

## **Minutes of the Senate Transportation Committee**

**January 26, 2005**

A meeting of the Senate Transportation Committee was held on January 26, 2005 in Room 450 of the Capitol. Chairman Williams called the meeting to order at 1:30 p.m. Members present included Senators Whitehead of the 24<sup>th</sup>, Pearson of the 51<sup>st</sup>, Chapman of the 3<sup>rd</sup>, Douglas of the 17<sup>th</sup>, Goggans of the 7<sup>th</sup>, Heath of the 31<sup>st</sup>, Seabaugh of the 28<sup>th</sup>, Seay of the 34<sup>th</sup>, Staton of the 18<sup>th</sup>, Thompson of the 33<sup>rd</sup>, and Zamarripa of the 36<sup>th</sup>.

Chairman Williams welcomed everyone to the first meeting in 2005 of the Senate Transportation Committee. Members of the Committee introduced themselves, and the Chairman introduced his staff.

The adoption of the Committee Rules was the first order of business. Copies were distributed to all members. Senator Williams explained that he and the House Transportation Chairman, Rep. Vance Smith, would like for the Rules of both House and Senate to mirror each other, and because the House had just notified him of changes in their Rules, he suggested the adoption of the Rules be postponed until next meeting. The Committee agreed.

### **SB 4 (Seabaugh of the 28<sup>th</sup>) Public Funds; balancing of federal/state funds; change provisions**

Sen. Seabaugh explained that this legislation adds new language which adds projects for planning, surveying, constructing, paving and improving of the Dwight D. Eisenhower System of Interstate and Defense Highways in Georgia to those entities currently covered. This legislation will also divide 85 percent of the funding obligations of the total expenditures from the State Public Transportation Fund evenly among the congressional districts.

Chairman Williams assigned **SB 4 to a Sub-committee** to be chaired by Sen. Seabaugh. Members of the Sub-committee include, Sen. Douglas, Sen. Goggans, and Sen. Pearson.

Chairman Williams introduced Kathy Woolard to give a brief presentation of the **Atlanta Beltway Project**.

Ms. Woolard explained that Atlanta has a huge problem with traffic congestion and the only way to improve it is to change the way we think. The Beltway would offer a three part quality of life proposal. 1) Redevelopment 2) Transportation and 3) Green space. The Beltway will connect to Marta around the City of Atlanta, adding green space around the diameters of the trail, also adding around 52 bus routes along the Belt Line. Ms.

Woolard further stated she has a lot of support from the community, and the City Council and they are working closely with the Department of Transportation and MARTA. She also mentioned that they are in the working process of becoming eligible for federal funding and are in the final stages of a study for tax allocations. They are also looking at a way to leverage private dollars, hoping the numbers will look good enough to gain approval from the Mayor of the City of Atlanta and the Council. They are not asking for funding from the state. The Chairman asked how much of Belt Line is previously being used? Ms. Woolard stated that CSX-Northwest is used now, and the South line serves only one customer.

The Chairman thanked Ms. Woolard for her presentation and asked the Committee for questions.

There being no questions from the Committee and no further business, the meeting was adjourned by the Chairman at 2:10 p.m.

Respectfully submitted,

/s/ Senator Chip Pearson, Secretary

/s/ Audrey Lee, Recording Secretary

**Minutes of the  
Senate Transportation Committee**

**February 2, 2005**

A meeting of the Senate Transportation Committee was held on February 2, 2005 in Room 450 of the Capitol. Chairman Williams called the meeting to order at 3:30 p.m. Members present included Senators Whitehead of the 24<sup>th</sup>, Pearson of the 51<sup>st</sup>, Chapman of the 3<sup>rd</sup>, Douglas of the 17<sup>th</sup>, Goggans of the 7<sup>th</sup>, Heath of the 31<sup>st</sup>, Reed of the 35<sup>th</sup>, Seabaugh of the 28<sup>th</sup>, Seay of the 34<sup>th</sup>, Staton of the 18<sup>th</sup>, and Zamarripa of the 36<sup>th</sup>.

Chairman Williams read the Committee Rules and Road Dedication Rules and asked for comments. With no comments from the Committee, Chairman Williams moved that the Committee accept the changes in the Rules, with second from Sen. Seabaugh. The motion carried unanimously.

