2015 SENATE COMMITTEE ON TRANSPORTATION MEMBERS

Honorable Tommie Williams, Chairman District 19 148 Williams Avenue Lyons, GA 30436

Honorable Steve Gooch, Vice-Chairman District 51 P. O. Box 600 Dahlonega, GA 30533

Honorable Brandon Beach, Secretary District 21 3100 Brierfield Road Alpharetta, GA 30004

Honorable Frank Ginn, Ex-Officio District 47 P. O. Box 1136 Danielsville, GA 30633

Honorable Bill Heath, Ex-Officio District 31 2225 Cashtown Road Bremen, GA 30110

Honorable Ronald Ramsey, Sr. District 43 P. O. Box 715 Lithonia, GA 30058

Honorable Ross Tolleson District 20 P. O. Box 1356 Perry, GA 31069 Honorable Valencia Seay, Ex-Officio District 34 P. O. Box 960008 Riverdale, GA 30274

Honorable Gloria Butler District 55 6241 Southland Trace Stone Mountain, GA 30087

Honorable Mike Dugan District 30 106 Champion Drive Carrollton, GA 30116

Honorable Bill Jackson District 24 P. O. Box 528 Appling, GA 30802

Honorable Burt Jones District 25 407 East Second Street Jackson, GA 30233

Honorable Lindsey Tippins District 37 139 Midway Road Marietta, GA 30064

A meeting of the Senate Committee on Transportation was held on January 26, 2015 at 4:00 p.m. in the Senate Mezzanine of the State Capitol. The following members were present:

Sen. Tommie Williams (19th), Chairman

Sen. Steve Gooch (51st), Vice-Chairman

Sen. Gloria Butler (55th)

Sen. Mike Dugan (30th)

Sen. Frank Ginn (47th), Ex-Officio

Sen. Bill Jackson (24th)

Sen. Burt Jones (25th)

Sen. Valencia Seay (34th), Ex-Officio

Sen. Ross Tolleson (20th)

Chairman Williams (19th) called the meeting to order at 4:00 p.m.

NOTE: Sen. Brandon Beach (21st), Secretary, Sen. Bill Heath (31st), Ex-Officio, Sen. Ronald Ramsey, Sr. (43rd) and Sen. Lindsey Tippins (37th) were absent.

Chairman Williams (19th) welcomed all members and visitors to the first meeting of the Senate Transportation Committee. He informed the audience that he would work with all entities in an open and fair Committee process and was willing to meet with anyone who had questions or concerns about any bills coming before the Committee.

Chairman Williams (19th) read the Committee Rules and asked for questions. There being none, he asked for a motion to adopt. Sen. Gooch (51st) made a motion to adopt the Committee Rules and was seconded by Sen. Seay (34th). The motion was unanimously adopted. A copy of the Rules is attached.

Chairman Williams (19th) read the Committee Road Naming Rules and encouraged everyone to get the road naming resolutions to the Committee as early as possible. He then asked for questions. There being none, a motion was made by Sen. Gooch (51st) and seconded by Sen. Seay (34th). The motion was unanimously adopted. A copy of the Rules is attached.

There being no further business to discuss, the meeting was adjourned by the Chairman at 4:20 p.m.

Respectfully submitted,

/s/ Sen. Tommie Williams (19th), Chairman

2015 SENATE COMMITTEE ON TRANSPORTATION RULES

- (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 seven (7) 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).

2015 ROAD NAMING AND DEDICATION PROCEDURE

1) Definitions:

- (A) "Road Facility" refers to any highway, road, street, bridge, interchange, intersection, or any other portion of any state, county, or city highway, road, or street system.
- (B) "Dedication" is defined as designating a portion of an existing road facility in honor or memory of a person or organization. The legal name of the road facility shall not be affected or changed by a dedication.
- 2) An existing Road Facility may be dedicated in honor of a person.
- 3) Only new, non-developed road facilities may be named during the initial construction phase of the road facility. There shall be no renaming of existing road facilities.
- 4) The Committee shall not recommend for passage any resolution which dedicates or creates a new name for a new road facility for any road facility which is part of a county road system or city street system.
- 5) No resolution shall rename an existing state road facility; rather existing state road facilities may be dedicated by resolution.
- 6) No resolution may dedicate or create a new name for a new road facility in honor of any living person who currently holds public office.
- 7) No resolution shall dedicate or name a new name for a new road facility in honor of a living former public officer unless at least two years have elapsed since such person's last day of their most recent service in public office.
- 8) Qualifications for individuals or organizations for whom a road facility may be dedicated or named:
 - (A) A person or persons who have attained national prominence generally recognized throughout the country. National prominence shall be defined as having been elected to national office and having served honorably in office without impeachment, having been awarded a national medal such as the Congressional Medal of Honor or the Presidential Medal of Freedom, having won an award such as a Nobel Prize or having sacrificed one's life for the protection of this country or who has contributed to the arts and sciences.
 - (B) A person whose achievements, accomplishments, or contributions are worthy of recognition throughout the State of Georgia; and who has through birth,

residence, or otherwise, a natural and logical connection to the geographic area in which is located the portion of the system to be named in such person's honor.

- 9) All resolutions shall be forwarded to the Rules Committee with a recommendation for a structured rule. In the Senate all dedication resolutions must be engrossed.
- 10) Advertisements for dedications:
 - (A) No resolution will be considered unless the sponsoring legislator has run a legal advertisement in the legal organ of each county in which the road facility to be dedicated is located. A copy of the advertisement must be provided to the Committee.
 - (B) The advertisement shall include the following:
 - 1. The State Senate, 206 Washington Street, SW, Atlanta, 30334;
 - 2. The name and location of the road facility;
 - 3. The person for whom the dedication is intended and the reasons for the dedication.
- 11) The road facility to be dedicated or named, if a new road facility must be wholly within the sponsoring legislator's district.
- 12) The Committee shall not recommend for passage any resolution referred to in this rule until and unless the Committee has received from the Department of Transportation a written communication stating whether such road facility has been previously named or dedicated and, in the case of a highway, road, or street, stating whether any other portion of such highway, road, or street has been previously named or dedicated.
- 13) In considering the recommendation for passage of any resolution referred to in this rule, the Committee shall consider:
 - (A) The importance of dispensing such honors in a manner which will recognize those whose achievements, accomplishments, or contributions are genuinely worthy of recognition at the state level;
 - (B) The limited number of road facilities available for dedication; and
 - (C) The importance of not diminishing such honors through indiscriminately dispensing an inordinate number of such honors.

