

From: Veldran, Katherine
To: Smith, Austin <AustinSmith@gov.sc.gov>
Baker, Josh <JoshBaker@gov.sc.gov>
Date: 3/27/2015 4:23:00 PM
Subject: RE: Letter

Please let me know when we can discuss.

KV

From: Nicholas, Wendy [mailto:NicholasWB@scdot.org]
Sent: Friday, March 27, 2015 3:57 PM
To: Smith, Austin
Cc: Veldran, Katherine; Baker, Josh
Subject: RE: Letter

As the letter states, there is a provision in Emma's Law that does not comply with federal law and the penalty is approximately \$14M in highway funding. The funding has to come out of several programs:

MPOs/COGs - 3.2M out of a total pot of 134.8M
Pavement & Reconstruction - 5.4M out of a total pot of 172M
Interstate Program - 5.0M out of a total pot of \$153.8M

The MPO/COG piece has got the locals fired up. We reached out to them in December about this and, although they were not happy, they understood. They apparently have come back in full force because we've been getting inundated with calls from legislators. I have attached a document that shows the totals above and also the breakdown by individual MPO and COG.

Senator Larry Martin called me about it last week when I was out sick because he had been contacted by several MPO/COG members. He asked for the background and whether or not we had made his staff aware of this issue when they were working on Emma's Law. We told him that we did and he confirmed with his staff that they reached out to FHWA and NHTSA about it and could not get an official ruling from them on impact. Senator Martin told Allen afterwards that he would be dropping a bill to fix the provision that causes the penalty. That bill is to be taken up in Senate Judiciary this week and Judiciary staff has asked us to get a ruling from FHWA and NHTSA on whether or not the language is what is needed to bring the state back into compliance. I have asked for that opinion.

Please let me know if you have additional questions or if we need to talk through any of this.

-----Original Message-----

From: Smith, Austin [mailto:AustinSmith@gov.sc.gov]
Sent: Friday, March 27, 2015 3:14 PM
To: Nicholas, Wendy
Cc: Veldran, Katherine; Baker, Josh
Subject: Letter

Wendy,

Can you give us some background on this letter?

Thanks,

Austin