



Memorandum

TO: All Members of the CMCOG **Transportation Subcommittee**

FROM: John Hardee, Chairman

DATE: February 2, 2012

SUBJECT: **Next Meeting: February 9, 2012**

Please be advised that the business of the CMCOG Transportation Subcommittee will be conducted on Thursday, February 9th, at 12:00 noon in the CMCOG Conference Room. Enclosed, please find an agenda and support materials for your review.

Please note that a light lunch will be available beginning at 11:45 a.m. so that we can begin promptly at 12:00 noon.

Please be advised that in order for the Subcommittee to conduct business, a quorum of seven (7) members must be present. Delays in conducting business may result in delays to the flow of funding to CMCOG for carrying out transportation planning activities, so please don't forget to mark your calendars.

If you have any questions or need any additional information, please do not hesitate to contact Reginald Simmons of the CMCOG staff. Reginald can be reached at 803-744-5133 or by email at rsimmons@centralmidlands.org. Thank you for your time, dedication, and service as I look forward to seeing each of you on February 9th.

Enclosures

AGENDA

TRANSPORTATION SUBCOMMITTEE

THURSDAY, FEBRUARY 9, 2012

12:00 PM TO 1:00 PM

CMCOG CONFERENCE ROOM

1. **Welcome, Introductions, and Call to Order John Hardee**
2. **Invocation..... Open**
3. **Determination of a Quorum Entire Group**

ACTION



4. **Approval of the December 1st Meeting MinutesEntire Group**
(Enclosure 1)

5. **SCDOT Restructuring Bill..... N. Whitaker**
On January 31st, Senators Grooms and Gregory submitted a restructuring bill that would abolish the existing Transportation Commission and enact the Secretary of Transportation to address the transportation needs of the State. Staff will review this bill for the committee. (Enclosure 2)

6. **Legislative Update R. Simmons**
Staff has been keeping track of legislative activities that may affect and impact transportation funding in the future. Staff will present some of the most recent ideas and concepts that are currently being discussed.
 - a. SAFETEA-LU Reauthorization (Enclosure 3)
 - b. FY 2012 TIGER Grants (Enclosure 4)

ACTION



7. **TIP Amendment – ADA Ramps Enhancement Project R. Simmons**
In FY 2009, the CMCOG Board approved the City of Columbia’s request to install ADA ramps on various intersections in downtown Columbia. The city overmatched this request above the required 60/40 match. Staff will present the adjusted numbers for approval. (Enclosure 5)

ACTION



8. **Central Columbia Mobility Improvement Project R. Simmons**
The City of Columbia, in partnership with USC, SCDOT, and CMRTA, is sponsoring a project that will enhance pedestrian and transit safety and security along Assembly Street. Staff will request to add an additional \$1.8 million in Section 5307 funds to support this project. (Enclosure 6)

9. **Old/New Business..... John Hardee**
10. **Public Comments Open**
11. **Adjourn.....John Hardee**

MEETING SUMMARY

Transportation Subcommittee

Special Meeting Day & Time- December 1, 2011

<u>Organization</u>	<u>Members Present</u>	<u>Others Attending</u>
<i>City of Columbia:</i>	Sam Davis John Hardee (Chairman)	Chris Segars Teresa Wilson
<i>Dennis Corporation:</i>		Dan Dennis
<i>FHWA:</i>		Yolanda Morris
<i>Kershaw County:</i>	John Newman	
<i>Lexington County:</i>	Bill Banning Smokey Davis Johnny Jeffcoat	
<i>Paratransit:</i>	Peggy Butler	
<i>Richland County:</i>	Sam Davis Cathy Novinger	
<i>SCDOT:</i>		Bill Jordan Kati Holland-Price Mike Sullivan
<i>USC:</i>		Derrick Huggins
<i>CMCOG Staff:</i>		Roland Bart Aaron Bell Tasha Milhouse Reginald Simmons Norman Whitaker

1. WELCOME, INTRODUCTIONS AND CALL TO ORDER

Chairman John Hardee welcomed everyone and called the meeting to order at 9:05 a.m.

2. INVOCATION

Bill Banning gave the invocation.

3. DETERMINATION OF A QUORUM

It was determined that a quorum was present.

4. APPROVAL OF THE NOVEMBER 10th MEETING MINUTES

A motion was made by Bill Banning to approve the minutes of the November 10th, 2011 meeting. The motion was seconded by Peggy Butler. All were in favor and the minutes were approved.

