

SENATE TRANSPORTATION
COMMITTEE

2010

Senator Jeff Mullis, 53rd, Chairman
212 English Avenue
Chickamauga, GA 30707

Senate Judson Hill, 32nd, Ex-Officio
3102 Raines Court
Marietta, GA 30062

Senator Chip Pearson, 51st, Vice-Chairman
P.O. Box 209
Dawsonville, GA 30534

Senator Jack Murphy, 27th, Ex-Officio
3830 Adams Road
Cumming, GA 30041

Senator Bill Jackson, 24th, Secretary
P.O. Box 528
Appling, GA 30802

Senator Valencia Seay, 34th
P.O. Box 960008
Riverdale, GA 30274

Senator Hardie Davis, 22nd
P.O. Box 235
Gracewood, GA 30812

Senator Cecil Staton, 18th
P.O. Box 26427
Macon, GA 31221

Senator John Douglas, 17th
295 Nicklaus Circle
Social Circle, GA 30025

Senator Doug Stoner, 6th
P.O. Box 1781
Smyrna, GA 30081

Senator Greg Goggans, 7th, Ex-Officio
1300 Hampton Road
Douglas, GA 31533

Senator Steve Thompson, 33rd
1170 Longwood Drive
Marietta, GA 30008

Senator Bill Heath, 31st, Ex-Officio
2225 Cashtown Road
Bremen, GA 30110

Senator Ross Tolleson, 20th
P.O. Box 1356
Perry, GA 31069

Senate Transportation Committee
Rules
2009-2010

- 1) All meetings of the Committee shall be open to the public in accordance with Senate Rule [1-5.1].
- 2) The quorum for the Transportation Committee shall be five (5) members.
- 3) A bill, resolution, or other matter will be considered only after presentation by its principal author or legislator whom he or she designates to do so. In the event that more than one member of the General Assembly has signed a measure, the principal author shall be the one whose name appears first in the list of authors.
- 4) The Committee shall convene, recess, and adjourn upon order of the Chairman.
- 5) The Chairman shall determine which bills, amendments, and resolutions are to be considered and the order in which measures are considered.
- 6) The Chairman shall have sole authority to refer bills and resolutions to subcommittees for study. Such subcommittees, in turn, shall have the authority to make recommendations on such measures to the full Committee. All actions of any subcommittee shall be approved or disapproved by the standing Committee.
- 7) These Rules may be amended or waived upon motion made and subsequently approved by a majority of the members of the Committee present at the meeting.
- 8) The Secretary of the Committee will have a copy of these rules distributed to all members of the Senate.
- 9) The recording of the minutes of the Committee and the Subcommittee shall comply with Senate Rule [2-1.7(d)].
- 10) The Rules of the Senate shall prevail in all matters not covered by Committee Rules.
- 11) Bills and resolutions, at the option of the Chairman, may be acted on at the first reading.
- 12) The Senate Transportation Committee has adopted rules for road naming/dedication Ch. 3, Pg. 7; Rule (3-4.01).

Minutes of the Senate Transportation Committee

January 14, 2010

A meeting of the Senate Transportation Committee was held on January 14, 2010 in the Senate Mezzanine Room 1 of the Capitol. Chairman Mullis called the meeting to order at 2:06 p.m. Members present included Senators Pearson of the 51st, Jackson of the 24th, Douglas of the 17th, Goggans of the 7th, Ex-Officio; Hill of the 32nd, Ex-Officio; Murphy of the 27th, Ex-Officio; Seay of the 34th, Staton of the 18th, Stoner of the 6th, Thompson of the 33rd, and Tolleson of the 20th.

Chairman Mullis welcomed everyone to the first meeting of the 2010 legislative session. The Chairman welcomed Earl Mahfuz from the Georgia Department of Transportation (GDOT) to present their Public-Private Partnership (P3) Rules. He explained the process taken to develop the rules for Public-Private Partnerships to fund transportation projects in Georgia.

Senator Steve Thompson expressed concerns about the expediency of the vote to approve the rules and that the rules may give control of these road projects to one person. Senator Stoner stated that he would abstain from voting due to the fact he works for a company that will be taking part in the bidding process. Senator Pearson would like to make sure that Georgia companies are given priority in the bidding process, to help stimulate the economy of our state. Senator Judson Hill stated that he would abstain from voting for the rules because a group he consults with may have a part in the process. There was discussion about other GDOT issues not related to the rules.

The Chairman suggested that we adopt the rules as they exist today and allow Department of Transportation to move forward. However, he further directed the Department to amend the P3 Rules to state that, "the Transportation Board shall approve any changes or adjustments in the guidelines and any changes to the rules must come back before the Senate and House Transportation Committees for consideration." Mr. Mahfuz agreed to the Chairman's request.

Senator Tolleson moved that the **Public-Private Partnership (P3) Rules** be adopted and Senator Murphy seconded. The vote was unanimous and the P3 Rules were adopted.

There being no further business, the meeting was adjourned by the Chairman at 3:18 p.m.

Respectfully submitted,

/s/ Senator Bill Jackson 24th, Secretary

/s/ Debra Charnote, Recording Secretary

**Minutes of the
Senate Transportation Committee**

January 28, 2010

A meeting of the Senate Transportation Committee was held on January 28, 2010 in Room 125 of the Capitol. Chairman Mullis called the meeting to order at 11:07 a.m. Members present included Senators Pearson of the 51st, Jackson of the 24th, Heath of the 31st, Ex-Officio; Murphy of the 27th, Ex-Officio; Seay of the 34th, Staton of the 18th, Stoner of the 6th, and Tolleson of the 20th.

