

WEEKLY LEGISLATIVE REPORT

Arizona Transit Association

May 25, 2007

A Week in Review

There was no action on legislation this week that had an impact on public transportation.

FY 08 Budget Process Update

This week the House was able to pass its own budget package. With the exception of one bill, no budget bill received more than 31 votes.

Like the Senate budget, the House budget restores the LTAF II formula to the statutory trigger requirements of the state General Fund receiving the first \$31 million before the LTAF II program is eligible to receive its funding up to \$18 million. The restoration of the LTAF II statutory funding formula is the result of a commitment made last year between AzTA and the Speaker of the House.

The House budget authorizes ADOT to use up to \$10 million from the Highway Expansion and Extension Loan Program (HELP) Fund for eligible transit capital projects in municipalities with a population of 50,000 persons or less. These provisions were originally in HB 2228.

In addition, the House budget makes changes to the Statewide Transportation Acceleration Needs (STAN) Account. The budget prohibits STAN Account monies from being funded with monies from a consent agreement or any type of negotiated settlement by any state or local agency or any donation made in place of a consent agreement or any type of settlement. It also allows the State Transportation Board to approve the reimbursement of interest costs for the acceleration of a transportation project from the STAN Account under certain circumstances. Like the Senate budget, the House budget, appropriates \$62 million from the State Highway Fund to the STAN Account.

Also in the House budget, like the Senate budget, is a repeal of a \$650,000 appropriation designated for railroad right-of-way acquisition adopted in 2002 and appropriates any unexpended or unencumbered monies to ADOT for costs related to the study, planning and acquisition of railroad right-of-way and infrastructure necessary to accommodate future freight and passenger rail service in the state's best interest. This provision does not alter or impact any existing agreements for permits that have been entered into or obtained by utility companies located within the existing railroad right of way.

The House budget also prohibits a state agency from allowing the establishment of a photo enforcement system in the right-of-way of any transportation facility that is owned, maintained or operated by the state, a state agency or a private contractor who operates a transportation facility through an agreement with the state. This restriction does not apply to any photo enforcement system in operation before May 1, 2007.

A Preview for the Week Ahead

As was reported previously, the Senate has passed out a bipartisan budget that the Governor has indicated she would accept. The House budget was passed along party lines.

Over the next several weeks members will concentrate on resolving the budget issues between the two legislative chambers and the Governor's office.

Of course, it is still difficult to predict the timing of the conclusion of the legislative session. However, once a budget agreement is reached, the traditional stampede to adjournment will occur.

Comments

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LEGISLATIVE TRACKING REPORT

Arizona Transit Association

May 25, 2007

BILL	TITLE	SPONSORS	SUMMARY	HOUSE COMMITTEES	SENATE COMMITTEES	ACTION
HB 2131	development fees; public transportation	Farley (6)	As introduced, allows municipalities and counties to assess development fees to offset the costs of public transportation.	Counties and Municipalities, Ways and Means, Rules		committee assignment, 1/16
HB 2153	ADOT hearings NOW: ADOT; disposal of property; reimbursement	Biggs	STRIKE EVERYTHING AMENDMENT: Allows the Arizona Department of Transportation (ADOT) to dispose of property that was purchased with monies from the Regional Area Road Fund (RARF) or Highway User Revenue Fund (HURF) if the property is not needed for transportation purposes and establishes a reimbursement mechanism for the funds.	Transportation, Rules	Transportation, Rules	passed Senate 27-0, 4/11
HB 2228	vehicle license tax; hybrid vehicles NOW: commercial driver licenses	McClure (2)	As enacted, makes numerous changes conforming Arizona's commercial driver license (CDL) and commercial motor vehicle (CMV) statutes to federal regulations and rules.	Transportation, Rules	Appropriations, Rules	Laws 2007, Chapter 214



