

HOUSE SUBSTITUTE TO SENATE BILL 150

A BILL TO BE ENTITLED
AN ACT

To provide a short title; to amend Part 1 of Article 2 of Chapter 10 of Title 32 of the Official Code of Georgia Annotated, relating to general provisions relative to the State Road and Tollway Authority, so as to provide that the authority shall implement a program to provide for the development and expansion of streetcar transportation and attendant economic and community development opportunities; to prohibit issuance of state bonds for funding; to provide for related matters; to provide an effective date; to repeal a specific law; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be cited as the "Georgia Community Streetcar Development and Revitalization Act."

SECTION 2.

Part 1 of Article 2 of Chapter 10 of Title 32 of the Official Code of Georgia Annotated, relating to general provisions relative to the State Road and Tollway Authority, is amended by adding immediately following Code Section 32-10-75 a new Code Section 32-10-76 to read as follows:

"32-10-76.

(a) As used in this Code section, the term:

(1) 'Local government authority' and 'state' mean the same as under 49 U.S.C. Section 5302.

(2) 'Public-private project initiative' means a local or regional streetcar project which is proposed and advanced by a cooperative entity or sponsor that involves a combined public and private sector financing and development structure which includes not for profit entities.

1 (3) 'Streetcar' includes, but is not limited to, a rail transit vehicle, including a modern,
2 antique, or reproduction vehicle, that is designed to fit the scale and traffic patterns of the
3 neighborhoods through which it travels and operates at lower speeds generally in existing
4 rights of way through mixed traffic, with frequent stops.

5 (b) The authority shall establish and implement a five-year grant program to provide
6 assistance to local governmental authorities as well as a public-private project initiative for
7 the capital, technical, and start-up costs of development and expansion of streetcar
8 transportation and attendant economic and community development opportunities. The
9 five-year grant program shall begin when funding becomes available for such purposes.
10 The five-year grant program may be renewed at the end of each five-year period, consistent
11 with the provisions of this Code section.

12 (c) The authority will work closely with the formation of a pilot program and will provide
13 a state-level flow through point for any available federal funding or other forms of financial
14 and development sources and assistance for local, regional, and public-private streetcar
15 projects.

16 (d) The authority shall consider the following factors in its selection of projects that will
17 be implemented by this pilot program:

18 (1) The project is ripe for development, construction, and operation;

19 (2) The project application demonstrates strong local and private sector financial
20 participation in the project;

21 (3) The project will foster redevelopment opportunities adjacent to the streetcar line for
22 which assistance is being sought;

23 (4) The project includes the financial participation of the private owners of real property
24 abutting the streetcar line, with the exception of owner occupied residential properties,
25 for some of the capital costs of the project;

26 (5) The project application demonstrates that development or redevelopment agreements
27 are in place with respect to the project and land planning policies complimentary to the
28 project have been adopted for land in close proximity to the streetcar line, including the
29 availability of property zoned to accommodate mixed use development adjacent to the
30 streetcar line;

31 (6) The project application demonstrates either how redeveloping or new neighborhoods
32 on vacant or underutilized land will be connected by the project to each other or to major
33 attractors in the central city where the project will be carried out or how circulator or
34 connector lines under the project will connect developed neighborhoods with one another
35 or with the business district in the central city;

36 (7) The project has demonstrated desirable levels of local financial and linking resources
37 commitment; and

(8) The project may include, and is encouraged to include, a public-private project initiative and organizational structure or sponsor.

(e) The authority will coordinate with all appropriate metropolitan, regional, and municipal planning and development agencies where projects may be pursued and will coordinate with the Georgia Regional Transportation Authority and appropriate local transit agencies in the development, funding, and implementation of various streetcar projects.

(f) In order to receive grant assistance under this Code section, a sponsor of a project must submit to the authority an application that includes a detailed operating plan for the streetcar line for which such assistance is being sought, including the frequency of service, hours of operation, stop locations, and demonstration of the financial capacity of the sponsor to operate the streetcar line.

(g) A project for which grant assistance may be provided under this Code section may include streetscaping, signalization modifications, and other modifications to the road system or other public rights of way on which the project is to be carried out; acquisition of streetcars; and project construction, design, and engineering."

SECTION 3.

Said part is further amended by adding immediately following Code Section 32-10-76 a new Code Section 32-10-77 to read as follows:

"32-10-77.

No funding by issuing bonds, any other state funds, or federal funds administered by the Department of Transportation shall be allowed for streetcar projects by any state entity or authority, including, but not limited to, the Department of Transportation or the State Road and Tollway Authority, or any other subsidiary of the state, without specific prior approval by passage of a general Act by the General Assembly."

SECTION 4.

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

SECTION 5.

This Act specifically repeals Ga. L. 2004, p. 898, Section 2.

SECTION 6.

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