A meeting of the Senate Committee on Transportation was held at 4:00 p.m. on February 2, 2015 in the Senate Mezzanine of the State Capitol. The following members were present:

Sen. Tommie Williams (19th), Chairman

Sen. Steve Gooch (51st), Vice-Chairman

Sen. Brandon Beach (21st), Secretary

Sen. Gloria Butler (55th)

Sen. Mike Dugan (30th)

Sen. Frank Ginn (47th), Ex-Officio

Sen. Bill Heath (31st), Ex-Officio

Sen. Bill Jackson (24th)

Sen. Burt Jones (25th)

Sen. Valencia Seay (34th), Ex-Officio

Sen. Lindsey Tippins (37th)

Sen. Ross Tolleson (20th)

Chairman Williams (19th) called the meeting to order at 4:00 p.m. and introduced the guest speakers.

NOTE: Sen. Ronald Ramsey, Sr. (43rd) was absent.

Clint Mueller, Legislative Director for Association of County Commissioners of Georgia (ACCG) gave a summation of the difference in Local Option Sales Tax (LOST), Special Purpose Local Option Sales Tax (SPLOST) and Education Special Purpose Local Option Sales Tax (E-SPLOST).

Josh Waller, Legislative Director for the Department of Transportation, gave a brief description of the Transportation Investment ACT (TIA). He further stated that DOT makes their yearly project selections by metro plans, statewide plans and future yearly plans; however, all capital programs depend on federal funding.

There being no further business to discuss, Chairman Williams (19th) thanked each speaker and adjourned the meeting at 4:36 p.m.

Respectfully submitted,

/s/ Sen. Brandon Beach (21st), Secretary

A meeting of the Senate Transportation Committee was held at 4:00 p.m. on February 23, 2015 in the Senate Mezzanine of the State Capitol. The following members were present:

Sen. Tommie Williams (19th), Chairman

Sen. Steve Gooch (51st), Vice-Chairman

Sen. Brandon Beach (21st), Secretary

Sen. Gloria Butler (55th)

Sen. Mike Dugan (30th)

Sen. Frank Ginn (47th), Ex-Officio

Sen. Bill Heath (31st), Ex-Officio

Sen. Bill Jackson (24th)

Sen. Burt Jones (25th)

Sen. Valencia Seay (34th), Ex-Officio

Sen. Ross Tolleson (20th)

Chairman Williams called the meeting to order at 4:00 p.m.

NOTE: Sen. Ronald Ramsey, Sr. (43rd) and Sen. Lindsey Tippins (37th) were absent.

SB 125 (Sen. Beach, 21st, LC 39 0936) State Road and Tollway Authority; authorize the collection of tolls for the management of traffic flow

Sen. Beach (21st) and Chris Tomlinson, Executive Director of State Road and Tollway Authority (SRTA), presented the bill. Sen. Beach (21st) said the bill removes the references to HOT and HOV lanes and replaces both with the term "managed lanes," which is designated lanes which use land management strategies to manage the flow of traffic. Sen. Beach (21st) stated managed lanes would include express lanes, HOT lanes and HOV lanes. He said the bill also allows DOT to install gates, signs or barriers to restrict access to managed lanes and would prohibit a person from driving a vehicle through, around or under any barrier of a managed lane.

Chris Tomlinson explained that the bill authorizes SRTA to collect tolls on projects the authority constructs or acquires in which managing the flow of traffic is the primary or exclusive purpose. He said SRTA is charged with the responsibility of adjusting toll charges between users of any project and that tolls must be fixed and adjusted to carry the terms of the resolution. He further stated adjustments on toll charges are only required on projects in which repayment of financing is the primary purpose.

Neill Herring, Sierra Club, spoke in opposition to the bill.

Josh Waller, Legislative Director of DOT, expressed DOT's support for the bill.

Sen. Gooch (51^{st}) moved **DO PASS** and Sen. Dugan (30^{th}) seconded. The motion passed unanimously.

SB 125 DO PASS

There being no further business to discuss, the meeting was adjourned by the Chairman at 5:05 p.m.

Respectfully submitted,

/s/ Sen. Brandon Beach (21st), Secretary

A meeting of the Senate Transportation Committee was held at 4:00 p.m. on March 2, 2015 in the Senate Mezzanine of the State Capitol. The following members were present:

Sen. Tommie Williams (19th), Chairman

Sen. Steve Gooch (51st), Vice-Chairman

Sen. Brandon Beach (21st), Secretary

Sen. Gloria Butler (55th)

Sen. Mike Dugan (30th)

Sen. Frank Ginn (47th), Ex-Officio

Sen. Bill Heath (31st), Ex-Officio (Arrived at 4:20 p.m.)

Sen. Bill Jackson (24th)

Sen. Valencia Seay (34th), Ex-Officio (Arrived at 4:16 p.m. and left at 5:00 p.m.)

Sen. Ross Tolleson (20th)

NOTE: Sen. Burt Jones (25th), Sen. Ronald Ramsey, Sr. (43rd) and Sen. Lindsey Tippins (37th) were absent.

Chairman Williams (19th) called the meeting to order at 4:10 p.m.

<u>SR 296</u> (Sen. Henson, 41st, LC 39 0937) Road naming; Sen. Lawrence (Bud) Stumbaugh Bridge, Captain Herb Emory Flyover Ramp and Brooks-Foster Crossing

Sen. Steve Henson (41st) presented **Part I** of the resolution. Former Sen. Lawrence (Bud) Stumbaugh was a member of the Georgia Senate for 16 years and served as vice-chairperson for MARTOC. The resolution dedicates the bridge on the MARTA Indian Creek Station ramp to I-285 southbound in DeKalb County as the Sen. Lawrence (Bud) Stumbaugh Bridge.

