

SENATE TRANSPORTATION
COMMITTEE

2011

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

Senator Steve Thompson, 33rd
1170 Longwood Drive
Marietta, GA 30064

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

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

Senator Steve Gooch, 51st, Secretary
P.O. Box 600
Dahlonega, GA 30533

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

Senator Barry Loudermilk, 52nd
P.O. Box 465
Cassville, GA 30123

Senator Butch Miller, 49th
2420 Browns Bridge Road
Gainesville, GA 30504

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

Senator Valencia Seay, 34th
P.O. Box 960008
Riverdale, GA 30296

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

Senate Transportation Committee Rules

2011-2012

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 six (6) 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. 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 25, 2011

A meeting of the Senate Transportation Committee was held on January 25, 2011 in Room 450 of the Capitol. Chairman Mullis called the meeting to order at 1:02 p.m. Members present included Senators Staton of the 18th, Gooch of the 51st, Loudermilk of the 52nd, Miller of the 49th, Seay of the 34th, Stoner of the 6th, Thompson of the 33rd, and Tolleson of the 20th.

Chairman Mullis welcomed everyone to the first meeting of the 2011 legislative session. The Transportation Committee Rules were discussed. Senator Steve Thompson stated his concerns that the quorum should be six instead of five. The Chairman said he would look into his concerns, but asked for a motion to adopt the rules.

Senator Stoner moved that the **Committee Rules** be adopted and Senator Gooch seconded. The rules were adopted (7-1), with one nay vote from Senator Steve Thompson.

There being no further business, the meeting was adjourned by the Chairman at 1:13 p.m.

Respectfully submitted,

/s/ Senator Steve Gooch 51st, Secretary

/s/ Debra Charnote, Recording Secretary

Minutes of the Senate Transportation Committee

January 27, 2011

A joint meeting of the House & Senate Transportation Committees was held on January 27, 2011 in Room 450 of the Capitol. Chairman Mullis called the meeting to order at 12:55 p.m. Senate members present included Senators Staton of the 18th, Gooch of the 51st, Jackson of the 24th, Loudermilk of the 52nd, Miller of the 49th, Seay of the 34th, Stoner of the 6th, and Tolleson of the 20th.

Chairman Mullis invited the Governor's appointee, Todd Long, Planning Director, Georgia Department of Transportation to address the committee.

Representative Rogers of the 26th moved that the appointment of **Todd Long as Planning Director of GDOT be confirmed by the Senate & House Transportation Committees** and Senator Tolleson seconded. The motion received unanimous consent.

There being no further business, the meeting was adjourned by the Chairman at 1:09 p.m.

Respectfully submitted,

/s/ Senator Steve Gooch 51st, Secretary

/s/ Debra Charnote, Recording Secretary

Minutes of the Senate Transportation Committee

February 1, 2011

A meeting of the Senate Transportation Committee was held on February 1, 2011 in Room 450 of the Capitol. Chairman Mullis called the meeting to order at 1:02 p.m. Members present included Senators Gooch of the 51st, Loudermilk of the 52nd, Miller of the 49th, Seay of the 34th, Stoner of the 6th, Thompson of the 33rd and Tolleson of the 20th.

Chairman Mullis presented a change for the committee rules in response to Senator Steve Thompson's concerns. The quorum would now be six members. Senator Seay made a motion that the **Committee Rules** be adopted as amended and Senator Gooch seconded. There was unanimous consent.

NOTE: Sen. Loudermilk arrived at 1:05 p.m.

The Chairman notified the committee that [SR 30](#) and [SR 31](#) will be moved to the Roads & Bridges Subcommittee for further review and discussion.

[SR 29](#) (Mullis, 53rd) *Transportation System; urging the efficient delivery and maintenance*

Senator Mullis presented the resolution. The resolution urges the Georgia Department of Transportation to efficiently manage the department by contracting out to the private sector and setting a goal of a 25 percent reduction in employees by June 30, 2015. Specifically, the resolution urges GDOT to: (1) Contract out to the private sector to the maximum degree practicable; (2) Emphasize strategically important skills in its employment and training practices; (3) Assess current staff and long-term needs so that there is a clear plan regarding staff adjustments; and (4) Set a goal of a 25 percent reduction in employees to 3,750 employees by June 30, 2015 and to contract out their activities and tasks where they are readily available from commercial, private sector sources. Stephanie Carter, GDOT, spoke in favor of the bill.

Senator Tolleson moved that **SR 29 DO PASS** and Senator Steve Thompson seconded. The Resolution passed unanimously.

SR 29 DO PASS

There being no further business, the meeting was adjourned by the Chairman at 1:18 p.m.

