

WEEKLY LEGISLATIVE REPORT

Arizona Transit Association

March 14, 2008

Bill Requiring Separate Votes for Transportation Modes Defeated on House Floor

HB 2092, which requires that transportation elections must allow for separate votes on each transportation mode, was defeated by a largely partisan vote of 26-31. Republican Representatives Burns, Hershberger Konopnicki and Paton supported AzTA's position and voted against the legislation.

However, Rep. Biggs has successfully made a motion for reconsideration for a vote to be scheduled on Monday, March 17th.

Governor Vetoes Spending Freeze Legislation

In what was considered a likely outcome, Governor Janet Napolitano vetoed legislation that would have frozen certain appropriations for the remainder of FY 2008.

The legislation was intended to be a component of the necessary fiscal strategy to address the revenue shortfall in the FY 2008 budget. The bill did not impact FY 2009.

In her veto message, the Governor expressed that it is her administration's preference to enact a comprehensive fiscal

plan and not a piecemeal budget plan for FY 2008 that reportedly only addressed less than half of the revenue shortfall in the current fiscal year.

The Governor called on a bipartisan approach to resolving the fiscal issues for both FY 2008 and FY 2009.

A Preview for the Week Ahead

Based on a review of the agendas for both the House and Senate Committees on Transportation, there is no public transportation related legislation scheduled for the week of March 17th.

Comments

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LEGISLATIVE TRACKING REPORT

Arizona Transit Association

March 14, 2008

BILL	TITLE	SPONSORS	SUMMARY	HOUSE COMMITTEES	SENATE COMMITTEES	ACTION
HB 2043	air quality; idling; study committee NOW: FY 2007-2008 state hiring; moratorium	Robson	As introduced, establishes a 13 member Vehicle Idling Study Committee to consider the issues involved in developing a program to reduce the amount of pollution caused by unnecessary diesel engine idling. The Committee is required to examine possible measures relating to cars, buses, trucks and mobile equipment. The Committee is repealed on October 1, 2009. STRIKE EVERYTHING AMENDMENT: An emergency measure that prohibits state budget units from hiring or promoting any new or existing employees for the remainder of the fiscal year.	Environment, Rules	Appropriations, Rules	transmit to Governor, 3/12
HB 2049	ADOT rule revisions	McClure	As introduced, repeals the responsibility of the State Transportation Board (STB) and the ADOT Director to adopt rules related to highway construction contracts, bonding, airport grants, expenditures of highway funds and public transit money. Repeals the Vehicle Equipment Safety Compact (VESC). Was introduced at the request of ADOT.	Transportation, Rules	Transportation, Rules	Senate committee assignment, 3/6
HB 2088	motor carrier safety; vehicle equipment	Biggs (3)	As introduced, makes several changes to statutes governing safety equipment on trucks and buses, including a requirement that vehicles exceeding 30 feet in length must have a reflector mounted at the midpoint between front and rear reflectors, and two red flags or lanterns (formerly only one) are required to be displayed at the rear of a load that extends four or more feet from the back of the bed or body of the vehicle. Also, repeals state laws regarding the maximum number of consecutive hours a driver of a commercial vehicle may be on duty.	Transportation, Rules	Transportation, Rules	Senate committee assignment, 3/3