**SB 4 (Seabaugh of the 28<sup>th</sup>) Public funds; balancing of federal/state funds; change provisions**

Sen. Seabaugh offered a Sub-committee substitute which adds the Dwight D. Eisenhower System of Interstate and Defense Highways in Georgia to those transportation entities currently covered by the State Transportation Fund. Further it allocated 85 percent of the funding obligations of the total expenditures from the State Public Transportation Fund evenly among the congressional district. Language creates two successive budgeting periods every decade. The first period commences immediately following redistricting of congressional districts after each decennial census and will last for five years. The second budgeting period will continue until the beginning of the budgeting period following the next decennial census.

Larry Dent, Deputy Commissioner, Department of Transportation, state that the reason the bill is needed is that every congressional district in Georgia has an interstate. Tourism and economic development makes some of these interstates heavily traveled. Commissioner Dent mentioned that some of these interstates were built in the 1960's and they are in need of rehabilitation. The Commissioner said there was a need for the substitute because the districts needed to be aligned with the census. Chairman Williams stated that this bill would benefit rural Georgia as well. He said rural Georgia now gets 11.4% of the budget and the interstates get a huge portion of that 11.4%. He stated that if this bill passes it will allow for an exemption. He further stated that the 3<sup>rd</sup> Congressional district is a large portion of rural Georgia and it also has more interstate miles. However, they cannot work on the same plan. Sen. Douglas asked, if after 10 years when all is set, and congressional districts are drawn, is it possible that one or more congressional districts get short changed? Chairman Williams said he did not feel any district would

get short changed. He said he felt comfortable that would not happen. Michelle Cooper, South Georgia Business and Economic Development Council, stated her concerns that down the road this would hurt rural Georgia. Her organization is in opposition to the bill. Ed Crowell, Ga. Trucking Association, stated his organization is a 1,000 member Georgia based company. He mentioned that over 4% of vehicles traveling Georgia's highways are trucks. They produce over 40% of state highway funds through fuel revenue. Interstates are a vital necessity for the state as a whole. He stated support for the bill. Tom Gehl, Georgia Municipal Association, stated his organization had concerns but after discussion with Sen. Seabaugh, he had no problems with the bill. GMA supported the bill.

Sen. Seabaugh moved, and Sen. Zamarripa seconded that **SB 4 Do Pass By Substitute**, motion carried unanimously.

There being no questions from the Committee and no further business, the meeting was adjourned by the Chairman at 4:30 p.m.

Respectfully submitted,

/s/ Senator Chip Pearson, Secretary

/s/ Audrey Lee, Recording Secretary

**Minutes of the  
Senate Transportation Committee**

**February 9, 2005**

A meeting of the Senate Transportation Committee was held on February 9, 2005 in Room 450 of the Capitol. Chairman Williams called the meeting to order at 3:30 p.m. Members present included Senators Whitehead of the 24<sup>th</sup>, Pearson of the 51<sup>st</sup>, Douglas of the 17<sup>th</sup>, Goggans of the 7<sup>th</sup>, Heath of the 31<sup>st</sup>, Seabaugh of the 28<sup>th</sup>, Seay of the 34<sup>th</sup>, Staton of the 18<sup>th</sup>, Thompson of the 33<sup>rd</sup>, and Zamarripa of the 36<sup>th</sup>.

**SB 99 (Moody of the 56<sup>th</sup>) MARTA Act; code of ethics; conflict of interest; board members; provisions**

Sen. Moody explained that this bill allows MARTA Board of Directors and the local appointing authority to remove a Board member from office. Currently, only the appointing authority may do so. Sen. Moody also mentioned that this bill has bi-partisan support.

Sen. Whitehead asked how many members are there on the committee? Sen. Moody stated right now the committee has 18 members. Nathaniel Ford, General Manager of MARTA, said he is in full support of this bill. He further stated that passing this bill would give the Board 120 days to respond affirmative or negative. Sen. Zamarripa asked if the Authority would be retroactive? Mr. Ford answered no. Michael Wolfe, Chairman of the MARTA Board stated support of the bill. Tom Kilpatrick, MARTA Board Member, also stated his support of the bill. Marie Metter, MARTA Board of Directors of Fulton County, stated opposition to the bill. She had concerns that there are currently 18 members on the Board, four of which are Ex-Officio Members who are not mentioned in the bill. Sen. Williams asked if this bill refers to Ex-Officio members? Mr. Ford answered no, as it is presently written, however the committee may wish to include Ex-Officio members. The Committee agreed to leave the bill as is because Ex-Officio members are state employees and are subject to state regulations.

