

House Bill 617 (AS PASSED HOUSE AND SENATE)

By: Representatives Jasperse of the 11th, Pirkle of the 169th, Wiedower of the 121st, Thomas of the 21st, and Hagan of the 156th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges,
2 and ferries, so as to provide for the development and maintenance of a state-wide freight and
3 logistics implementation plan; to provide for a definition; to provide for responsibilities and
4 duties of the Planning Division and director; to provide for standards and considerations for
5 such plan; to require annual reporting to the General Assembly; to provide for legislative
6 intent and declarations; to provide for the creation of a Georgia Freight 2050 Program subject
7 to appropriation by the General Assembly; to provide for purposes of such program; to
8 identify intended funding for such program; to provide for related matters; to repeal
9 conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries,
13 is amended in Code Section 32-2-22, relating to definitions, responsibilities of director and
14 Planning Division, and approval of program and plan, by adding a new paragraph to
15 subsection (a) and revising paragraph (3) of subsection (b) as follows:

16 "(5.1) 'State-wide freight and logistics implementation plan' means the plan established
17 pursuant to Code Section 32-2-41.4."

18 "(3) Develop the state-wide strategic transportation plan, and the state-wide
19 transportation improvement program, and the state-wide freight and logistics
20 implementation plan and support the various transportation improvement programs;"

21 **SECTION 2.**

22 Said title is further amended in Code Section 32-2-41, relating to powers, duties, and
23 authority of commissioner and establishment of divisions, by revising paragraph (4) of
24 subsection (b) as follows:

25 "(4) There shall be a Planning Division of the department, directed and staffed by the
26 director of planning, which shall be the department's principal unit for developing the
27 state transportation improvement program, and the state-wide strategic transportation
28 plan, and the state-wide freight and logistics implementation plan and coordinating
29 transportation policies, planning, and programs related to design, construction,
30 maintenance, operations, and financing of transportation, under the supervision of the
31 director. The division and the director shall not have jurisdiction over the funds allocated
32 for the local maintenance and improvement grant program pursuant to subsection (d) of
33 Code Section 32-5-27 except as expressly provided by said subsection."

34 **SECTION 3.**

35 Said title is further amended by adding a new Code section to read as follows:

36 "32-2-41.4.

37 (a) The director shall develop and maintain a state-wide freight and logistics
38 implementation plan. Such plan may be included within or separate from the federal state
39 freight plan required by 49 U.S.C. Section 70202; provided, however, that the state-wide

40 freight and logistics implementation plan shall be updated in coordination with such federal
41 plan.

42 (b) The state-wide freight and logistics implementation plan shall be based upon a 20 year
43 projection and identify example project types, specific projects to be programmed, or
44 critical corridors, taking into account the following categories for improvements:

45 (1) Foundational investments that ensure the maintenance of the existing transportation
46 system;

47 (2) Catalytic investments that strategically expand the transportation system to both
48 support economic development and improve the mobility of goods and people throughout
49 this state; and

50 (3) Innovative investments that promote industry growth and sustain existing industry
51 use of the freight network.

52 (c) Any investment proposed within the state-wide freight and logistics implementation
53 plan pursuant to the considerations set forth in subsection (b) of this Code section shall
54 incorporate performance indicators that assess impact in the areas of system safety and
55 security, system reliability, average vehicle travel time, congestion costs, and system risks.

56 (d) The state-wide freight and logistics implementation plan shall take into consideration
57 and place an emphasis on projects and programs that improve transportation in the
58 economic zones to be known as the:

59 (1) International ocean trade zone, composed of any county which is located within
60 20 miles of a deep-water port;

61 (2) Inland port zone, composed of any county which is located within ten miles of any
62 inland port facility operated by the Georgia Ports Authority; and

63 (3) Commercial and industrial impact zone, composed of any county which is located
64 within five miles of a commercial or industrial warehouse or production facility that is
65 larger than 200,000 square feet.

