this section; and

55 (4) Implementation of any actions as may be deemed necessary by the committee as
56 authorized by law. The co-chairs of the committee may call special meetings of the
57 committee with ten days' notice to the members of the committee, the director of the
58 department of transportation, and the department of transportation.

59 5. The committee shall also review all applications for the development of specialty
60 plates submitted to it by the department of revenue. The committee shall approve such
61 application by a majority vote. The committee shall approve any application unless the
62 committee receives:

63 (1) A signed petition from five house members or two senators that they are opposed
64 to the approval of the proposed license plate and the reason for such opposition;

65 (2) Notification that the organization seeking authorization to establish a new
66 specialty license plate has not met all the requirements of section 301.3150;

67 (3) A proposed new specialty license plate containing objectionable language or
68 design;

69 (4) A proposed license plate not meeting the requirements of any reason promulgated
70 by rule.

71

72 The committee shall notify the director of the department of revenue upon approval or denial
73 of an application for the development of a specialty plate.

74 6. The committee shall submit records of its meetings to the secretary of the senate
75 and the chief clerk of the house of representatives in accordance with sections 610.020 and
76 610.023.

**142.805. 1. As used in this section, the term "internal expenditures" shall mean
2 any funds expended by the department of transportation for the purpose of internal
3 functions including, but not limited to, employee salaries and benefits, post-employment
4 benefits, program distributions to other state agencies and universities, and
5 administrative costs.**

**6 2. (1) For each fiscal year that the department of transportation's internal
7 expenditures exceed twenty percent of the department of transportation's total
8 expenditures, as reported in the annual report required under section 21.795, the
9 motor fuel tax authorized under subdivision (1) of subsection 1 of section 142.803 shall
10 be reduced by one-half cent per gallon for the following fiscal year.**

11 **(2) Such a reduction shall not reduce the rate of motor fuel tax by more than one**
12 **and one-half cents per gallon below the rate of motor fuel tax authorized under**
13 **subdivision (1) of subsection 1 of section 142.803 in effect as of August 28, 2026.**

14 **3. In any fiscal year following a rate reduction under subsection 2 of this section,**
15 **if the department of transportation's internal expenditures are less than twenty percent**
16 **of the department of transportation's total expenditures, as reported in the annual**
17 **report required under section 21.795, the motor fuel tax rate in effect for such fiscal**
18 **year shall be increased by one-half cent per gallon or increased up to the total rate**
19 **authorized by subdivision (1) of subsection 1 of section 142.803 in effect as of August 28,**
20 **2026, whichever is less, for the following fiscal year.**

21 **4. The department of revenue, in consultation with the department of**
22 **transportation, may promulgate all necessary rules and regulations for the**
23 **administration of this section. Any rule or portion of a rule, as that term is defined**
24 **in section 536.010, that is created under the authority delegated in this section shall**
25 **become effective only if it complies with and is subject to all of the provisions of chapter**
26 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable**
27 **and if any of the powers vested with the general assembly pursuant to chapter 536 to**
28 **review, to delay the effective date, or to disapprove and annul a rule are subsequently**
29 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
30 **adopted after August 28, 2026, shall be invalid and void.**

✓