Respectfully submitted,

/s/ Senator Steve Gooch 51st, Secretary

/s/ Debra Charnote, Recording Secretary

Minutes of the Senate Transportation Committee

February 8, 2011

A meeting of the Senate Transportation Committee was held on February 8, 2011 in Room 450 of the Capitol. Chairman Mullis called the meeting to order at 1:11 p.m. Members present included Senators Staton of the 18th, Jackson of the 24th, Miller of the 49th, Stoner of the 6th, and Tolleson of the 20th.

NOTE: Sen. Loudermilk arrived at 1:16 p.m.

The chairman notified the committee that [SR 26](#) will be moved to the Roads & Bridges Subcommittee for further review and discussion.

[SR 30](#) (Mullis, 53rd) *Transportation, Dept. of; urged to prepare a list of contractors to be utilized during weather emergencies*

Senator Mullis presented the resolution. The joint resolution urges GDOT to: identify and qualify contractors to assist in weather emergencies; develop action plan to remove snow and ice; and preauthorize local governments to clear state routes during a weather emergency.

Senator Bill Jackson moved that **SR 30 DO PASS BY SUBSTITUTE** and Senator Stoner seconded. The resolution passed unanimously.

[SR 30](#) DO PASS BY SUBSTITUTE

SR 31 (Mullis, 53rd) **Transportation, Dept. of; urged to prepare a list of contractors to be utilized during weather emergencies**

Senator Mullis presented the resolution. The Senate resolution urges GDOT to: identify and qualify contractors to assist in weather emergencies; develop action plan to remove snow and ice; and preauthorize local governments to clear state routes during weather emergency.

Senator Bill Jackson moved that **SR 31 DO PASS BY SUBSTITUTE** and Senator Stoner seconded. The resolution passed unanimously.

SR 31 DO PASS BY SUBSTITUTE

There being no further business, the meeting was adjourned by the Chairman at 1:23 p.m.

Respectfully submitted,

/s/ Senator Jeff Mullis 53rd, Chairman

/s/ Debra Charnote, Recording Secretary

Senator Tommie Williams
District 19
321 State Capitol
Atlanta, GA 30334

Committees:

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Reapportionment and Redistricting
Regulated Industries and Utilities
Rules
Education and Youth
State Institutions and Property

The State Senate
Atlanta, Georgia 30334
PRESIDENT PRO TEMPORE

Feb, 22nd 2011

Secretary Bob Ewing
State Senate
Atlanta, GA 30334

Dear Bob:

In accordance with senate rules, the Committee on Assignments has appointed Senator Jack Murphy as Ex-Officio to the Senate Transportation Committee. Please feel free to contact me if you have any questions or concerns on this matter.

Sincerely,

/s/ Tommie Williams
Senate President Pro Tempore

Minutes of the Senate Transportation Committee

February 22, 2011

A meeting of the Senate Transportation Committee was held on February 22, 2011 in Room 450 of the Capitol. Chairman Mullis called the meeting to order at 3:08 p.m. Members present included Senators Gooch of the 51st, Jackson of the 24th, Loudermilk of the 52nd, Miller of the 49th, Seay of the 34th, Thompson of the 33rd, and Tolleson of the 20th.

NOTE: Sen. Gooch arrived at 3:12 p.m.

SB 88 (Mullis, 53rd) ***Motor Vehicles; increase the age requirements for use of child restraint systems***

Senator Mullis presented the bill. The bill would require children less than 8 years of age to be placed in a child restraint system when in a moving vehicle. Current law requires children under 6 years of age to be placed in a child restraint system (car seat, booster seat) when in a moving vehicle on a public road. Under this legislation, children under 8 years of age must be in car seat. The law goes into effect on July 1; however, there is a grace period for parents if convicted on a first offense between July 1 and January 1, 2012 – if the parents have purchased a car seat and can show the court a receipt, the fine of \$50 will be waived. Current law also provides an exception for buses operated by a licensed or commissioned child care facility used in the transport of children over four years of age. This legislation extends the sunset date for this exception until July 1, 2012.

NOTE: Sen. Steve Thompson departed at 3:24 p.m.

Jamilla Pope & David Tatum from Children's Hospital of Atlanta were present to answer any questions that the members might have regarding the bill. Harris Blackwood of the Governor's Office of Highway Safety expressed their support of the bill and stated that they will receive federal funding to purchase booster seats for people who cannot afford them, as well as to institute an educational program. Governor Deal's wife will be an Ambassador.

Senator Seay moved that **SB 88 DO PASS BY SUBSTITUTE** and Senator Tolleson seconded. The bill passed 5-1, with one nay vote from Senator Loudermilk.

SB 88 DO PASS BY SUBSTITUTE

SB 58 (Gooch, 51st) *Spencer Pass Hero Memorial Act; indemnification for the death/disability of state highway employee; provisions*

Senator Gooch presented the bill. The Spencer Pass Hero Memorial Act increases the indemnification payments for state highway employees to match those of other public safety employees. The payments represent increases from \$12,000 to \$35,000 in the case of partial permanent disability suffered in the line of duty, from \$25,000 to \$75,000 in the case of total permanent disability suffered in the line of duty, and from \$40,000 to \$100,000 in the case of death or organic brain damage suffered in the line of duty (payments will be made to the surviving unremarried spouse or dependents). These revised amounts will apply to all incidents involving state highway employees that happened on or after January 1, 2011.

