



**MISSOURI HIGHWAYS AND TRANSPORTATION  
COMMISSION**

**Official Minutes**

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**MINUTES OF THE REGULARLY SCHEDULED  
HIGHWAYS AND TRANSPORTATION COMMISSION MEETING  
HELD IN JEFFERSON CITY, MISSOURI,  
WEDNESDAY, FEBRUARY 8, 2023**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, February 8, 2023, at the Missouri Department of Transportation, 105 W. Capitol Avenue, Jefferson City, Missouri and was available via live stream. Robert G. Brinkmann, P.E., Chair, called the meeting to order at 8:30 a.m. The following Commissioners were present: Gregg C. Smith, Terry L. Ecker, W. Dustin Boatwright, P.E., Warren K. Erdman, and Brian Treece.

The meeting was called pursuant to Section 226.120 of the Revised Statutes of Missouri, as amended. The Secretary verified that notice of the meeting was posted in keeping with Section 610.020 of the Revised Statutes of Missouri, as amended.

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Patrick McKenna, Director of the Missouri Department of Transportation; Rich Tiemeyer, Chief Counsel for the Commission; and Pamela J. Harlan, Secretary to the Commission, were present on Wednesday, February 8, 2023.

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*“Department” or “MoDOT” herein refers to Missouri Department of Transportation.  
“Commission” or “MHTC” herein refers to Missouri Highways and Transportation Commission.*

**-- CLOSED MEETING --**

**VOTE TO CLOSE MEETING**

The agenda of the closed meeting was posted in keeping with Sections 610.020 and 610.022, RSMo, including the following statutory citations allowing the meeting to be closed:

1. Section 610.021(1) – Legal actions and attorney-client privileged communications.
2. Section 610.021(3), (13) – Personnel administration regarding particular employees.
3. Section 610.021(11), (12) – Competitive bidding specs, sealed bids, or negotiated contracts.

Upon motion duly made and seconded to convene in closed session, the Chairman called for a voice vote of the members. The vote was as follows:

Commissioner Brinkmann, Aye  
Commissioner Smith, Aye  
Commissioner Ecker, Aye  
Commissioner Boatwright, Aye  
Commissioner Erdman, Aye  
Commissioner Treece, Aye

The Commission met in closed session on Tuesday, February 7, 2023, at 2:35 p.m. and adjourned at 5:30 p.m.

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**-- OPEN MEETING --**

**COMMISSION/DIRECTOR ITEMS**

**WARREN K. ERDMAN QUALIFIED AS A MEMBER OF THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION**

On August 12, 2022, Governor Michael (Mike) Parson announced the appointment of Warren K. Erdman of Kansas City to the Missouri Highways and Transportation Commission for a term ending March 1, 2027, or until his successor is duly appointed and qualified. He was duly sworn on August 23, 2022, by U.S. Circuit Judge Duane Benton at Union Station. Later, on September 14, 2022, the Governor withdrew the appointment immediately prior to calling a special session of the General Assembly. Then on October 5, 2022, the Governor appointed Mr. Erdman to the Commission for a term ending March 1, 2027, or until his successor is duly appointed and qualified. Secretary to the Commission, Pamela J. Harlan administered the oath of office on October 5, 2022. Mr. Erdman will take the position held by Commissioner Michael T. Waters, Jr. whose term expired. Mr. Erdman was confirmed by the Senate on February 2, 2023.

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**BRIAN TREECE QUALIFIED AS A MEMBER OF THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION**

On August 12, 2022, Governor Michael (Mike) Parson announced the appointment of Brian Treece of Columbia to the Missouri Highways and Transportation Commission for a term ending March 1, 2027, or until his successor is duly appointed and qualified. He was duly sworn on September 6, 2022, by Missouri Supreme Court Justice Patricia Breckenridge at the Governor's Office in the Missouri Capitol. Later, on September 14, 2022, the Governor withdrew the appointment immediately prior to calling a special session of the General Assembly. Then on October 5, 2022, the Governor appointed Mr. Treece to the Commission for a term ending March 1, 2027, or until his successor is duly appointed and qualified.

Secretary to the Commission, Pamela J. Harlan administered the oath of office on October 5, 2022. Mr. Treece will take the position held by Commissioner John W. Briscoe, whose term expired. Mr. Treece was confirmed by the Senate on February 2, 2023.

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## **APPROVAL OF MINUTES**

Upon motion by Commissioner Smith, seconded by Commissioner Ecker, the Commission unanimously approved the minutes of the regular meeting held on December 6, 2022; special meetings on December 5, 2022, and December 19, 2022; and electronic ballot meeting on December 15, 2022. The Chairman and Secretary to the Commission were authorized and directed to sign and certify said minutes and to file same in the office of the Secretary.

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## **CONSENT AGENDA**

### **Consent Agenda Process**

In order to make the most efficient use of Commission meeting time and to ensure Commission members are well informed on issues requiring their action, staff prepares and submits to the Commission members, in advance of their meeting, internal memoranda consisting of advice, opinions, and recommendations related to the items of the Commission meeting agenda. Those items considered by staff to be of a routine or non-controversial nature are placed on a consent agenda. During the meeting, items can be removed from the consent agenda at the request of any one Commission member. The items that are not removed from the consent agenda are approved with a single motion and unanimous vote by a quorum of the members.

Minutes reflecting approval of items on the consent agenda are singly reported herein and intermingled with minutes reflecting action on related subjects that were openly discussed. Reference to “consent agenda” is made in each minute approved via the process described in the paragraph above.

Minutes reflecting action on items removed from the consent agenda and openly discussed reflect the open discussion and vote thereon.

**Consideration of February 8, 2023, Consent Agenda**

No items were removed from the consent agenda. Upon motion by Commissioner Boatwright, seconded by Commissioner Smith, the consent agenda items were unanimously approved by a quorum of Commission members present.

