

SB233 ENGROSSED



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



SB233 Engrossed

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A BILL
TO BE ENTITLED
AN ACT

Relating to the Joint Transportation Committee; to amend Sections 29-2-3 and 29-2-4, Code of Alabama 1975, to revise the process for electing the chair and vice-chair and provide further for the duties of the committee.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 29-2-3 and 29-2-4, Code of Alabama 1975, are amended to read as follows:

"§29-2-3

(a) The Joint Transportation Committee shall meet the fourth Wednesday of January, April, July, and October at 1:30 p.m. at the Alabama State House. At the ~~second~~ fourth quarterly meeting of ~~each year~~ the first year of each quadrennium, the Joint Transportation Committee shall elect from its membership a chair and vice-chair which shall rotate between members from the House and Senate. The chair shall be elected from the House members of the committee and the vice-chair from the Senate members of the committee to serve the second and third calendar years of each quadrennium. The vice-chair shall become chair and the chair shall become vice-chair for the fourth year of the quadrennium and the



SB233 Engrossed

29 first year of the following quadrennium. If the position of
30 chair becomes vacant, the vice-chair shall serve as chair
31 until a replacement chair is elected. An election to fill a
32 vacancy of chair or vice-chair shall occur at the next
33 quarterly meeting.

34 (b) Special meetings of the Joint Transportation
35 Committee may be called by the chair by giving members of the
36 committee 14 days notice when the Legislature is out of
37 session, and 24 hours notice if a meeting is called on a
38 legislative day or legislative committee day. Special meetings
39 may also be called by petition of a majority of the members of
40 the committee that includes the date and time of the meeting
41 and all members are given 24 hours notice.

42 (c) Decisions of the Joint Transportation Committee may
43 be made by a majority of the members present and voting at any
44 properly convened meeting as long as a quorum is in
45 attendance. A quorum shall consist of any 13 members. If less
46 than a quorum is present at any meeting the recommendations
47 presented by ALDOT shall be deemed approved.

48 (d) ~~Beginning in calendar year 2020, should~~If any
49 member ~~be~~is absent from two meetings of the four quarterly
50 meetings during any calendar year, the member shall be deemed
51 to have forfeited his or her position and a replacement shall
52 be appointed by the respective appointing authority as
53 outlined herein.

54 (e) Upon the request of the chair, the Secretary of the
55 Senate and the Clerk of the House shall provide clerical
56 assistance as the committee requires."



SB233 Engrossed

57 "§29-2-4

58 (a) On or before January 31 of each year, any county or
59 city required to report local motor fuel excise tax rate
60 information to the Department of Revenue pursuant to Act
61 1998-192 shall provide a similar report to the **transportation**
62 **department** regarding the total amount of local motor fuel
63 excise tax revenues collected by the county or city for the
64 immediately preceding fiscal year and the total amount of the
65 revenues expended on road and bridge maintenance and
66 improvement during that same fiscal year. The transportation
67 department shall collect the information and deliver a report
68 to the Joint Transportation Committee on or before March 31 of
69 each year.

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

72 (1) It shall review and shall consider concurring with
73 the long-range plan of the transportation department as such
74 plan exists at the date of the meeting called for the purpose
75 of reviewing the plan. The long-range plan referred to herein
76 is the Statewide Transportation Improvement Program (STIP)
77 maintained by ALDOT for the purpose of complying with
78 requirements of the Federal Highway Administration, which plan
79 is amended multiple times each year for administrative as well
80 as substantive reasons, and which plan shall be constantly
81 available on the ALDOT website. A member of the committee may
82 propose an amendment to the STIP, provided that the proposed
83 amendment is delivered in writing to the transportation
84 department by the close of business of the fourth Wednesday



SB233 Engrossed

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

95 (2) The update of the transportation department's
96 annual fund allocation plan shall be presented to the Joint
97 Transportation Committee at the third quarterly meeting of
98 each year. The review and consideration of concurrence in the
99 annual update of the plan shall be accomplished by the Joint
100 Transportation Committee no later than the last quarterly
101 meeting of each year. Failure of the Joint Transportation
102 Committee to concur in the annual update will not prevent the
103 transportation department from proceeding with any project.

104 (3) The transportation department's requested budget
105 for the following fiscal year shall be presented to the Joint
106 Transportation Committee at the last quarterly meeting of the
107 year. It shall review the budget proposed by the
108 transportation department on an annual basis, which review
109 shall be completed not later than the first quarterly meeting
110 of each year. The Joint Transportation Committee shall report
111 on the budget requests of the transportation department to the
112 House Ways and Means General Fund Committee and the Senate



SB233 Engrossed

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

115 (4) An in-progress draft of the annual report outlined
116 in Section 23-1-35 shall be presented to the Joint
117 Transportation Committee at the first quarterly meeting of
118 each year. All comments and input from members of the Joint
119 Transportation Committee shall be delivered to the
120 transportation department within 30 days of the first
121 quarterly meeting to allow consideration by the transportation
122 department prior to publishing.

123 (5) The transportation department shall prepare and
124 submit for review by the Joint Transportation Committee a
125 long-range plan for the transportation department utilizing
126 objective prioritization criteria consistent with the factors
127 described in subdivision ~~(11)~~ (10) at the first quarterly
128 meeting of the year. The plan shall include a narrative of the
129 condition of the transportation department as well as forward
130 looking challenges and opportunities. The intent of this
131 requirement is to allow the Joint Transportation Committee to
132 assist in avoiding future problems and challenges and to
133 assist in the development of goals for the transportation
134 department. This plan may be incorporated into the annual
135 report as required by Section 23-1-35 or be prepared as a
136 separate document.

137 (6) It shall issue a report to the Governor, Lieutenant
138 Governor, House of Representatives, and Senate within ~~30~~ 60
139 days of the ~~first~~ second quarterly meeting, comparing actual
140 performance of the transportation department in terms of



SB233 Engrossed

141 highway construction, maintenance, and costs of the same, to
142 the original plan for the immediate preceding fiscal year as
143 well as the five preceding fiscal years. It shall also make
144 this report available to the public within ~~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.

168 b. Industrial and agricultural growth.



SB233 Engrossed

- 169 c. Transportation safety.
- 170 d. Ecological impacts of transportation projects.
- 171 e. Recreation and tourism.
- 172 f. Traffic density.
- 173 g. Implications on the routing of school buses.
- 174 h. Implications on the operation of public safety and
175 first responder vehicles.
- 176 i. Priority to projects in a location with an
177 independent local assessment.
- 178 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
181 day of the third month following its passage and approval by
182 the Governor, or its otherwise becoming law.

SB233 Engrossed



183
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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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Patrick Harris,
Secretary.

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