Stephanie Carter of the Georgia Department of Transportation explained that this legislation was introduced after the passing of a DOT HERO worker. "State highway employee" does not mean a DOT administrative employee, only one working on or maintaining the state highways. Jay Shaw, DOT board member, was present in support of the bill.

Senator Seay moved that **SB 58 DO PASS** and Senator Loudermilk seconded. The bill passed unanimously.

SB 58 DO PASS

There being no further business, the meeting was adjourned by the Chairman at 3:34 p.m.

Respectfully submitted,

/s/ Senator Steve Gooch 51st, Secretary

/s/ Debra Charnote, Recording Secretary

Senator Tommie Williams
District 19
321 State Capitol
Atlanta, GA 30334

Committees:

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The State Senate
Atlanta, Georgia 30334
PRESIDENT PRO TEMPORE

March 1st, 2011

Secretary Bob Ewing
State Senate
Atlanta, GA 30334

Dear Bob:

In accordance with Senate rules, the Committee on Assignments has appointed Senator Frank Ginn to serve as Ex-Officio for the Senate Transportation Committee meeting on March 1st, 2011. This appointment shall expire upon the adjournment of the committee meeting. Please feel free to contact me if you have any questions or concerns on this matter.

Sincerely,

/s/ Tommie Williams
Senate President Pro Tempore

Minutes of the Senate Transportation Committee

March 1, 2011

A meeting of the Senate Transportation Committee was held on March 1, 2011 in Room 307 of the CLOB. Chairman Mullis called the meeting to order at 1:07 p.m. Members present included Senators Staton of the 18th, Gooch of the 51st, Jackson of the 24th, Loudermilk of the 52nd, Miller of the 49th, Murphy of the 27th, Seay of the 34th, Stoner of the 6th, and Thompson of the 33rd. Senator Ginn of the 47th was added as Ex-Officio for the day.

NOTE: Sen. Staton & Sen. Loudermilk arrived at 1:14 p.m.

SB 54 (Mullis, 53rd) ***State Highways; add a definition of "on-premise" or "on-property" signs***

Senator Mullis presented the bill. The bill clarifies the language which exempts “signs advertising activities” from prohibition on outdoor advertising signs by replacing it with a new term: on-premise or on-property sign. Defined as an advertising device which solely advertises the sale or lease of the real property upon which it is placed or an advertising device identifying the activities located on, or products/services available on, the premises or property. It also provides examples of signs which are considered and not considered on-premise/on-property signs.

NOTE: Sen. Murphy arrived at 1:30 p.m.

Stephanie Carter from the Department of Transportation stated that the federal highway administration sent a letter to them expressing concerns regarding their effective control of its outdoor advertising program with regard to on-premise signs – failure to improve would call for withholding 10 percent of federal funding. These definitions are already in DOT rules/regs and are the same as those in federal law. Many Senators had questions concerning which signs would be considered on-property or on-premise signs and which wouldn't.

Senator Gooch made a motion to table SB 54 to further discuss the bill with concerned parties and Senator Seay seconded. The motion to table the bill passed.

SB 54 TABLED IN COMMITTEE

NOTE: Sen. Murphy & Sen. Steve Thompson departed at 2:02 p.m.

HB 179 (Burns, 157th) *State highway system; permits for legally erected signs; change provisions*

Representative Burns presented the bill. The bill revises the procedure and fee schedule for the issuance of outdoor advertising sign permits; Allows owners of signs to apply for a permit to remove all trees and vegetation from the target view zone of the sign. "Target view zone" is defined in this legislation as an area of the viewing zone extending from the sign to the roadway to which the sign is permitted which must be angled as requested by the applicant to maximize the visibility of the sign; however it must not exceed: (1) 250 feet along the right of way fence or boundary; and (2) 350 feet along the pavement edge, to include any emergency lane or paved shoulder. In order to obtain a vegetation maintenance permit for signs which exceed 75 feet in height, the owner of the sign must agree to reduce the sign to 75 feet in height or less, unless lowering is precluded by local government code or regulation.

Discussion included questions about lowering signs, clarification of what is allowed on billboards, and compensation for road side sign and private property issues.

Speaking in opposition to the bill were Wilton Brooks of Scenic Georgia and Mary Lovings & Rachel Fowler of the Garden Club. Speaking in favor of the bill was John Bozeman of Outdoor Advertising and Senator Don Balfour.

NOTE: Sen. Loudermilk & Sen. Staton departed at 2:11 p.m.

The Chairman moved that discussion be continued for [HB 179](#) at a later date. There being no further business, the meeting was adjourned by the Chairman at 2:23 p.m.

