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## **MVH/LRS/CIGARETTE TAX/ALCOHOLIC BEVERAGE FACTOR DISTRIBUTION FORMULAS STATE FY 2019**

HEA 1290-2018 made changes to road funding distributions that will affect local governments. As required by statute, the local share of dollars from the Motor Vehicle Highway Account and the Local Road and Street Account has been adjusted.

This adjustment is in addition to the changes that were made in HEA 1002-2017 requiring the first \$70 million dollars of gasoline tax to be allocated to the State Highway Road Construction and Improvement Fund.

Please be aware that all counties and municipalities with a population over 15k are required to have a Highway Annual Operational Report on file with the State Board of Accounts. Failing to do so could result in Motor Vehicle Highway dollars being withheld until the locality is compliant. Questions about the report can be submitted to the State Board of Accounts at [HighwayReport@sboa.in.gov](mailto:HighwayReport@sboa.in.gov).

Any questions regarding the distributions changes can be directed to the Auditor of State Local Government Division at [localgovernment@auditor.in.gov](mailto:localgovernment@auditor.in.gov).

### **MOTOR VEHICLE HIGHWAY DISTRIBUTION FORMULA**

Motor Vehicle Highway distributions are made monthly to the Indiana Department of Transportation, counties, cities, and towns in the following manner.

#### **REVENUE SOURCES:**

- 14.286% of Gasoline Use Tax in FY 2019 [IC 6-2.5-10-1\(c\)\(3\)](#)
- 75% Gasoline Tax after the first \$70 million less fuel tax refunds [IC 6-6-1.1-201\(b\)](#), [6-6-1.1-801.5](#)
- Residue Balance of the Motor Fuel Tax Fund [IC 6-6-1.1-805](#)
- 75% Special Fuel Tax less refunds after the transfer to the Motor Carrier Regulation Fund [IC 6-6-2.5-68](#)
- Motor Carrier Fund fiscal year-end balance exceeding \$500,000 [IC 8-2.1-23-4](#)
- Vehicle registration and title fees (excluding 1969 increase)
- Drivers' license fees and defensive driver school fees
- 40% of the amount deposited to the motor vehicle odometer fund [IC 9-14-14-2](#)
- International Registration Plan [IC 9-18.1-5-10.5](#)
- 19.05% of the state's share of court costs [IC 33-37-7-9](#)
- Investment Income

*Note: HEA 1290-2018 repealed the Motor Carrier Surcharge Tax, which was previously a funding source for the Motor Vehicle Highway Account*

#### **LESS EXPENSES:**

- Motor Vehicle Highway Fund audit cost
- Railroad Crossing Improvement
- LTAP Budget [IC 8-14-1-3\(6\)](#), [IC 8-23-2-5\(7\)](#)
- Appropriation to INDOT for asset management data base [IC 8-14-3-3](#)

## **EQUALS AMOUNT AVAILABLE FOR DISTRIBUTIONS:**

Equals monthly revenues less monthly expenses and/or adjustments

## **LESS ADJUSTMENTS TO THE AMOUNT AVAILABLE FOR DISTRIBUTIONS:**

Indiana statute and state budget adjustments are made to the amount available for disbursement before distributions are made to the Indiana Department of Transportation (INDOT), counties, cities and towns.

**Adjustment** that reduces the amount distributed to the **INDOT, counties, cities and towns:**  
Covered Bridge Distribution [IC 8-14-1-10](#)

**Adjustment** that reduces the amount distributed to **counties:**  
County Engineer Distribution [IC 8-17-5-8 & 11.1](#)

**Adjustments** that reduce the amount distributed to **counties, cities and towns:**  
Local Assistance Expenses [IC 8-14-1-3\(6\)](#), [IC 8-23-2-5\(6\)](#)  
Access Road construction [IC 8-23-5-7](#)

## **EQUALS DISTRIBUTION AVAILABLE AFTER EXPENSES & ADJUSTMENTS: IC 8-14-1-3**

Motor Vehicle Highway distributions are made monthly as follows:

- **12.13%** of the amount available for distribution less adjustments, is distributed to cities and towns
  - The amount distributed to Cities and Towns is allocated on the basis of population
- **25.87%** of the amount available for distribution less adjustments, is distributed to Counties
  - The amount distributed to Counties is allocated as follows:
    - **5%** equally,
    - **65%** road mileage basis, and
    - **30%** total vehicle registrations basis
- 62% of the dollars are distributed to the State Highway Fund

## **PERMISSIBLE USES:**

### **For Counties: [IC 8-14-1-4](#)**

- Construction, Reconstruction and maintenance of the county's highways
- The purchase, rental and repair of highway equipment, painting of bridges and acquisition of grounds for erection and construction of storage buildings, acquisition of rights of way and the purchase of fuel oil, and supplies necessary to the performance of construction, reconstruction and maintenance of highways, shall be paid out of the highway account of the various counties.
- **For distributions from the MVHA, the county shall use at least 50% of the money for construction, reconstruction, and preservation of the county's highways.**