5. SC 302 (EDMUNDS HIGHWAY) APPR

Mike Sullivan from SCDOT presented a request for approval to accept the SC 302 Edmunds Highway APPR. The South Carolina Department of Transportation (SCDOT) in partnership with the Columbia Area Transportation Study (COATS) developed this Advance Project Planning Report (APPR) for the potential improvements to SC 302 (Edmunds Highway) from SC 6 (South Lake Drive) to S-1287 (Princeton Road) in Lexington County. The primary purpose of this project is to add additional capacity to SC 302 (Edmunds Highway) corridor to accommodate current traffic volumes and future growth. The existing highway is two lanes and carries about 10,000 vehicles per day, making it a level of service "C". Based on projections traffic will increase by 125%; resulting in a level of service "F". Adding additional travel lanes in each direction would add additional capacity and resume a level of service "C". The project is ranked #11 in the Long Range Transportation Plan at an estimated construction cost of \$16.5 million.

A motion was made by John Newman to approve the SC 302 Edmund Highway APPR. Smokey Davis seconded the motion. All were in favor and it was unanimously approved by the committee.

6. CENTRAL COLUMBIA MOBILITY IMPROVEMENT PROJECT

Reginald Simmons presented a request for approval to amend the 2009-2015 Transportation Improvement Program to add \$3 million in Section 5307 funding for the Central Midlands Mobility Improvement Project. The CCMIP is a partnership between the City of Columbia, the University of South Carolina (USC), Central Midlands Regional Transit Authority (CMRTA), and the South Carolina Department of Transportation (SCDOT) to enhance public mobility, economic development, and quality of life along Assembly Street. While the entire project involves Assembly Street from Elmwood Avenue to Rosewood Avenue, Phase 1 involves the area along Assembly Street between Gervais to Blossom streets. The aim is to preserve Assembly Street as a major thoroughfare, while also reducing congestion, creating a safe pedestrian-friendly atmosphere, and improving the connectivity of City residents, visitors, and college students. Since the federal funding associated with the project requires an 80/20 match, the City of Columbia and the University of South Carolina (USC) will provide the 20% local match. The proposed improvements for Phase 1 include:

- Replacing existing bus stops benches with covered bus shelters
- Install new pedestrian crosswalks
- Provide pedestrian and/or street lighting
- Add landscaping along street
- Widening the medians and adding benches
- Inserting a bike lane
- Removing on-street parking
- Extend existing sidewalks
- Burying existing above-ground utility lines

A motion was made by Cathy Novinger to approve the Central Columbia Mobility Improvement Project. Johnny Jeffcoat seconded the motion. All were in favor and it was unanimously approved by the committee.

7. PRIORITIZATION AND JUSTIFICATION OF CORLEY MILL ROAD

Reginald Simmons presented a request for approval to amend the 2035 LRTP to add prioritization and justification of the Corley Mill Road New Location Project. In coordination with Lexington County, Lexington School District 1, and SCDOT, a plan has been developed to relieve congestion at the intersection of Corley Mill Road, I-20, Ginny Lane, and US 378. The proposed plan would relocate this intersection farther away from the I-20 interchange. Per ACT 114 requirements, in order for the MPO to consider this project for funding, it would have to be ranked and prioritized. In conjunction with ACT 114, Corley Mill Road will be ranked #1 on the New Location Prioritized List of the 2035 COATS Long Range Transportation Plan at an estimated cost of \$3.7 million. In preparation to add this project, the COATS MPO has developed the following justification:

1. This project will enhance regional connectivity and mitigate the increased traffic from the continuing growth and development that is occurring in this part of Lexington County.
2. This project will eliminate the existing merge condition that is creating delays on I-20 and US 378.
3. The proposed improvement will increase the level of service from an “F” to the SCDOT standard of “D”.
4. This project will enhance safety of existing motorist and the additional of over 3500 grade school students that will enter the area by August 2013.
5. Lexington School District One has committed \$1 million to this project.

A motion was made by Johnny Jeffcoat to approve the Prioritization and Justification of Corley Mill Road. Smokey Davis seconded the motion. All were in favor and it was unanimously approved by the committee.

8. OLD/NEW BUSINESS

There were none.

9. PUBLIC COMMENTS

There were none.

10. ADJOURN

Chairman Hardee adjourned the meeting at 9:25 a.m.



Memorandum

TO: All Members of the CMCOG Transportation Subcommittee

FROM: Reginald Simmons, Transportation Director

DATE: February 9, 2012

SUBJECT: SCDOT Restructuring Bill

REQUESTED ACTION

The Central Midlands Council of Governments staff will review the proposed SCDOT Restructuring Bill as submitted by Senators Grooms and Gregory.

