

Senate Bill 447

By: Senator Thomas of the 10th

AS PASSED SENATE**A BILL TO BE ENTITLED****AN ACT**

1 To amend an Act known as the "Metropolitan Atlanta Rapid Transit Authority Act of 1965,"
 2 approved March 10, 1965 (Ga. L. 1965, p. 2243), as amended, so as to define the term
 3 "transit operating revenue"; to provide for related matters; to provide an effective date; to
 4 repeal conflicting laws; and for other purposes.

5 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

6 **SECTION 1.**

7 An Act known as the "Metropolitan Atlanta Rapid Transit Authority Act of 1965," approved
 8 March 10, 1965 (Ga. L. 1965, p. 2243), as amended, particularly by an Act approved January
 9 23, 1993 (Ga. L. 1993, p. 5251), is amended by striking subsection (h) of Section 9 and
 10 inserting in lieu thereof the following:

11 "(h)(1) Notwithstanding any other provisions of this Act to the contrary, not later than
 12 120 days after the end of each fiscal year of the Authority, the Board shall adjust the
 13 amounts to be charged for transportation services to the public so that the total funds to
 14 be received from transit operating revenue during the fiscal year of the Authority ending
 15 June 30, 1980, shall be no less than thirty percent of the operating costs of the system for
 16 the immediately preceding fiscal year, and so that the total funds to be received from
 17 transit operating revenue during the fiscal year ending June 30, 1981, and for each fiscal
 18 year thereafter shall be no less than thirty-five percent of the operating costs of the system
 19 for the immediately preceding fiscal year. In making such adjustments, the Board shall
 20 be authorized to rely upon estimates of all revenue, patronage, and other factors which
 21 may affect the amounts to be charged for transportation services to the public; provided,
 22 if such amounts actually charged during one fiscal year resulted in transit operating
 23 revenue less than that required under this subsection, the amounts to be charged the
 24 immediately succeeding fiscal year shall be sufficient, along with all other transit
 25 operating revenue, to make up such deficit as well as meet the other requirements of this
 26 subsection.

1 (2) Any differences between amounts charged for various transportation services to the
2 public including, but not limited to, amounts charged for weekend or off-peak hours'
3 service, or amounts charged special groups of persons, shall be approved by at least a
4 two-thirds' vote of the total membership of the Board as it may exist at the time.

5 (3) Nothing in this subsection (h) shall be construed to change any limitation relating to
6 the subsidy of operating costs of the system under ~~Section 25(i)~~ subsection (i) of Section
7 25 of this Act if such limitation would require increasing transit operating revenue above
8 the amount provided in this subsection.

9 (4) For purposes of this subsection, 'transit operating revenue' ~~means all fees, user~~
10 ~~charges, contract payments, or other moneys or income received or derived by the~~
11 ~~Authority:~~

12 ~~(A) From the operation of a transportation system, as defined in Section 2(g) of this~~
13 ~~Act;~~

14 ~~(B) From the investment of reserve funds to the extent such investment income may,~~
15 ~~under the provisions of subsections (i) and (l) of Section 25 of this Act, be used to pay~~
16 ~~operating costs; or~~

17 ~~(C) From leases of Authority owned real property,~~

18 ~~but shall not mean any funds derived from the sales and use tax authorized in Section 25~~
19 ~~of this Act, nor any funds provided by the federal government under the Urban Mass~~
20 ~~Transportation Act of 1964 (P.L. 88-365), as amended, nor any other such revenue not~~
21 ~~clearly received or derived from the operation of the transportation system, from the~~
22 ~~investment of reserve funds as provided in subsections (i) and (l) of Section 25 of this~~
23 ~~Act, or from leases of Authority owned real property shall include all revenue from fares,~~
24 ~~rates, and charges for transportation services and revenues from all other sources except~~
25 ~~the sales and use taxes levied pursuant to Section 25 of this Act; and 'operating costs'~~
26 ~~means 'operating costs of the system,' as defined in ~~Section 25(i)~~ subsection (i) of Section~~
27 ~~25 of this Act, and exclusive of depreciation and amortization and other costs and charges~~
28 ~~as provided in the said definition."~~

29 SECTION 2.

30 This Act shall become effective upon its approval by the Governor or upon its becoming law
31 without such approval.

32 SECTION 3.

33 All laws and parts of laws in conflict with this Act are repealed.