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**COMMISSION COMMITTEES AND COMMISSION RELATED BOARDS**

The Commission has two standing committees: Audit and Legislative. In addition, it elects Commission representatives to two boards: Missouri Transportation Finance Corporation Board of Directors and MoDOT and Patrol Employees’ Retirement System Board of Trustees. The Chairman also serves on the Missouri Coalition for Roadway Safety Executive Committee. The following committee and board reports were made during the February 8, 2023, meeting.

**Audit Committee** – Commissioner Ecker stated there was no report and the next Audit Committee meeting will be held in April 2023.

**Legislative Committee** – Commissioner Smith reported committee hearings and chamber floor debates in both the House and Senate are going strong as members of the Missouri General Assembly are actively pursuing the passage of their priority legislative measures. One of the most talked about transportation-related issues in the Capitol currently is Governor Parson’s 2024 budget and how he is proposing \$859 million in general revenues for improvements along Interstate 70. During Governor Parson’s January 18, State of the State Address, he called on the General Assembly to make a generational investment to widen and rebuild the I-70 corridor. His plan invests \$859 million and expands six lanes from St. Louis to Warrenton, Kansas City to Odessa, and extends both east and west from Columbia. I-70 is one of the most traveled stretches of highway in Missouri. This investment is designed to improve interstate and intrastate travel for Missourians and visitors, while improving the transportation of goods and services and helping to reduce traffic injuries and deaths. The Commission and department are excited about the Governor’s announcement and will continue to work with elected officials and members of the public as to what this investment in I-70 means to them and the state of Missouri as a whole. Commissioner Smith noted Director McKenna will have more to discuss as it relates to this I-70 proposal and the Commission’s proposed 2024 budget in his Director’s Report. Additionally, on Monday of this week, Director McKenna outlined the department’s annual report before the Joint Committee on Transportation Oversight. This annual



report includes a copy of MoDOT’s Annual Comprehensive Financial Report along with MoDOT’s 2022 Annual Report, which consists of the Citizen’s Guide to Transportation Funding in Missouri, the Financial Snapshot, and MoDOT’s Results document.

**Missouri Transportation Finance Corporation (MTFC)** – Commissioner Smith reported a special meeting was held by electronic ballot on January 25, 2023, to consider the audit service contract. Williams Keepers, LLC, was selected to perform the independent financial and compliance audits of the MTFC for fiscal years 2023-2025 with the option of two one-year renewals. Via electronic ballots received by the Secretary, the board unanimously approved the recommendation. The next MTFC Committee meeting is scheduled for May 2023.

**MoDOT and Patrol Employees’ Retirement System (MPERS)** – Commissioner Boatwright stated there was no report and the next regular board meeting will be February 17, 2023.

**Missouri Coalition for Roadway Safety Executive Committee** – Commissioner Brinkmann shared last month, traffic fatalities increased in 2022 for the third year in a row. Preliminary data indicates 1,046 people died in Missouri crashes last year. This is an eighteen percent increase over the past three years. So far in 2023, there have been 40 traffic fatalities which is down significantly from the 74 during this same time last year. With the 2023 state legislative session underway, it is hoped that much attention will be given to the issue of distracted driving, one of four emphasis areas in the Show-Me Zero plan. Five different bills related to distracted driving have been filed by Missouri legislators. Two of these bills have been referred to the Senate Transportation Committee which includes Senate Bill (SB) 56, sponsored by Senator Jason Bean and SB 61, sponsored by Senator Greg Razer. In an effort to continue bringing attention to seat belt use and distracted driving, the department is following up the successful Buckle Up Phone Down (BUPD) High School Showdown with the first ever BUPD Business Showdown. Businesses across Missouri will participate in a friendly competition to adopt safe driving policies, train employees, and encourage individuals to take the BUPD pledge. So far, 19 businesses have signed up, but there is still time for others to join. The Showdown will run through March 31 with the winners being recognized at AAA’s Distracted Driving Awareness Day in April.

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## **DIRECTOR’S REPORT**

During the February 8, 2023, Commission meeting, Director Patrick McKenna provided the following report:

**New Motor Carrier Services Director** – Chief Safety and Operations Officer, Rebecca Allmeroth, introduced Aaron Hubbard as the new Motor Carrier Services Director. Mr. Hubbard has returned to the Missouri Department of Transportation (MoDOT) after a short time away where he served as Administrator – Motor Vehicle Bureau with the Missouri Department of Revenue. Previously, Mr. Hubbard worked for Motor Carrier Services in a variety of capacities including Administrator, Special Projects Coordinator, Motor Carrier Project Manager, System and Training Analyst, and Motor Carrier Agent.

**Rail Crossings** – The Director reported there was an accident yesterday with the Missouri River Runner at a private rail crossing. Unfortunately, this incident illustrates the need for the Governor’s budget proposal for an additional \$25 million in general revenue to address rail crossing safety issues in Missouri.

MoDOT knows this is a large unfunded need, and the Governor’s proposal will make a difference in safety in this area.

**I-70 Funding** – The Governor selected targeted areas to invest in safety improvements on I-70. The Director noted the department is pleased with the Governor’s active engagement with infrastructure and the budget. The Governor’s proposal would provide \$859 million in funding for I-70 improvements.

**Employee Compensation** – The Director reported on one aspect of budget discussions that may be misunderstood regarding employee compensation. The Commission and department have brought for many years budget requests for dealing with the excessive turnover that MoDOT has experienced. Those requests were not met with approval by the General Assembly through the budget process.

The Commission asked MoDOT to bring a full plan forward rather than a multi-year plan for the budget. The department presented the full plan to the Commission in October 2021, and followed the budget process through the Governor and the General Assembly. Unfortunately, the incorrect impression is the plan was fully implemented in October 2021, when it was simply a budget request. The budget request was not approved by the General Assembly at the end of the legislative session in May 2022.

However, through the budget process, the department learned that when there were funds remaining in the accounts for salaries, the House Appropriations Committee was not going to add more spending authority in those accounts. The department had funds remaining in its accounts for salaries due to all the vacancies from the high turnover. The House Appropriations Committee asked the department to look at the available resources to solve this problem.