**SB 22 (Stoner, 6th) Georgia Coordinating Council for Rural and Human Services
Transportation; establish**

Senator Stoner presented a committee substitute for the bill. The bill creates the Georgia Coordinating Committee for Rural and Human Services Transportation of the Governor's Development Council. The Committee must establish a State Advisory Subcommittee which will be composed of the State School Superintendent and the Commissioners of the Department of Transportation, Department of Behavioral Health and Development Disabilities, Department of Community Human Services, Department of Community Health, and the Department of Labor. The Committee will look at ways to coordinate programs that provide rural and human service transportation services across the state and deliver a report to the Subcommittee by July 1 of each year; comments and recommendations are allowed for 30 days; Council will then provide a report to OPB by September 1; OPB will then deliver the report with any budget recommendations by January 15 to presiding officers of each chamber and the chairpersons of the Transportation, Health and Human Services, and Appropriations Committees of each chamber.

NOTE: Senator Pearson arrived at 11:17 a.m.

In favor of the bill were Stephanie Carter of the Department of Transportation, John Keys of Keys Solutions (transportation consulting firm), Rita Young of All About Development Disabilities (AADD), Karen Bacheller of the GA Council on Aging, and Tom Bauer of the Georgia Transit Association.

Senator Seay moved that **SB 22 Do Pass by Substitute** and Senator Tolleson seconded. The bill passed unanimously.

SB 22 DO PASS BY SUBSTITUTE

There being no further business, the meeting was adjourned by the Chairman at 11:22 a.m.

Respectfully submitted,

/s/ Senator Bill Jackson 24th, Secretary

/s/ Debra Charnote, Recording Secretary

Minutes of the Senate Transportation Committee

February 2, 2010

A meeting of the Senate Transportation Committee was held on February 2, 2010 in Room 450 of the Capitol. Chairman Mullis called the meeting to order at 4:05 p.m. Members present included Senators Pearson of the 51st, Douglas of the 17th, Hill of the 32nd, Ex-Officio; Murphy of the 27th, Ex-Officio; Seay of the 34th, Staton of the 18th, and Tolleson of the 20th.

[SB 305](#) (Mullis, 53rd) *Transportation, Department of; design-build method; increase the percentage of projects contracted*

Senator Mullis presented the bill. The bill allows the Georgia Department of Transportation (GDOT) to contract up to 30 percent of the total amount of construction projects using the design-build procedure. Current law limits them to 15 percent. Under design-build, GDOT contracts with one party to design and build. GDOT Deputy Commissioner Gerald Ross and Stephanie Carter (legislative liaison) were called forward to answer any questions the committee might have about the bill. Senator Staton asked why it is 30 percent and not 40 percent or 50 percent. Stephanie Carter responded that it is a compromise with highway contractors. She also stated that it was only a maximum percentage, not a requirement.

Senator Douglas moved that **SB 305 Do Pass** and Senator Seay seconded. The bill passed unanimously.

[SB 305 DO PASS](#)

NOTE: Senator Judson Hill arrived at 4:13 p.m. and
Senator Tolleson arrived at 4:26 p.m.

[SB 323](#) (Pearson, 51st) *Transportation Projects; require local and small business participation – Hearing Only*

Senator Pearson presented the bill. The bill requires the GDOT to insure local and small business participation in the bidding process for funding transportation projects. Chairman Mullis invited GDOT Commissioner Vance Smith to comment on the legality of the bill. Commissioner Smith stated that Federal law says that no State DOT may require “in-state” criteria because it is anti-competitive. Senator Pearson asked if we could require local businesses in a private partnership bidding process without federal money, and Commissioner Smith said that there are virtually no road projects without some federal involvement.

There being no further business, the meeting was adjourned by the Chairman at 4:28 p.m.

Respectfully submitted,

/s/ Senator Jeff Mullis 53rd, Chairman

/s/ Debra Charnote, Recording Secretary

Minutes of the Senate Transportation Committee

February 4, 2010

A meeting of the Senate Transportation Committee was held on February 4, 2010 in Room 450 of the Capitol. Chairman Mullis called the meeting to order at 4:13 p.m. Members present included Senators Pearson of the 51st, Jackson of the 24th, Douglas of the 17th, Heath of the 31st, Ex-Officio; Seay of the 34th, Staton of the 18th, Stoner of the 6th, and Tolleson of the 20th. Members of the Senate Appropriations Subcommittee of Transportation, Senators Hooks of the 14th and Williams of the 19th, were also present.

Chairman Mullis invited Department of Transportation Board Chairman Bill Kuhlke to the front. He also recognized other DOT Board Members Dana Lemon, David Doss, Johnny Floyd, Emory McClinton, Bill Parham, and Steve Gooch in the audience. He thanked them for being in attendance for today's meeting.

Chairman Mullis explained that the committee would like to address the DOT Board's recent decision to return to the accrual accounting method. A motion was made on January 21, 2010 to return to the accrual accounting method and a motion was made on January 28, 2010 to make it effective July 2010. He asked Chairman Kuhlke if he was aware that their decision was in conflict with current state law, and to explain to the committee why such an action was taken. Chairman Kuhlke stated that he was not aware it was an illegal action, and that their reasons for going from cash to accrual accounting was simply to provide more jobs, and put people to work quicker.

Senator Williams stated that the Governor had already displaced Department of Technical Adult Education, Libraries, and College Funds, to put \$300 million in bonds to provide funds for road projects in the state. Senator Tolleson stated that he was concerned that the DOT Board voted on an illegal measure. Senator Staton said he is shocked and concerned that the DOT Board would do something that was self-destructive and return to accrual accounting. Senator Pearson also stated that the actions of the Board were disrespectful to this committee and to the Chairman. The DOT and the Legislature need to work together.

DOT Board Chairman Bill Kuhlke addressed the committee's concerns by stating that he agrees that the DOT Board acted hastily in their decision, and the Board has learned their lesson and apologized to this committee and the Legislature.

Russell Hinton and John Thornton from the State Audit Department addressed the committee and notified them that when an audit was done for the Georgia Department of Transportation in April of 2008, they advised the Department that these practices were not legal and should not be used.