Respectfully submitted,

/s/Senator Steve Gooch 51st, Secretary

/s/ Debra Charnote, Recording Secretary

Minutes of the Senate Transportation Committee

March 3, 2011

A meeting of the Senate Transportation Committee was held on March 1, 2011 in Room 450 of the Capitol. Chairman Mullis called the meeting to order at 1:04 p.m. Members present included Senators Staton of the 18th, Gooch of the 51st, Jackson of the 24th, Loudermilk of the 52nd, Miller of the 49th, Murphy of the 27th, Seay of the 34th, Stoner of the 6th, and Tolleson of the 20th.

HB 179 (Burns, 157th) *State highway system; permits for legally erected signs; change provisions*

Representative Burns presented the bill. The bill revises the procedure and fee schedule for the issuance of outdoor advertising sign permits; Allows owners of signs to apply for a permit to remove all trees and vegetation from the target view zone of the sign. "Target view zone" is defined in this legislation as an area of the viewing zone extending from the sign to the roadway to which the sign is permitted which must be angled as requested by the applicant to maximize the visibility of the sign; however it must not exceed: (1) 250 feet along the right of way fence or boundary; and (2) 350 feet along the pavement edge, to include any emergency lane or paved shoulder. In order to obtain a vegetation maintenance permit for signs which exceed 75 feet in height, the owner of the sign must agree to reduce the sign to 75 feet in height or less, unless lowering is precluded by local government code or regulation.

NOTE: Sen. Staton arrived at 1:17 p.m.

Senator Butch Miller questioned when the "skyscraper" signs will be lowered, and then the owner applies for a vegetation permit? If signs higher than 75 feet are lowered they will want to clear the vegetation. Senator Seay was concerned with language in the bill that prohibited beautification projects after a certain date. Community beautification plants may still be planted; however, they cannot obscure the target view zone. Further, nothing in the bill can supersede local ordinances.

NOTE: Sen. Loudermilk arrived at 1:23 p.m.

John Bozeman of Outdoor Advertising spoke in favor of the bill. Speaking in opposition to the bill were Wilton Brooks of Scenic Georgia, Mary Lovings of the Garden Club, and Eddie Ehlert of Sierra Club.

Senator Staton moved that **HB 179 DO PASS**, and Senator Stoner seconded. The bill passed with unanimous consent. Senator Balfour will be the sponsor in the Senate.

HB 179 DO PASS

SB 168 (Seay, 34th) Rules of the Road; dedicate the Georgia Move-Over law in memory of Spencer Pass

Senator Seay presented the bill. The bill dedicates Georgia's Move-Over Law as the Spencer Pass Law. Move-Over Law provides certain procedures for motorists when passing stationary authorized emergency vehicles, stationary towing or recovery vehicles, or stationary highway maintenance vehicles.

Senator Bill Jackson moved that **SB 168 DO PASS**, and Senator Gooch seconded. The bill passed with unanimous consent.

SB 168 DO PASS

SB 54 (Mullis, 53rd) State Highways; add a definition of "on-premise" or "on-property" signs

Senator Mullis removed SB 54 from the table and presented the bill. The bill clarifies the language which exempts "signs advertising activities" from prohibition on outdoor advertising signs by replacing it with a new term: on-premise or on-property sign. Defined as an advertising device which solely advertises the sale or lease of the real property upon which it is placed or an advertising device identifying the activities located on, or products/services available on, the premises or property. It also provides examples of signs which are considered and not considered on-premise/on-property signs.

Stephanie Carter from the Department of Transportation stated that the federal highway administration sent a letter to them expressing concerns regarding their effective control of its outdoor advertising program with regard to on-premise signs – failure to improve would call for withholding 10 percent of federal funding. These definitions are already in DOT rules/regs and are the same as those in federal law. Many Senators had questions concerning which signs would be considered on-property or on-premise signs and which wouldn't.

Senator Gooch moved that **SB 54 DO PASS BY SUBSTITUTE**, and Senator Tolleson seconded. The bill passed with a 7-2 vote, with nay votes from Senators Butch Miller and Bill Jackson.

SB 54 DO PASS BY SUBSTITUTE

There being no further business, the meeting was adjourned by the Chairman at 1:56 p.m.

Respectfully submitted,

/s/ Senator Steve Gooch 51st, Secretary

/s/ Debra Charnote, Recording Secretary

Senator Tommie Williams
District 19
321 State Capitol
Atlanta, GA 30334

Committees:

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The State Senate
Atlanta, Georgia 30334
PRESIDENT PRO TEMPORE

March 9, 2011

Secretary Bob Ewing
State Senate
Atlanta, GA 30334

Dear Bob:

In accordance with Senate rules, the Committee on Assignments has appointed Senators Frank Ginn, Lester Jackson and Buddy Carter to serve as Ex-Officio members for the Senate Transportation Committee meeting on March 9th, 2011. These appointments shall expire upon the adjournment of the committee meeting. Please feel free to contact me if you have any questions or concerns on this matter.

