

Senate Bill 6

By: Senators Gooch of the 51st, Beach of the 21st, Shafer of the 48th, Cowsert of the 46th, Kennedy of the 18th and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to
2 commissions and other agencies, so as to create the Georgia Regional Transit Council; to
3 provide for legislative intent; to provide for definitions; to provide for the membership,
4 powers, and duties of the council; to provide for a report and proposal by the council; to
5 provide for assignment of the council to the Department of Transportation for administrative
6 purposes; to provide for compensation and expenses; to require a referendum in certain
7 instances; to provide for contingent automatic repeal; to provide an effective date; to repeal
8 conflicting laws; and for other purposes.

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

10 **SECTION 1.**

11 The intent of this article is to establish a council for the purpose of developing a state-wide,
12 strategic transit plan with the guidance of a recognized industry leader in delivering transit
13 strategy for multijurisdictional entities which emphasizes first-mile and last-mile services,
14 the development of a seamless transportation network with dependable trip times for
15 commuters, the enhancement of limited access highways, road congestion relief, safety
16 enhancements, and plans for a future of transportation innovations.

17 **SECTION 2.**

18 Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to commissions
19 and other agencies, is amended by adding a new article to read as follows:

20 **"ARTICLE 9**

21 **50-12-140.**

22 **As used in this article, the term:**

23 (1) 'Council' means the Georgia Regional Transit Council created pursuant to Code
 24 Section 50-12-141.

25 (2) 'Metropolitan planning organization' means the policy board of an organization
 26 created and designated to carry out the metropolitan transportation planning process as
 27 defined in 23 C.F.R. Section 450.

28 (3) 'Transit agency' means any public agency, public corporation, or public authority
 29 authorized by any general, special, or local law to provide any type of transit services
 30 within any area of this state.

31 (4) 'Transit services' means the publicly accessible land based transportation of
 32 passengers and their incidental baggage by any means other than privately owned or
 33 operated motor vehicles for hire.

34 50-12-141.

35 (a) There is created a Georgia Regional Transit Council, which shall be composed of the
 36 following members:

37 (1) Three members of the Senate appointed by the President of the Senate;

38 (2) Three members of the House of Representatives appointed by the Speaker of the
 39 House of Representatives;

40 (3) The commissioner of transportation;

41 (4) The executive director of the State Road and Tollway Authority;

42 (5) The chief executive officer of the Metropolitan Atlanta Rapid Transit Authority;

43 (6) The Georgia Transit System Association's president or his or her designee;

44 (7) The Georgia Chamber of Commerce's president or his or her designee;

45 (8) The Clayton County Board of Commissioners' chairperson or his or her designee;

46 (9) The Cobb County Board of Commissioners' chairperson or his or her designee;

47 (10) DeKalb County's chief executive officer or his or her designee;

48 (11) The Fulton County Board of Commissioners' chairperson or his or her designee;

49 (12) The Gwinnett County Board of Commissioners' chairperson or his or her designee;

50 (13) The Paulding County Board of Commissioners' chairperson or his or her designee;

51 (14) Athens-Clarke County's mayor or his or her designee;

52 (15) The executive director of the board for the Atlanta metropolitan planning
 53 organization;

54 (16) The executive director of the board for the Augusta metropolitan planning
 55 organization;

56 (17) The executive director of the board for the Columbus metropolitan planning
 57 organization;

58 (18) The executive director of the board for the Macon metropolitan planning
 59 organization; and

60 (19) The executive director of the board for the Savannah-Chatham metropolitan
 61 planning commission.

62 (b) Vacancies in the council shall be filled by appointment in the manner of the original
 63 appointment.

64 (c) No business other than that necessary to establish the council may be conducted until
 65 all members have been appointed. The President of the Senate and the Speaker of the
 66 House of Representatives shall designate cochairpersons from their appointments, and the
 67 cochairpersons shall convene the first meeting of the council within 30 days after the
 68 effective date of this article.

69 50-12-142.