Chairman Mullis stated that obligations nearly doubled in 2007 and DOT accrued nearly \$2 million in Federal funds. He asked the State Audit Department, if the resolution conflicted with their recommendations to GDOT? Russell Hinton stated, "Yes." Chairman Mullis further stated that if it was to contract without funds, it would be against the constitution.

Susan Riley of Georgia State Finance Commission (GSFIC) spoke about the Governor's Revenue Bonds. The action that the DOT Board has taken could hurt our bond rating by going against the State Audit recommendation. Senator Hooks asked Ms. Riley to be more specific. Ms. Riley said that if we lose our credibility that our bond ratings would drop, and they would not have the same value. It could take years for our bond rating to go back up.

Senator Williams asked that the DOT Board rescind their decision and make it right. Senator Bill Jackson also said that we need to work together. The DOT Board is dedicated and mistakes are made. He stated that he trusts that they will make it right.

There being no further business, the meeting was adjourned by the Chairman at 5:03 p.m.

Respectfully submitted,

/s/ Senator Bill Jackson 24th, Secretary

/s/ Debra Charnote, Recording Secretary

OFFICE OF LIEUTENANT GOVERNOR
240 State Capitol
Atlanta, Georgia 30334

Casey Cagle
Lieutenant Governor

February 9, 2010

The Honorable Bob Ewing
Secretary of the Senate
353 State Capitol
Atlanta, GA 30334

Dear Bob:

Please let this letter serve as official notice that Senator Hardie Davis, 22nd, is hereby appointed to the following Senate Committees:

Economic Development
Insurance and Labor
State and Local Governmental Operations
Transportation
Ethics
Government Oversight

This appointment is effective immediately.

Please contact my office if you have any questions or concerns.

Sincerely,

/s/ Casey Cagle
Lieutenant Governor

**Minutes of the
Senate Transportation Committee**

February 9, 2010

A meeting of the Senate Transportation Committee was held on February 9, 2010 in Room 450 of the Capitol. Chairman Mullis called the meeting to order at 4:02 p.m. Members present included Senators Jackson of the 24th, Davis of the 22nd, Goggans of the 7th, Ex-Officio; Heath of the 31st, Ex-Officio; Murphy of the 27th, Ex-Officio; Staton of the 18th, and Tolleson of the 20th.

SR 822 (Mullis, 53rd) Transportation, Dept. of; urged to seek waiver from Federal Highway Administration to allow retail developments along interstate highway

Chairman Mullis presented a committee substitute for the resolution. The resolution urges the Georgia Department of Transportation to seek a waiver from the Federal Highway Administration in order to allow the operation of commercial retail developments in rest areas along the interstate highway system. This would exclude any businesses that store fuel. States currently have the responsibility for creating and maintaining rest areas. One way to alleviate the cost to the state would be to allow the commercial retail operations to operate within the rest areas and to assume the cost for the operation and maintenance. Chairman Mullis stated that we have many people who travel through the State of Georgia and as they stop at these retail developments, it would add to the economic growth of the state and allow us to keep the rest areas open later.

Senator Heath moved that **SR 822 Do Pass by Substitute** and Senator Jackson seconded. The resolution passed unanimously.

SR 822 DO PASS BY SUBSTITUTE

There being no further business, the meeting was adjourned by the Chairman at 4:08 p.m.

Respectfully submitted,

/s/ Senator Bill Jackson of the 24th, Secretary

/s/ Debra Charnote, Recording Secretary

Minutes of the Senate Transportation Committee

February 16, 2010

A meeting of the Senate Transportation Committee was held on February 16, 2010 in Room 450 of the Capitol. Chairman Mullis called the meeting to order at 4:02 p.m. Members present included Senators Pearson of the 51st, Jackson of the 24th, Davis of the 22nd, Douglas of the 17th, Goggans of the 7th, Ex-Officio; Hill of the 32nd, Ex-Officio; Murphy of the 27th, Ex-Officio; Seay of the 34th, Staton of the 18th, Stoner of the 6th, and Tolleson of the 20th.

SR 821 (Shafer, 48th) *Transportation, Department of; multiyear construction agreements*

Senator Shafer presented the resolution. The resolution proposes a Constitutional Amendment that will authorize the General Assembly to allow, by general law, the Department of Transportation to enter into multiyear construction agreements without obligating present funds for the full amount of obligation the state may bear under the full term of the agreement. Any agreement must provide for the termination of the agreement in the event of insufficiency of funds and limit the payments or other obligations of the state to not more than 10 fiscal years.

Senator Shafer stated that the DOT currently must have all the money in the bank before a multiyear contract can be fulfilled. This would make it legal for us to start the process and fund in phases. This would create more jobs and allow us to start projects now. Senator Pearson asked if this meant the state would incur the cost of the project in the state budget, and then be refunded by the federal government later. Senator Tolleson also asked if matching funds are reimbursed by the federal government as you spend. Senator Shafer answered yes to both questions. Senator Heath stated that it appears that the state would be collecting debt and asked if there was any impact on the State bond rating. Senator Shafer could not answer the question.

Senator Stoner said that he would refrain from voting on the resolution due to a conflict of interest because he works for a company that takes part in the bidding process for these types of projects.

Senator Pearson moved that **SR 821 Do Pass** and Senator Stoner seconded. The resolution passed unanimously.

SR 821 DO PASS

There being no further business, the meeting was adjourned by the Chairman at 4:19 p.m.