As a result, the department worked within its appropriation authority to implement a modified plan, that would address eighty-five percent of the full market plan. Effective July 1, 2022, the start of Fiscal Year 2023, the department consumed 261 vacancies to fund the modified market plan.

The Director concluded, the department follows the budget process and operates within its budget authority.

**US DOT National Roadway Safety Strategy**– The Director reported the U.S. Department of Transportation launched a new campaign to encourage stakeholders across the country to join in committing to specific actions to reduce serious injuries and deaths on our roadways. This Call-to-Action stems from the DOT’s National Roadway Safety Strategy, which guides the Department’s efforts in this area and recognizes that getting to zero fatalities will take efforts at all levels of government and across sectors. Several organizations, governments, and companies have already shared their commitments.

He was pleased to report that MoDOT was recognized as a “First Mover” for the United States Department of Transportation’s (U.S. DOT) program, for MoDOT’s commitment to a Call to Action centered around the Buckle Up Phone Down (BUPD) program. The BUPD program challenges Missourians to do their part in making Missouri’s roads safer by using their seat belt and putting down, or turning off, their phone while driving. Missouri is honored to partner with the U.S. DOT in support of the national effort toward safer roads. The fatalities on our nation’s roads and here in Missouri are staggering. On average in Missouri, three people are killed each day on roads, and two of them were not wearing a seat belt. It’s imperative to be committed to safer driving habits and reverse this unacceptable trend. This national partnership is an important step, but the effort requires a commitment from every person on the road every trip. MoDOT initiated the BUPD program in 2017, and it has spread steadily across Missouri and more than a dozen other states. The current program focuses on outreach to drivers through

educational materials and a BUPD pledge, which is available to individuals and businesses at [www.modot.org/bupd](http://www.modot.org/bupd). Together the streets can be made safer for all.

**Meritorious Safety Awards** – There are two meritorious safety awards to recognize today. Director McKenna thanked Commissioner Smith for recognizing the employees from the Clinton maintenance building last week. In the Southwest District, Clinton maintenance employees were performing road maintenance on September 14, 2022, on Highway 13 south of Clinton in Henry County. Maintenance Crew Leader Kevin Catanzaro and Maintenance Worker Kevin Geise, saw a southbound truck pulling a horse trailer cross the median and the northbound lanes and crashed into a group of trees. Mr. Catanzaro and Mr. Geise made their way to the accident site and assessed the scene. They found two horses in the trailer. The airbags on the truck had deployed, and the driver’s door was wedged closed against the tree. The driver was unconscious and there was a passenger seated in the passenger seat. Mr. Catanzaro cut the airbags to gain access, letting the vehicle’s OnStar system know that the passenger was alert and conscious, but the driver was not breathing and without a pulse. Mr. Geise removed the driver from the vehicle and alerted the first officers on scene that an automated external defibrillator (AED) was needed. The two employees assisted the officer with the AED and life-saving operations until paramedics arrived. Once the driver was moved to the ambulance, the employees assisted the passenger, and then assisted with moving the horses out of the trailer, walking them, and transferring them to a new transport. The local hospital will recognize Mr. Catanzaro and Mr. Geise along with the emergency responders whose efforts led to the successful resuscitation of the patient who is alive and doing well at home today. Director McKenna was pleased Commissioner Smith could present them with the Meritorious Safety Award last week.

Next, it is an honor today to recognize three Central District employees for their life saving actions: On October 3, Senior Maintenance Worker Ed Randolph, and Maintenance Workers Wyatt Thompson and Hunter Wissbaum were working on Route 5 south of Lebanon in Laclede County. Mr. Randolph heard cries for help coming from the rear of a nearby house. He took off running to respond, and Mr. Thompson and Mr. Wissbaum ran after him. They found a three-year-old child and the child’s grandmother being attacked by a dog. They called 911. The three used a belt and zip-ties to help subdue the dog until emergency responders arrived. The child was life-flighted to a hospital for his injuries. First responders stated the child may have died due to further injuries if Mr. Randolph had not heard the cries and the three had not intervened. The director thanked Mr. Randolph, Mr. Thompson, and Mr. Wissbaum, and recognized them for their lifesaving actions by presenting them with a meritorious safety award.

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## **PUBLIC PRESENTATIONS**

### **PRESENTATION BY THE MISSOURI RAIL PASSENGER ADVISORY COMMITTEE (MORPAC)**

David Pearce explained that as volunteers on the Missouri Rail Passenger Advisory Committee (MORPAC) they are coming from communities with an Amtrak stop in their town.

Passenger rail service provides an option for connecting rural communities and smaller cities to major economic centers and promotes commerce and economic development, particularly in the areas surrounding stations. The Missouri River Runner passenger train operates two daily round trips across 283 miles of track between the Gateway Transportation Center in St. Louis and Union Station in Kansas City, providing connections to the Southwest Chief, Texas Eagle, and Lincoln routes. The Missouri River Runner provides an alternative travel mode along the heavily traveled I-70 corridor between St. Louis and Kansas City.

The Missouri River Runner gives rise to significant benefits in Missouri through travel/transportation, reduced energy consumption, safety, and tourism/visitor spending. The communities with stations along the Missouri River Runner route include St. Louis, Kirkwood, Washington, Hermann, Jefferson City, Sedalia, Warrensburg, Lee's Summit, Independence, and Kansas City.

Ms. Gibbons noted that last year there was only enough funding for one daily round trip. This reduction in service led to a reduction in ridership. The reduced ridership led to a reduction in the economic impact on local businesses. She also reported that Kirkwood has a jointly funded project to upgrade the station in their community. She expressed MORPAC's keen interest of possibly expanding service to three daily round trips in the future.

Ms. Bruckerhoff shared about the MORPAC marketing committee's efforts. Efforts include sharing information about things as simple as being able to bring your bicycle on the train. Communities are investing in marketing in other communities to promote tourism in their town. Some communities hosted Santa train events. Visitors are also informed about the Missouri River Runner through travel guides.