### **For Cities and Towns: [IC 8-14-1-5](#)**

- Construction, reconstruction, repair, maintenance, oiling, sprinkling, snow removal, weed and tree cutting and cleaning of their highways as herein defined, and including also any curbs, and the city's or town's share of the cost of the separation of the grades of crossing of public highways and railroads, the purchase or lease of highway construction and maintenance equipment, the purchase, erection, operation and maintenance of traffic signs and signals, and safety zones and devices, and the painting of surfaces in highways for purposes of safety and traffic regulation
- Payment of principal and interest on bonds sold primarily to finance road, street, or thoroughfare projects
- **For distributions from the MVHA, the city or town shall use at least 50% of the money for construction, reconstruction, and preservation of the city's or town's highways**
  - Municipalities can no longer use MVHA funds for law enforcement purposes

**Preservation of Highways: IC 8-14-1-1**

- The term “preservation” means the preventative treatment, nonstructural treatment, rehabilitation, or structural repairs made to transportation infrastructure and related drainage that are included in an asset management plan approved by the Indiana department of transportation in collaboration with the local technical assistance program at Purdue University.
- *Note: Please take special note of the term preservation as this was added by HEA 1290-2018*

## **LOCAL ROAD AND STREET DISTRIBUTION**

Distributions from the Highway Road and Street Fund are made monthly to the Indiana Department of Transportation, counties, cities and towns from the following revenue sources and in the following manner:

**REVENUE SOURCES:**

- 25% of the Gasoline Tax after the first \$70 Million [IC 6-6-1.1-801.5](#) & [IC 6-6-1.1-802](#)
- 25% of the Special Fuels Tax [IC 6-6-2.5-68](#) & [IC 6-6-1.1-802](#)
- 1969 increase in vehicle registration and title fees.

**DISTRIBUTION PERCENTAGES:**

- 37% to the Local Road and Street Account which is distributed to counties, cities, and towns
- 63% to the State Highway Fund which is managed by the Indiana Department of Transportation

**DISTRIBUTION METHOD: [IC 8-14-2-4](#)**

The Counties, Cities and Towns distribution calculation is a **two-step process**.

**Step one** determines the **county total allocation** for each county on the basis of **passenger car registrations**.

**Step two** determines the **sub-allocation** between the county and the cities and towns within the county as follows:

**A county with a population of *more than 50,000* the distribution is calculated as follows:**

- **60%** of the money shall be distributed on the basis of the **population** of the unit compared to the total county population.
- **40%** of money shall be distributed on the basis of **road and street miles** of the unit compared to the total county road mileage.

**A county with a population of *50,000 or less* the distribution is calculated as follows:**

- **20%** of the money shall be distributed on the basis of the **population** of the unit compared to the total county population.
- **80%** of the money shall be distributed on the basis of **road and street miles** of the unit compared to the county total road mileage.

**PERMISSIBLE USES: [IC 8-14-2-5](#)**

Local Road and Street distributions can be used by counties, cities and towns for:

- Engineering, land acquisition, construction, resurfacing, maintenance, restoration, of local and arterial road and street systems
- The payment of principal and interest on bonds sold primarily to finance road, street, or thoroughfare projects
- Any local costs required to undertake a recreational or reservoir road project under [IC 8-23-5](#) or
- The purchase, rental, or repair of highway equipment

## CIGARETTE TAX DISTRIBUTION

Cigarette taxes are allocated as follows ([IC 6-7-1-28.1](#)):

- **4.22% to the cigarette tax fund**
- 0.6% to the mental health centers fund
- 56.24% to the state general fund
- 5.43% to the pension relief fund established by [IC 5-10.3-11](#)
- 27.05% to the health Indiana plan trust fund established by [IC 12-15-44.2-17](#)
- 2.46% to the state general fund for Medicaid current obligations appropriations
- 4.0% to the retiree health benefit trust fund established by [IC 5-10-8-8.5](#)

The cigarette tax fund is allocated as follows ([IC 6-7-1-29.1](#)):

- 1/6 to the Department of Natural Resources
- 1/6 to the clean water Indiana fund
- **2/3 to be distributed each June and December to cities and towns on the basis of population.**

Annual Appropriations to local government entities ([IC 6-7-1-30.1](#)):

- For cities or towns not located in the same county as a consolidated city:
  - 3/14 of the funds shall be deposited in the city or town's general fund
  - 11/14 of the funds shall be deposited in the city or town's capital improvement fund
- For a consolidated city, or a city or town which is located in the same county as a consolidated city:
  - 3/14 of the funds are general fund revenue
  - 11/14 of the funds are distributed to the county treasurer
    - At each June and December distribution the Marion County Treasurer distributes the first \$175,000 to the capital improvement bond fund and the remainder to the City of Indianapolis department of transportation.

## ALCOHOLIC BEVERAGE GALLONAGE TAX DISTRIBUTION

Alcoholic Beverage Gallonage taxes are collected from beer, liquor, wine, malt beverages and hard cider and the revenues are allocated as follows ([IC 7.1-4-7](#)):

- 50% to the general fund
- 50% to cities and towns on the basis of population.

The quarterly distributions are made in January, April, July and October. These dollars are general fund revenue for cities and towns.