Respectfully submitted,

/s/ Senator Bill Jackson of the 24th, Secretary

/s/ Debra Charnote, Recording Secretary

Minutes of the Senate Transportation Committee

March 2, 2010

A meeting of the Senate Transportation Committee was held on March 2, 2010 in Room 450 of the Capitol. Chairman Mullis called the meeting to order at 1:13 p.m. Members present included Senators Pearson of the 51st, Jackson of the 24th, Davis of the 22nd, Douglas of the 17th, Goggans of the 7th, Ex-Officio; Heath of the 31st, Hill of the 32nd, Ex-Officio; Murphy of the 27th, Ex-Officio; Seay of the 34th, Staton of the 18th, Stoner of the 6th, and Tolleson of the 20th.

[SB 285](#) (Thompson, 5th) *MARTA; allow transportation services contract to authorize the extension to Authority's existing rapid rail system*

Senator Curt Thompson presented the bill. The bill allows MARTA to expand and removes the provisions in the current MARTA Act which prohibit MARTA from executing a transportation services contract that is a rapid transit contract or one which authorizes extension of MARTA's existing rapid rail system. Gwinnett CID is interested. With this legislation it can contract with MARTA to provide rail service. Scott Haggard of MARTA and Richard Oden of Rockdale County spoke in favor of the bill.

Senator Seay moved that **SB 285 Do Pass** and Senator Murphy seconded. The bill passed unanimously.

[SB 285 DO PASS](#)

[SB 392](#) (Murphy, 27th) *Education; require educational institutions to verify motor common/contract carriers properly certified; transportation of students*

Senator Murphy presented the bill. The bill requires schools and daycare centers that receive state funds to verify that a motor carrier that transports students is certified by the PSC; motor carriers of passengers must provide copies of PSC certificate of insurance to all parties under the contract.

Senator Douglas moved that **SB 392 Do Pass** and Senator Seay seconded. The bill passed unanimously.

[SB 392 DO PASS](#)

SR 1066 (Mullis, 53rd) **Transportation, Dept. of; use available resources to mitigate the traffic gridlock around Atlanta Motor Speedway**

Senator Mullis presented the resolution. The resolution directs the Georgia DOT to synchronize traffic signals at Tara Blvd and I-75 by Atlanta Motor Speedway to help traffic on race days. Senator Douglas spoke in favor of the bill because he doesn't want the race to move to another city due to too much congestion on the streets.

Senator Murphy moved that **SR 1066 Do Pass** and Senator Seay seconded. The resolution passed unanimously.

SR 1066 DO PASS

SB 354 (Shafer, 48th) **Public Roads; further declare authority of counties/municipalities to remove roads from their systems when removal is in best public interest**

Senator Shafer presented the bill. The bill gives authority to counties and municipalities so they can remove roads and streets from their road and street systems when it is determined that removal is in the best public interest. Senators Davis and Bill Jackson expressed concerns for unincorporated areas and dirt roads being closed and leaving constituents with no access to their land. Marci Rubensohn of GMA spoke in support of the bill, and clarified that for the purpose of motor vehicles these roads are abandoned and closed. Chairman Mullis suggested that Senators Shafer, Davis and Bill Jackson get together to work out issues with the bill and bring it back before the committee at a later time.

There being no further business, the meeting was adjourned by the Chairman at 1:54 p.m.

Respectfully submitted,

/s/ Senator Bill Jackson of the 24th, Secretary

/s/ Debra Charnote, Recording Secretary

Minutes of the Senate Transportation Committee

March 9, 2010

A meeting of the Senate Transportation Committee was held on March 9, 2010 in Room 450 of the Capitol. Chairman Mullis called the meeting to order at 3:06 p.m. Members present included Senators Jackson of the 24th, Davis of the 22nd, Douglas of the 17th, Goggans of the 7th, Ex-Officio, Murphy of the 27th, Ex-Officio; Seay of the 34th, Staton of the 18th, Stoner of the 6th, Thompson of the 33rd, and Tolleson of the 20th.

[SB 354](#) (Shafer, 48th) *Public Roads; further declare authority of counties/municipalities to remove roads from their systems when removal is in best public interest*

Senator Shafer presented the bill. The bill authorizes a local government to remove a section from the road system when it is otherwise in the best public interest. Current law authorizes a local government to remove a section of a road system only when it has determined that it has ceased to be used by the public to the extent that no substantial public purpose is served by it. This bill only clarifies the standard for removal; it does not change the actual procedure for removal. Some subdivisions have expressed a desire to take back a road from the local government and maintain it, etc. This bill allows them to do so.

Senator Douglas moved that **SB 354 Do Pass** and Senator Steve Thompson seconded. The bill passed unanimously.

[SB 354 DO PASS](#)

NOTE: Senators Bill Jackson and Davis arrived at 3:10 p.m.

[SB 448](#) (Mullis, 53rd) *State Transportation Board; provide members to serve for the same term as General Assembly members*

Senator Mullis presented the bill. The bill would allow the members of the State Transportation Board to serve the same term as the members of the General Assembly, unless a member is recalled by a majority vote of the legislative caucus that elected him or her. There was a suggestion to stagger the terms every three years. Senators Seay and Steve Thompson expressed concerns about the bill and moved that the bill be tabled. Chairman Mullis agreed to table the bill and work to resolve any concerns they may have with the bill.

There being no further business, the meeting was adjourned by the Chairman at 3:59 p.m.

Respectfully submitted,

/s/ Senator Bill Jackson of the 24th, Secretary

/s/ Debra Charnote, Recording Secretary

**Minutes of the
Senate Transportation Committee**

March 11, 2010

A meeting of the Senate Transportation Committee was held on March 11, 2010 in Room 125 of the Capitol. Chairman Mullis called the meeting to order at 11:05 a.m. Members present included Senators Pearson of the 51st, Jackson of the 24th, Davis of the 22nd, Heath of the 31st, Murphy of the 27th, Ex-Officio; Seay of the 34th, Staton of the 18th, Thompson of the 33rd, and Tolleson of the 20th.

