## SB233 ENGROSSED



- 1 3TR6ZZ-2
- 2 By Senator Chambliss
- 3 RFD: Transportation and Energy
- 4 First Read: 20-Apr-23
- 5 2023 Regular Session



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5	A BILL
6	TO BE ENTITLED
7	AN ACT
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9	Relating to the Joint Transportation Committee; to
10	amend Sections 29-2-3 and 29-2-4, Code of Alabama 1975, to
11	revise the process for electing the chair and vice-chair and
12	provide further for the duties of the committee.
13	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
14	Section 1. Sections 29-2-3 and 29-2-4, Code of Alabama
15	1975, are amended to read as follows:
16	<b>"</b> §29-2-3
17	(a) The Joint Transportation Committee shall meet the
18	fourth Wednesday of January, April, July, and October at 1:30
19	p.m. at the Alabama State House. At the second fourth
20	quarterly meeting of each year the first year of each
21	quadrennium, the Joint Transportation Committee shall elect
22	from its membership a chair and vice-chair which shall rotate
23	between members from the House and Senate. The chair shall be
24	elected from the House members of the committee and the
25	vice-chair from the Senate members of the committee to serve
26	the second and third calendar years of each quadrennium. The
27	vice-chair shall become chair and the chair shall become
28	vice-chair for the fourth year of the quadrennium and the



first year of the following quadrennium. If the position of

chair becomes vacant, the vice-chair shall serve as chair

until a replacement chair is elected. An election to fill a

vacancy of chair or vice-chair shall occur at the next

quarterly meeting.

- (b) Special meetings of the Joint Transportation

  Committee may be called by the chair by giving members of the committee 14 days notice when the Legislature is out of session, and 24 hours notice if a meeting is called on a legislative day or legislative committee day. Special meetings may also be called by petition of a majority of the members of the committee that includes the date and time of the meeting and all members are given 24 hours notice.
- (c) Decisions of the Joint Transportation Committee may be made by a majority of the members present and voting at any properly convened meeting as long as a quorum is in attendance. A quorum shall consist of any 13 members. If less than a quorum is present at any meeting the recommendations presented by ALDOT shall be deemed approved.
- (d) Beginning in calendar year 2020, should If any member be is absent from two meetings of the four quarterly meetings during any calendar year, the member shall be deemed to have forfeited his or her position and a replacement shall be appointed by the respective appointing authority as outlined herein.
- (e) Upon the request of the chair, the Secretary of the Senate and the Clerk of the House shall provide clerical assistance as the committee requires."



**"**\$29-2-4

- (a) On or before January 31 of each year, any county or city required to report local motor fuel excise tax rate information to the Department of Revenue pursuant to Act 1998-192 shall provide a similar report to the transportation department regarding the total amount of local motor fuel excise tax revenues collected by the county or city for the immediately preceding fiscal year and the total amount of the revenues expended on road and bridge maintenance and improvement during that same fiscal year. The transportation department shall collect the information and deliver a report to the Joint Transportation Committee on or before March 31 of each year.
  - (b) The powers and duties of the Joint Transportation Committee shall be as follows:
    - (1) It shall review and shall consider concurring with the long-range plan of the transportation department as such plan exists at the date of the meeting called for the purpose of reviewing the plan. The long-range plan referred to herein is the Statewide Transportation Improvement Program (STIP) maintained by ALDOT for the purpose of complying with requirements of the Federal Highway Administration, which plan is amended multiple times each year for administrative as well as substantive reasons, and which plan shall be constantly available on the ALDOT website. A member of the committee may propose an amendment to the STIP, provided that the proposed amendment is delivered in writing to the transportation department by the close of business of the fourth Wednesday

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after the draft plan is presented to the committee. The proposed amendment shall be fiscally constrained within the funding category shown in the draft STIP. The transportation department shall prepare and deliver the amendment to each member of the committee no later than the fourth Wednesday of the month prior to the next quarterly meeting. Should the committee, by majority vote, accept the proposed amendment, the amendment shall be delivered by the chair of the committee to the Governor for consideration of changing the STIP as presented by the transportation department.