Sen. Dugan (30th) presented **Part II** of the resolution. Captain Herb Emory, a radio announcer for WSB Radio and Channel 2 Action News, passed away on April 12, 2014. The resolution dedicates the new flyover ramp on I-85 at GA 400 as the Captain Herb Emory Flyover Ramp.

Sen. Butler (55th) presented **Part III** of the resolution. Mrs. Runell "Nell" Brooks Foster has lived on Rosebud Road and U.S. Hwy. 78 for 83 years. The resolution designates the intersection of Rosebud Road and U.S. Hwy. 78 as the Brooks-Foster Crossing.

Sen. Ginn (47th) moved **DO PASS BY SUBSITUTE** (**LC 39 0976S**) and Sen. Tolleson (20th) seconded the motion. The motion passed unanimously.

SR 296 DO PASS BY SUBSTITUTE (LC 39 0976S)

SB 169 (Sen. Gooch, 51st, LC 39 0962) Highways, Bridges, and Ferries; revise what constitutes part of the state highway system; appropriation of funds to Dept. of Transportation

Sen. Gooch (51st), the author of SB 169, presented the bill. He stated the bill removes the portion of current law that the road serves as part of a programmed road improvement project plan which the Department of Transportation (DOT) will utilize state or federal funds for to acquire right of way. He said it removes the provision in current law which prohibits DOT from using federal-aid funds for procurement of rights of way for a road to be constructed on a county road system, unless provided by law or an agreement between the federal government and DOT. He stated further that the bill also provides that when rights of way or property are acquired by the state, county or city for public road usage, and an outdoor advertising sign is located on the property, the sign may be located if it meets certain requirements of 250 feet of its original location and is within a zoned or un-zoned commercial area and must be agreed upon by the property owner and the owner of the advertising sign.

Tom Gehl, Georgia Municipal Association, and Wilton Rooks, Scenic Georgia, spoke in opposition to the bill.

After a series of questions from Committee members, SB 169 was tabled.

SB 169 TABLED

There being no further business to discuss, the meeting was adjourned by the Chairman at 5:16 p.m.

Respectfully submitted,

/s/ Sen. Brandon Beach (21st), Secretary

A meeting of the Senate Transportation Committee was held at 3:00 p.m. on March 4, 2015 in Room 450 of the Capitol. The following members were present:

Sen. Tommie Williams (19th), Chairman

Sen. Steve Gooch (51st), Vice-Chairman

Sen. Brandon Beach (21st), Secretary

Sen. Gloria Butler (55th)

Sen. Mike Dugan (30th)

Sen. Frank Ginn (47th), Ex-Officio

Sen. Bill Jackson (24th) (Arrived at 3:19 p.m.)

Sen. Burt Jones (25th) (Arrived at 3:21 p.m.)

Sen. Ronald Ramsey, Sr. (43rd)

Sen. Valencia Seay (34th), Ex-Officio

Sen. Lindsey Tippins (37th) (Arrived at 3:25 p.m.)

Sen. Ross Tolleson (20th)

NOTE: Sen. Bill Heath (31st), Ex-Officio, was absent.

Chairman Williams called the meeting to order at 3:05 p.m.

SR 126 (Sen. Gooch, 51st, LC 39 0887) Road Naming Omnibus II; Bill T. Hardman Hospitality Highway, The Appalachian Parkway and The E-4 Roger Dorsey, United States Navy Memorial Intersection

Sen. Gooch (51st), the author of SR 126, presented the resolution.

Part I Bill T. Hardman was named Georgia's first tourism director of the Georgia Department of Industry and Trade in 1959 and was charged with the responsibility for building Georgia's hospitality industry. The resolution dedicates SR 400 in Dawson and Lumpkin counties as the Bill T. Hardman Hospitality Highway.

Part II E-4 Roger Dorsey served as a guardian of this nation's freedom and liberty with the United States Navy, courageously defending his fellow citizens during the Vietnam War on the Aircraft Carrier Intrepid. He was also the owner of the Lil Pig Convenience Store in Rossville for 22 years. The resolution dedicates the intersection of SR 341 and Mission Ridge Rd. in Walker County as the E-4 Roger Dorsey Memorial Intersection.

Part III The Appalachian Trail runs through White County and provides access to Cleveland and Helen. Cleveland and Helen in White County are well known in the field of Appalachian heritage arts. The resolution dedicates the portion the new Cleveland Bypass from SR11/US129 at Donald E. Thurmond Dr. extending northwest to SR11/US129 at Hulsey Rd. as the Appalachian Parkway.

Part IV Frank L. Danchetz dedicated his career to the Georgia Department of Transportation for 34 years. He served 10 years as Chief Engineer in the office of Environment and Location and Urban Design. The resolution dedicates the portion of SR 306 from GA 400 to SR 53 in Forsyth County as the Frank L. Danchetz Highway.

Part V Paul V. Liles, Jr., He worked diligently with the Georgia Department of Transportation and served on many committees, both state and national organizations, including AASHTO's Seismic, Construction, Welding and Security Committees and the Transportation Research Board. The resolution dedicates the bridge on SR 8/North Ave. over the I-75/85 Connector in Fulton County as the Paul V. Liles, Jr. Bridge.

Sen. Tolleson (20th) moved **DO PASS BY SUBSTITUTE** (**LC 39 1001S**). Sen. Ginn (47th) seconded the motion. The motion passed unanimously.

SR 126 DO PASS BY SUBSTITUTE (LC 39 1001S)

NOTE: Sen. Jones (25th) and Sen. Tippins (37th) arrived.

<u>SB 169</u> (Sen. Gooch, 51st, LC 39 0962) Highways, Bridges, and Ferries; revise what constitutes part of the state highway system; appropriation of funds to Dept. of Transportation

Sen. Gooch (51st), the author of SB 169, presented the bill and explained he worked with GMA and ACCG to work out their differences. This bill was tabled in the first meeting, mainly due to GMA's concerns about the local government being forced to grant a variance or to compensate the owner. GMA spoke in opposition to the bill because, while some concerns have been addressed, they still have other concerns: 1) Terms relating to the allowance for adjustments in height and angle are not clearly defined, leaving speculation; 2) The placement of the sign initially is subject to state law and local ordinance – but now does not give the same weight to the local ordinance when DOT acquires right of way and the sign needs to be removed or relocated. Sen. Ginn (47th) stated that the owner of the sign is not asking to have the sign moved. GMA responded that sometimes it isn't the city widening the road, it may be the county.