SB 338 (Staton, 18th) *Georgia Sports Hall of Fame Authority; designate signs commemorating significant sporting achievements*

Senator Staton presented the bill. The bill allows the Georgia Sports Hall of Fame Authority to designate signs commemorating significant sporting achievements. There will be no additional costs to the state and sponsors will pay for the signs and installation.

Senator Bill Jackson moved that **SB 338 Do Pass** and Senator Seay seconded. The bill passed unanimously.

SB 338 DO PASS

NOTE: Senator Davis arrived at 11:19 a.m.

SR 1178 (Mullis, 53rd) *Georgia Civil War Heritage Trails; designate as the official state-wide Civil War Era Historic Driving Trails of Georgia*

Senator Mullis presented the resolution. The resolution designates the six driving trails already either in development or planned by the Georgia Civil War Heritage Trails as the official state-wide Civil War Era Historic Driving Trails of Georgia.

Senator Murphy moved that **SR 1178 Do Pass by Substitute** and Senator Bill Jackson seconded. The resolution passed unanimously.

SR 1178 DO PASS BY SUBSTITUTE

NOTE: Senator Heath departed at 11:44 a.m.

SR 1126 (Mullis, 53rd) State Transportation Board; provide members be recalled/shall be elected to serve the same term as General Assembly members

Senator Mullis presented the resolution. The resolution allows for the General Assembly to recall State Transportation Board members and for the election of members to serve 4-year terms (enabling legislation is SB 448). Members of the Board in office on December 31, 2010 will not serve out the remainder of their respective terms. Members currently serve 5-year terms. Enabling legislation will provide for staggered terms. Legislative Counsel pointed out that there will be a gap between when the current board members' terms expire and when the new board members are elected (approximately 2 weeks – beginning of 2011 Session).

Senators Seay and Steve Thompson expressed concern that Board members need longer terms to gain the institutional knowledge relating to transportation issues. Senator Steve Thompson expressed concern with the provision allowing for the recall of members because the Board should be removed from politics and the General Assembly.

Senator Pearson moved that **SR 1126 Do Pass by Substitute** and Senator Staton seconded. The resolution passed with six yea votes and three nay votes by Senators Davis, Seay and Steve Thompson.

SR 1126 DO PASS BY SUBSTITUTE

There being no further business, the meeting was adjourned by the Chairman at 11:46 a.m.

Respectfully submitted,

/s/ Senator Bill Jackson of the 24th, Secretary

/s/ Debra Charnote, Recording Secretary

**Minutes of the
Senate Transportation Committee**

March 16, 2010

A meeting of the Senate Transportation Committee was held on March 16, 2010 in Room 125 of the Capitol. Chairman Mullis called the meeting to order at 4:06 p.m. Members present included Senators Pearson of the 51st, Jackson of the 24th, Douglas of the 17th, Goggans of the 7th, Ex-Officio; Heath of the 31st, Murphy of the 27th, Ex-Officio; Seay of the 34th, Staton of the 18th, Stoner of the 6th, Thompson of the 33rd, and Tolleson of the 20th.

SR 1159 (Seay, 34th) *U.S. President/Congress; urged to continue funding public transportation for elderly and disabled residents of Georgia*

Senator Seay presented the resolution. The resolution urges Congress to assist Georgia by continuing federal funding of public transportation for the elderly and disabled of Georgia and C-Tran.

Senator Murphy moved that **SR 1159 Do Pass** and Senator Douglas seconded. The resolution passed unanimously.

SR 1159 DO PASS

NOTE: Senators Pearson, Goggans, Heath, Bill Jackson, and Steve Thompson arrived at 4:10 p.m.

SB 51 (Stoner, 6th) *Georgia Rail Passenger Authority; allow for indemnification of private parties; revise composition of the membership*

Senator Stoner presented the bill. The bill revises the composition of the members of the Rail Passenger Authority and specifies duties and powers. Currently, the Authority is composed of members appointed by the Governor: one member from each congressional district and two members from the state at large. Under this legislation, the Authority will be composed of seven members: three members to be appointed by the Governor, two members to be appointed by the Lieutenant Governor, and two members to be appointed by the Speaker of the House of Representatives. The committee Substitute changes the effective date to reflect 2010.

Senator Seay moved that **SB 51 Do Pass by Substitute** and Senator Staton seconded. The bill passed unanimously.

SB 51 DO PASS BY SUBSTITUTE

SB 448 (Mullis, 53rd) **State Transportation Board; provide members to serve for the same term as General Assembly members**

Senator Mullis presented the bill. Members of the State Transportation Board will serve 4-year staggered terms; allows General Assembly to recall members by a majority vote of the legislative caucus that elected the member. As of December 31, 2010, the term of each member on the Board on that date expires. In the election for Board members held during the year 2011, Board members from all even-numbered congressional districts in this state must be elected to the Board for a two-year term. The Board members from all odd-numbered congressional districts in this state must be elected for four-year terms. All subsequent elections of Board members must be for four-year terms. Also requires annual meeting for legislative members to meet with Board members to discuss any matters of interest.

Senator Douglas moved that **SB 448 Do Pass by Substitute** and Senator Staton seconded. The bill passed unanimously.

SB 448 DO PASS BY SUBSTITUTE

There being no further business, the meeting was adjourned by the Chairman at 4:15 p.m.

Respectfully submitted,

/s/ Senator Bill Jackson of the 24th, Secretary

/s/ Debra Charnote, Recording Secretary

Minutes of the Senate Transportation Committee

March 18, 2010

A meeting of the Senate Transportation Committee was held on March 18, 2010 in Room Mezzanine 1 of the Capitol. Chairman Mullis called the meeting to order at 10:33 a.m. Members present included Senators Pearson of the 51st, Jackson of the 24th, Douglas of the 17th, Heath of the 31st, Murphy of the 27th, Ex-Officio; Seay of the 34th, Staton of the 18th, Stoner of the 6th, Thompson of the 33rd, and Tolleson of the 20th.