Se. Seabaugh moved, and Sen. Zamarripa seconded **SB 99 Do Pass**; motioned carried unanimously.

**SB 107 (Williams of the 19<sup>th</sup>) Developmental Highway system; additional route**

Sen. Williams explained that this bill adds Route 15 from its intersection with I-20 at Siloam to its intersection with U. S. 1 in Toombs County. He further stated that this would give Route 15 four lane access to the interstate.

Mr. Larry Dent, Deputy Commissioner, Department of Transportation, was in favor of SB 107.

Sen. Whitehead moved, and Sen. Thompson of the 33<sup>rd</sup> seconded [SB 107](#) **Do Pass**; motioned carried unanimously.

**[SB 114](#) (Butler of the 55<sup>th</sup>) MARTA; Use of sales proceeds or authority; extend provisions.**

Sen. Butler explained that SB 114 extends the use and purpose of the MARTA Tax. Currently, the Act authorizes a tax to be collected for various purposes relating to MARTA, with 50% of such a tax to be used to subsidize the transit system's operating costs. Starting in the fiscal year of 2002 and ending in 2006, 55% of such a tax may be used to subsidize operating costs. In 2007 the percentage would drop back down to 50%. SB 114 would extend this period from 2006 to 2011. Starting fiscal year 2012 the percentage would drop back down to 50%. Sen. Seabaugh mentioned that the sunset is June 30, 2006.

Nathanial Ford, General Manager MARTA, mentioned that MARTA was in full support of SB 114. He also stated that MARTA is the 9<sup>th</sup> largest transit system in North America, and it is one of the most clean and effective systems in the country. He further stated that after 9/11 the economy took a downturn and sales and passenger services took a devastating affect. He stated that SB 114 is needed to produce a more cost effective measure. Felecia Moore, Atlanta City Council, District 9, stated that the entire Council was in support of SB 114 and SB 115.

Sen. Seay moved, and Sen. Thompson seconded [SB 114](#) **Do Pass**; with Sen. Douglas voting no.

**[SB 115](#) (Butler of the 55<sup>th</sup>) MARTA; reserve fund interest income used to pay operating cost; provision**

Sen. Butler explained concerns about the interest earned on reserve funds. Currently, any interest earned on reserve funds set aside for rebuilding, repairing, or renovating facilities of the rapid transit system, equipment or other capitol assets or from the sale of real property may be used to pay the operating cost of the rapid transit system. This may only be done with the approval of the Board of Directors of the Metro Atlanta Rapid Transit System Authority. Under the Act, the interest may not be used for operating cost after July 30<sup>th</sup> of 2006; however, SB 115 would extend the deadline for ten years until June 30<sup>th</sup> 2016.

Sen. Seay moved and Sen. Seabaugh seconded **SB 115 DO PASS**; motion carried unanimously.

**SR 81 (Hamrick of the 30<sup>th</sup>) Designate; J. G. McCalmon Highway**

Sen. Hamrick explained that this resolution was requested by family of Mr. McCalmon and he offered a substitute to dedicate rather than designate the highway.

Sen. Seabaugh moved, and Sen. Thompson seconded **SR 81 Do Pass By Substitute**; motion carried unanimously.

There being no further business, the meeting was adjourned by the Chairman at 2:25 p.m.

Respectfully submitted,

/s/ Senator Chip Pearson, Secretary

/s/ Audrey Lee, Recording Secretary

**Minutes of the  
Senate Transportation Committee**

**February 16, 2005**

A meeting of the Senate Transportation Committee was held on February 16, 2005 in Room 450 of the Capitol. Chairman Williams called the meeting to order at 1:35 p.m. Members present included Senators Whitehead of the 24<sup>th</sup>, Pearson of the 51<sup>st</sup>, Chapman of the 3<sup>rd</sup>, Douglas of the 17<sup>th</sup>, Goggans of the 7<sup>th</sup>, Heath of the 31<sup>st</sup>, Reed of the 35<sup>th</sup>, Seabaugh of the 28<sup>th</sup>, Seay of the 34<sup>th</sup>, Staton of the 18<sup>th</sup>, and Zamarripa of the 36<sup>th</sup>.