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HB 2570	railroad right-of-way acquisition	Biggs	As introduced, on the approval of the State Transportation Board, the Arizona Department of Transportation shall use the monies from a designated fund to acquire a railroad right-of-way to accommodate future freight or passenger rail service. \$650,000 is available for the purchase of such right-of-way. STRIKE EVERYTHING AMENDMNET: Requires evidence of legally authorized presence in the United States in order to obtain a vehicle title or registration.	Transportation, Appropriations, Rules	Transportation, Appropriations, Rules	withdrawn Senate Appropriations, 4/2
HB 2682	blue ribbon transportation committee	Biggs	As passed by the House, establishes a legislative committee to review reports on transportation and make recommendations on which legislative issues relating to transportation should be addressed in the next legislative session. AMENDMENT: Removes the requirement that the committee makes recommendations on transportation issues and, instead, requires the committee to review existing funding sources for transportation and the allocation of those resources and to review the composition and powers and duties of the State Transportation Board. Makes the co-chairpersons of the blue ribbon committee the chairman of each of the Transportation Committees and states the blue ribbon committee may only meet at the call of the co-chairpersons.	Transportation, Rules	Transportation, Rules	failed, Senate 13-16, 4/25
SB 1161	HOV lanes; motorcycles; buses	Tibshraeny	As introduced, clarifies existing state law to allow unoccupied public transportation buses and motorcycles to use the HOV at all times. Consistent with federal law that governs the construction and use of federally funded HOV lanes.	Transportation, Rules	Transportation, Rules	Laws 2007, Chapter 32
SB 1585	HOV lane conversion; toll lane	Gould (2)	As introduced, requires the Department of Transportation, by November 15, 2012, to issue a request for proposals for the conversion of HOV lanes		Transportation, Rules	passed, Senate Transportation, 2/13

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			on Interstate 17 between Loop 101 and Interstate 10 into a high occupancy toll lane. Allows ADOT to issue an RFP for the conversion of the HOV lanes on any other highway in this state into a high occupancy toll lane by November 15, 2012.			
SB 1591	performance audits; light rail	Gould (1)	As introduced, states that if the light rail system is not completed on or before January 1, 2009, a separate performance audit shall be conducted twelve months after the minimum operating system is open. Requires the Auditor General to contract with a nationally recognized independent auditor with expertise in evaluating multimodal transportation systems and in regional transportation planning to conduct the performance audit. Requires the costs of the audit to be paid from revenues of the county transportation excise tax.	Transportation, Rules	Transportation, Rules	failed, House 27-27, 4/24
SB 1610	highway expansion; extension loan program	Tibshraeny	As introduced, makes transit capital projects eligible for the Highway Expansion and Extension Program. Also makes transit capital purposes under the Federal SIB Act eligible for the Program. Transit capital purposes is defined to mean eligible land, buildings or rolling stock or a combination of eligible land, buildings and rolling stock that is part of the federal Transit Administration's Rural Public Transportation Program for municipalities with populations of less than 50,000 persons.		Transportation, Rules	committee assignment, 2/1
SB 1635	FAST lanes	Gorman (1)	As introduced, requires the Department of Transportation, notwithstanding any other law, to issue a request for proposal by July 1, 2008, to private entities for the purpose of entering into a contract with a private entity for the conversion of an existing HOV lane to a freeway acceleration and sensible transportation (FAST) lane, for the purpose		Transportation, Rules	passed, Senate Transportation, 2/13

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			<p>of constructing new FAST lanes and for the purpose of entering into contracts for the operation of the FAST lanes by private entities. Allows the Department to convert, construct or operate or both convert and operate or construct and operate the FAST lane if no proposal by a private entity is acceptable. States a FAST lane is a lane for use by drivers of vehicles carrying fewer than two persons in a HOV lane who pay a specified fee. A person may operate a motorcycle in a FAST lane without paying a specified fee unless prohibited by official traffic control devices. The Department is prohibited from entering into a contract for the conversion of a HOV lane to a FAST lane if the conversion will result in the loss or refund of federal funds for construction, reconstruction, repairs, improvement, planning, supervision and maintenance of the state highway system and other public highways. Requires the Department to structure a variable fee to ensure unrestricted access to the lanes at all times by eligible vehicles, including buses, vehicles carrying more than one person, environmental protection agency certified low-emitting vehicles with a gross vehicle weight rating over ten thousand pounds and alternative fuel vehicles that have been issued alternative fuel vehicle special plates or alternative fuel vehicle stickers.</p>			
SB 1640	foreign motor carriers	Verschoor (1)	<p>As passed out of the Senate, conforms regulations and restrictions on foreign motor carriers and foreign private motor carriers to Federal rules and regulations.</p>	Transportation, Natural Resources and Public Safety, Rules	Transportation, Rules	passed House 57-0, 4/17