Sincerely,

/s/ Tommie Williams
Senate President Pro Tempore

Minutes of the Senate Transportation Committee

March 9, 2011

A meeting of the Senate Transportation Committee was held on March 9, 2011 in Room 310 of the CLOB. Chairman Mullis called the meeting to order at 4:10 p.m. Members present included Senators Gooch of the 51st, Miller of the 49th, Murphy of the 27th, Seay of the 34th, and Stoner of the 6th. Senator Ginn of the 47th was present as Ex-Officio for the day.

SR 312 (Carter, 1st) *Savannah, Ga; Charleston, South Carolina; endorse efforts to deepen the ports*

Senator Buddy Carter presented the resolution. The resolution states that the General Assembly endorses the proposed deepening of the federal navigation channel at Savannah Harbor to -48 feet mean low water. Mark Woodall of the Sierra Club expressed his opposition.

Senator Murphy moved that **SR 312 DO PASS**, and Senator Stoner seconded. The resolution passed with unanimous consent.

SR 312 DO PASS

NOTE: Senators Seay & Tolleson arrived at 4:15 p.m.

Chairman Mullis invited Senator Jackson of the 2nd to present SR 311 to the committee today, although it was a hearing only.

SR 311 (Jackson, 2nd) *Federal Energy Regulatory Commission; urged to carefully consider the safety aspects; El Paso Corporation to transport liquefied natural gas*

Senator Lester Jackson presented the resolution. The resolution urges the Federal Energy Regulatory Commission to carefully consider the safety aspects of allowing El Paso Corporation to transport liquefied natural gas through Georgia.

SR 233 (Ligon, Jr., 3rd) **Transportation, Dept. of; urge to install sound barriers on I-95 near Blythe Island**

Senator Ligon, Jr. presented the resolution. The Senate resolution requests that DOT reconsider the feasibility of sound barriers for two sections of I-95 on Blythe Island. DOT conducted a study that determined that this project does not warrant the use of federal money.

Senator Stoner moved that **SR 233 DO PASS**, and Senator Butch Miller seconded. The resolution passed with unanimous consent.

SR 233 DO PASS

SB 57 (Gooch, 51st) **Drivers' Licenses; prohibit persons convicted; offense against a victim who is a minor; driving commercial motor vehicles; transport 16/more persons**

Senator Gooch presented the bill. The bill requires any person renewing or applying for a commercial driver's license with a P or S endorsement (passenger or school bus) to undergo a background check to determine if he or she has been convicted of certain criminal offenses involving minors. The applicant must submit a set of fingerprints to the Georgia Criminal Information Center (GCIC). After receiving the GCIC report, DDS must determine if the applicant is eligible for the endorsement. If the person has a conviction, the license must be surrendered to the court in which the conviction is imposed. The court must forward the license to DDS. The Committee Substitute exempts operators of transit services that are already required to perform background checks on his or her employees. Employers are prohibited from authorizing a driver convicted of such an offense to operate a commercial motor vehicle with a P or S and will be subject to a civil penalty of at least \$100 per passenger transported by the driver.

In support of the bill are the Georgia Transit Association, Georgia Motorcoach Association, and the Department of Drivers Services.

Senator Stoner moved that **SB 57 DO PASS BY SUBSTITUTE**, and Senator Tolleson seconded. The bill passed with unanimous consent.

SB 57 DO PASS BY SUBSTITUTE

There being no further business, the meeting was adjourned by the Chairman at 4:42 p.m.

Respectfully submitted,

/s/ Senator Steve Gooch 51st, Secretary

/s/ Debra Charnote, Recording Secretary

Senator Tommie Williams
District 19
321 State Capitol
Atlanta, GA 30334

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The State Senate
Atlanta, Georgia 30334
PRESIDENT PRO TEMPORE

March 10, 2011

Secretary Bob Ewing
State Senate
Atlanta, GA 30334

Dear Bob:

In accordance with Senate rules, the Committee on Assignments has appointed Senator Frank Ginn to serve as Ex-Officio for the Senate Transportation Committee meeting on March 10th, 2011. This appointment shall expire upon the adjournment of the committee meeting. Please feel free to contact me if you have any questions or concerns on this matter.

Sincerely,

/s/ Tommie Williams
Senate President Pro Tempore

Minutes of the Senate Transportation Committee

March 10, 2011

A meeting of the Senate Transportation Committee was held on March 10, 2011 in Room 450 of the Capitol. Chairman Mullis called the meeting to order at 1:30 p.m. Members present included Senators Gooch of the 51st, Miller of the 49th, Murphy of the 27th, Seay of the 34th, and Thompson of the 33rd. Senator Ginn of the 47th was present as Ex-Officio for the day.

