

Senate Bill 334

By: Senator Thompson of the 33rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2 of Article 3 of Chapter 6 of Title 32 of the Official Code of Georgia
2 Annotated, relating to control of signs and signals on the state highway system, so as to
3 repeal certain provisions relating to the Roadside Enhancement and Beautification Council
4 and its membership, purpose, and compensation; to change certain provisions relating to the
5 Roadside Enhancement and Beautification Fund and dedication of certain revenues; to repeal
6 certain provisions relating to applications for tree trimming permits and annual renewals,
7 forms, applications fees, evaluations, and criteria for trimming trees or vegetation; to change
8 certain provisions relating to promulgation of rules and regulations by the Department of
9 Transportation; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Part 2 of Article 3 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated,
13 relating to control of signs and signals on the state highway system, is amended by repealing
14 Code Section 32-6-75.1, relating to the Roadside Enhancement and Beautification Council
15 and its membership, purpose, and compensation.

16 **SECTION 2.**

17 Said part is further amended by striking Code Section 32-6-75.2, relating to the Roadside
18 Enhancement and Beautification Fund and dedication of certain revenues, and inserting in
19 lieu thereof the following:

20 "32-6-75.2.

21 There is established a special fund to be known as the 'Roadside Enhancement and
22 Beautification Fund.' This fund shall consist of ~~all moneys collected under Code Section~~
23 ~~32-6-75.3~~, any appropriations by the General Assembly to the fund, revenues derived from
24 the sale of any special and distinctive wildflower motor vehicle license plates issued
25 pursuant to Code Section 40-2-49.2, any contributions to the fund from any other source,

1 and all interest thereon. All ~~moneys collected under Code Section 32-6-75.3 and~~
 2 manufacturing fees for any special and distinctive wildflower motor vehicle license plates
 3 shall be paid into the fund. All balances in the fund shall be deposited in an interest-bearing
 4 account identifying the fund and shall be carried forward each year so that no part thereof
 5 may be deposited in the general treasury. The department shall administer the fund and
 6 expend moneys held in the fund in furtherance of roadside enhancement and beautification
 7 projects along public roads in this state ~~and administration of the tree and vegetation~~
 8 ~~trimming permit program under Code Section 32-6-75.3.~~ In addition to the foregoing, the
 9 department may, without limitation, promote and solicit voluntary contributions, promote
 10 the sale of motor vehicle license tags authorized under Code Section 40-2-49.2, and
 11 develop any fund raising or other promotional techniques deemed appropriate by the
 12 department. Contributions to the fund shall be deemed supplemental to and shall in no way
 13 supplant funding that would otherwise be appropriated for these purposes. The department
 14 shall prepare, by February 1 of each year, an accounting of the funds received and
 15 expended from the fund. The report shall be made available to the members of the State
 16 Transportation Board, the Senate Transportation Committee, the Transportation Committee
 17 of the House of Representatives, and to members of the public on request."

18

SECTION 3.

19 Said part is further amended by repealing Code Section 32-6-75.3, relating to applications
 20 for tree trimming permits and annual renewals, forms, applications fees, evaluations, and
 21 criteria for trimming trees or vegetation.

22

SECTION 4.

23 Said part is further amended by striking Code Section 32-6-90, relating to promulgation of
 24 rules and regulations by the Department of Transportation, and inserting in lieu thereof the
 25 following:

26 "32-6-90.

27 ~~The department is authorized to promulgate rules and regulations governing the issuance~~
 28 ~~and revocation of permits for the erection and maintenance of outdoor advertising which~~
 29 ~~is authorized by Code Sections 32-6-72 and 32-6-73 and which is not prohibited by this~~
 30 ~~part. The department is further authorized to promulgate rules and regulations governing~~
 31 ~~the issuance, revocation, and renewal of permits for the trimming of trees and vegetation~~
 32 ~~on the state's rights of way authorized by and in accordance with Code Section 32-6-75.3.~~
 33 Such rules and regulations shall be consistent with the safety and welfare of the traveling
 34 public, and as may be necessary to carry out the policy of the state declared in this part, and
 35 consistent with the purposes of the Highway Beautification Act of 1965, Public Law

1 ~~89-285, as amended, and contained in Title 23, United States Code.~~ The department is
2 further authorized to promulgate such rules and regulations as are necessary to carry out
3 this part."

4 **SECTION 5.**

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