BACKGROUND

On January 31st, Senators Grooms and Gregory submitted a restructuring bill that would abolish the existing Transportation Commission and enact the Secretary of Transportation to address the transportation needs of the State. Section 57-1-430 (A) of the bill reads as follows:

The secretary is ~~charged with the affirmative duty to carry out the policies of the commission, to~~ must administer the day-to-day affairs of the department, ~~to~~ direct the development and implementation of the Statewide Transportation Improvement Program and the Statewide Mass Transit Plan, ~~and to~~ ensure the timely completion of all projects undertaken by the department, and routine operation and maintenance requests, and emergency repairs, and ensure that the department's functions and purposes as provided by law are carried out in a timely, efficient manner. He must represent the department in its dealings with other state agencies, local governments, special districts, and the federal government. The secretary must prepare an annual budget for the department that must be approved by the ~~commission~~ General Assembly before becoming effective. In preparing the annual budget, the secretary must solely utilize revenue projections produced by the Board of Economic Advisors."

Staff will review this proposed bill for the committee.

ATTACHMENT

SCDOT Restructuring Bill

South Carolina General Assembly
119th Session, 2011-2012

S. 1162

STATUS INFORMATION

General Bill

Sponsors: Senators Grooms and Gregory

Document Path: I:\s-res\lkg\001nodo.kmm.lkg.docx

Introduced in the Senate on January 31, 2012

Currently residing in the Senate Committee on **Transportation**

Summary: Not yet available

HISTORY OF LEGISLATIVE ACTIONS

<u>Date</u>	<u>Body</u>	<u>Action Description with journal page number</u>
1/31/2012	Senate	Introduced and read first time
1/31/2012	Senate	Referred to Committee on Transportation

View the latest [legislative information](#) at the LPITS web site

VERSIONS OF THIS BILL

[1/31/2012](#)

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A BILL

11 TO AMEND SECTION 57-1-10 OF THE 1976 CODE,
12 RELATING TO DEFINITIONS CONCERNING THE
13 DEPARTMENT OF TRANSPORTATION, TO REMOVE THE
14 DEFINITION FOR "COMMISSION"; TO AMEND SECTION
15 57-1-20, RELATING TO THE ESTABLISHMENT OF THE
16 DEPARTMENT OF TRANSPORTATION, TO PROVIDE THAT
17 THE SECRETARY MAY ESTABLISH OTHER
18 DEPARTMENTAL DIVISIONS RATHER THAN THE
19 COMMISSION; TO AMEND SECTION 57-1-40, RELATING
20 TO PROHIBITED ACTS, TO REMOVE REFERENCES TO
21 DEPARTMENT OF TRANSPORTATION COMMISSIONERS;
22 TO AMEND SECTION 57-1-410, TO ADD QUALIFICATIONS
23 TO SERVE AS SECRETARY OF TRANSPORTATION, AND
24 TO PROVIDE THAT A SECRETARY OF TRANSPORTATION
25 APPOINTEE MAY NOT SERVE IN OFFICE UNTIL
26 SCREENED BY THE JOINT TRANSPORTATION
27 SCREENING AND OVERSIGHT COMMISSION; TO REPEAL
28 ARTICLE 3, CHAPTER 1 OF TITLE 7 RELATING TO THE
29 DEPARTMENT OF TRANSPORTATION COMMISSION; TO
30 AMEND SECTION 57-1-430, RELATING TO THE DUTIES
31 AND POWERS OF THE SECRETARY OF
32 TRANSPORTATION, TO REMOVE REFERENCES TO THE
33 DEPARTMENT OF TRANSPORTATION COMMISSION, AND
34 TO VEST THE POWERS AND DUTIES OF THE
35 COMMISSION IN THE SECRETARY; TO AMEND SECTION
36 57-1-460, RELATING TO THE EVALUATION AND
37 APPROVAL OF ROUTINE OPERATIONS AND
38 MAINTENANCE, TO DELETE THE CURRENT PROVISIONS
39 AND TO PROVIDE THAT CONSULTING CONTRACTS AND
40 SALES OF SURPLUS PROPERTY MUST BE CONDUCTED
41 PURSUANT TO THE CONSOLIDATED PROCUREMENT
42 CODE; TO AMEND SECTION 57-1-470, RELATING TO