**SB 129 (Adelman of the 42<sup>nd</sup>) Public Transit; unlawful to solicit/sell to operators/passengers; penalties**

Senator Adelman explained that SB 129 addresses conduct in public transportation. The bill makes it illegal to sell goods and services or solicit money on or in a public transportation vehicle or within the paid areas of any rapid rail station or intermodal bus station. However, a person may do so with permission from the public transportation authority. The legislation makes it illegal to distribute handbills or flyers on or in public transportation areas. A person found in violation will be guilty of a misdemeanor. If convicted, he or she must pay a fine of at least \$50.00 but not more than \$100.00. Upon subsequent conviction, he or she must pay a fine of at least \$100.00 but not greater than \$250.00; or serve jail term of no more than 10 days; or both. This legislation becomes effective on July 1, 2005 and applies to all offenses on or after this date.

Sen. Douglas asked if a person may solicit or sell with the permission of the Authority? Sen. Adelman answered yes, but the Board would have to set the criteria. Sen. Douglas went on to state he felt it would be better for the Board to say yes or no to vendors rather than to have a gray area. Sen. Adelman said he felt the Board should have some discretion. Sen. Whitehead said he would like to hear more of what the intent is and why the bill was created. Tom Bauer stated that MARTA had concerns about vendorship and solicitation of money. As, it stands now, Judges are reluctant to prosecute for panhandling because provisions in the law are not clear. Sen. Zamarripa stated that most of the problems started when residential properties were built near MARTA stations and people started hanging out, loitering and panhandling the riders. Sen. Williams stated that the bill should have provisions permitting the authorized sale of goods because should MARTA not be able to make money from concessions, it would hurt their bottom line. Sen. Williams went on to say that he supports the ability of the public transportation authority to allow for certain concessions. MARTA, for example, could allow newspaper vendors within paid areas as a way to increase revenue and ticket sales. Wanda Duvall, MARTA's Assistant Police Chief, stated that there is aggressive panhandling and vendorship without a license. She stated that they have no arresting powers, or ability to

fine, they can only ask to stop and escort off property. Sen. Douglas stated that if MARTA police agree with the bill then he would not object.

Sen. Seay moved and Sen. Seabaugh seconded **SB 129 Do Pass**; motion carried unanimously.

**SB 150 (Zamarripa of the 36<sup>th</sup>) Georgia Community Streetcar Development/Revitalization Act; implement program**

Sen. Zamarripa explained that this legislation outlines procedures to conform to federal streetcar guidelines by creating the Georgia Community Streetcar Development Revitalization Act. The Act establishes provisions for the State Road and Tollway Authority to implement a program that provides for the development and expansion of streetcar transportation. The State and Road Tollway Authority will establish and implement a five-year grant program, to provide assistance to local government authorities and public-private initiatives, for the funding of projects. The program will begin when funding becomes available. The grant program may be renewed at the end of each five-year period. Also, the authority will work closely with the formation of a pilot program and will be the flow through point for any available funds.

Sen. Douglas asked if a study had been completed to see if the market was right for this. Sen. Zamarripa said a study was completed and paid for by private funds. Sen. Douglas further stated that he has concerns that it wouldn't be long before taxpayers would be asked to contribute. He said he was against the bill.

Sen. Seay moved, and Sen. Whitehead seconded **SB 150 Do Pass**; motion carried with Sen. Douglas voting no.

**SB 160 (Pearson of the 51<sup>st</sup>) Highways; dimensions/weight of vehicles/loads;**

Sen. Pearson explained concerns for interstate highways, in particular, Sections 4 and 5 address and amend Part 2 of article 3 of Chapter 6 of Title 32 of the O.C.G.A. "Primary system" of "primary highway" is redefined as follows: "The federal-aid primary system in existence on June 1, 1991, and any highway which is not on such system, but which is on the "National Highway System."

Larry Dent, Deputy Commissioner, Department of Transportation, stated his support for this bill. He said this does not apply to outdoor advertisements and recommends engrossing the bill. Sen. Heath was concerned that the bill increased DOT's power over junkyards. He also mentioned that Section 6 of the bill states DOT is responsible for the control of junkyards only on primary highways that are state roads. Commissioner Dent informed the Committee and Sen. Heath that DOT already has that power and it would not be increased.

Sen. Seabaugh moved, and Sen. Seay seconded **SB 160 Do Pass**; motion carried unanimously.