The Missouri River Runner is supported by general revenue from the state of Missouri. Current funding provides two daily round trip trains. MORPAC stated it is important to have two daily round trip

trains on the Missouri River Runner and looks for opportunities to improve services, including adding a third-round trip, and possible additional stops.

Commissioner Smith thanked the presenters for sharing on the importance of passenger rail service in Missouri. He expressed the Commission's support of passenger rail and the committee's efforts to promote passenger rail in Missouri. He also noted his disappointment in the cancellation of the Commission's ride on Amtrak yesterday due to the accident the Director noted earlier and expressed his concern and condolences to the families involved in the accident.

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### **PUBLIC COMMENTS**

#### **COMMENTS REGARDING THE CLOSURE OF REST AREAS AT DEARBORN AND LATHROP REST AREAS**

Debbie LeDuc, Executive Director of Clinco Industries in Cameron, Missouri, shared her concerns regarding the closure of rest areas. Clinco Industries is the sheltered workshop that provides janitorial services for the rest areas along the I-29 and I-35 corridors at the Lathrop north and southbound rest areas since 1986, and at Dearborn north and southbound rest areas since 1989. Ms. LeDuc stated after viewing the Commission's workshop meeting yesterday and hearing the dollar amount projected to tear down the existing facilities and paving for additional truck parking compared to the cost of repairing the existing buildings, she is asking that these projects be reconsidered. Ms. LeDuc noted that there are now two truck stops near both Lathrop and Dearborn already providing additional truck parking that she does not see the need to convert these rest areas into truck parking with vault restrooms.

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## **MODOT PRESENTATIONS**

### **FINANCIAL FORECAST UPDATE**

On behalf of the Director, Brenda Morris, Financial Services Director, presented the financial forecast for fiscal years 2024-2028. MoDOT prepares an annual financial forecast to estimate future revenues and expenditures. The forecast is the basis for MoDOT's operating budget, and the funding targets provided to planning partners and MoDOT staff to select projects for the Statewide Transportation Improvement Program (STIP). The financial forecast estimates the various components of state revenue, including the state motor fuel tax, motor vehicle sales taxes, motor vehicle and drivers' license fees, and federal funds from the federal motor fuel tax and other sources as provided by Congress.

The department's projections use a combination of historical information and information from third party sources. The information in the financial forecast is then used to develop the appropriations submission and the department's allocation of resources for operating as well as the targets that are provided to transportation partners in the development of the STIP.

The last couple of years have been unusual including several significant one-time sources of funding for specific projects, dealing with the impacts of the pandemic, and the passage of Senate Bill (SB) 262 which increased Missouri's 17 cent fuel tax for the first time since 1996. While more complex than financial forecasts in the past, the infusion of transportation resources is welcomed. This forecast will show the full impact of implementing SB 262; beginning in October 2021 the state's fuel tax increased by 2.5 cents per gallon and will be phased in over five years increasing each year by 2.5 cents until reaching the full 12.5 cents in July 2025. When fully implemented, Missouri state fuel tax will be 29.5 cents per gallon. The previous forecast estimated fuel tax refunds at a rate of twenty percent, but in this forecast that assumption has been lowered significantly. Additionally, there are appropriations funded from the state budget stabilization fund that will be spent like General Revenue. For federal revenue, this forecast includes the full impact of the Infrastructure Investment and Jobs Act (IIJA) as well as some

specific federal programs. The Governor's recommended budget also included \$859 million of general revenue for improvements on Interstate 70 to increase the number of lanes from two to three along three different segments of the corridor.

Fiscal year 2022 actual revenues were \$57.7 million more than projected. After taking into consideration all the state highway user revenues, over the five years between 2024 and 2028, the new forecast projects \$650.1 million more than the same period last year. The increase is largely attributable to assumed reduction in refunds for SB 262 and the increase in motor vehicle sales taxes.

The motor fuel tax growth assumption does not include SB 262 and has a slow decline in this forecast. The assumption for motor fuel tax is -0.20 percent decline for 2023 to 2025 and -0.25 percent decline for 2026 and beyond as vehicles with greater fuel economy and alternative fuels will off-set increases in vehicle miles traveled.

Assumptions for the state motor fuel taxes and decal fees for SB 262 are based on fiscal year 2022 gallons with a -0.20 percent decline for 2023 to 2025 and -0.25 percent decline for 2026 and beyond. The assumption for refunds is actuals of 0.80 percent for 2023, 1.0 percent in 2024, 2.0 percent in 2025, 3.0 percent in 2026, 4.0 percent in 2027 and 5.0 percent in 2028 and beyond. The overall impact is \$61 million more compared to last year's forecast.

After fiscal year 2021 when motor vehicle sales taxes were unusually high, the department anticipated they would come down some for fiscal year 2022. While they did come down some they did not decline as much as projected. Motor vehicle sales tax revenues growth assumption for 2023 and subsequent years is 3 percent. The overall impact is \$235.1 million more than last year's forecast.

The motor vehicle and driver's licensing fees increased significantly in fiscal year 2021 and a decline was projected for fiscal year 2022. Again, the decline was less than anticipated. The growth assumption for 2023 and subsequent years will remain steady at 1.5 percent. The overall impact is that this forecast is \$73.3 million more than last year's forecast.

This forecast includes some one-time sources of revenue. It includes \$19.5 million in general revenue for the Governor's Transportation Cost Share program approved for fiscal year 2020. It includes \$75 million from the Budget Stabilization Fund for the Governor's Cost Share Program approved for fiscal year 2023. It also includes \$45.2 million of general revenue for annual debt service payments for bonds issued for the Governor's Focus on Bridges program. It also includes \$859 million of general revenue for improvements to I-70 based upon the Governor's budget recommendations presented to the legislature in January. This forecast includes \$100 million in Budget Stabilization Funds in fiscal year 2023 for low volume roads. Amendment 3 bond issuances of \$500 million in 2023 and 2026 are also included in this forecast.