SB 239 (Miller, 49th) License Plates; unregistered vehicle; presumption of residency under certain circumstances; displaying out-of-state license plate

Senator Butch Miller presented the bill. The bill states that any vehicle with an out-of-state license plate that is stopped in this state where the vehicle's driver's license was issued more than 60 days ago, or a vehicle with an out-of-state license plate that is observed in a county more than 60 days from an initial observation, is considered an unregistered vehicle being operated by a resident of this state. A citation will not result in impoundment, and a conviction will be a misdemeanor punished by a fine of at least \$1,000.00 or by imprisonment up to 12 months, or both. The driver in either instance may be charged for noncompliance unless the driver is able to provide: A valid military identification card; A current student identification card for attendance in a postsecondary school of this state; Documentation evidencing a residence in another state which is owned or leased by the driver; or such other evidence that, in the discretion of the officer, establishes that the driver is a nonresident otherwise operating the vehicle in compliance with the law.

Senator Murphy moved that **SB 239 DO PASS**, and Senator Steve Thompson seconded. The bill passed with unanimous consent.

SB 239 DO PASS

NOTE: Senator Seay arrived at 1:44 p.m.

SR 343 (Mullis, 53rd) **Steve Lance Memorial Intersection; dedicate**

Senator Mullis presented the resolution. The resolution combines numerous road and bridge dedications. Chairman Mullis presented a substitute which added additional road dedications.

Senator Butch Miller moved that **SR 343 DO PASS BY SUBSTITUTE**, and Senator Seay seconded. The resolution passed with unanimous consent.

SR 343 DO PASS BY SUBSTITUTE

There being no further business, the meeting was adjourned by the Chairman at 1:50 p.m.

Respectfully submitted,

/s/ Senator Steve Gooch 51st, Secretary

/s/ Debra Charnote, Recording Secretary

Minutes of the Senate Transportation Committee

March 11, 2011

A meeting of the Senate Transportation Committee was held on March 11, 2011 in Room 450 of the Capitol. Chairman Mullis called the meeting to order at 9:35 a.m. Members present included Senators Gooch of the 51st, Loudermilk of the 52nd, Miller of the 49th, Seay of the 34th, and Tolleson of the 20th.

SB 240 (Mullis, 53rd) **Motor Vehicles; create a new class; personal transportation vehicles; definition; exception; rights/duties of drivers; rules of the road**

Senator Mullis presented the bill. The bill creates a new class of motor vehicles - personal transportation vehicles - with added safety equipment requirements. Defined as any motor vehicle: with a minimum of four wheels; capable of a maximum level ground speed of less than 20 miles per hour; with a maximum gross vehicle unladen or empty weight of 1,375 pounds; and capable of transporting not more than eight persons. It doesn't include wheelchairs and scooters. The vehicles must have certain equipment such as lights and a braking system appropriate for the weight and passenger limit of the vehicle. It also exempts any county or city that has enacted, prior to January 1, 2012, an ordinance authorizing the operation of motorized carts. Effective January 1, 2012. Tom Gehl of GMA and Matt Hicks of ACCG support the bill as presented.

Senator Gooch moved that **SB 240 DO PASS BY SUBSTITUTE**, and Senator Butch Miller seconded. The bill passed with unanimous consent.

SB 240 DO PASS BY SUBSTITUTE

There being no further business, the meeting was adjourned by the Chairman at 9:45 a.m.

Respectfully submitted,

/s/ Senator Steve Gooch 51st, Secretary

/s/ Debra Charnote, Recording Secretary

Minutes of the Senate Transportation Committee

March 21, 2011

A meeting of the Senate Transportation Committee was held on March 21, 2011 in Room 307 of the CLOB. Chairman Mullis called the meeting to order at 2:47 p.m. Members present included Senators Gooch of the 51st, Jackson of the 24th, Loudermilk of the 52nd, Miller of the 49th, Seay of the 34th, Stoner of the 6th, and Tolleson of the 20th.

[HB 112](#) (Powell, 29th) *Motor carriers; financial responsibility compatible with federal regulations; provisions*

Representative Powell presented the bill. The bill is a Department of Public Safety housekeeping bill. This bill was vetoed last year because of language relating to other bills that were attached to this bill on Sine Die. This bill codifies the department's rules/regs and brings provisions in current law into compliance with federal regulations (will lose federal funding if do not bring into compliance). It makes these changes to provisions relating to hazardous materials transport, motor carrier, and commercial motor vehicle safety equipment. Major Beck and Captain Bugg of the Motor Carrier Compliance Division were there in support of the bill.

Senator Gooch moved that **HB 112 DO PASS BY SUBSTITUTE**, and Senator Bill Jackson seconded. The bill passed with unanimous consent. Senator Mullis will be the sponsor in the Senate.