SB 501 (Douglas, 17th) *Transportation, Department of; modify provisions for the State Transportation Board; provide for the appointment of a treasurer*

Senator Douglas presented the bill. The bill designates that the DOT Treasurer and Assistant Treasurer must be certified public accountants. Senator Stoner made a motion to strike the first sentence in Section b which allowed the Treasurer to be appointed by the Governor. The committee unanimously agreed.

Senator Douglas moved that **SB 501 Do Pass by Substitute** and Senator Stoner seconded. The bill passed unanimously.

SB 501 DO PASS BY SUBSTITUTE

SB 505 (Staton, 18th) *State Transportation Board; limit membership on the board to one five-year term*

Senator Staton presented the bill. The bill prohibits a State Transportation Board member from serving more than one five-year term.

Senator Douglas moved that **SB 505 Do Pass** and Senator Bill Jackson seconded. The bill passed with six yea votes and three nay votes by Senators Pearson, Steve Thompson, and Stoner.

SB 505 DO PASS

SR 1075 (Mullis, 53rd) *CSA Army of Tennessee Highway; dedicate*

Senator Mullis presented a committee substitute for the resolution, which included road and bridge dedications.

Senator Murphy moved that **SR 1075 Do Pass by Substitute** and Senator Stoner seconded. The resolution passed unanimously.

SR 1075 DO PASS BY SUBSTITUTE

NOTE: Senator Heath arrived at 10:39 a.m.

There being no further business, the meeting was adjourned by the Chairman at 10:40 a.m.

Respectfully submitted,

/s/ Senator Bill Jackson of the 24th, Secretary

/s/ Debra Charnote, Recording Secretary

**Minutes of the
Senate Transportation Committee**

March 22, 2010

A meeting of the Senate Transportation Committee was held on March 22, 2010 in Room 450 of the Capitol. Chairman Mullis called the meeting to order at 11:05 a.m. Members present included Senators Pearson of the 51st, Jackson of the 24th, Davis of the 22nd, Douglas of the 17th, Goggans of the 7th, Ex-Officio; Heath of the 31st, Murphy of the 27th, Ex-Officio; Seay of the 34th, Staton of the 18th, Stoner of the 6th, Thompson of the 33rd, and Tolleson of the 20th.

SB 516 (Heath, 31st) *Property Damage/Intrusion; any person who distributes unsolicited printed material to yards; shall retrieve any such materials not picked up*

Senator Heath presented the bill. The bill relates to littering public or private property or waters and enforcing personnel, so as to provide that any person who distributes unsolicited printed material to yards, driveways, walkways, or porches shall retrieve any such materials not picked up; to provide for a penalty. Some concerns were raised that this legislation might be harmful to small neighborhood papers.

NOTE: Senators Davis and Stoner arrived at 11:25 a.m.

Senator Heath moved that **SB 516 Do Pass** and Senator Pearson seconded. The bill received three yea votes and eight nay votes from Senators Davis, Douglas, Murphy, Seay, Staton, Stoner, Steve Thompson, and Tolleson.

SB 516 DO NOT PASS

NOTE: Senator Goggans left at 11:28 a.m.

SB 519 (Mullis, 53rd) **Motor Vehicles; motorized cart; modify definition; change hours of operation; provide local governments decide operators be licensed**

Senator Mullis presented the bill. The bill updates and clarifies law relating to the operation of motorized carts; removes provision which authorized local governments to allow unlicensed drivers to operate motorized carts. Increases weight limits under definition of motorized carts, operating hours, and equipment that must be on carts (headlights, etc). Elmer Stancil of the Georgia Department of Economic Development spoke in support of the bill.

Senator Bill Jackson moved that **SB 519 Do Pass** and Senator Steve Thompson seconded. The bill passed unanimously.

SB 519 DO PASS

SB 520 (Mullis, 53rd) **Transportation, Department of; provide for an Intermodal Division within the department**

Senator Mullis presented the bill. The bill creates an Intermodal Division within DOT. There is currently an intermodal office under the Engineering Division.

Senator Stoner moved that **SB 520 Do Pass** and Senator Steve Thompson seconded. The bill passed unanimously.

SB 520 DO PASS

NOTE: Senator Murphy left at 11:37 a.m.

SR 1298 (Buckner, 44th) **Transportation, Department of; urged to place appropriate signage for Meadow Garden**

Senator Buckner presented the resolution. The resolution urges DOT to put appropriate signs up on highways advertising Meadow Garden. Meadow Garden was the home of George Walton, one of the Georgia signers of the Declaration of Independence. Mrs. Phyllis Fox Lawson of the Daughters of the American Revolution spoke in support of the resolution.

Senator Douglas moved that **SR 1298 Do Pass** and Senator Steve Thompson seconded. The resolution passed unanimously.

SR 1298 DO PASS

SR 1299 (Heath, 31st) **National Highway Traffic Safety Admin.; urged to update Standard 302 of the Federal Motor Vehicle Safety Standards**

Senator Heath presented the resolution. The resolution urges the National Highway Traffic Safety Administration to update federal standards relating to burn resistance level for materials used inside vehicles. The current standard was adopted in 1975 and doesn't reflect fire hazards of modern vehicles. Chief Alan Shuman, State Fire Marshall, spoke in favor of the resolution.

Senator Davis moved that **SR 1299 Do Pass** and Senator Stoner seconded. The resolution passed unanimously.

SR 1299 DO PASS

SB 503 (Mullis, 53rd) **Elections; require lobbyists to file disclosure reports of expenditures on members of State Transportation Board**

Senator Mullis presented the bill. The bill would require lobbyists to file disclosure reports of expenditures on members of the State Transportation Board.

Senator Douglas moved that **SB 503 Do Pass** and Senator Staton seconded. The bill passed unanimously.