Federal revenues include the federal funds for construction projects, preventive maintenance, design work, planning and research, and pass-through funds to local entities. The financial forecast includes the estimated federal apportionments from IJA as approved by Congress. This includes funds for two new programs. The overall impact is an increase of \$17.3 million of federal revenue from last year's forecast.

The financial forecast includes the Cost Share program funds of \$40.0 million in 2023 and \$45.0 million in 2024 and subsequent years. This assumption is the same as the previous forecast.

Ms. Morris reviewed the anticipated disbursements included in the forecast and started with a review of the operating budget expenditures. The forecast includes funding the pay strategies that were included as part of the appropriations request. That includes:

- \$39.7 million for the 8.7 percent annual cost of living adjustment.
- \$3.6 million to fill 26 vacant positions in 2025 and \$10.7 million for approximately 78 vacant positions in 2026 to partially implement the market adjustment pay plan.
- \$0.7 million to hire six full-time equivalents (FTE's) and two temporary part-time employees for the Motor Carrier Services Division to educate carriers and assist with permits.
- \$0.1 million and one FTE for a Bicycle-Pedestrian Coordinator.
- \$0.4 million for the implementation of the human resources, budget, finance and procurement modules of MOVERS (Missouri Vital Enterprise Resource System), the Enterprise Resource



Planning (ERP) system that is replacing the legacy SAMII system.

- \$0.1 million for an additional FTE to assist in the rail section.
- \$1.5 million of fringe benefits for increased costs and claims for retiree benefits and workers' compensation.
- The forecast also includes 2.0 percent annual cost of living adjustments starting in 2025 for every year. Raises are contingent each year on legislative action and Commission approval.

The expense and equipment portion of the budget includes increases of \$1.0 million to account for increased travel costs, \$12.6 million for high priority safety initiatives, \$12.5 million for inflation of fuel and asphalt costs, \$1.9 million to upgrade or replace Truck Mounted Attenuators, \$4.8 million for facilities, \$4.2 million for rest area improvements, \$1.9 million for weigh station improvements, \$30.0 million for operations, \$10.0 million for fleet replacement and \$2.0 million for information systems. Expense and equipment for 2025 and beyond includes 1.0 percent annual growth for inflation.

For the 2024-2028 periods, the forecast relies on deficit spending in each year. The average deficit spending is \$137.2 million per year. On June 30, 2022, the combined balance of the State Road Fund, State Road Bond Fund, and State Highways and Transportation Department Fund was \$1,266.4 million. Deficit spending will reduce the amount from an estimated \$1,440.5 million on July 1, 2023, the beginning of state fiscal year 2024, to \$305.8 million on June 30, 2029, the end of state fiscal year 2029. Of the \$305.8 million projected to be in the state treasury at that time, \$250.8 million is the projected State Road Fund balance.

The forecast includes only road and bridge revenues and disbursements. The disbursements for program delivery include contractor awards, the design and bridge consultant engineering costs, right of way acquisitions, and debt service. Contractor awards are expected to be just over \$1.9 billion in 2023, \$2.4 billion in 2024, and then slowly decline slightly for 2025 and beyond. The design and bridge consultant engineering costs are projected to be \$70 million in 2023, \$95 million in 2024 and 2025, \$85 million in 2026, and \$80 million in 2027 and beyond. The right of way acquisitions are forecasted at \$25 million for 2023, and \$30 million for 2024 and beyond.

The forecast includes only road and bridge revenues and disbursements. For the other modes, the bulk of available funding is from the federal government and totals approximately \$300 million per year. The funds are passed through to local governments and providers and, when required, most of the matching funds are provided by the entities receiving the funds.

Commissioner Treece expressed his appreciation for using a conservative financial forecast model to be good stewards of precious resources, and the efforts made to level out the peaks and valleys between unpredictable revenues and project commitments.

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**MISSOURI CENTER FOR TRANSPORTATION INNOVATION (MCTI) - THREE YEARS OF DRIVING INNOVATION IN MISSOURI**

On behalf of the Director, Jen Harper, MoDOT Research Director; Dr. John Myers, MCTI Director, Dr. John Kevern, MCTI Deputy Director, and Dr. Bill Buttlar, Past MCTI Director, provided a presentation on MoDOT’s collaboration with the University of Missouri System to form the Missouri Center for Transportation Innovation (MCTI) and the center’s first three years of operation and successes.

The purpose of the center is to develop collaborative relationships between the campuses in order to conduct research more effectively for MoDOT and to consolidate the power of the four campuses in pursuing national transportation research opportunities. The Research Center encourages better collaboration between the universities which in turn leads to stronger research teams working on MoDOT research projects. This leads to more efficient and timely research results that can be quickly implemented by the department. The Research Center’s activities also develops future transportation engineers, which is a benefit to MoDOT and the State of Missouri.

The University of Missouri System consists of: Missouri University of Science and Technology, University of Missouri-Columbia, University of Missouri-Kansas City, and the University of Missouri-

St. Louis. The University of Missouri System has benefited by combining the strengths of the universities for more opportunities in national transportation research.

MCTI has been awarded over \$10 million in research from MoDOT and other federal/state agencies, cities, and states. Research on “Pollinator Habitat Along Highway Right of Way” was the first MCTI published report and just received an AASHTO High Value Research Award at the Transportation Research Board Annual Meeting. Another award-winning project was the use of recycled plastics in pavements and was tested on a stretch of road in Columbia. John Meyers and Bill Buttlar shared about projects underway. One project will make Missouri safer using GFRP reinforced bridge barriers. Despite the pandemic the center has secured more funding than originally anticipated in its first three years. Additionally, through these efforts, MCTI has doubled the partners that it is working with, including universities, consultants, as well as state and local government agencies. MCTI submitted ten University Transportation Center proposals. These included seven Tier 1 proposals, two national proposals, and one regional proposal.

MCTI is committed to workforce training and development. This includes not only undergraduate and graduate student training, but also practitioner training and continuing education. MCTI is affiliated with the Missouri LTAP center, which offers a wealth of continuing education opportunities to Missouri practitioners. MCTI was very active during the Covid-19 pandemic with its webinar series, which allows engagement with practitioners and students across the nation and internationally. MCTI has plans to launch a new Transportation Research Experience for Undergraduates (TREU) program and also to develop a summer research program with an emphasis on broader participation. As of January 2023, 52 faculty are involved with MCTI and 69 students have worked or are working on MCTI projects.