70 The council shall:

71 (1) Establish a vision, mission, and goals for transit services and define objectives,
 72 performance metrics, and performance targets to execute such vision and mission and
 73 meet such goals. The vision, mission, goals, objectives, performance metrics, and
 74 performance targets shall be finalized and shall be submitted to the Governor, the House
 75 Committee on Transportation, and the Senate Transportation Committee no later than
 76 December 31, 2018. Such submission shall include at least three models for the provision
 77 of transit services which comply with the purpose of this article;

78 (2) Develop a long-term capital investment strategy for transit services, including a
 79 prioritization of investments based on achieving the goals, objectives, and performance
 80 targets as established by the council;

81 (3) Assess and develop methods for planning projects between and among federal, state,
 82 and local governments and authorities charged with planning responsibilities for such
 83 purposes by state or federal law;

84 (4) Develop a strategic plan for this state's transit services that emphasizes creating
 85 efficiency and coordination by offering solutions to improve arterial mobility, develop
 86 alternative freight routes, and plan for a future of transportation innovations. The
 87 strategic plan shall be finalized and made available to the public by December 31, 2018;
 88 provided, however, that with approval of the Speaker of the House of Representatives and
 89 the President of the Senate, the council may continue its development until December 31,
 90 2019, at which time its strategic plan shall be published;

91 (5) Compile and analyze data and information reporting on performance metrics from
 92 transit operators in this state;

93 (6) Establish performance targets and create a performance report of transit operators in
 94 this state which shall provide analysis and recommendations regarding transit operators'
 95 efficiency and cost effectiveness, coordination of operations, customer service,
 96 technology solutions, privatization opportunities, safety and security, and return on
 97 investment. Such report shall be submitted to the Governor, the House Committee on
 98 Transportation, and the Senate Transportation Committee no later than December 31,
 99 2018; provided, however, that with approval of the Speaker of the House of
 100 Representatives and the President of the Senate, the council may continue its planning
 101 until December 31, 2019, at which time the performance targets and report shall be
 102 published;

103 (7) Establish guidelines and investment policies regarding the use of federal funds by
 104 transit operators which shall include the consideration of transit operators' prior
 105 performance on metrics and targets; and

106 (8) Establish a united branding and marketing strategy for transit operators.

107 50-12-143.

108 (a) The council may hold public hearings, procure services from professionals in the field
 109 of transit services, conduct research, receive the testimony of experts, review the
 110 coordination of transit agencies and transit services provided by other states, and take such
 111 other actions the council determines appropriate for the completion of its assigned task.

112 (b) Any professionals retained by the council to assist in analysis required pursuant to this
 113 article shall be professionals in the field of transit services with global or national
 114 prominence for:

115 (1) Experience working with multiple transit governance or organizational structures;

116 (2) Experience delivering transit strategy for multijurisdictional or state-wide entities;

117 (3) Strong financial consulting practices that have experience with multiple transit
 118 funding or financial approaches;

119 (4) Approaches to promoting economic development; and

120 (5) Demonstrated knowledge and proven experience in strategic development.

121 50-12-144.

122 (a) The council shall be assigned to the Department of Transportation for administrative
 123 purposes only, as prescribed in Code Section 50-4-3.

124 (b)(1) The legislative members of the council shall receive the allowances provided for
 125 in Code Section 28-1-8.

126 (2) Members of the council who are state or local government officials, other than
 127 legislative members, or state or local government employees shall receive no

128 compensation for their services on the council, but they may be reimbursed for expenses
 129 incurred by them in the performance of their duties as members of the council in the same
 130 manner as they are reimbursed for expenses in their capacities as state or local
 131 government officials or state or local government employees.

132 (3) Members of the council who are not legislators, state or local government officials,
 133 or state or local government employees shall receive a daily expense allowance in an
 134 amount the same as that specified in subsection (b) of Code Section 45-7-21, as well as
 135 the mileage or transportation allowance authorized for state employees.

136 (4) Funds for the reimbursement of the expenses of state or local government officials,
 137 other than legislative members, and state or local government employees shall come from
 138 funds appropriated to or otherwise available to their respective governments,
 139 departments, authorities, or agencies.

140 (5) Funds for the employment of providers of professional services reasonably necessary
 141 to complete the duties required of the council and to aid the council in its legislative
 142 recommendations to the General Assembly shall come from funds appropriated for such
 143 purpose to the State Road and Tollway Authority.

144 50-12-145.

145 Nothing in this article shall authorize the establishment of any authority, entity, or agency
 146 which will mandate participation by a municipality or county nor financially obligate a
 147 municipality or county to contribute to transit services without prior approval from such
 148 municipality or county by referendum.

149 50-12-146.

150 This article shall be automatically repealed, and the council shall be abolished, on
 151 January 1, 2019; provided, however, that if the council is continued for an additional year
 152 pursuant to paragraph (4) or (6) of Code Section 50-12-142, this article shall be
 153 automatically repealed, and the council shall be abolished, on January 1, 2020."

154 **SECTION 3.**

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

157 **SECTION 4.**

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