

House Bill 160 (COMMITTEE SUBSTITUTE)

By: Representatives Tanner of the 9th, Coomer of the 14th, Shaw of the 176th, Smyre of the 135th, and Burns of the 159th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 9 of Title 32 of the Official Code of Georgia Annotated, relating to mass
2 transportation, so as to create the Georgia Commission on Transit Governance and Funding;
3 to provide for the membership, powers, and duties of the commission; to provide for a report
4 and proposal by the commission; to provide for assignment of the commission to the
5 Department of Transportation for administrative purposes; to provide for cooperation of
6 other government entities with the commission; to provide for other services to the
7 commission; to provide for compensation and expenses; to provide for automatic repeal; to
8 provide an effective date; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 SECTION 1.

11 Chapter 9 of Title 32 of the Official Code of Georgia Annotated, relating to mass
12 transportation, is amended by adding a new Code section to read as follows:

13 "32-9-15.

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

15 (1) 'Commission' means the Georgia Commission on Transit Governance and Funding
16 created pursuant to subsection (b) of this Code section.

17 (2) 'Construction' means the supervising, inspecting, actual building, and all expenses
18 incidental to the acquisition, actual building, or reconstruction of facilities and equipment
19 for use in mass transportation, including designing, engineering, locating, surveying,
20 mapping, and acquisition of rights of way.

21 (3) 'Mass transportation' means all modes of transportation serving the general public
22 which are appropriate, in the judgment of the commission, to transport people,
23 commodities, or freight by highways, rail, or other conveyance.

24 (4) 'Mass transportation facilities' means everything necessary for the conveyance and
25 convenience of passengers and the safe and prompt transportation of freight by mass
26 transportation.

27 (5) 'Metropolitan planning organization' has the meaning provided by Code Section
 28 32-2-22.

29 (b)(1) There is created the Georgia Commission on Transit Governance and Funding.
 30 The commission shall consist of the following members:

31 (A) Four members appointed by the Governor;

32 (B) Five members of the Senate appointed by the President of the Senate, including the
 33 chairperson of the Senate Transportation Committee;

34 (C) Five members of the House of Representatives appointed by the Speaker of the
 35 House of Representatives, including the chairperson of the House Committee on
 36 Transportation;

37 (D) The commissioner of transportation, ex officio;

38 (E) The executive director of the Georgia Regional Transportation Authority, ex
 39 officio;

40 (F) The chief executive officer of the Metropolitan Atlanta Rapid Transit Authority,
 41 ex officio; and

42 (G) The directors of all metropolitan planning organizations, ex officio, none of whom
 43 shall have voting rights as members of the commission.

44 (2) All appointed members of the commission shall serve at the pleasure of the
 45 appointing authority. Any vacancy in such appointed membership shall be filled in the
 46 same manner as the original appointment. The chairperson of the Senate Transportation
 47 Committee and the chairperson of the House Committee on Transportation shall serve as
 48 cochairpersons of the commission. The cochairpersons shall call all meetings of the
 49 commission. The commission may conduct such meetings at such places and at such
 50 times as it may deem necessary or convenient to enable it to exercise fully and effectively
 51 its powers, perform its duties, and accomplish its objectives and purposes pursuant to this
 52 Code section.

53 (c)(1) The commission shall be investigative and advisory only. The commission shall
 54 study and assess the needs for, potential methods of funding of, and means of providing
 55 a system of mass transportation and mass transportation facilities for any one or more
 56 metropolitan areas in this state, as determined by the commission. Such study shall
 57 include consideration of federal programs relating to mass transportation and mass
 58 transportation facilities. As a result of such study and assessment, the commission shall
 59 make a written report of its findings and a detailed proposal to the Governor, the
 60 President of the Senate, the Speaker of the House of Representatives, and the director of
 61 planning provided for by Code Section 32-2-43 for a system of regional, integrated, and
 62 comprehensive mass transportation for such metropolitan area or areas as determined by
 63 the commission. Such proposal shall include a recommended unified regional

64 governance structure for such mass transportation system for any such metropolitan area
65 or areas, along with a means of funding construction and operation of mass transportation
66 and mass transportation facilities, including but not necessarily limited to state funding.
67 Such proposal shall also include recommendations for any legislation the commission
68 deems necessary or appropriate to accomplish the commission's proposals.

69 (2) Upon request of the commission, the director of planning provided for by Code
70 Section 32-2-43; any state department, agency, or authority; and any metropolitan
71 planning organization or metropolitan rapid transit authority shall cooperate with the
72 commission in the performance of the commission's duties.

73 (3) The commission shall submit the report and proposal required by paragraph (1) of
74 this subsection not later than December 31, 2017.

75 (d)(1) The commission shall be assigned to the department for administrative purposes
76 only, as prescribed in Code Section 50-4-3.

77 (2) Subject to availability of funds, in addition to assistance of the department provided
78 pursuant to paragraph (1) of this subsection, the commission may contract for the
79 provision of private consulting and any other services to the commission for purposes of
80 performing its duties under this Code section.

81 (3)(A) The legislative members of the commission shall receive the allowances
82 provided for in Code Section 28-1-8.

83 (B) Members of the commission who are state or local government officials, other than
84 legislative members, or state or local government employees shall receive no
85 compensation for their services on the commission, but they may be reimbursed for
86 expenses incurred by them in the performance of their duties as members of the
87 commission in the same manner as they are reimbursed for expenses in their capacities
88 as state or local government officials or state or local government employees.

89 (C) Members of the commission who are not legislators, state or local government
90 officials, or state or local government employees shall receive a daily expense
91 allowance in an amount the same as that specified in subsection (b) of Code Section
92 45-7-21, as well as the mileage or transportation allowance authorized for state
93 employees.

94 (D) Funds for the reimbursement of the expenses of state or local government officials,
95 other than legislative members, and state or local government employees shall come
96 from funds appropriated to or otherwise available to their respective governments,
97 departments, authorities, or agencies.

98 (e) This Code section shall be automatically repealed, and the commission shall be
99 abolished by operation of law, on December 31, 2018."

100 **SECTION 2.**

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

103 **SECTION 3.**

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