

The House Committee on Transportation offers the following substitute to SB 6:

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:

SECTION 1.

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

12 "32-9-15.

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

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

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

20 (3) 'Mass transportation' means modes of transportation serving the general public to
21 transport people, commodities, or freight by highways, rail, or other conveyance.

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

S. B. 6 (SUB)

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

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

30 (A) Four members appointed by the Governor;

31 (B) Three members of the Senate appointed by the President of the Senate, including
 32 the chairperson of the Senate Transportation Committee and a member representing
 33 rural areas of Georgia;

34 (C) Three 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 and a member representing rural areas of Georgia;

37 (D) Two members appointed by the President of the Senate who represent entities
 38 which provide mass transportation or a county or city which provides mass
 39 transportation;

40 (E) Two members appointed by the Speaker of the House of Representatives who
 41 represent entities which provide mass transportation or a county which provides mass
 42 transportation;

43 (F) The commissioner of transportation, ex officio;

44 (G) The executive director of the Georgia Regional Transportation Authority, ex
 45 officio;

46 (H) The chief executive officer of the Metropolitan Atlanta Rapid Transit Authority,
 47 ex officio; and

48 (I) The directors of all metropolitan planning organizations, ex officio, none of whom
 49 shall have voting rights as members of the commission.

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

59 (c)(1) The commission shall be investigative and advisory only. The commission shall
 60 study and assess the needs for and means of providing a system of mass transportation
 61 and mass transportation facilities for any one or more metropolitan areas in this state, as
 62 determined by the commission. Such study shall include an analysis of potential methods

63 of funding such system or systems and develop a long-term investment strategy for such
64 system or systems. Such study shall assess and develop methods for planning projects
65 between and among federal, state, and local governments and authorities charged with
66 planning responsibilities for such purposes by state or federal law. Such study shall
67 further emphasize creating efficiency and coordination among providers of mass
68 transportation and offer solutions to improve mobility in this state. As a result of such
69 study and assessment, the commission shall make a written report of its findings and a
70 detailed proposal to the Governor, the President of the Senate, the Speaker of the House
71 of Representatives, and the director of planning provided for by Code Section 32-2-43
72 for a system of regional, integrated, and comprehensive mass transportation for such
73 metropolitan area or areas as determined by the commission. Such proposal shall include
74 a recommended unified regional governance structure for such mass transportation
75 system for any such metropolitan area or areas, along with a means of funding
76 construction and operation of mass transportation and mass transportation facilities,
77 including but not necessarily limited to state funding. Such proposal shall also include
78 recommendations for any legislation the commission deems necessary or appropriate to
79 accomplish the commission's proposals.

80 (2) Upon request of the commission, the director of planning provided for by Code
81 Section 32-2-43; any state department, agency, or authority; and any metropolitan
82 planning organization or metropolitan rapid transit authority shall cooperate with the
83 commission in the performance of the commission's duties. The commission may
84 establish committees to provide the commission with any insight it deems necessary or
85 helpful in making a final proposal, including but not limited to committees focused on
86 specific needs of a region or expertise in an area of mass transportation.

87 (3) The commission shall submit the report and proposal required by paragraph (1) of
88 this subsection not later than December 31, 2018; provided, however, that with approval
89 of the Speaker of the House of Representatives and the President of the Senate, the
90 commission may continue its study until December 31, 2019, at which time its proposal
91 shall be published.

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

94 (2) Subject to availability of funds, in addition to assistance of the department provided
95 pursuant to paragraph (1) of this subsection, the commission may contract for the
96 provision of private consulting and any other services to the commission for purposes of
97 performing its duties under this Code section. Any professionals retained by the
98 commission to assist in analysis required pursuant to this Code section shall be

99 professionals in the field of analyzing mass transportation with global or national
 100 prominence for:

101 (A) Experience working with multiple mass transportation providers;

102 (B) Experience delivering mass transportation strategy for multijurisdictional or
 103 state-wide entities;

104 (C) Strong financial consulting practices that have experience with multiple mass
 105 transportation funding or financial approaches;

106 (D) Approaches to promoting economic development; and

107 (E) Demonstrated knowledge and proven experience in strategic development.

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

110 (B) Members of the commission who are state or local government officials, other than
 111 legislative members, or state or local government employees shall receive no
 112 compensation for their services on the commission, but they may be reimbursed for
 113 expenses incurred by them in the performance of their duties as members of the
 114 commission in the same manner as they are reimbursed for expenses in their capacities
 115 as state or local government officials or state or local government employees.

116 (C) Members of the commission who are not legislators, state or local government
 117 officials, or state or local government employees shall receive a daily expense
 118 allowance in an amount the same as that specified in subsection (b) of Code Section
 119 45-7-21, as well as the mileage or transportation allowance authorized for state
 120 employees.

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

125 (e) This Code section shall be automatically repealed, and the commission shall be
 126 abolished, on January 1, 2019; provided, however, that if the commission is continued for
 127 an additional year pursuant to paragraph (3) of subsection (c) of this Code section, this
 128 Code section shall be automatically repealed, and the commission shall be abolished, on
 129 January 1, 2020."

130 **SECTION 2.**

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

133

SECTION 3.

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