[HB 112 DO PASS BY SUBSTITUTE](#)

HB 156 (Cheokas, 134th) **Indemnification payment; injured state highway employees; change provisions**

Representative Cheokas presented the bill. The bill increases the indemnification payments for state highway employees to match those of other public safety employees. The payments represent increases from \$12,000 to \$35,000 in the case of partial permanent disability suffered in the line of duty, from \$25,000 to \$75,000 in the case of total permanent disability suffered in the line of duty, and from \$40,000 to \$100,000 in the case of death or organic brain damage suffered in the line of duty (payments will be made to the surviving unremarried spouse or dependents). Committee Sub is identical to [Senate Bill 57](#) which passed the Senate. The DOT is in support of the bill.

Senator Gooch moved that **HB 156 DO PASS BY SUBSTITUTE**, and Senator Stoner seconded. The bill passed with unanimous consent.

HB 156 DO PASS BY SUBSTITUTE

There being no further business, the meeting was adjourned by the Chairman at 3:02 p.m.

Respectfully submitted,

/s/ Senator Steve Gooch 51st, Secretary

/s/ Debra Charnote, Recording Secretary

Minutes of the Senate Transportation Committee

March 28, 2011

A meeting of the Senate Transportation Committee was held on March 28, 2011 in Room 450 of the Capitol. Chairman Mullis called the meeting to order at 9:07 a.m. Members present included Senators Staton of the 18th, Jackson of the 24th, Loudermilk of the 52nd, Miller of the 49th, Seay of the 34th, and Tolleson of the 20th.

HB 137 (Sheldon, 105th) **Transportation, Dept. of; change multiple provisions**

Representative Sheldon presented the bill. The bill is a Department of Transportation housekeeping bill. Significant changes discussed include: authorizing law enforcement agencies to move property during a declared state of emergency; authorizing DOT to outsource accident reports and requiring law enforcement agencies, if they choose to submit their accident report data electronically, to transmit the data using an interchangeable electronic format; exempts DOT, legal representatives, insurance companies from having to make a written request for an accident report; exempts state agencies from civil penalties imposed for violations of environmental erosion and sedimentation laws (only for first and second violations – EPD may issue civil penalty if violation not corrected); and authorizes the Erosion and Sedimentation Control Council to mediate fines imposed by EPD on DOT and SRTA.

Due to the many concerns discussed with the current version of this bill and there being no further business, the meeting was adjourned by the Chairman at 9:53 a.m.

Respectfully submitted,

/s/ Senator Jeff Mullis 53rd, Chairman

/s/ Debra Charnote, Recording Secretary

Minutes of the Senate Transportation Committee

March 29, 2011

A meeting of the Senate Transportation Committee was held on March 29, 2011 in Room 450 of the Capitol. Chairman Mullis called the meeting to order at 1:08 p.m. Members present included Senators Staton of the 18th, Gooch of the 51st, Jackson of the 24th, Loudermilk of the 52nd, Murphy of the 27th Ex-Officio, Seay of the 34th, Stoner of the 6th, Thompson of the 33rd, and Tolleson of the 20th.

[HB 279](#) (Powell, 29th) *Motor vehicles; use of child restraint systems; increase age*

Representative Rice presented the bill. The bill creates a statewide database for scrap motor vehicles; and requires children less than 8 years of age to be placed in a child restraint system when in a moving vehicle. Requires a used motor vehicle parts dealer or scrap metal processor who purchases or receives motor vehicles for scrap or parts to deliver (fax or email) a list of all of the vehicles purchased that day for scrap or parts. Children under 8 years of age must be in a car seat. The law goes into effect on July 1; however, there is a grace period for parents if convicted of a first offense between July 1 and January 1, 2012 – if the parents have purchased a car seat and can show the court a receipt, the fine of \$50 will be waived.

NOTE: Senator Tolleson arrived at 1:20 p.m.

Child restraint system language is identical to [Senate Bill 88](#). If Senate Bill 88 passes the House tomorrow, the language will be removed from this bill. The scrap motor vehicle language is similar to [HB 309](#) which did not make it to the House floor. In support of the scrap metal language is Steve Levetan of Pull-A-Part LLC, a used auto parts retailer, and Lt. Michael Guliano of the Atlanta Police Department.

Senator Bill Jackson moved that **HB 279 DO PASS BY SUBSTITUTE**, and Senator Stoner seconded. The bill passed with unanimous consent.

HB 279 DO PASS BY SUBSTITUTE

HB 137 (Sheldon, 105th) **Transportation, Dept. of; change multiple provisions**

Representative Sheldon presented the bill. The bill is a Department of Transportation housekeeping bill. Significant changes discussed include: authorizing law enforcement agencies to move property during a declared state of emergency; authorizing DOT to outsource accident reports and requiring law enforcement agencies, if they choose to submit their accident report data electronically, to transmit the data using an interchangeable electronic format; exempts DOT, legal representatives, insurance companies from having to make a written request for an accident report; exempts state agencies from civil penalties imposed for violations of environmental erosion and sedimentation laws (only for first and second violations – EPD may issue civil penalty if violation not corrected); and authorizes the Erosion and Sedimentation Control Council to mediate fines imposed by EPD on DOT and SRTA.

