

House Bill 52

By: Representatives Thomas of the 21st, Jasperse of the 11th, Barton of the 5th, Wiedower of the 121st, Seabaugh of the 34th, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges,
2 and ferries, so as to amend notice provisions relative to meetings for the election of board
3 members; to provide for negotiations in request for proposals relative to public-private
4 partnerships (P3s); to provide for procurement procedures relative to alternative contracting;
5 to amend limitations relating to use of alternative contracting methods; to amend weight and
6 dimension requirements for modular unit transporters; to amend Code Section 45-16-23 of
7 the Official Code of Georgia Annotated, relating to delegation of power by coroner or county
8 medical examiner and qualifications of those authorized to perform examinations, so as to
9 allow for delegation of duties when death results from an accident upon a highway in certain
10 instances; to amend Code Section 50-18-72 of the Official Code of Georgia Annotated,
11 relating to when public disclosure not required by a state agency, so as to exempt certain
12 records from public disclosure requirements; to provide for related matters; to provide for
13 an effective date; to repeal conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, is amended in Code Section 32-2-20, relating to composition of the Department of Transportation board, qualifications of members, terms of office, selection of members, filling of vacancies, officers, meetings, and compensation, by revising subsection (b) as follows:

"(b) Each member shall be elected to serve for a term of five years and until his or her successor is duly elected and certified. The member of the board from each congressional district shall be elected by a majority vote of the members of the House of Representatives and Senate whose respective districts are embraced or partly embraced within such congressional district, meeting in caucus at the regular session of the General Assembly immediately preceding the expiration of the term of office of each such board member. Said caucus shall be called at the state capitol by the Speaker of the House of Representatives and the President of the Senate within the first ten days of the convening of the General Assembly in regular session ~~by mailing to the members of the General Assembly who are affected written notice.~~ Notice of such meeting shall be sent by email to the members of the General Assembly who are affected at least four days before the caucus, ~~which notice~~ and shall state the time, place, and purpose of said caucus. Within 15 days after each such election, the Speaker of the House and the President of the Senate shall jointly transmit a certificate of such election to the Secretary of State who, upon receipt thereof, shall immediately issue his or her commission thereon, with the great seal of the state affixed thereto. Any member of the board shall be subject to recall at any time by a majority vote of the legislative caucus that elected the member."

SECTION 2.

Said title is further amended in Code Section 32-2-80, relating to public-private partnerships (P3s), by revising paragraph (4) of subsection (b) as follows:

SECTION 4.

Said title is further amended in Code Section 32-6-28, relating to permits for vehicles with excess weight and dimensions, by revising subparagraphs (a)(1)(C) and (c)(5)(A) as follows:

"(C) A modular unit transporter shall meet all requirements of the Federal Motor Carrier Safety Administration and all state safety requirements, rules, and regulations. The modular unit transporter shall be properly registered and have a proper, current license plate. At a minimum, the modular unit transporter shall:

- (i) Be constructed of 12 inch steel I beams doubled and welded together;
- (ii) Have all axles equipped with brakes;
- (iii) Have every floor joist on each modular section securely attached to the beams with lag bolts and washers, or lag bolts, washers, and cable winches; and
- (iv) Have an overall length not to exceed ~~80~~ 84 feet including the hitch."

"(A) Any load not greater than 16 feet wide, not greater than 16 feet high, and not weighing more than 150,000 pounds; ~~or any load greater than 100 feet long which does not exceed the maximum width, height, and weight limits specified by this subparagraph; or any modular or sectional housing units exceeding 80 feet in length~~ \$ 30.00"

SECTION 5.

Code Section 45-16-23 of the Official Code of Georgia Annotated, relating to delegation of power by coroner or county medical examiner and qualifications of those authorized to perform examinations, is amended by revising subsection (a) as follows:

"(a)(1) Notwithstanding any other provision of this chapter, any coroner or county medical examiner may delegate to a local medical examiner, forensic consultant, or medical examiner's investigator the power to perform those duties of such coroner or medical examiner specified in this ~~Code section~~ article if the person to whom such power is thus delegated meets the applicable requirements of this Code section for the

performance of such duties, but the performance of those delegated duties shall not in any manner infringe upon or diminish the authority of the peace officer in charge at the scene of the crime.

(2) Notwithstanding any other provision of this chapter, in cases of death resulting from an accident upon an interstate highway or limited-access road as such terms are defined in Code Section 32-1-3, any coroner or county medical examiner may delegate to medical personnel otherwise qualified to meet the requirements of this article the power to perform those duties of such coroner or county medical examiner specified in this article. The delegation provided for in this paragraph shall occur only when the accident results in a significant disruption to the flow of traffic upon the interstate highway or limited-access road."

SECTION 6.

Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to when public disclosure not required by a state agency, is amended by revising paragraph (28) of subsection (a) as follows:

"(28) Records or data of the State Road and Tollway Authority or the Department of Transportation which would reveal the financial accounts, or travel history, vehicle information, or personally identifiable information of any individual who is a motorist upon any toll project or roadway;"

SECTION 7.

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

SECTION 8.

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