- (2) The update of the transportation department's annual fund allocation plan shall be presented to the Joint Transportation Committee at the third quarterly meeting of each year. The review and consideration of concurrence in the annual update of the plan shall be accomplished by the Joint Transportation Committee no later than the last quarterly meeting of each year. Failure of the Joint Transportation Committee to concur in the annual update will not prevent the transportation department from proceeding with any project.
- (3) The transportation department's requested budget for the following fiscal year shall be presented to the Joint Transportation Committee at the last quarterly meeting of the year. It shall review the budget proposed by the transportation department on an annual basis, which review shall be completed not later than the first quarterly meeting of each year. The Joint Transportation Committee shall report on the budget requests of the transportation department to the House Ways and Means General Fund Committee and the Senate

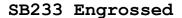


Finance and Taxation General Fund Committee and may make recommendations about the budget to the committees.

- (4) An in-progress draft of the annual report outlined in Section 23-1-35 shall be presented to the Joint Transportation Committee at the first quarterly meeting of each year. All comments and input from members of the Joint Transportation Committee shall be delivered to the transportation department within 30 days of the first quarterly meeting to allow consideration by the transportation department prior to publishing.
- (5) The transportation department shall prepare and submit for review by the Joint Transportation Committee a long-range plan for the transportation department utilizing objective prioritization criteria consistent with the factors described in subdivision (11)(10) at the first quarterly meeting of the year. The plan shall include a narrative of the condition of the transportation department as well as forward looking challenges and opportunities. The intent of this requirement is to allow the Joint Transportation Committee to assist in avoiding future problems and challenges and to assist in the development of goals for the transportation department. This plan may be incorporated into the annual report as required by Section 23-1-35 or be prepared as a separate document.
- (6) It shall issue a report to the Governor, Lieutenant Governor, House of Representatives, and Senate within 3060 days of the <a href="first-second">first-second</a> quarterly meeting, comparing actual performance of the transportation department in terms of

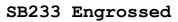


- 141 highway construction, maintenance, and costs of the same, to
- the original plan for the immediate preceding fiscal year as
- 143 well as the five preceding fiscal years. It shall also make
- this report available to the public within  $\frac{40}{70}$  days of the
- 145 **first** second quarterly meeting.
- 146 (7) It shall recommend to the Governor necessary
- 147 funding for future transportation department budgets to the
- 148 extent necessary beyond funds already provided by law.
- 149 (8) It may retain the services of consultants, if
- 150 necessary, and consult with other groups and individuals,
- 151 including public interest groups, interested individuals, and
- 152 appropriate state educational institutions.
- 153 (9) It may hold public hearings, shall make diligent
- 154 inquiry and a full examination of the long-range future
- 155 highway needs of the state, and shall file all reports of its
- 156 findings and recommendations with both houses of the
- 157 Legislature and with the Governor.
- 158 (10) It may call witnesses and do all things necessary
- 159 or convenient in connection with and all things incidental to
- 160 performance of the foregoing duties and powers.
- 161 (11) In performing its functions, the Joint
- 162 Transportation Committee shall take into consideration, in
- 163 reviewing plans for highway construction and maintenance,
- 164 among other factors all of the following:
- 165 a. Commuter benefits in the total amount of direct
- 166 savings to working men and women traveling to and from their
- 167 jobs in the state.
- b. Industrial and agricultural growth.





- 169 c. Transportation safety.
- d. Ecological impacts of transportation projects.
- e. Recreation and tourism.
- f. Traffic density.
- g. Implications on the routing of school buses.
- 174 h. Implications on the operation of public safety and
- 175 first responder vehicles.
- i. Priority to projects in a location with an
- independent local assessment.
- j. Priority to projects which provide a county with its
- 179 first four-lane access to an interstate."
- 180 Section 2. This act shall become effective on the first
- day of the third month following its passage and approval by
- 182 the Governor, or its otherwise becoming law.





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185	Senate
186	Read for the first time and referred20-Apr-23
187	to the Senate committee on
188	Transportation and Energy
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190	Read for the second time and placed04-May-23
191	on the calendar:
192	1 amendment
193	
194	Read for the third time and passed16-May-23
195	as amended
196	Yeas 34
197	Nays 0
198	Abstains 0
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200	
201	Patrick Harris,
202	Secretary.
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