BILL	TITLE	SPONSORS	SUMMARY	HOUSE COMMITTEES	SENATE COMMITTEES	ACTION
HB 2091	transportation plans; ballot; mode delineation	Biggs (8)	As introduced, requires any state or county transportation plan that appears on a ballot and that asks for voter approval of more than one mode of transportation, to be written to delineate the following: each proposed transportation mode, the cost for each of the proposed modes, and A "Yes" or "No" vote for each of the proposed modes.	Transportation, Rules		held, Transportation, 1/31
HB 2092	motor vehicle accidents; death; injury	Biggs (4)	As introduced, adds two additional moving traffic violations to those with increased penalties if the violation results in an accident causing serious physical injury or death. In addition, it adds persons without a valid driver's license to the category of persons ineligible to operate a motor vehicle for sentencing purposes if death or serious physical injury results from the accident. STRIKE EVERYTHING AMENDMENT: Requires any state or county transportation plan that appears on a ballot and that asks for voter approval of more than one mode of transportation, to be written to delineate each proposed transportation mode, the cost for each of the proposed modes, and a "yes" or "no" vote for each of the proposed modes. AMENDMENT TO STRIKER: Provisions apply to any transportation plan that is referred by the state or any political subdivision of the state. Prohibits a political subdivision from adopting any ordinance that regulates the form of the ballot for governmentally referred referenda in a manner that differs with the provisions.	Transportation, Judiciary, Rules		failed House 26-31, 3/10; motion to reconsider passed for 3/17
HB 2094	highway project advancement notes	Biggs	As introduced, allows a county to issue highway project advancement notes (HPAN). Redefines "highway project" to include a highway project that is included in the transportation improvement plan of a regional association of governments. Allows a political subdivision to issue HPANs in excess of the aggregate of uncollected highway project advance revenues due to the political subdivision if the political subdivision has pledged another source of revenue to cover the excess amount. Raises the HPAN cap from \$100 million to \$300 million.	Transportation, Counties and Municipalities, Rules		passed, Rules, 2/19

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HB 2133	transportation districts	Rios P	As introduced, states if after January 1, 2009, a county attains a population of 500,000 or more, a new transportation district will be formed consisting of that county.	Transportation, Rules		passed, Rules, 3/11
HB 2164	regional transportation authorities	Prezelski (2)	As introduced, allows a transportation authority to be established in any county that is a member of a regional council of governments. Allows a regional transportation authority to levy a transportation excise tax if approved in a county wide election.	Transportation, Counties and Municipalities, Rules		committee assignment, 1/16
HB 2665	development fees; public transportation	Farley (7)	As introduced, allows a county or a municipality to assess development fees to offset the costs of public transportation.	Counties and Municipalities, Transportation, Rules		committee assignment, 2/4
HCR 2001	highway user revenue fund uses	Chad Campbell	As introduced, subject to voter approval at the next general election amends the state constitution to state that HURF revenues shall be used for "transportation" purposes instead of "highway and street" purposes.	Transportation, Counties and Municipalities, Rules		committee assignment, 1/14
HCR 2016	NOW: statewide transportation plan	Nelson	STRIKE EVERYTHING AMENDMENT: Subject to voter approval, amends the Constitution of Arizona to require the Arizona Department of Transportation to make recommendations to the Governor and the Legislature for the implementation of a Statewide Transportation Plan.	Counties, Municipalities and Military Affairs, Rules		passed, Counties, Municipalities and Military Affairs, 3/4
SB 1039	HOV lanes; restricted hours	Harper	As introduced, codifies in statute the HOV restricted times - between 5 and 9 am and between 3 and 7 pm.		Transportation, Rules	committee assignment, 1/14
SB 1041	HOV lane usage; hybrids	Harper	As introduced, allows hybrid vehicles in HOV lanes if the vehicle has at least 45% fuel efficiency in combined city-highway fuel economy.		Transportation, Rules	passed Senate 24-4, 3/13
SB 1042	toll roads; ADOT; private entity	Harper	As introduced, requires ADOT to issue an RFP for Construction of a toll road beginning at the Loop 303 and 75th avenue and ending in Prescott by December 31, 2009. ADOT must award the contract by the end of 2010. Removes the requirement that a reasonable alternative route must exist.		Transportation, Rules	committee assignment, 1/14