Sen. Gooch (51st) stated that the new language which states that DOT will pay for relocation of the sign if federal money is being used for the project is a federal law requirement.

Shawn Adams, ACCG, spoke in favor of the bill.

Rusk Patel, GMA, spoke in opposition to the bill.

Sen. Ginn (47th) moved **DO PASS BY SUBSTITUTE** (**LC 39 1006S**). Sen. Dugan (30th) seconded the motion. The motion passed unanimously.

SB 169 DO PASS BY SUBSTITUTE (LC 39 1006S)

<u>SB 170</u> (Sen. Beach, 21st, LC 25 6486) Procedures for Disposition of Property; provide for notice and right to acquire when such property is located within subdivision

Sen. Beach (21st), the author of SB 170, presented the bill. The bill revises the procedural requirements for the disposition of formerly acquired state and local government property to allow for the notification of the disposition to be made to a homeowners association.

Several Committee members had concerns with the bill; therefore, SB 170 was tabled. **SB 170 TABLED**

<u>SB 191</u> (Sen. Tippins, 37th, LC 36 2717) Prohibits local governments from adopting or enforcing an ordinance which sets forth marking requirements for blasting or excavating sites

Sen. Tippins (37th), the author of SB 191, presented the bill, stating that the purpose of the bill is to have a statewide standard for markings. He said current law requires a person that is going to blast or excavate a tract or land to submit a locate request to the utilities protection center for the purpose of marking existing utility facilities and/or sewer lines. Sen. Tippins (37th) further stated the locate request must describe the site location "with sufficient particularity." If this can't be done, the contractor must mark the site with white lining (markers, stakes, flags) that are in compliance with DOT safety rules/regulations. He said he heard from the Georgia Utility Contractors Association, along with a private contractor that does excavation work and they explained that contractors bid jobs across the entire state and it would put them out of business if they had to research every county or city to see what the local marking requirements are.

Ed Shipley, from Ronnie D. Jones Enterprises of Newnan, spoke in favor of the bill.

Todd Edwards, of ACCG, and Marci Rubensohn, of GMA, spoke in opposition to the bill.

Sen. Jackson (24th) moved **DO PASS BY SUBSTITUTE** (**LC 36 2758S**). Sen. Jones (25th) seconded the motion. The motion passed with a vote of 6-3. The votes in favor were Sen. Gooch (51st), Sen. Beach (21st), Sen. Dugan (30th), Sen. Jackson (24th), Sen. Jones (25th) and Sen. Tippins (37th). The votes opposed were Sen. Butler (55th), Sen. Ramsey (43rd) and Sen. Seay (34th).

SB 191 DO PASS BY SUBSTITUTE (LC 36 2758S)

There being no further business to discuss, the meeting was adjourned by the Chairman at 4:20 p.m.

Respectfully submitted,

/s/ Sen. Brandon Beach (21st), Secretary

A meeting of the Senate Committee on Transportation was held at 8:00 a.m. on March 9, 2015 in Room 125 of the State Capitol. The following members were present:

Sen. Tommie Williams (19th), Chairman

Sen. Steve Gooch (51st), Vice-Chairman

Sen. Brandon Beach (21st), Secretary

Sen. Mike Dugan (30th)

Sen. Frank Ginn (47th), Ex-Officio

Sen. Bill Heath (31st), Ex-Officio

Sen. Bill Jackson (24th)

Sen. Valencia Seay (34th), Ex-Officio

Sen. Lindsey Tippins (37th)

Sen. Ross Tolleson (20th)

NOTE: Sen. Gloria Butler (55th), Sen. Burt Jones (25th) and Sen. Ronald Ramsey, Sr. (43rd) were absent.

Chairman Williams (19th) called the meeting to order at 8:00 a.m.

SR 441 (Sen. James, 35th, LC 39 0997) Gladys Knight Highway; Fulton County; dedicate

Sen. Donzella James (35th), the author of SR 441, presented the resolution, which dedicates a portion of Spring Street from Peachtree Street to 14th Street as the Gladys Knight Highway. She stated that Gladys Knight is an award-winning Motown legend from Atlanta, Georgia, who along with her brothers and cousins formed Gladys Knight and the Pips. The group won national and international acclaim for their record charting hits such as "Midnight Train to Georgia," "Heard It Through the Grapevine" and "Neither One of Us Wants to Be the First to Say Goodbye." Chairman Williams (19th) asked Sen. James (35th) if she wanted to sing a few of Gladys' songs for the Committee. She respectfully declined.

Sen. Seay (34th) moved **DO PASS.** Sen. Tolleson (20th) seconded the motion. The motion passed unanimously.

SR 441 DO PASS

SB 170 (Sen. Beach, 21st, LC 25 6486) Procedures for Disposition of Property; provide for notice and right to acquire when such property is located within subdivision

Sen. Beach (21st), the author of SB 170, presented the bill and thanked Angie Fiese, Senate Analyst, for working so diligently to help him craft this piece of legislation. He explained that the bill revises the procedural requirements for the disposition of formerly acquired state and local government property to allow for the notification of the

disposition to be made to a homeowners association. He further explained the bill only applies to a subdivision.

Sen. Gooch (51st), Sen. Ginn (47th), Sen. Tippins (37th), Sen. Heath (31st) and Sen. Seay (34th) had concerns with the bill; therefore, no vote was taken and **SB 170** was tabled. **SB 170 TABLED**

There being no further business to discuss, the meeting was adjourned by the Chairman at 8:40 a.m.

Respectfully submitted,

/s/ Sen. Brandon Beach (21st), Secretary

A meeting of the Senate Committee on Transportation was held at 10:00 a.m. on March 12, 2015 in Room 450 of the State Capitol. The following members were present:

Sen. Tommie Williams (19th), Chairman

Sen. Steve Gooch (51st), Vice-Chairman

Sen. Brandon Beach (21st), Secretary

Sen. Gloria Butler (55th)

Sen. Mike Dugan (30th)

Sen. Frank Ginn (47th), Ex-Officio

Sen. Bill Heath (31st), Ex-Officio

Sen. Bill Jackson (24th)

Sen. Burt Jones (25th)

Sen. Lindsey Tippins (37th)

Sen. Ross Tolleson (20th)

NOTE: Sen. Ronald Ramsey, Sr. (43rd) and Sen. Valencia Seay (34th), Ex-Officio, were absent.

