

**SB155 ENROLLED**



1 SB155  
2 LREFYWW-2  
3 By Senator Chambliss  
4 RFD: Transportation and Energy  
5 First Read: 27-Feb-24



**SB155 Enrolled**

1 Enrolled, An Act,

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5 Relating to transportation; to amend Section 29-2-4,

6 Code of Alabama 1975, as last amended by Act 2023-534 of the

7 2023 Regular Session, to require the Department of Revenue

8 rather than the Department of Transportation to annually

9 report to the Joint Transportation Committee the total amount

10 of local motor fuel excise tax revenues collected for the

11 immediately preceding fiscal year and the total amount of the

12 revenues expended on road and bridge maintenance and

13 improvement during that same fiscal year; and to require the

14 Department of Examiners of Public Accounts rather than the

15 Joint Transportation Committee to complete an annual report of

16 the performance of the Department of Transportation in terms

17 of highway construction, maintenance, and costs of the same.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. Section 29-2-4, Code of Alabama 1975, as

20 last amended by Act 2023-534 of the 2023 Regular Session, is

21 amended as follows:

22 "§29-2-4

23 (a) On or before January 31 of each year, any county or

24 city required to report local motor fuel excise tax rate

25 information to the Department of Revenue pursuant to Act

26 1998-192 shall provide a similar report to the ~~transportation~~

27 ~~department~~ Department of Revenue regarding the total amount of

28 local motor fuel excise tax revenues collected by the county



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29 or city for the immediately preceding fiscal year and the  
30 total amount of the revenues expended on road and bridge  
31 maintenance and improvement during that same fiscal year. The  
32 ~~transportation department~~Department of Revenue shall collect  
33 the information and deliver a report to the Joint  
34 Transportation Committee on or before March 31 of each year.

35 (b) The powers and duties of the Joint Transportation  
36 Committee shall be as follows:

37 (1) It shall review and shall consider concurring with  
38 the long-range plan of the transportation department as such  
39 plan exists at the date of the meeting called for the purpose  
40 of reviewing the plan. The long-range plan referred to herein  
41 is the Statewide Transportation Improvement Program (STIP)  
42 maintained by ALDOT for the purpose of complying with  
43 requirements of the Federal Highway Administration, which plan  
44 is amended multiple times each year for administrative as well  
45 as substantive reasons, and which plan shall be constantly  
46 available on the ALDOT website. A member of the committee may  
47 propose an amendment to the STIP, provided that the proposed  
48 amendment is delivered in writing to the transportation  
49 department by the close of business of the fourth Wednesday  
50 after the draft plan is presented to the committee. The  
51 proposed amendment shall be fiscally constrained within the  
52 funding category shown in the draft STIP. The transportation  
53 department shall prepare and deliver the amendment to each  
54 member of the committee no later than the fourth Wednesday of  
55 the month prior to the next quarterly meeting. Should the  
56 committee, by majority vote, accept the proposed amendment,



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57 the amendment shall be delivered by the chair of the committee  
58 to the Governor for consideration of changing the STIP as  
59 presented by the transportation department.

60 (2) The update of the transportation department's  
61 annual fund allocation plan shall be presented to the Joint  
62 Transportation Committee at the third quarterly meeting of  
63 each year. The review and consideration of concurrence in the  
64 annual update of the plan shall be accomplished by the Joint  
65 Transportation Committee no later than the last quarterly  
66 meeting of each year. Failure of the Joint Transportation  
67 Committee to concur in the annual update shall not prevent the  
68 transportation department from proceeding with any project.

69 (3) The transportation department's requested budget  
70 for the following fiscal year shall be presented to the Joint  
71 Transportation Committee at the last quarterly meeting of the  
72 year. It shall review the budget proposed by the  
73 transportation department on an annual basis, which review  
74 shall be completed not later than the first quarterly meeting  
75 of each year. The Joint Transportation Committee shall report  
76 on the budget requests of the transportation department to the  
77 House Ways and Means General Fund Committee and the Senate  
78 Finance and Taxation General Fund Committee and may make  
79 recommendations about the budget to the committees.

80 (4) An in-progress draft of the annual report outlined  
81 in Section 23-1-35 shall be presented to the Joint  
82 Transportation Committee at the first quarterly meeting of  
83 each year. All comments and input from members of the Joint  
84 Transportation Committee shall be delivered to the



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85 transportation department within 30 days of the first  
86 quarterly meeting to allow consideration by the transportation  
87 department prior to publishing.

88 (5) The transportation department shall prepare and  
89 submit for review by the Joint Transportation Committee a  
90 long-range plan for the transportation department utilizing  
91 objective prioritization criteria consistent with the factors  
92 described in subdivision (11) at the first quarterly meeting  
93 of the year. The plan shall include a narrative of the  
94 condition of the transportation department as well as forward  
95 looking challenges and opportunities. The intent of this  
96 requirement is to allow the Joint Transportation Committee to  
97 assist in avoiding future problems and challenges and to  
98 assist in the development of goals for the transportation  
99 department. This plan may be incorporated into the annual  
100 report as required by Section 23-1-35 or be prepared as a  
101 separate document.

102 (6) Upon request of the chair, or by a majority vote of  
103 the members of the Joint Transportation Committee, the  
104 Department of Examiners of Public Accounts~~It~~ shall issue a  
105 report to the Governor, Lieutenant Governor, House of  
106 Representatives, and Senate within 60 days of the second  
107 quarterly meeting, comparing actual performance of the  
108 transportation department in terms of highway construction,  
109 maintenance, and costs of the same, to the original plan for  
110 the immediate preceding fiscal year as well as the five  
111 preceding fiscal years. It shall also make this report  
112 available to the public within 70 days of the second quarterly



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113 meeting.

114 (7) It shall recommend to the Governor necessary  
115 funding for future transportation department budgets to the  
116 extent necessary beyond funds already provided by law.

117 (8) It may retain the services of consultants, if  
118 necessary, and consult with other groups and individuals,  
119 including public interest groups, interested individuals, and  
120 appropriate state educational institutions.

121 (9) It may hold public hearings, shall make diligent  
122 inquiry and a full examination of the long-range future  
123 highway needs of the state, and shall file all reports of its  
124 findings and recommendations with both houses of the  
125 Legislature and with the Governor.

126 (10) It may call witnesses and do all things necessary  
127 or convenient in connection with and all things incidental to  
128 performance of the foregoing duties and powers.

129 (11) In performing its functions, the Joint  
130 Transportation Committee shall take into consideration, in  
131 reviewing plans for highway construction and maintenance,  
132 among other factors all of the following:

133 a. Commuter benefits in the total amount of direct  
134 savings to working men and women traveling to and from their  
135 jobs in the state.

136 b. Industrial and agricultural growth.

137 c. Transportation safety.

138 d. Ecological impacts of transportation projects.

139 e. Recreation and tourism.

140 f. Traffic density.



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141           g. Implications on the routing of school buses.  
142           h. Implications on the operation of public safety and  
143 first responder vehicles.  
144           i. Priority to projects in a location with an  
145 independent local assessment.  
146           j. Priority to projects that provide a county with its  
147 first four-lane access to an interstate."  
148           Section 2. This act shall become effective on June 1,  
149 2024.



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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB155  
Senate 04-Apr-24  
I hereby certify that the within Act originated in and passed  
the Senate.

Patrick Harris,  
Secretary.

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House of Representatives  
Passed: 02-May-24

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By: Senator Chambliss