Commissioner Ecker noted it was exciting to see how far things have grown in just three years and shared a special thanks to Chairman Brinkmann for fostering the idea for this center with the department.

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## **ADMINISTRATIVE RULES/POLICIES**

### **REPORT AND RECOMMENDATION REGARDING AMENDED FINAL ORDERS OF RULEMAKING – MOTORCYCLE SAFETY EDUCATION PROGRAM**

On behalf of the Director, Becky Allmeroth, Chief Safety and Operations Officer, presented the amended final orders of rulemaking 7 CSR 60-1, Motorcycle Safety Education Program. The department reviewed and recommended changes to the rules to comply with the requirements of section 536.175RSMo, which requires all rules to be reviewed on a rolling five-year cycle.

At the September 7, 2022, meeting, the Commission authorized the filing and publication of the proposed amended administrative rulemaking 7 CSR 60-1, Motorcycle Safety Education Program. After Commission approval, staff filed these rules with the Joint Committee on Administrative Rules (JCAR) and the Office of Secretary of State, who published the proposed rules in the *Missouri Register* for public comment. The public had from October 17, 2022, to November 16, 2022, to submit comments in support or opposition to the notice of amended rulemaking. Eighteen comments were received during this comment period.

On January 4, 2023, the Commission approved and authorized staff to file the final orders of rulemaking with JCAR. On January 11, 2023, JCAR contacted the Department and indicated that further revisions were needed to two of the final orders of rulemaking (7 CSR 60-1.020 and 7 CSR 60-1.030) before these rules would be approved by JCAR. As a result, further revisions have been made to the final orders of rulemaking.

Amended final order of rulemaking 7CSR 60-1.020 pertains to the Motorcycle Training School Instructor, JCAR raised concerns with the use of the term “pass” and indicated that the term is insufficiently defined and does not specify who bears the cost of a background or criminal records check. As a result of JCAR’s objection, the Department will provide a private cost fiscal note and revise language in section (1)(B). JCAR also objected to the use of the term “approved” when describing the required first

aid kit. As a result of this objection, the Department will revise the language in section (2)(B).

Amended final order of rulemaking 7 CSR 60-1.030 pertains to the Student Admissions Requirements. JCAR objected to the required application not being incorporated by reference and therefore made a part of the rule. As a result of this comment, the Department will provide a private cost fiscal note and revise the language in section (1). Additionally, JCAR objected to language in section 7 CSR 60-1.030(4) indicating that the Division will approve the course curriculum but does not provide criteria for that decision. As a result of this objection, the Department will revise language in section (4) and include language incorporating approved curriculum by reference.

After consideration, the Commission, via approval of the consent agenda, unanimously approved the amended final orders of rulemaking and authorized the Secretary to the Commission to file the amended final orders of rulemaking with Joint Committee on Administrative Rules and the Office of the Secretary of State, and authorized the Director, Chief Engineer, Assistant Chief Engineer, or Chief Administrative Officer to execute documents necessary to complete the final rulemaking process.

\* \* \* \* \*

## **STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP)**

### **CONSIDERATION OF BIDS FOR TRANSPORTATION IMPROVEMENTS**

On behalf of the Director, Kenneth Voss, Assistant State Design Engineer, presented the following recommendations pertaining to bids received on federal aid and state highway and bridge projects during the past month.

Mr. Voss recommended: (1) Award of contracts to the lowest responsive bidders for bids received at the January 20, 2023, letting, as recommended, and noted in Table I below; (2) Rejection of Calls C05, C10, D03, F08, F09, and H08 due to excessive bids per Section 102.15(a) of the Missouri Standard Specifications for Highway Construction as noted in Table II below; (3) Declare the bid from Blevins

Asphalt Construction Company, Inc. on Call F10 as non-responsive per Section 102.8 of the Missouri standard Specifications for Highway Construction due to not completing their bid in accordance with the bidding requirements; and (4) Concurrence in award for the Route 54 cost share project for bids received by the City of Fulton at the January 9, 2023, bid letting, as noted in Table III below.

**Table I  
Award of Contracts  
January 20, 2023, Bid Opening**

<b>Call No.</b>	<b>Route</b>	<b>County</b>	<b>Job No.</b>	<b>Bid Amount</b>	<b>Non-Contractual Costs</b>	<b>Contractor</b>	<b>Description</b>
A02	41	Carroll, Saline	J1P3430	\$3,882,788.00	\$0.00	Dubuque Barge and Fleeting Service Company	Scour Repair
	269	Clay, Jackson	J4S3487				
A03	Y	Buchanan	J1S3360	\$1,843,677.00	\$0.00	Phillips Hardy, Inc.	Bridge Replacement and Box Culvert
A06	I-35	Daviess	JNW0025	\$1,828,430.75	\$0.00	Interstate Improvement, Inc.	Concrete Pavement Repair
A07	I-29, I-35	Clinton, Platte	JNWM0026	\$3,768,548.30	\$168,800.00	Emery Sapp & Sons, Inc.	Rest Area Rehabilitation
B01	B	Adair	J2S3449	\$3,625,670.00	\$0.00	Bleigh Construction Company	Bridge Replacement
	T	Scotland	J2S3322				
	H		J2S3320				
C01	65	Saline	J3P3112	\$7,282,686.35	\$0.00	Emery Sapp & Sons, Inc.	Resurface
C02	50	Pettis	J3P3112B	\$146,065.66	\$0.00	S & A Equipment & Builders, LLC	ADA Improvements
C03	13	Lafayette	J3P3118E	\$257,987.00	\$5,000.00	Capital Electric Line Builders, Inc.	Signal Improvements
C04	127	Pettis	J3S3154	\$2,215,680.45	\$0.00	E & C Bridge, LLC	Bridge Replacement
	52		J3P3164		\$900.00		
C06	EE/K	Saline	J3S3123	\$2,846,237.31	\$0.00	Capital Paving & Construction, LLC	Bridge Replacement and Ramp Reconstruction
C07	I-29	Platte	J4I3450	\$8,880,959.93	\$0.00	Miles Excavating, Inc.	2 Bridge Replacements
C08	45	Platte	J4P3460	\$7,973,174.01	\$0.00	Ideker, Inc.	Resurface
			J4P3460B				
C09	I-35	Clay	JKU0008	\$6,091,156.51	\$0.00	Clarkson Construction Company	Pavement Repair