Chairman Williams (19th) called the meeting to order at 10:00 a.m.

Chairman Williams (19th) explained that Chairman Jay Roberts (155th) of the House Transportation Committee would present the bill in detail and answer questions from the Committee members, but that no vote would be taken.

<u>HB 170</u> (Rep. Roberts, 155th, LC 34 4595S) Transportation Funding Act of 2015; enact

Chairman Roberts (155th), the author of HB 170, presented the bill known as the Transportation Funding Act of 2015. He started by thanking Sen. Gooch (51st) for his assistance on the bill. He said they had spent many long hours going across the state listening to the concerns of Georgia citizens regarding transportation issues. He said he hopes this bill is the answer they have been waiting for and proceeded to explain the bill. HB 170 requires the Department of Transportation (DOT) to annually submit a 10-year, priority-based, strategic plan outlining the use of department resources for the upcoming fiscal year; legislatively intends to make available to DOT, subject to appropriations, \$250 million annually to be used exclusively for debt service payments.

Chairman Roberts (155th) further stated that the bill requires an additional, annual license registration fee for certain alternative fueled vehicles; a new annual highway user impact fee, and a new daily rental car fee. It eliminates the prepaid state tax on the sales of motor fuel; exempts sales of motor fuel entirely from state sales and use taxes; increases the rate of the excise tax on motor fuel from 7.5 cents to 24 cents per gallons, which must automatically be adjusted on an annual basis by multiplying the percentage of increase or decrease in a given year in the Consumer Price Index by the current tax rate. He said it

also requires local option sales and use taxes on motor fuel to be at the rate of 1 percent of the retail sales price of motor fuel, which is not more than \$3.39 per gallon. Additionally, the bill also allows qualified motor carriers subject to the state road tax and IFTA road tax reporting requirements to claim an income tax credit for the amount of local sales and use taxes on diesel fuel purchased in this state, under certain conditions.

Chairman Roberts (155th) said it was important to note that the bill sunsets the current tax exemption for jet fuel from the 1 percent of the 4 percent state sales and use tax on June 30, 2015. It imposes certain requirements on the use of any revenue for jet fuel taxes; repeals the 2015 sales tax holiday for purchases of clothing, computer, school supplies, and certain Energy Star Qualified Product and Water Sense Products; and reduces the income tax credit for the purchase or lease of new, low and zero-emission vehicles to zero.

Chairman Williams (19th) interjected that the bill also limits the Governor's authority to suspend or modify the collection of any rate of state taxes on the sales of motor fuel and aviation gasoline. He also stated the bill provides new criteria for any preference given by the Board of the State Road and Tollway Authority to projects eligible to receive financial assistance from the Georgia Transportation Infrastructure Bank.

HB 170 HEARING ONLY

After a question and answer session, the meeting was adjourned by Chairman Williams (19th) at 11:05 a.m.

Respectfully submitted,

/s/ Sen. Brandon Beach (21st), Secretary

A meeting of the Senate Committee on Transportation was held at 3:00 p.m. on March 17, 2015 in Room 450 of the State Capitol. The following members were present:

Sen. Tommie Williams (19th), Chairman

Sen. Steve Gooch (51st), Vice-Chairman

Sen. Brandon Beach (21st), Secretary

Sen. Gloria Butler (55th)

Sen. Mike Dugan (30th)

Sen. Frank Ginn (47th), Ex-Officio

Sen. Bill Heath (31st), Ex-Officio

Sen. Bill Jackson (24th)

Sen. Burt Jones (25th)

Sen. Valencia Seay (34th), Ex-Officio

Sen. Ronald Ramsey, Sr. (43rd) (Arrived at 3:23 p.m.)

Sen. Lindsey Tippins (37th)

Sen. Ross Tolleson (20th)

Chairman Williams (19th) called the meeting to order at 3:00 p.m.

<u>HB 170</u> (Rep. Roberts, 155th, LC 34 4595S) Transportation Funding Act of 2015; enact

Sen. Gooch (51st) presented the Senate Transportation Committee Substitute stating that this was Chairman Williams' (19th) bill. Sen. Gooch (51st) informed the Committee as to the recommendations of the Study Committee that met last summer and fall across the state. The goal of the Committee, and the bill, is to find a long-term fix to the state's transportation problems. This bill encompasses nine of the 12 recommendations in the Study Committee report.

Sen. Gooch (51st) stated that the \$3.39 per gallon price was calculated based on the 4-year average of the price of gas, not taking anything away from the locals, just asking them to freeze it at the level at that time, and not to exceed what they would collect at \$3.39.

Sen. Ginn (47th) expressed concern that a 10-wheel dump truck would pay the same as a passenger truck in highway user impact fees and stated that they cause more damage to the highway. Sen. Gooch (47th) stated that the rate is determined by the number of axles and weight.

Sen. Seay (34th) expressed great concern that the state is committing \$250 million to transportation funding as the #1 priority over education.

Sen. Gooch (51st) stated that there is no "shall" language because the legislature cannot constitutionally bind future legislative sessions (lines 54-55). He said this is a "pay as you

grow" approach. Sen. Beach 21st) asked if the \$250 million would increase if revenues increase. The response was that it is subject to appropriations, so it can be raised or lowered. Chairman Williams (19th) stated that currently 1/3 of motor fuel money is going to debt service. DOT has always had its own money (money received by the state from motor fuel taxes is constitutionally dedicated to roads/bridges). He said they never thought of using state money for DOT. However, now there is a fuel crisis, so DOT should get some of the pie. Chairman Williams (19th) further stated that the legislature needed to get their house in order and find the money to help fix the problem.

