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January 26, 2018

OPINION LETTER NO. 42-2018

The Honorable John R. Ashcroft  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated January 18, 2018, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Terry Briggs regarding a proposed amendment to amend Chapter 142, Revised Statutes of Missouri, version 2 (2018-325). The proposed summary statement is as follows:

Do you want to amend Missouri law to:

- increase the current 17 cents per gallon state motor fuel tax by two and one-half cents per gallon each year beginning on January 1, 2019, so that in 2023 the tax will be 29 and one-half cents per gallon;
- require that all motor vehicle fuel tax revenues are used only for constructing and maintaining an adequate system of connected state highways; and

- require the state auditor to annually audit the state motor vehicle fuel tax revenues to ensure they are being used properly?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,



**JOSHUA D. HAWLEY**  
Attorney General