**SR 116 (Sen. Zamarripa of the 36<sup>th</sup>) Atlanta Belt Line Project, commend**

Sen. Zamarripa explained that this resolution commends the Atlanta Belt Line project and urges the City of Atlanta and related parties to move forward with the Belt Line project.

Sen. Goggans moved, and Sen. Heath seconded **SR 116 Do Pass**; motion carried unanimously.

There being no further business, the meeting was adjourned by the Chairman at 2:15 p.m.

Respectfully submitted,

/s/ Senator Chip Pearson, Secretary

/s/ Audrey Lee, Recording Secretary

**Minutes of the  
Senate Transportation Committee**

**February 23, 2005**

A meeting of the Senate Transportation Committee was held on February 23, 2005 in Room 310 of the Legislative Office Building. Vice-Chairman Whitehead called the meeting to order at 1:05 p.m.

Sen. Whitehead explained that Chairman Williams was in an Appropriations Committee meeting discussing the budget. Members present included Senators Goggans of the 7<sup>th</sup>, Douglas of the 17<sup>th</sup>, Heath of the 31<sup>st</sup>, Reed of the 35<sup>th</sup>, Seabaugh of the 28<sup>th</sup>, Seay of the 34<sup>th</sup>, Staton of the 18<sup>th</sup>, and Zamarripa of the 36<sup>th</sup>.

**HB 273 (Lunsford of the 110<sup>th</sup>) FlexAuto lanes; authorize Dept. of Transportation to implement**

Sen. Heath explained this bill known as FlexAuto Lanes; encourages, but does not require, the Department of Transportation to study allowing commuters to use the emergency lanes and paved shoulders of the state's busiest interstate highways during peak hours, up to eight hours a day.

Sen. Douglas asked if lanes are occupied with traffic, how would emergency vehicles get by? Sen. Heath stated that the flex lanes would only be placed in areas where DOT has designated as safe areas and the lanes would have to be wide enough and strong enough to allow for room and weight of emergency vehicles. Sen. Douglas asked who would be responsible for removing dirt and debris from the shoulders of the road? Sen. Heath states that the DOT would be responsible for keeping the shoulders swept. Sen. Zamarripa expressed concerns about the provision in the bill that would prohibit the use of trucks in the flex lanes. He stated that there is already confusion to the public regarding HOV lanes and is not sure how the public will adapt to such changes. He feels it may be a hazard to motorists. Sen. Reed expressed to the Committee that this is only a pilot program, subject to changes by the DOT. Sen. Heath stated this bill is only to encourage a trial study. There will have to be certain parameters set by DOT who will also decide the best use of dollars to relieve the traffic congestion in the metro area.

Sen. Reed moved, and Sen. Douglas seconded [HB 273](#) Do Pass, motion carried unanimously.

**HR 14 (Casas of the 103<sup>rd</sup>) Hybrid or alternative fuel vehicles; urge Congress to allow in HOV lanes**

Rep. Casa explained that this legislation requests that the United States Congress pass legislation allowing hybrid or alternative fueled passenger vehicles to use established

HOV lanes. He stated that it is already in Georgia law to allow hybrid vehicles to use HOV lanes, however, federal code does not allow.

Sen. Douglas moved, and Sen. Reed seconded [HR 14](#) **Do Pass**; motion carried unanimously.

There being no further business, the meeting was adjourned by the Vice-Chairman at 1:25 p.m.

Respectfully submitted,

/s/ Senator Jim Whitehead, Vice-Chairman

/s/ Audrey Lee, Recording Secretary

**Minutes of the  
Senate Transportation Committee**

**March 2, 2005**

A meeting of the Senate Transportation Committee was held on March 2, 2005 in Room 450 of the Capitol. Chairman Williams called the meeting to order at 4:30 p.m. Members present included Senators Whitehead of the 24<sup>th</sup>, Pearson of the 51<sup>st</sup>, Chapman of the 3<sup>rd</sup>, Goggans of the 7<sup>th</sup>, Douglas of the 17<sup>th</sup>, Seabaugh of the 28<sup>th</sup>, Seay of the 34<sup>th</sup>, Reed of the 35<sup>th</sup>, Thompson of the 33<sup>rd</sup>, and Zamarripa of the 36<sup>th</sup>.

**SB 231 (Whitehead of the 24<sup>th</sup>) Transportation; design-build contracts; revise criteria**

Sen. Whitehead explained that this legislation allows the Department of Transportation to award a stipulated fee to the short list of qualified proposers who provide a responsive, successful proposal. In return for providing the fee the department may use ideas contained in the proposals in connection with the contract awarded for the project or in connection with a subsequent procurement, without obligation to pay any additional compensation to the unsuccessful proposers.