SB 503 DO PASS

There being no further business, the meeting was adjourned by the Chairman at 11:55 a.m.

Respectfully submitted,

/s/ Senator Bill Jackson of the 24th, Secretary

/s/ Debra Charnote, Recording Secretary

**Minutes of the
Senate Transportation Committee**

April 1, 2010

A meeting of the Senate Transportation Committee was held on April 1, 2010 in Room 125 of the Capitol. Chairman Mullis called the meeting to order at 11:00 a.m. Members present included Senators Jackson of the 24th, Douglas of the 17th, Goggans of the 7th, Ex-Officio; Stoner of the 6th, and Tolleson of the 20th.

[HB 827](#) (Rep. Sims, 169th) *Highway employees; death or disability; indemnification; change provisions*

Senator Goggans presented the bill and will be the Senate sponsor. The bill increases the death/disability coverage amounts for state highway employees to match those in current law for other public safety individuals; in the case of death, indemnification payments may go to deceased person's parents or siblings. Increases are \$12,000 to \$35,000 for partial permanent disability, from \$25,000 to \$75,000 for total permanent disability, and from \$40,000 to \$100,000 for death or organic brain damage. Payments may go to deceased person's parents if he/she does not have an unremarried spouse or dependents or to siblings if no surviving parents. Chairman Mullis offered a committee substitute to the bill to add firefighters.

Senator Bill Jackson moved that **HB 827 Do Pass by Substitute** and Senator Stoner seconded. The bill passed unanimously.

[HB 827 DO PASS BY SUBSTITUTE](#)

NOTE: Senator Douglas arrived at 11:07 a.m.

[HB 1174](#) (Rep. Burns, 157th) *Public roads; regulate oversize and overweight loads; provisions*

Senator Mullis presented the bill and Senator Davis will be the Senate sponsor. The bill amends various provisions related to oversized vehicles as well as updates statutes related to pedestrian hybrid beacons and variable speed limits to be consistent with federal law. This bill is identical to [SB 526](#) that passed the Senate on March 26th.

Senator Goggans moved that **HB 1174 Do Pass** and Senator Bill Jackson seconded. The bill passed unanimously.

[HB 1174 DO PASS](#)

There being no further business, the meeting was adjourned by the Chairman at 11:08 a.m.

Respectfully submitted,

/s/ Senator Bill Jackson of the 24th, Secretary

/s/ Debra Charnote, Recording Secretary

Minutes of the Senate Transportation Committee

April 13, 2010

A meeting of the Senate Transportation Committee was held on April 13, 2010 in Mezzanine Room 1 of the Capitol. Chairman Mullis called the meeting to order at 5:35 p.m. Members present included Senators Pearson of the 51st, Jackson of the 24th, Davis of the 22nd, Douglas of the 17th, Heath of the 31st, Ex-Officio; Murphy of the 27th, Ex-Officio; Staton of the 18th, Stoner of the 6th, Thompson of the 33rd, and Tolleson of the 20th.

SR 1376 (Mullis, 53rd) **Georgia Department of Transportation; urged to require all future public and private projects to use advanced communication**

Senator Mullis presented the resolution. The resolution urges DOT to require the use of advanced technology available for communications and other intelligent transportation initiatives. Specifically mentions public-private partnerships in the first phase of the Atlanta Managed Lanes project. Christian Kochner of Copps Traffic Com spoke in favor of the resolution.

Senator Staton moved that **SR 1376 Do Pass** and Senator Tolleson seconded. The resolution passed unanimously.

SR 1376 DO PASS

HB 1135 (Rep. Roberts, 154th) **Transportation, Department of; enter into multiyear contracts; authorize**

Senator Shafer presented the bill and will be the Senate sponsor. The bill allows DOT to enter into multiyear contracts. DOT must establish necessary controls to control cash flow and report to Senate and House Transportation Committees annually. The GSFIC may establish a total multiyear contract value based upon the Governor's estimate of motor fuel tax funds for subsequent fiscal years and other information. The DOT must maintain an available cash balance at the end of each month equal to at least 10 percent of the unpaid balance of the total multiyear construction agreement obligations.

At the beginning of each fiscal year, transportation project appropriations must be encumbered for the estimated payments for multiyear construction agreement work to be performed in the appropriation fiscal year. DOT can terminate an agreement if there are insufficient funds. Only applies to contracts entered into after July of this year. Susan Ridley of GSFIC spoke in support of the bill.

NOTE: Senator Pearson arrived at 6 p.m.

Senator Steve Thompson stated that this issue is complex and they just received the committee substitute. He also complained that there was another substitute but Senator Mullis was only taking up one of them. Main issue is that GSFIC sets the value.

Senator Steve Thompson moved that **HB 1135 Do Not Pass** and Senator Stoner seconded. The motion received two yea votes and seven nay votes by Senators Pearson, Bill Jackson, Douglas, Heath, Murphy, Staton, and Tolleson.

Senator Douglas moved that **HB 1135 Do Pass by Substitute** and Senator Bill Jackson seconded. The bill passed with nine yea votes and one nay vote from Senator Steve Thompson.

HB 1135 DO PASS BY SUBSTITUTE

There being no further business, the meeting was adjourned by the Chairman at 6:07 p.m.

Respectfully submitted,

/s/ Senator Bill Jackson of the 24th, Secretary

/s/ Debra Charnote, Recording Secretary

**Minutes of the
Senate Transportation Committee**

April 20, 2010

A meeting of the Senate Transportation Committee was held on April 20, 2010 in Room 450 of the Capitol. Chairman Mullis called the meeting to order at 8:30 a.m. Members present included Senators Davis of the 22nd, Douglas of the 17th, Goggans of the 7th, Ex-Officio; Heath of the 31st, Ex-Officio; Murphy of the 27th, Ex-Officio; Staton of the 18th, Stoner of the 6th, and Tolleson of the 20th.

