



**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

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DATE: December 1, 2015

TO: Honorable Bill Haslam, Governor

Honorable Ron Ramsey, Lieutenant Governor
State Senate

Honorable Beth Harwell, Speaker of the House
House of Representatives

FROM: John C. Schroer, Commissioner
Department of Transportation

Richard H. Roberts, Commissioner
Department of Revenue

**SUBJECT: Transportation Equity Fund Report for FY 2014-2015
per T.C.A. § 67-6-408**

This provides the information required by T.C.A. § 67-6-408 relative to collection and use of funds under T.C.A. § 67-6-103(b) for the fiscal year ending June 30, 2015.

The tax revenue reported by the Department of Revenue for FY 2014-2015 was:

Aviation	\$35,704,880.04
Rail	\$ 2,393,760.52
Waterways	\$ <u>66,375.65</u>
Total	\$38,165,016.21

The funds were budgeted to the three programs at the beginning of the year based on the relative contributions from each mode in previous years and State Funding Board estimates. Those amounts were adjusted during the year based on actual revenue collected as reported by the Department of Revenue.

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The Department of Transportation's Aeronautics Division provides Transportation Equity Funding revenues to sixty-nine (69) General Aviation Airports and five (5) Commercial Service Airports. Airport improvements include: land acquisition, runway safety area enhancements, taxiway extensions and relocations, pavement resurfacing, safety and security upgrading, airfield lighting, navigational and landing aids, updating airport layout plans and various other air-side and land-side infrastructure improvements supporting aviation and economic development operations and opportunities.

Aviation also allocated funds to support statewide programs, including:

- maintaining 40 Automated Weather Observing Systems,
- operational assistance to the Civil Air Patrol,
- safety and educational programs,
- airport obstruction removal, and
- routine airfield maintenance.

Funds are also dedicated for the purchase of grounds maintenance equipment at publicly-owned general aviation airports in Tennessee.

The funds allocated to the rail program are currently being held in reserve pending the resolution of the Class I railroads' challenges to the validity of the (former) sales tax on railroad diesel fuel. E.g., *Illinois Central Railroad Company vs. Tennessee Department of Revenue*, U.S. District Court, Middle District of Tennessee, Docket No. 3:10-cv-00197; therefore, no allocations have been made during the 2014-2015 fiscal year. The Class I railroads have also filed separate lawsuits in Federal Court challenging the validity of the new per gallon excise tax on railroad diesel fuel. E.g., *BNSF Railway Company vs. Tennessee Department of Revenue*, U.S. District Court, Middle District of Tennessee, Docket No. 3:14-cv-01399.

The waterway funds were used to pay Tennessee's dues to the Tennessee Tombigbee Waterway Development Authority.

If you have questions or need additional information, please contact Kathleene Langley with TDOT Budget at 741-2449.

JCS:kl