



Owner-Operator Independent Drivers Association, Inc.

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Via Email

Wyoming Transportation, Highways & Military Affairs Committee
Wyoming State Legislature
200 West 24th Street
Cheyenne, WY 82002

Dear Members of the Wyoming Transportation, Highways & Military Affairs Committee:

The Owner-Operator Independent Drivers Association (OOIDA) opposes SF0006. This legislation would authorize a tolling program on I-80 in Wyoming.

OOIDA is the largest trade association representing the views of small-business truckers and professional drivers. We have more than 160,000 members nationwide, including 545 who reside in Wyoming and thousands more who regularly operate on Wyoming highways.

To be clear, OOIDA fundamentally opposes toll roads. However, toll roads are more egregious when they are proposed for existing highway capacity. It is our understanding that is precisely what SF0006 would authorize for I-80.

Even if the state legislature passes this bill, federal approval is necessary. It should be noted that the trucking industry – and numerous other entities that would be impacted by this – would vigorously oppose this effort in Washington, DC. In short, while we understand Wyoming is trying to secure additional revenue for roads and bridges, toll roads are not a practical solution.

Further, if the legislature is planning to target out-of-state trucks in its tolling scheme, this would potentially run afoul of the Commerce Clause of the U.S. Constitution. Meaning, that is the legal argument OOIDA would use as the foundation for a lawsuit against the state.

We understand Wyoming's dilemma – at least in part. Wyoming is a geographically large state with thousands of miles of interstate highways and state highways, yet has a population of less than 600,000 people. It must be extremely difficult to build and maintain a vast network of roads and bridges with the nation's smallest tax base.

However, we would remind you that every trucker pays a tax for every mile they operate on Wyoming highways through the International Fuel Tax Agreement and International Registration Plan, regardless of where they buy fuel or where they live. This is in addition to numerous other truck-specific taxes, such as the federal diesel tax, the federal heavy vehicle use tax, and the federal excise tax on new trucks, trailers, and tires.

At 24 cents per gallon, Wyoming's state fuel tax is among the lowest in the nation. A modest increase in the state fuel tax is a more appropriate, cost-effective, and equitable option. This could probably be done relatively quickly and it would not be subject to costly and prolonged litigation.

We would also point out that the United States Congress has failed to adequately address our surface transportation infrastructure needs. The federal gas and diesel tax rates haven't been increased in nearly 27 years and billions of dollars of gas and diesel taxes are diverted to non-highway programs and projects each year. These are issues that every state lawmaker in Wyoming should be raising with Wyoming's Congressional delegation.

We appreciate your time and consideration of our views. Please contact Mike Matousek, Manager of Government Affairs, at (816) 229-5791 ext. 1603 or mike_matousek@ooida.com should you have any questions or if you would like to discuss this issue in more detail.

Respectfully,

A handwritten signature in black ink, appearing to read "Todd Spencer". The signature is fluid and cursive, with a long horizontal stroke at the end.

Todd Spencer
President and CEO
OOIDA