1 COMMISSION REVIEW OF ROUTINE MAINTENANCE AND
2 EMERGENCY REPAIR REQUESTS, TO DELETE THE
3 CURRENT PROVISIONS AND TO VEST IN THE
4 SECRETARY THE DUTY TO DEVELOP AND IMPLEMENT
5 THE STATEWIDE TRANSPORTATION PLAN AND THE
6 STATEWIDE TRANSPORTATION IMPROVEMENT
7 PROGRAM; TO AMEND SECTION 57-1-490, RELATING TO
8 ANNUAL AUDITS, TO REMOVE REFERENCES TO THE
9 DEPARTMENT OF TRANSPORTATION COMMISSION, AND
10 TO PROVIDE FOR INTERNAL AUDITS PERFORMED BY
11 THE DEPARTMENT OF TRANSPORTATION OFFICE OF
12 INTERNAL AUDIT ESTABLISHED WITHIN THE
13 LEGISLATIVE AUDIT COUNCIL; TO AMEND ARTICLE 7,
14 CHAPTER 1 OF TITLE 57, RELATING TO THE JOINT
15 TRANSPORTATION REVIEW COMMITTEE, TO PROVIDE
16 THAT THE COMMITTEE MAY CONDUCT OVERSIGHT
17 INVESTIGATIONS, TO PROVIDE THAT THE COMMITTEE
18 MUST SCREEN SECRETARY OF TRANSPORTATION
19 APPOINTEES, AND TO DELETE PROVISIONS RELATED TO
20 SCREENING DEPARTMENT OF TRANSPORTATION
21 COMMISSION CANDIDATES; TO AMEND CHAPTER 1,
22 TITLE 57, RELATING TO THE DEPARTMENT OF
23 TRANSPORTATION, BY ADDING ARTICLE 9 TO
24 ESTABLISH THE JOINT TRANSPORTATION PLANNING
25 REVIEW COMMITTEE AND TO PROVIDE FOR ITS
26 MEMBERSHIP, POWERS, DUTIES, AND OBLIGATIONS; TO
27 AMEND CHAPTER 15 OF TITLE 2, RELATING TO THE
28 LEGISLATIVE AUDIT COUNCIL, BY ADDING SECTION
29 2-15-130, TO ESTABLISH THE DEPARTMENT OF
30 TRANSPORTATION INTERNAL AUDIT OFFICE WITH THE
31 LEGISLATIVE AUDIT COUNCIL, AND TO PRESCRIBE THE
32 INTERNAL AUDIT OFFICE'S POWERS, DUTIES, AND
33 RESPONSIBILITIES; AND TO AMEND CHAPTER 1, TITLE
34 57, RELATING TO THE DEPARTMENT OF
35 TRANSPORTATION, BY ADDING SECTION 57-1-45 TO
36 PROHIBIT CERTAIN ENGINEERS FROM PARTICIPATING
37 IN DEPARTMENTAL CONTRACTING FOR THREE YEARS
38 AFTER THEY LEAVE THE EMPLOYMENT OF THE
39 DEPARTMENT.

40
41 Be it enacted by the General Assembly of the State of South
42 Carolina:
43

1 SECTION 1. Section 57-1-10 and Section 57-1-20 of the 1976
2 Code are amended to read:

3

4 “Section 57-1-10. For the purposes of this title, the following
5 words, phrases, and terms are defined as follows:

6 (1) ~~‘Commission’ means the administrative and governing~~
7 ~~authority of the Department of Transportation.~~

8 (2) ‘Department’ means the Department of Transportation
9 (DOT).

10 (3)~~(2)~~ ‘Secretary of Transportation’ means the ~~Chief~~
11 ~~Administrative Officer~~ chief administrative officer of the
12 Department of Transportation.

13

14 Section 57-1-20. The Department of Transportation is
15 established as an administrative agency of state government which
16 is comprised of a the Division of Intermodal and Freight Programs,
17 ~~a the~~ Division of Construction Engineering and Planning, ~~and a the~~
18 Division of Finance and Administration, and other divisions
19 established by the secretary pursuant to Section 57-3-10(B). Each
20 division of the Department of Transportation shall have such
21 functions and powers as provided for by law.”

22

23 SECTION 2. Section 57-1-40 of the 1976 Code is amended to
24 read:

25

26 “Section 57-1-40. (A) It is unlawful for ~~a member of the~~
27 ~~commission or~~ an engineer, agent, or other employee, acting for or
28 on behalf of the department ~~or commission~~, to accept or agree to
29 accept, receive or agree to receive, or ask or solicit, either directly
30 or indirectly, with the intent to have his decision or action on any
31 question, matter, cause, or proceeding which at the time may be
32 pending or which by law may be brought before him in his official
33 capacity or in his place of trust or profit influenced, any:

34 (1) money;

35 (2) contract, promise, undertaking, obligation, gratuity, or
36 security for the payment of money or for the delivery or
37 conveyance of anything of value;

38 (3) political appointment or influence, present, or reward;

39 (4) employment; or

40 (5) other thing of value.