Sen. Seay (34th) also inquired about whether the bill contains any provision to address minority disparity. Chairman Williams (19th) called on Ms. Kim King, Equal Opportunity Director for DOT to address Sen. Seay's (34th) concerns. Ms. King stated that DOT has a federally-funded program, under a mandate by the U.S. DOT that any federally-funded project have a 15% goal for disadvantaged business enterprises. A disparity study was done in 2012 (and will be completed triennially) that found there has been discrimination and therefore, the 15% goal is attached to federally-funded projects. Sen. Seay (34th) responded that this does not address state projects. Ms. King responded that any program that the state would seek to do with a race- or gender-specific goal would have to have evidence showing that there has been discrimination in state contracting. Sen. Seay (34th) asked what the current participation is in state contracting for disadvantaged enterprises. Sen. Ramsey, Sr. (43rd) asked if the federal provisions could mirror the state. Sen. Gooch (51st) said they could be the same.

Sen. Heath (31st) asked if mass transit is in this bill. Sen. Gooch (51st) said it was not. He said there is \$200 million in bond requests voting this week in Committee. Sen. Heath (31st) also wanted to add language giving the Governor a small window/amount of taxes/rate of tax that he can suspend without having to call a special session to get the legislature to ratify. He also wondered why the bill did not go to the Finance Committee because it addressed other areas of tax reform – sales tax holiday, etc. Finally, by Sen. Heath's (31st) calculations, the excise tax (24 cents) corresponds to \$4.13. Sen. Gooch (51st) and Chairman Williams (19th) stated that the \$3.39 was based on the 4-year average. Twenty cents is revenue neutral – going up 4 cents. Chairman Williams (19th) said if the price of gas goes above \$3.39, then it would be going more toward revenue neutral. Anything beyond, then it becomes a tax savings. He said the problem with the current sales tax on motor fuel is that it punishes people because it fluctuates with the price of gas. The current rate is based on \$2.98 for the last six months.

Sen. Butler (55th) questioned why the state can't phase out the low-emission vehicle tax credit. She said according to estimates, the tax credit in 2016 would be \$64 million.

Sen. Jones (25th) stated that a growing number of people are renting cars and questioned whether this would also apply at the airport. Sen. Gooch (51st) answered yes. Sen. Jones (25th) also asked if the Committee could look at capping the consumer price index (CPI) because we will experience inflation. Sen. Gooch (51st) stated that he was not aware of any big inflation increases in recent years. He said it could always be capped or repealed at a later time.

Angela Palm, of the Georgia School Boards Association, spoke in favor of the bill.

Jeff Mills, of Enterprise Rent- A-Car, spoke in opposition.

Sen. Tippins (37th) offered an amendment that added the word "maintenance" on line 47 in addition to improvement and expansion, so as to ensure that maintenance would be a priority.

Sen. Jones (25^{th}) moved to **adopt** Sen. Tippins' amendment. Sen. Ginn (47^{th}) seconded the motion. The motion was unanimously adopted.

Sen. Tolleson (20th) moved **DO PASS BY SUBSTITUTE** (**LC 34 4633S**). Sen. Tippins (37th) seconded the motion. The motion passed 8-4. Voting in favor were Sen. Gooch (51st), Sen. Beach (21st), Sen. Ginn (47th), Sen. Tolleson (20th), Sen. Jackson (24th), Sen. Jones (25th), Sen. Tippins (37th) and Sen. Dugan (30th). Voting in opposition were Sen. Heath (31st), Sen. Butler (55th), Sen. Ramsey (43rd) and Sen. Seay (34th).

HB 170 DO PASS BY SUBSTITUTE (LC 34 4633S)

There being no further business to discuss, the meeting was adjourned by the Chairman at 4:05 p.m.

Respectfully submitted,

/s/ Sen. Brandon Beach (21st), Secretary

A meeting of the Senate Committee on Transportation was held at 3:00 p.m. on March 18, 2015 in Room 450 of the State Capitol. The following members were present:

Sen. Tommie Williams (19th), Chairman

Sen. Steve Gooch (51st), Vice-Chairman

Sen. Brandon Beach (21st), Secretary

Sen. Gloria Butler (55th)

Sen. Frank Ginn (47th), Ex-Officio

Sen. Bill Heath (31st), Ex-Officio

Sen. Bill Jackson (24th)

Sen. Burt Jones (25th)

Sen. Valencia Seay (34th), Ex-Officio

Sen. Ronald Ramsey, Sr. (43rd) (Arrived at 3:23 p.m.)

Sen. Lindsey Tippins (37th)

Sen. Ross Tolleson (20th)

NOTE: Sen. Mike Dugan (30th) was absent.

Chairman Williams (19th) called the meeting to order at 3:00 p.m.

<u>HB 106</u> (Rep. Roberts, 155th, LC 39 1004S) Highways; revise what constitutes part of the state highway system; provisions

Chairman Williams (19th) presented the bill. He started by saying that HB 106 allows a majority of the counties within a special transportation district region, without approval and enactment by the General Assembly of a Special Regional Transportation Funding Act, to hold an election for approval of the special district transportation sales and use tax. He said beginning July 1, 2017, a county that is not in a district that passed the regional special district transportation sales and use tax, may impose a one percent transportation special purpose local option sales and use tax for a limited period of time, if approved by the voters in the next general election, to fund transportation purposes. He explained that "transportation purposes" means roads, bridges, public transit, rails, airports, buses, seaports, including without limitation road, street, and bridge purposes, and all accompanying infrastructure and services necessary to provide access to these transportation facilities, including general obligation debt and other multiyear obligations issued to finance such purposes. He said cities that provide at least three governmental services may enter into an intergovernmental agreement with the county for projects and a distribution of the proceeds.

Chairman Williams (19th) further stated if the tax proposal includes the issuance of GO debt, more than half of the voters must approve the tax for the county to receive the constitutional authority to issue the debt. If not, the debt must not be issued. The proceeds will then be distributed as follows: one percent into the state general fund and the remaining proceeds distributed according to the intergovernmental agreement. He said

that any excess must be first used to pay off debt, and then it can go into the county's general fund. Exemptions are for the sale of: fuel used for off-highway use; jet fuel; fuel for public transit; and the energy used in manufacturing. The tax will only be levied on the first \$5,000 of any transaction involving the sale or lease of a motor vehicle and it will apply to food and beverages. However, dealers are allowed a percentage of the amount of the tax due.