Sen. Heath offered an amendment which strikes the word “most” of line 4 on page 2. As amended the bill states that DOT “shall select lowest qualified bidder...” the amendment passed unanimously.

Sen. Goggans moved, and Sen. Thompson of the 33<sup>rd</sup> seconded **SB 231 Do Pass As Amended**; motion carried unanimously.

**SB 266 (Unterman of the 45<sup>th</sup>) Persons with Disabilities; taxicab companies, accessible for wheelchairs**

Sen. Unterman explained that this legislation required that after July 1, 2006, all taxicab companies operating ten or more taxicabs in Georgia will ensure that at least 10% of its cabs are accessible to persons using motorized wheelchairs.

Sen. Goggans was concerned that 10% might be too high of a percentage. Sen. Thompson of the 33<sup>rd</sup> was concerned about the costs to cab companies as well as liability issues. Sen. Zamarripa stated that currently, there is only one insurance company for cabs operating in Atlanta. Sen. Chapman mentioned contacting other states to see if they have similar legislation in this regard. Sen. Williams was concerned that the bill’s time frame would not allow cab companies enough time to conform. Members of the committee were also interested in confining the requirement to cities with populations greater than 100,000.

Chairman Williams assigned SB 266 to a Sub-committee to be chaired by Sen. Zamarripa. Members of the Sub-committee include, Sen. Unterman, Sen. Reed, and Sen. Thompson of the 33<sup>rd</sup>.

**SB 270 (Williams of the 19<sup>th</sup>) Ga. Highway Authority; additional powers; public-private initiatives**

Sen. Williams explained that this legislation permits the acceptance of solicited as well as unsolicited, proposals for public-private initiatives. It allows for the disclosure of nonproprietary matters from unsolicited proposals in order to encourage competition and provides for a payment and performance bonds to protect the interest of the public.

Mr. Earl Mahfuz stated the original bill does not ensure taxpayers 100% protection on performance bonds. If not changed, he was afraid that it would leave it up to the Department to charge any amount that they wish. Sen. Pearson offered a substitute to ensure taxpayers and contractors are 100% protected by adding a 100% performance bonds in the bill. The Committee agreed to adopt the substitute.

Sen. Reed moved, and Sen. Seay seconded **SB 270 Do Pass By Substitute**; motion carried unanimously.

**SB 285 (Rogers of the 21<sup>st</sup>) Trains; operation; signal whistles; lights; remove certain provisions**

Sen. Rogers explained that this legislation repeals some laws that no longer serve a purpose. Specifically, the bill removes certain provisions relating to employees engaged in the operation of trains and relating to signal whistles and lights on trains.

Sen. Seay moved, and Sen. Whitehead seconded **SB 285 Do Pass**; motion carried unanimously.

**The following resolutions were explained by Sen. Williams.**

**SR 280 (Johnson of the 1<sup>st</sup>) Dedicating the “Thomas B. Darieng, Sr., Hwy.**

**SR 282 (Bulloch of the 11<sup>th</sup>) Dedicating the John Lee Drake, Sr., Hwy.**

**SR 304 (Johnson of the 1<sup>st</sup>) Honor Ronnie O’Neal; State Trooper; died in the line of duty**

**SR 305 (Johnson of the 1<sup>st</sup>) Dedicating the Mack Mattingly Hwy**

Sen. Chapman moved and Sen. Goggans seconded [SR 280](#), [SR 282](#), [SR 304](#) and [SR 305](#)  
**Do Pass**; motion carried unanimously.

There being no further business, the meeting was adjourned by the Vice-Chairman at 4:45 p.m.

Respectfully submitted,

/s/ Senator Chip Pearson, Secretary

/s/ Audrey Lee, Recording Secretary

**Minutes of the  
Senate Transportation Committee**

**March 9, 2005**

A meeting of the Senate Transportation Committee was held on March 9, 2005 in Room 450 of the Capitol. Chairman Williams called the meeting to order at 1:35 p.m. Members present included Senators Whitehead of the 24<sup>th</sup>, Pearson of the 51<sup>st</sup>, Chapman of the 3<sup>rd</sup>, Goggans of the 7<sup>th</sup>, Douglas of the 17<sup>th</sup>, Heath of the 31<sup>st</sup>, Seabaugh of the 28<sup>th</sup>, Thompson of the 33<sup>rd</sup>, and Zamarripa of the 36<sup>th</sup>.