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
C11	127	Saline	J3S3163	\$2,374,029.95	\$0.00	Phillips Hardy, Inc.	Bridge Replacement
	EE		J3S3155				
D01	I-44	Laclede, Pulaski	J5I3483	\$2,503,702.96	\$0.00	Olympus Painting Contractors, Inc.	4 Bridge Rehabilitations
D02	28, C, P	Maries	J5P3476	\$2,058,691.70	\$0.00	Lehman Construction, LLC	1 Bridge Replacement and 2 Bridge Deck Replacements
D04	163	Boone	J5S3412	\$774,243.90	\$0.00	Widel, Inc.	Bridge Replacement
D05	C	Miller	J5S3444	\$1,029,315.28	\$0.00	S & A Equipment & Builders, LLC	2 Bridge Deck Replacements
F01	I-255, I-270	St Louis, St Louis City	J6I3481	\$3,868,114.56	\$0.00	Collins & Hermann, Inc.	Structural Sign Replacement
F02	I-70	St Charles	J6I3613	\$29,903,100.00	\$0.00	Kozeny-Wagner, Inc.	Microsurfacing
			J6I3490				8 Bridge Rehabilitations
	79		J6P3548				3 Bridge Rehabilitations
	I-70		J6S3488				Bridge Rehabilitation
F03	I-270	St Louis	J6I3616	\$3,496,000.00	\$0.00	Kozeny-Wagner, Inc.	Bridge Rehabilitation
F04	I-70	St Louis	J6I3647	\$13,876,495.44	\$0.00	N.B. West Contracting Company	Coldmill, Resurface, and Pavement Repair
F05	Various	Jefferson, St Louis, St Louis City	J6I3651	\$1,249,249.00	\$0.00	The Truesdell Corporation of Wisconsin, Inc. dba Truesdell Corporation Midwest	Fixed Price Variable Scope for Bridge Crack Filling
F07 and F10	AH, B, 44 NOR/ SOR	Franklin	J6M3411	\$1,091,023.46	\$0.00	Missouri Petroleum Products Company, LLC	Fixed Price Variable Scope for Seal Coat
	100, 185, YY		JSL0085				
G01	I-49	Bates	J7I3524	\$4,006,559.48	\$0.00	Capital Paving & Construction, LLC	2 Bridge Deck Replacements
G02	13, 32, 54, 65, I-49	Bates, Benton, Cedar, Henry, St. Clair, Vernon	J7I3525	\$1,237,904.00	\$0.00	Hunter Chase & Associates, Inc.	Concrete Pavement Repair
	Various	Christian, Greene	J8P3242				
G03	BB	Greene	J7P3107M	\$2,097,000.00	\$0.00	Hartman and Company, Inc.	Bridge Replacement

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
G04	Various	Barry, Hickory, McDonald, Polk, Stone	J7P3503	\$2,976,463.00	\$0.00	Blevins Asphalt Construction Company, Inc.	Seal Coat
		Christian,	JSU0065				
G07	160	Christian	J8S3138	\$9,703,912.00	\$0.00	Hartman and Company, Inc.	Grading, Pavement, Lighting, and Signal
		Christian	J8S3138B				Grading, Pavement, Lighting, Signal, and Bridge Widening
		Greene	JSU0020				Shoulder Rebuild and Bridge Rehabilitation
H01	32	Ste Genevieve	J9P3392	\$16,705,000.00	\$0.00	Pace Construction Company	Resurface
	MO 32	St Francois, Ste Genevieve	J9P3650				Resurface and Add Left Turn Lane
	D	St Francois, Ste Genevieve	J9S3478				Resurface
	C	Perry	J9S3431				
	51	Bollinger, Perry,	J9P3459				
	32	St Francois	J9P3644				
H02^	67	St Francois	J9P3547	\$1,134,786.45	\$0.00	Joe's Bridge & Grading, Inc.	Bridge Rehabilitation
H03	Various	Various	J9P3753	\$1,190,000.00	\$0.00	Putz Construction, LLC	Job Order Contract for Erosion Control Repair
H04	K	Iron, Reynolds	J9S3455	\$1,967,242.32	\$0.00	H.R. Quadri Contractors, LLC	Grading and Pavement
H05^	153	Dunklin	J9S3517	\$1,178,851.55	\$0.00	Joe's Bridge & Grading, Inc.	Bridge Replacement
	A	Pemiscot	J9S3530				
H06	162	New Madrid	J9S3718	\$561,149.01	\$0.00	Missouri Petroleum Products Company, LLC	Scrub Seal
	A	Carter, Wayne	J9S3717				
H09	J	Dunklin	JSE0163	\$885,862.55	\$0.00	Joe's Bridge & Grading, Inc.	Bridge Deck and Substructure Replacement



Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
H10*	25	Cape Girardeau	JSE0164	\$114,535.00	\$0.00	Strack Excavating, L.L.C.	Bridge Scour Repair
			<b>TOTAL:</b>	<b>\$156,626,292.88</b>	<b>\$174,700.00</b>		

^Focus on Bridges

\*Call H10 – MoDOT Cost Share Maximum Contribution \$300,000.00 (JSE0164)