66 (e) By February 15 of each year, the director shall provide the House and Senate
 67 Committees on Transportation with a report on the state-wide freight and logistics
 68 implementation plan, which shall include information from the previous fiscal year on the:
 69 (1) Budgetary proposal of state funds needed by the department to fully procure federal
 70 aid funds;
 71 (2) Status of the department's program to deliver projects which add capacity to
 72 roadways through the exclusive use of state funds; and
 73 (3) Status of any critical projects and available funding for:
 74 (A) Widening of interstates;
 75 (B) Widening of noninterstate arterial roads;
 76 (C) Interchange, intersection, and other operational improvements;
 77 (D) Intermodal or multimodal capacity enhancements;
 78 (E) Railroad crossing access and safety improvements;
 79 (F) Commercial motor vehicle parking and safety improvements;
 80 (G) Projects located in an international ocean trade zone, an inland port zone, or a
 81 commercial and industrial impact zone as described in subsection (d) of this Code
 82 section; and
 83 (H) Projects of significant economic impact."

84 **SECTION 4.**

85 Said title is further amended in Code Section 32-2-43, relating to director of planning,
 86 appointment, and responsibilities, by revising subsection (b) as follows:

87 "(b) The director of planning's principal responsibility shall be the development of
 88 transportation plans, including the development of the state-wide strategic transportation
 89 plan, ~~and state-wide transportation improvement program, state-wide freight and logistics~~
 90 implementation plan, and other comprehensive plans pursuant to the provisions of Code
 91 Section 32-2-3 and Code Section 32-2-22, strategic transportation plans pursuant to the

92 provisions of Code Section 32-2-41.1, and benchmarks and value engineering studies
93 pursuant to the provisions of Code Section 32-2-41.2, in consultation with the board, the
94 Governor, and the commissioner. The director shall also be responsible for the duties and
95 activities assigned to the director in Article 5 of Chapter 8 of Title 48. The director shall
96 be the director of the Planning Division of the department and shall possess, exercise, and
97 perform all the duties, powers, and authority which may be vested in such division by law
98 and are necessary or appropriate for such purpose, except those duties, powers, and
99 authority which are expressly reserved by law to the board or the commissioner."

100 **SECTION 5.**

101 Said title is further amended by adding a new article to Chapter 5, relating to funds for public
102 roads, to read as follows:

103 "ARTICLE 4

104 32-5-40.

105 The General Assembly finds, determines, and declares that:

106 (1) The safe, effective, efficient, and expedient movement of people and goods are
107 essential to the economic and overall well-being of Georgia and her citizens;

108 (2) Georgia's geographic location and transportation assets have made it a leader for
109 freight and logistics transportation;

110 (3) Continued freight growth and the corresponding investments to support, sustain, and
111 integrate that growth are critical to Georgia's future opportunities and prosperity;

112 (4) The freight transportation network and the general population transportation network
113 are intertwined and interdependent parts of the state's transportation system; and

114 (5) A fund established within the department to accumulate moneys from designated
115 sources, subject to appropriation, to be utilized for the planning, designing, improving,

116 constructing, reconstructing, and maintaining of the state's transportation freight network
117 is necessary for growing and maintaining the state's important freight network assets.

118 32-5-41.

119 (a) There is created the Georgia Freight 2050 Program which shall be administered by the
120 department to enhance the state's investment in the state-wide transportation freight
121 network. The Georgia Freight 2050 Program shall fund and support projects and programs
122 included in the freight plans identified in Code Section 32-2-41.4, including, but not
123 limited to, system safety improvements, operation and maintenance of the transportation
124 system, intermodal or multimodal connectivity improvements, and capacity enhancement
125 projects.

126 (b) The Georgia Freight 2050 Program shall prioritize capacity enhancement projects,
127 including, but not limited to, the following:

128 (1) Widening of interstates;

129 (2) Widening of noninterstate arterial roads;

130 (3) Interchange, intersection, and other operational improvements;

131 (4) Intermodal or multimodal capacity enhancements;

132 (5) Railroad crossing access and safety improvements;

133 (6) Commercial motor vehicle parking and safety improvements;

134 (7) Projects located in an international ocean trade zone, an inland port zone, or a
135 commercial and industrial impact zone as described in subsection (d) of Code
136 Section 32-2-41.4; and

137 (8) Projects of significant economic impact.

138 (c) The Georgia Freight 2050 Program shall utilize federal funds authorized under
139 23 U.S.C. Section 167 and any state funds appropriated for the purpose of matching such
140 federal funds.

141 (d) It is the intent of the General Assembly that moneys collected from the use of and
142 impact on the state-wide transportation network be appropriated to the Georgia Freight
143 2050 Program.

144 (e) The provisions of this Code section shall be subject to appropriation by the General
145 Assembly."

146 **SECTION 6.**

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