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SB 1204	state transportation board; tribal representation	Hale (30)	As introduced, adds a representative of a tribal government to the State Transportation Board.		Transportation, Rules	committee assignment, 1/28
SB 1220	public transportation authorities	Johnson	As introduced, removes the requirement that the boards of intergovernmental public transportation authorities initiate proceedings to determine the application of federal voting laws to the authority and that the board take any necessary action to comply with the applicable federal law.		Transportation, Rules	committee assignment, 1/28
SB 1276	transportation financing; revenue anticipation bon	Huppenthal	As introduced, establishes the transportation finance committee that may recommend to the state transportation board the source of taxation to secure payment of revenue anticipation bonds. Allows the Board to issue such bonds that are secured by the Board based on recommendation of the finance committee and may be authorized in an aggregate principal amount of not more than \$20 billion. States requirements for the bonds, their payment and their proceeds. States the proceeds shall be used for corridors with high traffic volume, improvements on highways, improvements on city streets, a mass transit method, and for a public bidding process in specified amounts for each.		Transportation, Rules	held, Transportation, 2/26
SB 1415	transportation districts; transportation board member	Rios (6)	As introduced, expands the number of state transportation districts to 10, giving Coconino, Pinal, Yavapai, and Yuma counties their own district. Places Greenlee County in the Fourth district with Gila and Graham Counties. Expands the membership of the State Transportation Board accordingly.		Transportation, Rules	committee assignment, 2/7
SB 1420	toll roads; public highway authorities	Tibshraeny	As introduced, allows any combination of municipalities, counties or counties and municipalities that are located in the same metropolitan region to form an authority that can establish, collect and increase or decrease fees, tolls, rates and charges for traveling on any public highway financed, constructed, operated or maintained by the authority. Stipulates		Transportation, Rules	passed, Rules, 3/10

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			requirements for an authority including: creation, board of directors, powers and duties, and issuance of bonds by the authority.			
SB 1465	transportation; innovative partnerships program	Gould (5)	As introduced, requires ADOT to establish the Innovative Partnership Program for the planning, acquisition, financing, development, design, construction, replacement, improvement, maintenance, management, repair, leasing and operation of transportation projects. ADOT may enter into agreements for the Program with any private entity or unit of government or a combination of the two. Establishes the State Transportation Enterprise Fund for the Program consisting of bond proceeds and revenues derived from a Program project. Allows ADOT to use monies in the Highway Expansion and Extension Loan Program Fund to ensure repayment of loan guarantees for the Program's projects. Stipulates requirements for the Program regarding agreements, evaluation of proposed agreements, eminent domain powers, advisory committees, financing, use of federal monies, and revenues within the district. Terminates the Program on July 1, 2018.		Transportation, Appropriations, Rules	passed, Rules, 3/10
SB 1471	HOV lane conversion; toll lane	Gould (1)	As introduced, requires ADOT to issue an RFP by November 15, 2013 for the conversion of HOV lanes on SR51 into high occupancy toll lanes. ADOT may also issue an RFP for the conversion of HOV lanes on other state highways.		Transportation, Rules	passed, Transportation, 2/19
SB 1495	light rail performance audit	Gorman (9)	As introduced, states a separate performance audit will be conducted 12 months after the minimum operating system of the light rail system is opened if the minimum operating system is not completed by January 1, 2009.		Transportation, Rules	passed Senate 16-12, 3/13
SB 1498	public-private partnerships in transportation	Gorman (2)	As introduced, stipulates requirements for ADOT to enter into public-private partnerships regarding: project delivery methods, procurements, agreements, funding and financing (allows for any lawful source of funding including tolls). Facilities eligible for public-private partnerships include any facility developed,		Transportation, Rules	passed, Rules, 3/10

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			operated or held, including existing or new facilities and may involve highways, railways, monorails, transit, bus systems, guided rapid transit, parking facilities, rail yards, and others.			
SB 1503	FAST lanes	Gorman (2)	As introduced, requires ADOT, prior to July 1, 2009, to issue an RFP for private entities to bid on the construction of new freeway acceleration and sensible transportation lanes (FAST lanes). FAST lanes are to be used by drivers of vehicles carrying less than two persons in an HOV lane that have paid a specified fee. Requires ADOT to structure a variable fee for the FAST lanes to ensure unrestricted access for eligible vehicles. ADOT is also required to develop and adopt functional specifications and standards for an automatic vehicle identification system for use on HOV lanes, FAST lanes and any other toll roads.		Transportation, Rules	passed, Transportation, 2/19
SCM 1009	states; withdrawal; federal highway system	Gould (2)	As introduced, requests the U.S. Congress to enact legislation either ending the current Federal Highway Program (Program) or allowing states to opt out of the Program and maintain their own roads.		Transportation, Rules	passed Senate 16-12, 3/13