**Table II  
Rejection of Bids  
November 18, 2022, Bid Opening**

Call No.	Route	County	Job No.	Description
C05	65	Saline	J3P3168	Intersection Improvement
			J3P3182	Pavement Resurfacing, Pavement Repairs, ADA, Guardrail, Signal Interconnect with Flashing Yellow Arrow Signals
C10	I-70, I-49, I-35, I-29	Jackson, Cass, Clay, Platte	JKU0232	Pavement Marking
D03	163	Boone	J5S3496	Coldmill and Resurface
	63		J5P3511	Resurface
	763, BL 70		J5S3519	Coldmill and Resurface
	I-70-OR		JCD0107	
F08	I-44	Franklin, St. Louis, St. Louis City	JSL0114	Pavement Marking
F09	I-70	St. Louis City, St. Louis, St. Charles	JSL0115	Pavement Marking
H08	I-55, I-57	Cape Girardeau, Mississippi, New Madrid, Pemiscot, Perry	JSE0162	Pavement Marking

**Table III  
Concurrence in Award of Contract  
January 9, 2023, Bid Opening**

Route	County	Job No.	Bid Amount	Contractor	Description
54	Callaway	J5S3591	\$564,618.80**	Christensen Construction C.	Construct turn lanes and pedestrian facilities

\*\*MoDOT Cost Share Maximum Contribution \$300,000.00 (J5S3591)

## Commission Consideration and Action

After consideration, and upon motion by Commissioner Boatwright, seconded by Commissioner Smith, the Commission took the following action with abstentions listed below.

1. Awarded contracts to the lowest responsive bidders for bids received at the January 20, 2023, bid opening, as recommended, and noted in Table I above. Non-contractual costs for these projects are shown on the above tabulation.
2. Rejected Calls C05, C10, D03, F08, F09, and H08 due to excessive bids per Section 102.15(a) of the Missouri Standard Specifications for Highway Construction as noted in Table II above.
3. Declared the bid from Blevins Asphalt Construction Company, Inc. on Call F10 as non-responsive per Section 102.8 of the Missouri standard Specifications for Highway Construction due to not completing their bid in accordance with the bidding requirements.
4. Concurred in award for the Route 54 cost share project for bids received by the City of Fulton at the January 9, 2023, bid letting, as noted in Table III above.
5. Authorized the Director, Deputy Director/Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute the contracts awarded above.

Commissioner Smith abstained from Calls G02 and G04. Commissioner Brinkmann abstained from Calls F01, F08, and F09. Commissioner Boatwright abstained from Calls H05 and H08. Commissioner Treece abstained from Calls C06, C10, and D03. Commissioner Erdman abstained from Calls A01, A02, C01, C03, C05, C10, C11, and G04.

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**APPROVAL OF PLANS FOR CONDEMNATION**

On behalf of the Director, Kenneth Voss, Assistant State Design Engineer, recommended the Commission approve the following detailed project plans, approved by the Chief Engineer, for filing as necessary for the condemnation of right of way.

<u>County</u>	<u>Route</u>	<u>Job Number</u>
Ripley	142	J9P3749

In accordance with Section 227.050 RSMo, the Commission via approval of the consent agenda, approved the detailed project plans for the above noted projects and directed they be filed as necessary for the condemnation of right of way.

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**PROPERTY ACQUISITION AND CONVEYANCES**

**CONSIDERATION OF EXCESS PROPERTY DISPOSAL, INTERSTATE 270 IN ST. LOUIS COUNTY, EXCESS PARCEL NUMBER SL-11218**

In keeping with the Commission’s policy regarding disposition of Commission-owned property or property rights, the sale of all properties owned by the Commission with appraised or sale values of \$200,000 or more must be approved by specific Commission action.

On behalf of the Director, Chris Redline, Kansas City District Engineer, recommended conveyance of 1.78 acres of land located at the southwest quadrant of Route 58 and I-49/US71, in Cass County to the City of Belton for a consideration of \$1.00 and other valuable consideration. In exchange for the land, the city has agreed to take ownership of the I-49 East Outer Road from Route 58 to approximately Springdale Drive.

Via approval of the consent agenda, the Commission unanimously approved the property conveyance described above.

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-- **REPORTS** --

**REPORTS**

The Commission received the following written reports.

**AUDITS AND INVESTIGATIONS ANNUAL REPORT**

Misty Volkart, Audits and Investigations Director provided to the Commission the Audits and Investigations Annual Report for calendar year 2022.

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**FINANCIAL ACCOUNTABILITY REPORT – QUARTERLY REPORT**

Todd Grosvenor, Financial Services Director, provided the Commission the written Quarterly Financial Accountability Report for the period ending December 31, 2022.

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**MODOT BRIEFING REPORT**

Patrick McKenna, Director, provided to the Commission the written monthly Issue Briefs that are sent from the department to the Governor since the previous MoDOT Briefing Report. There were two briefing reports for the past month.

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**FINANCIAL - BUDGET - REPORTS – YEAR-TO-DATE, FINANCIAL REPORT PERIOD ENDING DECEMBER 31, 2022**

Todd Grosvenor, Financial Services Director, submitted a written financial report for fiscal year to date December 31, 2022, with budget and prior year comparisons.

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**CONSULTANT SERVICES CONTRACT REPORT**

Kenneth Voss, Assistant State Design Engineer, submitted a written report of consultant contracts executed in the month of December 2022, for both engineering and non-engineering related projects. The

department utilizes consultants to efficiently manage workload and provide specialized expertise to supplement and support department staff. Expenditures for consultant services are funded from the Commission approved Statewide Transportation Improvement Program and MoDOT Operating Budget. There were 510 active contracts held by individual engineering consultant firms prior to December 1, 2022. Eighteen engineering consultant services contracts were executed in December 2022, for a total of \$5,419,669. There were zero non-engineering consultant contract executed in December 2022.

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By unanimous consensus of all members present, the meeting of the Commission adjourned.

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**The Mission of the Missouri Highways and Transportation Commission is to:**

- Represent the citizens of Missouri pursuant to the Constitution by providing independent and nonpartisan governance of the Missouri Department of Transportation; and
- Establish policies, exercise oversight, and ensure accountability in developing and maintaining a world class transportation system in Missouri which fosters safety and economic development.

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