

SB233 ENROLLED



1 3TR6ZZ-3
2 By Senator Chambliss
3 RFD: Transportation and Energy
4 First Read: 20-Apr-23
5 2023 Regular Session



SB233 Enrolled

1 Enrolled, An Act,

2

3

4 Relating to the Joint Transportation Committee; to
5 amend Sections 29-2-3 and 29-2-4, Code of Alabama 1975, to
6 revise the process for electing the chair and vice-chair and
7 provide further for the duties of the committee.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. Sections 29-2-3 and 29-2-4, Code of Alabama
10 1975, are amended to read as follows:

11 "§29-2-3

12 (a) The Joint Transportation Committee shall meet the
13 fourth Wednesday of January, April, July, and October at 1:30
14 p.m. at the Alabama State House. At the ~~second-fourth~~
15 quarterly meeting of ~~each-year~~ the first year of each
16 quadrennium, the Joint Transportation Committee shall elect
17 from its membership a chair and vice-chair which shall rotate
18 between members from the House and Senate. The chair shall be
19 elected from the House members of the committee and the
20 vice-chair from the Senate members of the committee to serve
21 the second and third calendar years of each quadrennium. The
22 vice-chair shall become chair and the chair shall become
23 vice-chair for the fourth year of the quadrennium and the
24 first year of the following quadrennium. If the position of
25 chair becomes vacant, the vice-chair shall serve as chair
26 until a replacement chair is elected. An election to fill a
27 vacancy of chair or vice-chair shall occur at the next
28 quarterly meeting.



SB233 Enrolled

29 **(b)** Special meetings of the Joint Transportation
30 Committee may be called by the chair by giving members of the
31 committee 14 days notice when the Legislature is out of
32 session, and 24 hours notice if a meeting is called on a
33 legislative day or legislative committee day. Special meetings
34 may also be called by petition of a majority of the members of
35 the committee that includes the date and time of the meeting
36 and all members are given 24 hours notice.

37 **(c)** Decisions of the Joint Transportation Committee may
38 be made by a majority of the members present and voting at any
39 properly convened meeting as long as a quorum is in
40 attendance. A quorum shall consist of any 13 members. If less
41 than a quorum is present at any meeting the recommendations
42 presented by ALDOT shall be deemed approved.

43 **(d)** ~~Beginning in calendar year 2020, should~~If any
44 member ~~be~~is absent from two meetings of the four quarterly
45 meetings during any calendar year, the member shall be deemed
46 to have forfeited his or her position and a replacement shall
47 be appointed by the respective appointing authority as
48 outlined herein.

49 **(e)** Upon the request of the chair, the Secretary of the
50 Senate and the Clerk of the House shall provide clerical
51 assistance as the committee requires."

52 "§29-2-4

53 (a) On or before January 31 of each year, any county or
54 city required to report local motor fuel excise tax rate
55 information to the Department of Revenue pursuant to Act
56 1998-192 shall provide a similar report to the ~~transportation~~



SB233 Enrolled

57 department regarding the total amount of local motor fuel
58 excise tax revenues collected by the county or city for the
59 immediately preceding fiscal year and the total amount of the
60 revenues expended on road and bridge maintenance and
61 improvement during that same fiscal year. The transportation
62 department shall collect the information and deliver a report
63 to the Joint Transportation Committee on or before March 31 of
64 each year.

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

67 (1) It shall review and shall consider concurring with
68 the long-range plan of the transportation department as such
69 plan exists at the date of the meeting called for the purpose
70 of reviewing the plan. The long-range plan referred to herein
71 is the Statewide Transportation Improvement Program (STIP)
72 maintained by ALDOT for the purpose of complying with
73 requirements of the Federal Highway Administration, which plan
74 is amended multiple times each year for administrative as well
75 as substantive reasons, and which plan shall be constantly
76 available on the ALDOT website. A member of the committee may
77 propose an amendment to the STIP, provided that the proposed
78 amendment is delivered in writing to the transportation
79 department by the close of business of the fourth Wednesday
80 after the draft plan is presented to the committee. The
81 proposed amendment shall be fiscally constrained within the
82 funding category shown in the draft STIP. The transportation
83 department shall prepare and deliver the amendment to each
84 member of the committee no later than the fourth Wednesday of



SB233 Enrolled

85 the month prior to the next quarterly meeting. Should the
86 committee, by majority vote, accept the proposed amendment,
87 the amendment shall be delivered by the chair of the committee
88 to the Governor for consideration of changing the STIP as
89 presented by the transportation department.

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

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

110 (4) An in-progress draft of the annual report outlined
111 in Section 23-1-35 shall be presented to the Joint
112 Transportation Committee at the first quarterly meeting of



SB233 Enrolled

113 each year. All comments and input from members of the Joint
114 Transportation Committee shall be delivered to the
115 transportation department within 30 days of the first
116 quarterly meeting to allow consideration by the transportation
117 department prior to publishing.

118 (5) The transportation department shall prepare and
119 submit for review by the Joint Transportation Committee a
120 long-range plan for the transportation department utilizing
121 objective prioritization criteria consistent with the factors
122 described in subdivision ~~(11)~~ (10) at the first quarterly
123 meeting of the year. The plan shall include a narrative of the
124 condition of the transportation department as well as forward
125 looking challenges and opportunities. The intent of this
126 requirement is to allow the Joint Transportation Committee to
127 assist in avoiding future problems and challenges and to
128 assist in the development of goals for the transportation
129 department. This plan may be incorporated into the annual
130 report as required by Section 23-1-35 or be prepared as a
131 separate document.

132 (6) It shall issue a report to the Governor, Lieutenant
133 Governor, House of Representatives, and Senate within ~~30~~ 60
134 days of the ~~first~~ second quarterly meeting, comparing actual
135 performance of the transportation department in terms of
136 highway construction, maintenance, and costs of the same, to
137 the original plan for the immediate preceding fiscal year as
138 well as the five preceding fiscal years. It shall also make
139 this report available to the public within ~~40~~ 70 days of the
140 ~~first~~ second quarterly meeting.



SB233 Enrolled

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

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

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

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

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

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

163 b. Industrial and agricultural growth.

164 c. Transportation safety.

165 d. Ecological impacts of transportation projects.

166 e. Recreation and tourism.

167 f. Traffic density.

168 g. Implications on the routing of school buses.



SB233 Enrolled

169 h. Implications on the operation of public safety and
170 first responder vehicles.

171 i. Priority to projects in a location with an
172 independent local assessment.

173 j. Priority to projects which provide a county with its
174 first four-lane access to an interstate."

175 Section 2. This act shall become effective on the first
176 day of the third month following its passage and approval by
177 the Governor, or its otherwise becoming law.



SB233 Enrolled

178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206

President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB233
Senate 16-May-23
I hereby certify that the within Act originated in and passed
the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives
Passed: 01-Jun-23

By: Senator Chambliss