[SR 1377](#) (Mullis, 53rd) *Georgia Department of Transportation; urged to designate Georgia Civil War Heritage Trails*

Senator Mullis presented the resolution. The resolution designates the six driving trails as the official Georgia Civil War Heritage Trails. Urges state agencies to cooperate in placing historic markers in all six regions.

Senator Staton moved that **SR 1377 Do Pass** and Senator Goggans seconded. The resolution passed unanimously.

[SR 1377 DO PASS](#)

NOTE: Senator Murphy arrived at 8:39 a.m.

[HR 1513](#) (Rep. Hudson, 124th) *Little's Ferry/George F. Green Memorial Bridge; Hancock and Putnam Counties; dedicate*

Senator Mullis presented the resolution and will be the Senate sponsor. The committee substitute to the resolution includes bridge and road dedications.

Senator Goggans moved that **HR 1513 Do Pass by Substitute** and Senator Stoner seconded. The resolution passed unanimously.

[HR 1513 DO PASS BY SUBSTITUTE](#)

HR 1686 (Rep. Loudermilk, 14th) **LCPC Seth Sharp Memorial Intersection; Bartow County; dedicate**

Senator Mullis presented the resolution and will be the Senate sponsor. The resolution includes bridge and road dedications, specifically for military.

Senator Douglas moved that **HR 1686 Do Pass** and Senator Stoner seconded. The resolution passed unanimously.

HR 1686 DO PASS

There being no further business, the meeting was adjourned by the Chairman at 8:43 a.m.

Respectfully submitted,

/s/ Senator Jeff Mullis of the 53rd, Chairman

/s/ Debra Charnote, Recording Secretary

Minutes of the Senate Transportation Committee

April 21, 2010

A meeting of the Senate Transportation Committee was held on April 21, 2010 in Room 321 of the Capitol. Chairman Mullis called the meeting to order at 2:53 p.m. Members present included Senators Jackson of the 24th, Douglas of the 17th, Heath of the 31st, Ex-Officio; Hill of the 32nd, Ex-Officio; Murphy of the 27th, Ex-Officio; Staton of the 18th, and Thompson of the 33rd.

SR 1441 (Mullis, 53rd) **Georgia Transportation Department; urged to prioritize a certain project; SR 151 state highway**

Senator Mullis presented a committee substitute for the resolution. The resolution is urging the Georgia Department of Transportation to prioritize certain road projects. Numerous resolutions for road projects were rolled into the substitute.

Senator Steve Thompson moved that **SR 1441 Do Pass by Substitute** and Senator Heath seconded. The resolution passed unanimously.

SR 1441 DO PASS BY SUBSTITUTE

Due to the late date in the session, in the event the Substitute is not ready by the deadline for resolutions to be favorably reported out of committee and 2nd read, the Chairman suggested that a motion be made to pass all resolutions individually as well.

Senator Steve Thompson moved that **SR 1432, SR 1453, SR 1459, SR 1463, SR 1470, SR 1471, SR 1482, SR 1488, and SR 1505 Do Pass** and Senator Heath seconded. The resolutions passed unanimously.

**SR 1432 DO PASS, SR 1453 DO PASS, SR 1459 DO PASS,
SR 1463 DO PASS, SR 1470 DO PASS, SR 1471 DO PASS,
SR 1482 DO PASS, SR 1488 DO PASS, SR 1505 DO PASS**

There being no further business, the meeting was adjourned by the Chairman at 2:55 p.m.

Respectfully submitted,

/s/ Senator Bill Jackson of the 24th, Secretary

/s/ Debra Charnote, Recording Secretary

**Minutes of the
Senate Transportation Committee**

April 28, 2010

A Joint meeting of the House and Senate Transportation Committees was held on April 28, 2010 in Room 506 of the CLOB. Chairman Mullis called the meeting to order at 2:05 p.m. Senate Members present included Senators Pearson of the 51st, Jackson of the 24th, Goggans of the 7th, Ex-Officio; Heath of the 31st, Ex-Officio; Murphy of the 27th, Ex-Officio; Stoner of the 6th, and Tolleson of the 20th.

Eric Pitts, Assistant State Maintenance Engineer for GDOT, presented the committee with information regarding roadside maintenance, mowing, and GDOT plans for addressing road repairs in the districts.

There being no further business, the meeting was adjourned by the Chairman at 2:40 p.m.

Respectfully submitted,

/s/ Senator Bill Jackson of the 24th, Secretary

/s/ Debra Charnote, Recording Secretary

May 17, 2010

Honorable Bob Ewing
Secretary of the Senate
State Capitol
Room 353
Atlanta, GA 30334

Dear Mr. Ewing:

Along with the minutes of the **Senate Transportation Committee**, I am returning the following Bills and Resolutions:

<u>SB 18</u>	<u>SB 323</u>	<u>SR 90</u>	<u>SR 863</u>	<u>SR 1323</u>
<u>SB 19</u>	<u>SB 365</u>	<u>SR 175</u>	<u>SR 972</u>	<u>SR 1300</u>
<u>SB 32</u>	<u>SB 366</u>	<u>SR 338</u>	<u>SR 1048</u>	<u>SR 1306</u>
<u>SB 40</u>	<u>SB 372</u>	<u>SR 339</u>	<u>SR 1074</u>	<u>SR 1355</u>
<u>SB 107</u>	<u>SB 438</u>	<u>SR 507</u>	<u>SR 1129</u>	<u>SR 1449</u>
<u>SB 187</u>	<u>SR 43</u>	<u>SR 567</u>	<u>SR 1141</u>	<u>SR 1551</u>
<u>SB 212</u>	<u>SR 82</u>	<u>SR 852</u>	<u>SR 1177</u>	<u>HB 397</u>

Respectfully submitted,

/s/ Debra Charnote
Recording Secretary
Senate Transportation Committee