And finally, Chairman Williams (19th) said the version of the bill that passed the House only contained language that is similar to SB 169 (Title 32 clean-up bill – but it didn't have billboard language). This Committee Sub removes all language relating to Title 32 and, instead, only has language for TSPLOST 2.

Sen. Beach (21st) moved **DO PASS BY SUBSTITUTE** (**LC 34 4641S**) and Sen. Jones (25th) seconded the motion. The motion passed unanimously.

HB 106 DO PASS BY SUBSTITUTE (LC 34 4641S)

<u>HB 213</u> (Rep. Jacobs, 80th, LC 39 0954S) Metropolitan Atlanta Rapid Transit Authority Act of 1965

Rep. Mike Jacobs (80th), the author of HB 213, presented the bill stating that it is a Committee substitute that includes HB 214. He started by saying this bill permanently suspends the 5/50 split on MARTA use tax proceeds, so long as MARTA submits an audit; extends the sunset date of the one percent rate of the MARTA tax; provides additional exceptions to the competitive bidding process requirement for certain contracts; revises the composition, terms, and appointing process for the MARTA Board and provides an appeals process and certain penalties for violations. Rep. Jacobs (80th) said the MARTA Act of 1965 authorizes counties that enter into a rapid transit contract with MARTA to impose a one percent sales and use tax until June 30, 2047; thereafter, it must be reduced to 0.5 percent. This bill extends the date to June 30, 2057. Rep. Jacobs (80th) further stated that this bill also permanently suspends the current restrictions on the use of proceeds so long as MARTA files a report of a completed, and independent, management audit of MARTA's current operations to the Governor, the State Auditor, and the Chairperson of MARTOC every four years starting Dec. 2016. If MARTA doesn't file the report, it is restricted for the next four years from using more than 50% of the proceeds for operations. The composition of the MARTA Board of Directors is revised so that the Executive Director of GRTA is a voting member, that the governing authority of Dekalb County makes appointments and staggers the terms of new Board members. And finally, the bill allows concession contracts and contracts for the sale of unique property to be done by a procurement process, instead of a bidding process, and it increases the amount of the acquisition or disposition contract, for which Board approval is required, from \$25,000 to \$200,000.

Rhonda Briggins, MARTA Representative, spoke in favor of the bill.

Sen. Ramsey (43rd) moved **DO PASS BY SUBSTITUTE** (**LC 39 1040S**). Sen. Beach (21st) seconded the motion. The motion passed 8-3. Voting in favor were Sen. Gooch

 (51^{st}) , Sen. Beach (21^{st}) , Sen. Tolleson (20^{th}) , Sen. Jackson (24^{th}) , Sen. Seay (34^{th}) , Sen. Butler (55^{th}) , Sen. Ramsey (43^{rd}) and Sen. Tippins (37^{th}) . The votes opposed were cast by Sen. Ginn (47^{th}) , Sen. Heath (31^{st}) and Sen. Jones (25^{th}) .

HB 213 DO PASS BY SUBSTITUTE (LC 39 1040S)

There being no further business to discuss, the meeting was adjourned by the Chairman at 4:05 p.m.

Respectfully submitted,

/s/ Sen. Brandon Beach (21st), Secretary

A meeting of the Senate Committee on Transportation was held at 4:00 p.m. on March 23, 2015 in the Senate Mezzanine of the State Capitol. The following members were present:

Sen. Tommie Williams (19th), Chairman

Sen. Steve Gooch (51st), Vice-Chairman

Sen. Brandon Beach (21st), Secretary

Sen. Gloria Butler (55th)

Sen. Mike Dugan (30th)

Sen. Frank Ginn (47th), Ex-Officio

Sen. Bill Jackson (24th)

Sen. Burt Jones (25th)

Sen. Valencia Seay (34th), Ex-Officio

Sen. Ronald Ramsey, Sr. (43rd) (Arrived at 3:23 p.m.)

Sen. Lindsey Tippins (37th)

NOTE: Sen. Bill Heath (31st), Ex-Officio, and Sen. Ross Tolleson (20th) were absent.

Chairman Williams (19th) called the meeting to order at 4:02 p.m.

SR 525 (Sen. Albers, 56th, LC 34 4570) Georgia General Assembly; recognize the vital importance safe and efficient transportation plays in Georgia's economic/quality of life standards

Sen. John Albers (56th), the author of SR 525, presented the resolution, but after several questions from Committee Members, it was tabled.

SR 525 TABLED

SR 453 (Sen. Seay, 34th, LC 39 1019) U.S. Congress; urged to rename the Edmund Pettus Bridge to Edmund Pettus-John Lewis Bridge

Sen. Seay (34th), the author of SR 453, presented the resolution. Chairman Williams (19th) said he thought it would be more fitting to introduce legislation such as this on the federal level. Sen. Seay (34th) agreed and no vote was taken.

SR 453 HEARING ONLY

<u>HB 21</u> (Rep. Carson, 46th, LC 39 0808) Transit authority; creation of; metropolitan areas; repeal a population provision

Rep. John Carson (46th), the author of HB 21, presented the bill, which includes two parts. He explained the first part regarding Cattle Guard or Farm Crossing Installation. Rep. Carson (46th) said the bill allows landowners in unincorporated areas of the state over which an entity has acquired a railroad right of way from the Department of Transportation (DOT) to request that the entity with a crossing over the property install a

farm crossing or cattle guard over the rail line. The entity must acknowledge receipt of the request within 15 days, laying out a cost estimate for the installation within 45 days following the acknowledgement. He stated if the landowner agrees to the estimate, the landowner must pay the agreed sum to the entity, which must then commence construction of the crossing within 90 days after receiving the funds. If the landowner does not agree to the estimate, it can, in writing and upon payment of a \$25.00 fee, seek review of the estimate by DOT within 30 days to be paid by the landowner for the crossing or guard. Several Committee members had concerns with that portion of the bill; therefore, Rep. Carson (46th) introduced Steve Butler, Connect Public Relations, to assist him in answering questions.

