

**SB155 INTRODUCED**



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



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SYNOPSIS:

The Joint Transportation Committee was created to review and consider long-term strategic planning of highway construction and highway development in the state and to prepare and review certain reports regarding the Department of Transportation. Currently the Department of Transportation collects and submits to the Joint Transportation Committee a report that details the total amount of local motor fuel excise tax revenues collected by counties or cities 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.

This bill would transfer that responsibility of creating the report from the Department of Transportation to the Department of Revenue. This bill would also transfer the responsibility for the annual performance report on the Department of Transportation in terms of highway construction, maintenance, and costs of the same from the Joint Transportation Committee to the Department of Examiners of Public Accounts.

A BILL



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29 TO BE ENTITLED

30 AN ACT

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33 Relating to transportation; to amend Section 29-2-4,  
34 Code of Alabama 1975, as last amended by Act 2023-534 of the  
35 2023 Regular Session, to require the Department of Revenue  
36 rather than the Department of Transportation to annually  
37 report to the Joint Transportation Committee the total amount  
38 of local motor fuel excise tax revenues collected for the  
39 immediately preceding fiscal year and the total amount of the  
40 revenues expended on road and bridge maintenance and  
41 improvement during that same fiscal year; and to require the  
42 Department of Examiners of Public Accounts rather than the  
43 Joint Transportation Committee to complete an annual report of  
44 the performance of the Department of Transportation in terms  
45 of highway construction, maintenance, and costs of the same.

46 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

47 Section 1. Section 29-2-4, Code of Alabama 1975, as  
48 last amended by Act 2023-534 of the 2023 Regular Session, is  
49 amended as follows:

50 "§29-2-4

51 (a) On or before January 31 of each year, any county or  
52 city required to report local motor fuel excise tax rate  
53 information to the Department of Revenue pursuant to Act  
54 1998-192 shall provide a similar report to the ~~transportation~~  
55 ~~department~~ Department of Revenue regarding the total amount of  
56 local motor fuel excise tax revenues collected by the county



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57 or city for the immediately preceding fiscal year and the  
58 total amount of the revenues expended on road and bridge  
59 maintenance and improvement during that same fiscal year. The  
60 ~~transportation department~~Department of Revenue shall collect  
61 the information and deliver a report to the Joint  
62 Transportation Committee on or before March 31 of each year.

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

65 (1) It shall review and shall consider concurring with  
66 the long-range plan of the transportation department as such  
67 plan exists at the date of the meeting called for the purpose  
68 of reviewing the plan. The long-range plan referred to herein  
69 is the Statewide Transportation Improvement Program (STIP)  
70 maintained by ALDOT for the purpose of complying with  
71 requirements of the Federal Highway Administration, which plan  
72 is amended multiple times each year for administrative as well  
73 as substantive reasons, and which plan shall be constantly  
74 available on the ALDOT website. A member of the committee may  
75 propose an amendment to the STIP, provided that the proposed  
76 amendment is delivered in writing to the transportation  
77 department by the close of business of the fourth Wednesday  
78 after the draft plan is presented to the committee. The  
79 proposed amendment shall be fiscally constrained within the  
80 funding category shown in the draft STIP. The transportation  
81 department shall prepare and deliver the amendment to each  
82 member of the committee no later than the fourth Wednesday of  
83 the month prior to the next quarterly meeting. Should the  
84 committee, by majority vote, accept the proposed amendment,



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85 the amendment shall be delivered by the chair of the committee  
86 to the Governor for consideration of changing the STIP as  
87 presented by the transportation department.

88 (2) The update of the transportation department's  
89 annual fund allocation plan shall be presented to the Joint  
90 Transportation Committee at the third quarterly meeting of  
91 each year. The review and consideration of concurrence in the  
92 annual update of the plan shall be accomplished by the Joint  
93 Transportation Committee no later than the last quarterly  
94 meeting of each year. Failure of the Joint Transportation  
95 Committee to concur in the annual update shall not prevent the  
96 transportation department from proceeding with any project.

97 (3) The transportation department's requested budget  
98 for the following fiscal year shall be presented to the Joint  
99 Transportation Committee at the last quarterly meeting of the  
100 year. It shall review the budget proposed by the  
101 transportation department on an annual basis, which review  
102 shall be completed not later than the first quarterly meeting  
103 of each year. The Joint Transportation Committee shall report  
104 on the budget requests of the transportation department to the  
105 House Ways and Means General Fund Committee and the Senate  
106 Finance and Taxation General Fund Committee and may make  
107 recommendations about the budget to the committees.

108 (4) An in-progress draft of the annual report outlined  
109 in Section 23-1-35 shall be presented to the Joint  
110 Transportation Committee at the first quarterly meeting of  
111 each year. All comments and input from members of the Joint  
112 Transportation Committee shall be delivered to the



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113 transportation department within 30 days of the first  
114 quarterly meeting to allow consideration by the transportation  
115 department prior to publishing.

116 (5) The transportation department shall prepare and  
117 submit for review by the Joint Transportation Committee a  
118 long-range plan for the transportation department utilizing  
119 objective prioritization criteria consistent with the factors  
120 described in subdivision (11) at the first quarterly meeting  
121 of the year. The plan shall include a narrative of the  
122 condition of the transportation department as well as forward  
123 looking challenges and opportunities. The intent of this  
124 requirement is to allow the Joint Transportation Committee to  
125 assist in avoiding future problems and challenges and to  
126 assist in the development of goals for the transportation  
127 department. This plan may be incorporated into the annual  
128 report as required by Section 23-1-35 or be prepared as a  
129 separate document.

130 (6) Upon request of the chair, or by a majority vote of  
131 the members of the Joint Transportation Committee, the  
132 Department of Examiners of Public Accounts~~It~~ shall issue a  
133 report to the Governor, Lieutenant Governor, House of  
134 Representatives, and Senate within 60 days of the second  
135 quarterly meeting, comparing actual performance of the  
136 transportation department in terms of highway construction,  
137 maintenance, and costs of the same, to the original plan for  
138 the immediate preceding fiscal year as well as the five  
139 preceding fiscal years. It shall also make this report  
140 available to the public within 70 days of the second quarterly



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141 meeting.

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

145 (8) It may retain the services of consultants, if  
146 necessary, and consult with other groups and individuals,  
147 including public interest groups, interested individuals, and  
148 appropriate state educational institutions.

149 (9) It may hold public hearings, shall make diligent  
150 inquiry and a full examination of the long-range future  
151 highway needs of the state, and shall file all reports of its  
152 findings and recommendations with both houses of the  
153 Legislature and with the Governor.

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

157 (11) In performing its functions, the Joint  
158 Transportation Committee shall take into consideration, in  
159 reviewing plans for highway construction and maintenance,  
160 among other factors all of the following:

161 a. Commuter benefits in the total amount of direct  
162 savings to working men and women traveling to and from their  
163 jobs in the state.

164 b. Industrial and agricultural growth.

165 c. Transportation safety.

166 d. Ecological impacts of transportation projects.

167 e. Recreation and tourism.

168 f. Traffic density.



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169           g. Implications on the routing of school buses.  
170           h. Implications on the operation of public safety and  
171 first responder vehicles.  
172           i. Priority to projects in a location with an  
173 independent local assessment.  
174           j. Priority to projects that provide a county with its  
175 first four-lane access to an interstate."  
176           Section 2. This act shall become effective on June 1,  
177 2024.