

**CHAPTER 4****(HB 4)**

AN ACT relating to road projects and declaring an emergency.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

➔Section 1. The projects authorized by the General Assembly in this Act constitute the official 2010-2012 Biennial Highway Construction Plan.

➔Section 2. Whereas the funding for these projects is provided by 2010 First Extraordinary Session HB 3, which takes effect upon its passage and approval by the Governor or upon otherwise becoming law, an emergency is declared to exist, and this Act takes effect upon its passage and approval by the Governor or upon otherwise becoming law.

➔Section 3. The General Assembly acknowledges that the project authorizations contained within this Act are based on the Transportation Cabinet's estimates. The Transportation Cabinet shall have the authority to expend funds necessary to complete the projects as authorized in this Act, amended only by variations dictated by bid or unforeseen circumstances.

➔Section 4. The Kentucky Public Infrastructure Authority, in conjunction with the Kentucky-Indiana Bi-State Authority, shall update the initial financial plan for the Louisville-Southern Indiana Ohio River Bridges Project. If an updated financial plan is not submitted to the Federal Highway Administration by December 31, 2010, the Transportation Cabinet shall not be authorized to expend any funds on the Louisville-Southern Indiana Ohio River Bridges Project after that date.

➔Section 5. Projects with the "SPB" and "SB2" designations are projects to be completed with Highway Bonds authorized in 2009 Ky. Acts ch. 9 and 2010 Extraordinary Session HB 3. Projects with the "SPB" and "SB2" designations that cannot be completed due to insufficient bond funds shall be given "SPP" funding priority. Projects with an "SPP" designation are state high priority projects and shall be given priority over other state projects with an "SP" funding designation.

➔Section 6. If additional federal highway moneys are made available to Kentucky by the United States Congress, the funds shall be used according to the following priority: (a) Any demonstration-specific or project-specific money shall be used on the project identified; and (b) All other funds shall be used to ensure that projects in the 2010-2012 Biennial Highway Construction Plan are funded. If additional federal moneys remain after these priorities are met, the Transportation Cabinet may select projects from 2009 Ky. Acts ch. 85.

➔Section 7. The 2010-2012 Biennial Highway Construction Plan is as follows:

**Signed by Governor June 4, 2010.**