**HB 279 (Rep. Floyd of the 147<sup>th</sup>) Highways; vehicles hauling certain products; weight limitation variance**

Rep. Floyd explained that this bill provides a 5% weight variance for vehicles when hauling any agricultural or farm product from a farm to the first point of marketing or processing.

Sen. Douglas asked if bridges could hold an extra 4,000 lbs. Rep. Floyd felt that the bridges were in compliance and could withstand the weight. Sen. Seabaugh mentioned if it is difficult to tell the exact weight, it would be hard for businessmen to make a living. Rep. Floyd stated that his amendment which would extend the length of trucks from 52 ft. to 57 ft. was offered by Frito-Lay. The added 4 ft. provides more space. Jonathan Pannell of Troutman Sanders spoke in favor of the bill with an amendment to extend trailers to 57 ft. Sen. Whitehead asked how many companies would the 57 ft. trailer impact besides Frito-Lay? Mr. Pannell did not know. Larry Dent, Deputy Commissioner, Department of Transportation, spoke against the bill. Mr. Dent said the current weight limit is 80,000 lbs. and the 5% variance would allow trucks that exceed 80,000 lbs., this further reduces the number of roads the heavier trucks could use. Along with Commissioner Dent, Matt Hicks, Association of County Commissioners of Georgia spoke against the bill. Mr. Hicks noted the added costs to taxpayers to upgrade the bridges so that heavier vehicles could cross them. Craig Camuso, Georgia Railroad Association, spoke against the amendment, noting the extra length might lead to more trucks being hit at railroad crossings.

The amendment to extend trailer to 57 ft. carried by a vote of 6 to 5.

Sen. Seabaugh moved, and Sen. Goggans seconded **HB 279 Do Pass As Amended**; motion carried with Sen. Zamarripa and Sen. Douglas voting no.

**HB 281 (Rep. Smith of the 129<sup>th</sup>) Georgia Regional Transportation Authority; amend provisions**

John Keys, Manager of External Affairs of Georgia Regional Transportation Authority explained that this bill provides for a sales tax exemption on property purchased by the Georgia Regional Transportation Authority. It also states that no provision of Chapter 7 of Title 46 will apply to any bus, other motor vehicles, or rapid rail system of the authority that provides transit services.

Sen. Zamarripa asked if any other authority pays taxes. Mr. Keys stated that the Lottery is the only authority that pays taxes. Sen. Douglas had concerns that people paying sales tax would be forced to subsidize GRTA even more should this bill pass. Mr. Keys stated that Sen. Douglas was correct, however, no other transit system pays taxes.

Sen. Zamarripa moved, and Sen. Chapman seconded [HB 281](#) **Do Pass**, motion carried with Sen. Douglas voting no.

There being no further business, the meeting was adjourned by the Chairman at 2:15 p.m.

Respectfully submitted,

/s/ Senator Chip Pearson, Secretary

/s/ Audrey Lee, Recording Secretary

**Minutes of the  
Senate Transportation Committee**

**March 17, 2005**

A meeting of the Senate Transportation Committee was held on March 17, 2005 in Room 450 of the Capitol. Chairman Williams called the meeting to order at 3:30 p.m. Members present included Senators Whitehead of the 24<sup>th</sup>, Pearson of the 51<sup>st</sup>, Chapman of the 3<sup>rd</sup>, Douglas of the 17<sup>th</sup>, Reed of the 35<sup>th</sup>, Seabaugh of the 28<sup>th</sup>, Thompson of the 33<sup>rd</sup>, and Zamarripa of the 36<sup>th</sup>.

**HB 530 (Rep. Vance Smith of the 129<sup>th</sup>) Transportation; Dept. of; design-build contracts**

Sen. Williams offered a substitute to HB 530 which strikes the language relating to estimated bid cost not exceeding 10 million dollars relating to the design build process. Further, the bill strikes the term “responsive” and replaces it with “qualified” as one of the definitions relating to bidders. Sen. Williams went on to explain this legislation allows that the department may provide for stipulated fee to be awarded to the short list of qualified proposers who provide a responsive successful proposal. The Department of Transportation may use any ideas or information contained in the proposals in connection with the project in consideration for having paid the fee to the company. The department may adopt a method of resolving issues and disputes through negotiations at the project level, including a dispute review board. Sen. Williams offered a substitute which corrected some language in the original bill.

