

SB155 INTRODUCED



1 SB155
2 LREFYWW-1
3 By Senator Chambliss
4 RFD: Transportation and Energy
5 First Read: 27-Feb-24



4 SYNOPSIS:

5 The Joint Transportation Committee was created
6 to review and consider long-term strategic planning of
7 highway construction and highway development in the
8 state and to prepare and review certain reports
9 regarding the Department of Transportation. Currently
10 the Department of Transportation collects and submits
11 to the Joint Transportation Committee a report that
12 details the total amount of local motor fuel excise tax
13 revenues collected by counties or cities for the
14 immediately preceding fiscal year and the total amount
15 of the revenues expended on road and bridge maintenance
16 and improvement during that same fiscal year.

17 This bill would transfer that responsibility of
18 creating the report from the Department of
19 Transportation to the Department of Revenue. This bill
20 would also transfer the responsibility for the annual
21 performance report on the Department of Transportation
22 in terms of highway construction, maintenance, and
23 costs of the same from the Joint Transportation
24 Committee to the Department of Examiners of Public
25 Accounts.

28 A BILL



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TO BE ENTITLED

AN ACT

Relating to transportation; to amend Section 29-2-4, Code of Alabama 1975, as last amended by Act 2023-534 of the 2023 Regular Session, to require the Department of Revenue rather than the Department of Transportation to annually report to the Joint Transportation Committee the total amount of local motor fuel excise tax revenues collected for the immediately preceding fiscal year and the total amount of the revenues expended on road and bridge maintenance and improvement during that same fiscal year; and to require the Department of Examiners of Public Accounts rather than the Joint Transportation Committee to complete an annual report of the performance of the Department of Transportation in terms of highway construction, maintenance, and costs of the same.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 29-2-4, Code of Alabama 1975, as last amended by Act 2023-534 of the 2023 Regular Session, is amended as follows:

"§29-2-4

(a) On or before January 31 of each year, any county or city required to report local motor fuel excise tax rate information to the Department of Revenue pursuant to Act 1998-192 shall provide a similar report to the ~~transportation department~~ Department of Revenue regarding the total amount of local motor fuel excise tax revenues collected by the county



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or city for the immediately preceding fiscal year and the total amount of the revenues expended on road and bridge maintenance and improvement during that same fiscal year. The ~~transportation department~~Department of Revenue shall collect the information and deliver a report to the Joint Transportation Committee on or before March 31 of each year.

(b) The powers and duties of the Joint Transportation Committee shall be as follows:

(1) It shall review and shall consider concurring with the long-range plan of the transportation department as such plan exists at the date of the meeting called for the purpose of reviewing the plan. The long-range plan referred to herein is the Statewide Transportation Improvement Program (STIP) maintained by ALDOT for the purpose of complying with requirements of the Federal Highway Administration, which plan is amended multiple times each year for administrative as well as substantive reasons, and which plan shall be constantly available on the ALDOT website. A member of the committee may propose an amendment to the STIP, provided that the proposed amendment is delivered in writing to the transportation department by the close of business of the fourth Wednesday after the draft plan is presented to the committee. The proposed amendment shall be fiscally constrained within the funding category shown in the draft STIP. The transportation department shall prepare and deliver the amendment to each member of the committee no later than the fourth Wednesday of the month prior to the next quarterly meeting. Should the committee, by majority vote, accept the proposed amendment,



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the amendment shall be delivered by the chair of the committee to the Governor for consideration of changing the STIP as presented by the transportation department.

(2) The update of the transportation department's annual fund allocation plan shall be presented to the Joint Transportation Committee at the third quarterly meeting of each year. The review and consideration of concurrence in the annual update of the plan shall be accomplished by the Joint Transportation Committee no later than the last quarterly meeting of each year. Failure of the Joint Transportation Committee to concur in the annual update shall not prevent the transportation department from proceeding with any project.

(3) The transportation department's requested budget for the following fiscal year shall be presented to the Joint Transportation Committee at the last quarterly meeting of the year. It shall review the budget proposed by the transportation department on an annual basis, which review shall be completed not later than the first quarterly meeting of each year. The Joint Transportation Committee shall report on the budget requests of the transportation department to the House Ways and Means General Fund Committee and the Senate Finance and Taxation General Fund Committee and may make recommendations about the budget to the committees.

(4) An in-progress draft of the annual report outlined in Section 23-1-35 shall be presented to the Joint Transportation Committee at the first quarterly meeting of each year. All comments and input from members of the Joint Transportation Committee shall be delivered to the



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transportation department within 30 days of the first quarterly meeting to allow consideration by the transportation department prior to publishing.

(5) The transportation department shall prepare and submit for review by the Joint Transportation Committee a long-range plan for the transportation department utilizing objective prioritization criteria consistent with the factors described in subdivision (11) at the first quarterly meeting of the year. The plan shall include a narrative of the condition of the transportation department as well as forward looking challenges and opportunities. The intent of this requirement is to allow the Joint Transportation Committee to assist in avoiding future problems and challenges and to assist in the development of goals for the transportation department. This plan may be incorporated into the annual report as required by Section 23-1-35 or be prepared as a separate document.

(6) Upon request of the chair, or by a majority vote of the members of the Joint Transportation Committee, the Department of Examiners of Public Accounts~~It~~ shall issue a report to the Governor, Lieutenant Governor, House of Representatives, and Senate within 60 days of the second quarterly meeting, comparing actual performance of the transportation department in terms of highway construction, maintenance, and costs of the same, to the original plan for the immediate preceding fiscal year as well as the five preceding fiscal years. It shall also make this report available to the public within 70 days of the second quarterly



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141 meeting.

142 (7) It shall recommend to the Governor necessary
143 funding for future transportation department budgets to the
144 extent necessary beyond funds already provided by law.

145 (8) It may retain the services of consultants, if
146 necessary, and consult with other groups and individuals,
147 including public interest groups, interested individuals, and
148 appropriate state educational institutions.

149 (9) It may hold public hearings, shall make diligent
150 inquiry and a full examination of the long-range future
151 highway needs of the state, and shall file all reports of its
152 findings and recommendations with both houses of the
153 Legislature and with the Governor.

154 (10) It may call witnesses and do all things necessary
155 or convenient in connection with and all things incidental to
156 performance of the foregoing duties and powers.

157 (11) In performing its functions, the Joint
158 Transportation Committee shall take into consideration, in
159 reviewing plans for highway construction and maintenance,
160 among other factors all of the following:

161 a. Commuter benefits in the total amount of direct
162 savings to working men and women traveling to and from their
163 jobs in the state.

164 b. Industrial and agricultural growth.

165 c. Transportation safety.

166 d. Ecological impacts of transportation projects.

167 e. Recreation and tourism.

168 f. Traffic density.



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169 g. Implications on the routing of school buses.
170 h. Implications on the operation of public safety and
171 first responder vehicles.
172 i. Priority to projects in a location with an
173 independent local assessment.
174 j. Priority to projects that provide a county with its
175 first four-lane access to an interstate."
176 Section 2. This act shall become effective on June 1,
177 2024.