Senator Gooch offered Amendment #1 to the bill. Language in the bill authorizes the removal of property during natural disaster/emergency. This amendment authorizes removal only during a declared state of emergency. Sen. Bill Jackson made a motion that Amendment #1 be adopted and Sen. Gooch seconded. The amendment was adopted.

NOTE: Senator Steve Thompson arrived at 1:34 p.m.

Senator Gooch offered Amendment #2 to the bill. Language in bill exempts DOT from having to get a cemetery redevelopment permit unless human remains are to be relocated. This amendment requires DOT to obtain an archaeologist's report confirming the absence of human remains. Senator Sen. Loudermilk moved that Amendment #2 be adopted and Sen. Murphy seconded. The amendment was adopted with a vote of 7-2, with nay votes from Senators Tolleson and Staton.

Senator Loudermilk offered Amendment #3 to the bill. Language in bill requires law enforcement agencies to submit accident data in DOT-preferred format. Carfax testified that this resulted in an unfunded mandate to law enforcement agencies and would stymie competition among software providers. Sen. Loudermilk's amendment requires law enforcement agencies to transmit the data in an interchangeable electronic format. Senator Seay moved that Amendment #3 be adopted, and Senator Murphy seconded. The amendment was adopted 8-1, with one nay vote from Senator Steve Thompson.

NOTE: Senators Murphy & Loudermilk left at 1:55 p.m.

Senator Staton offered Amendment #4 to the bill. Exempts state agencies from civil penalties imposed for environmental violations (language of [House Bill 131](#) that did not pass the House). Senator Steve Thompson moved that the amendment be adopted, and Senator Gooch seconded. The amendment was adopted by unanimous consent.

Rep. Sheldon expressed concern with language in the sub that exempts insurance companies and legal representatives from having to make a written request for an accident report. This may be addressed with a floor amendment. DOT expressed concern with Amendment #3 and Amendment #4 which may be addressed with a floor amendment. The Governor's Office expressed concern with Amendment #4.

Senator Gooch moved that **HB 137 DO PASS BY SUBSTITUTE**, and Senator Steve Thompson seconded. The bill passed with unanimous consent.

[HB 137 DO PASS BY SUBSTITUTE](#)

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

Respectfully submitted,

/s/ Senator Steve Gooch 51st, Secretary

/s/ Debra Charnote, Recording Secretary

Minutes of the Senate Transportation Committee

March 31, 2011

A meeting of the Senate Transportation Committee was held on March 31, 2011 in Room 450 of the Capitol. Chairman Mullis called the meeting to order at 4:33 p.m. Members present included Senators Gooch of the 51st, Jackson of the 24th, Murphy of the 27th Ex-Officio, Stoner of the 6th, Thompson of the 33rd, and Tolleson of the 20th.

[HR 507](#) (Holmes, 125th) ***Carl Hamrick Memorial Highway; City of Gray; dedicate***

Chairman Mullis presented the resolution. The resolution includes various road and bridge dedications.

Senator Stoner moved that **HR 507 DO PASS BY SUBSTITUTE**, and Senator Thompson seconded. The resolution passed with unanimous consent.

[HR 507](#) DO PASS BY SUBSTITUTE

[SR 525](#) (Mullis, 53rd) ***Senate Erosion and Sediment Control Study Committee; create***

Chairman Mullis presented the resolution. The resolution creates the Senate Erosion and Sediment Control Study Committee. The Committee will be composed of three members appointed by the President of the Senate. Each of the three Senate members, in consultation with the Speaker of the House of Representatives, must invite a member of the House of Representatives to serve on the Committee on an ad hoc basis.

Senator Murphy moved that **SR 525 DO PASS**, and Senator Stoner seconded. The resolution passed with unanimous consent.

[SR 525](#) DO PASS

There being no further business, the meeting was adjourned by the Chairman at 4:42 p.m.

Respectfully submitted,

/s/ Senator Steve Gooch 51st, Secretary

/s/ Debra Charnote, Recording Secretary

July 1, 2011

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 145</u>	<u>SR 116</u>	<u>SR 380</u>	<u>SR 432</u>
<u>SB 146</u>	<u>SR 165</u>	<u>SR 385</u>	<u>SR 433</u>
<u>SB 232</u>	<u>SR 308</u>	<u>SR 386</u>	<u>SR 471</u>
<u>SB 283</u>	<u>SR 311</u>	<u>SR 398</u>	<u>SR 474</u>
<u>SR 26</u>	<u>SR 328</u>	<u>SR 431</u>	

Respectfully submitted,

/s/ Debra Charnote
Recording Secretary
Senate Transportation Committee