Sen. Seabaugh moved, and Sen. Seay seconded **HB 530 Do Pass by Substitute**; motion carried unanimously.

**The following resolutions were all explained by Sen. Williams:**

**HR 91 (Rep. Chuck Simms of the 169<sup>th</sup>) Honoring the life of DeWayne King and designating the De Wayne King, USMC, Memorial Bridge**

**HR 94 (Rep. Earl Carter of the 159<sup>th</sup>) Honoring the memory of Jack William Sherouse and designating the Jack William Shearouse Bridge in Chatham County**

**HR 201 (Rep. Jay Roberts of the 154<sup>th</sup>) Designating the Wendell W. Thigpen Memorial Bridge**

**HR 231 (Rep. David Ralston of the 7<sup>th</sup>) Designating the A. L. Stepp Interchange**

Sen. Seabaugh moved, and Sen. Douglas seconded [HR 91](#), [HR 94](#), [HR 201](#) and [HR 231](#) **Do Pass**; motion carried unanimously. Sen. Seabaugh also asked that the above resolutions be placed on the Rules Consent Calendar. The Committee agreed.

**[HR 173](#) (Rep. Bob Lane of the 158<sup>th</sup>) Blue Star Memorial Highway**

Sen. Williams offered a substitute to HR 173 designating U. S. Highway 280/State Route 30 from the eastern city limits of Pembroke to the western city limits (Bacon Street) as Blue Star Memorial Highway.

Sen. Seabaugh moved, and Sen. Seay seconded [HR 173](#) **Do Pass By Substitute**; motion carried unanimously.

**[HR 269](#) (Rep. Tom Graves of the 12<sup>th</sup>) Disable America Veterans Intersection**

Sen. Williams offered a substitute to HR 269 and explained that the resolution designated the intersection of State Highway 515 and State Highway 53 as “Disabled American Veterans Intersection.” It also dedicated a portion of the South Third Avenue within the corporate limits of the City of McRae as the Mayor Johnny Bradfield Highway, dedicating the Martine Luther King, Jr. Boulevard in the City of McRae, remembering the life of George Edward Bentley and dedicating a portion of the GA 120 Loop in Marietta, GA, and dedicating a portion of Georgia State Highway 365 extending east from the Jaimeson Intersection to Lake Hartwell at the South Carolina boundary as the Roger Caudell Highway.

Sen. Seabaugh moved, and Sen. Thompson of the 33<sup>rd</sup> seconded [HR 269](#) **Do Pass By Substitute**; motion carried unanimously.

There being no further business, the meeting was adjourned by the Chairman at 3:45 p.m.

Respectfully submitted,

/s/ Senator Chip Pearson, Secretary

/s/ Audrey Lee, Recording Secretary

**Minutes of the  
Senate Transportation Committee**

**March 29, 2005**

A meeting of the Senate Transportation Committee was held on March 29, 2005 in Room 450 of the Capitol. Chairman Williams called the meeting to order at 7:50 a.m. Members present included Senators Whitehead of the 24<sup>th</sup>, Pearson of the 51<sup>st</sup>, Chapman of the 3<sup>rd</sup>, Douglas of the 17<sup>th</sup>, Goggans of the 7<sup>th</sup>, Heath of the 31<sup>st</sup>, Seabaugh of the 28<sup>th</sup>, Thompson of the 33<sup>rd</sup>, and Zamarripa of the 36<sup>th</sup>.

**SR 503 (Mullis of the 53<sup>rd</sup>) Asset Maintenance Project; Urge Department of Transportation to initiate**

Senator Mullis offered a substitute urging the Department of Transportation to proceed with an initiation in 2005 of a pilot performance based asset maintenance project for highway maintenance in a location or district it deems most feasible for the benefit of the citizens of the State of Georgia. He went on to say that we have some of the best roads in the country and we need to initiate ways to achieve better success.

Sen. Whitehead moved, and Sen. Station seconded **SR 503 Do Pass By Substitute**, motion carried unanimously.

There being no further business, the meeting was adjourned by the Chairman at 7:59 a.m.

Respectfully submitted,

/s/ Senator Chip Pearson, Secretary

/s/ Audrey Lee, Recording Secretary