Sen. Ramsey, Sr. (43rd) commented that HB 21 had previously been assigned to the Judiciary Committee, which spent three hours debating that portion of the bill and reached no resolution. He questioned why it was placed in Transportation when it could not get a vote in Judiciary. Chairman Williams (19th) agreed and asked Rep. Carson (46th) to proceed to the second part of the bill.

Rep. Carson (46th) moved to the second part of the bill, which is a Population Provision. He stated that current law authorizes the General Assembly to create a transit authority charged with the duty of acquiring, constructing, owning, operating, and maintaining a mass rapid transit system within a metropolitan area of any city within the state whose population has exceeded 43,617 people. Rep. Carson (46th) stated the bill removes references to population in the current definition and replaces it with "metropolitan area."

Chairman Williams (19th) said if the problems with the first part of the bill could be worked out, he would hold another meeting to discuss it. Rep. Carson (46th) agreed and no vote was taken.

HB 21 HEARING ONLY

<u>HR 215</u> (Rep. Ralston, 7th, LC 30 0840) Judge Ronald L. Newton Memorial Highway; Fannin County; dedicate

Chairman Williams (19th) presented the bill at the request of House Speaker David Ralston. He said Judge Newton was elected as Chief Magistrate Judge of Fannin County in 1988 and held that position until his passing. He said it would be fitting to honor him by dedicating State Route 60 in Fannin County with State Route 60 Spur in Mineral Bluff to the city limits of McCaysville as the Judge Ronald L Newton Memorial Highway.

Sen. Gooch (51st) moved **DO PASS**, Sen. Tippins (37th) seconded the motion. The motion passed unanimously.

HR 215 DO PASS

<u>HR 36</u> (Rep. Benton, 31st, LC 39 1008S) Staff Sergeant Shaun J. Whitehead Memorial Bridge; Jackson County; dedicate

Chairman Williams (19th) explained that this bill dedicates roads and bridges in honor of various people and that the Committee Sub contains the House dedications and the Senate dedications of SR 126 and SR 296, as well as any new Senate dedications. Sen. Gooch (51st) asked Chairman Williams (19th) to check with the House to make sure the new Senate dedications were included in the last version of the House bill.

Sen. Gooch (51st) moved **DO PASS BY SUBSTITUTE** (**LC 39 1055S**). Sen. Ramsey (43rd) seconded the motion. The motion passed unanimously.

HR 36 DO PASS BY SUBSTITUTE (LC 39 1055S)

<u>HB 106</u> (Rep. Roberts, 155th, LC 39 1004S) Highways; revise what constitutes part of the state highway system; provisions

Chairman Williams (19th) said the reason HB 106 was recommitted to the Transportation Committee is because the Committee Sub that passed out of Transportation the first time only allowed for a county-by-county TSPLOST beginning 2017. The new substitute allows for a TSPLOST beginning 2015 in counties without a regional TSPLOST and acting as mass transportation regional system participants. He said that GMA and ACCG were in full support of the bill.

Sen. Williams (19th) offered an amendment to strike lines 44-46 and strike the word county on line 317 and replace it with Commissioner of Revenue. Sen. Gooch (51st) moved for **adoption** of the amendment and Sen. Tippins (37th) seconded the motion. The motion was unanimously adopted.

Sen. Jones (25th) moved **DO PASS BY SUBSTITUTE** (**LC 34 4662ERS**). Sen. Tippins (37th) seconded the motion. The motion passed unanimously.

HB 106 DO PASS BY SUBSTITUTE (LC 34 4662ERS)

There being no further business to discuss, the meeting was adjourned by the Chairman at 5:15 p.m.

Respectfully submitted,

/s/ Sen. Brandon Beach (21st), Secretary

A meeting of the Senate Committee on Transportation was held at 3:00 p.m. on March 25, 2015 in Room 450 of the State Capitol. The following members were present:

Sen. Tommie Williams (19th), Chairman

Sen. Steve Gooch (51st), Vice-Chairman

Sen. Gloria Butler (55th)

Sen. Frank Ginn (47th), Ex-Officio

Sen. Bill Jackson (24th)

Sen. Burt Jones (25th)

Sen. Valencia Seay (34th), Ex-Officio

Sen. Ronald Ramsey, Sr. (43rd) (Arrived at 3:23 p.m.)

NOTE: Sen. Brandon Beach (21st), Secretary, Sen. Mike Dugan (30th), Sen. Bill Heath (31st), Ex-Officio, Sen. Lindsey Tippins (37th) and Sen. Ross Tolleson (20th) were absent.

Chairman Williams (19th) called the meeting to order at 3:00 p.m.

<u>HB 21</u> (Rep. Carson, 46th, LC 39 0808) Transit authority; creation of; metropolitan areas; repeal a population provision

Rep. Carson (46th) explained to the Committee that the proposed substitute had many added provisions that would have ultimately killed the bill; therefore, he decided to go back to the original bill. He stated current law authorizes the General Assembly to create a transit authority charged with the duty of acquiring, constructing, owning, operating, and maintaining a mass rapid transit system within a metropolitan area of any city within the state whose population has exceeded 43,617 people. The bill removes references to population in the current definition and replaces it with "metropolitan area."

Sen. Jones (25th) moved **DO PASS**. Sen. Seay (34th) seconded the motion. The motion passed unanimously.

HB 21 DO PASS

There being no further business, the meeting was adjourned by the Chairman at 3:17 p.m.

Respectfully submitted,

/s/ Senator Brandon Beach (21st), Secretary

TOMMIE WILLIAMS

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COMMITTEES:

Transportation, Chairman Appropriations Judiciary Natural Resources and the Environment Reapportionment and Redistricting

The State Senate

Atlanta, Georgia 30334

April 15, 2015

Mr. David A. Cook Secretary of the Senate 353 State Capitol Atlanta, GA 30334

Dear Mr. Cook:

On behalf of Chairman Williams, I am returning herewith to your office the following bills and resolutions that were not acted upon this year by the Senate Transportation Committee:

SB 144

SB 170

SR 40

SR 97

SR 159

SR 290

SR 355

SR 410

SR 411

SR 453

SR 525

SR 550

SR 607 HB 214

Sincerely,

Audrey M. Lee

Senate Transportation Committee, Recording Secretary