41 A person violating the provisions of subsection (A) is guilty of a
42 felony and, upon conviction, must be imprisoned not more than

1 five years and is disqualified forever from holding any office of
2 trust or profit under the Constitution or laws of this State.

3 (B) It is unlawful for a person to give or offer to give, promise,
4 or cause or procure to be promised, offered, or given, either
5 directly or indirectly, to ~~a member of the commission or~~ an
6 engineer, agent, or other employee acting for or on behalf of the
7 ~~commission or~~ department with the intent to have his decision or
8 action on any question, matter, cause, or proceeding which at the
9 time may be pending or which by law may be brought before him
10 in his official capacity or in his place of trust or profit influenced,
11 any:

- 12 (1) money;
- 13 (2) contract, promise, undertaking, obligation, gratuity, or
14 security for the payment of money or for the delivery or
15 conveyance of anything of value;
- 16 (3) political appointment or influence, present, or reward;
- 17 (4) employment; or
- 18 (5) other thing of value.

19 A person violating the provisions of subsection (B) is guilty of a
20 felony and, upon conviction, must be imprisoned not more than
21 five years and is disqualified forever from holding any office of
22 trust or profit under the Constitution or laws of this State.

23 (C) The ~~members and~~ department's employees ~~of the~~
24 ~~commission and employees of the department~~ are subject to the
25 provisions of Chapter 13, Title 8, the State Ethics Act, and the
26 provisions of Chapter 78, Title 15, the South Carolina Tort Claims
27 Act.”

28
29 SECTION 3. Article 3, Chapter 1, Title 57, relating to the
30 Commission of the Department of Transportation, is repealed.

31
32 SECTION 4. Section 57-1-410 of the 1976 Code is amended to
33 read:

34
35 “Section 57-1-410. (A) The Governor shall appoint, with the
36 advice and consent of the Senate, a Secretary of Transportation
37 who shall serve at the pleasure of the Governor. ~~A person~~
38 ~~appointed to this position shall possess practical and successful~~
39 ~~business and executive ability and be knowledgeable in the field of~~
40 ~~transportation.~~ The Secretary of Transportation shall receive such
41 compensation as may be established under the provisions of
42 Section 8-11-160 and for which funds have been authorized in the
43 general appropriations act.

- 1 (B) A person appointed to this position shall:
2 (1) possess practical and successful business and executive
3 ability;
4 (2) have background of at least fifteen years in any
5 combination of the following fields of expertise:
6 (a) transportation;
7 (b) construction;
8 (c) finance;
9 (d) law;
10 (e) environmental issues;
11 (f) management of large business or governmental
12 organizations or entities; or
13 (g) engineering; and
14 (3) be knowledgeable in the field of transportation.

15 (C) An appointee may not be confirmed by the Senate or serve
16 as secretary, even in an interim capacity, until he is found qualified
17 by possessing the abilities, experience, and minimum
18 qualifications contained in this section pursuant to Section
19 57-1-730.”
20

21 SECTION 5. Section 57-1-430(A) of the 1976 Code is amended
22 to read:

23
24 “Section 57-1-430. (A) The secretary is ~~charged with the~~
25 ~~affirmative duty to carry out the policies of the commission, to~~
26 must administer the day-to-day affairs of the department, ~~to~~ direct
27 the development and implementation of the Statewide
28 Transportation Improvement Program and the Statewide Mass
29 Transit Plan, ~~and to~~ ensure the timely completion of all projects
30 undertaken by the department, and routine operation and
31 maintenance requests, and emergency repairs, and ensure that the
32 department’s functions and purposes as provided by law are
33 carried out in a timely, efficient manner. He must represent the
34 department in its dealings with other state agencies, local
35 governments, special districts, and the federal government. The
36 secretary must prepare an annual budget for the department that
37 must be approved by the ~~commission~~ General Assembly before
38 becoming effective. In preparing the annual budget, the secretary
39 must solely utilize revenue projections produced by the Board of
40 Economic Advisors.”

41
42 SECTION 6. Section 57-1-460 of the 1976 Code is amended to
43 read:

1

2 “Section 57-1-460. (A)(1) ~~For purposes of this section ‘routine~~
3 ~~operation and maintenance’ includes, but is not limited to, signage~~
4 ~~of routes, pavement marking, replacement and installation of guard~~
5 ~~rails, repair and installation of signals, ‘chip seal’ of existing roads,~~
6 ~~enhancement projects such as streetscaping, adopt an interchange,~~
7 ~~bike lanes, curb cuts, installation of overhead message boards and~~
8 ~~cameras, research projects funded with federal aid, and pavement~~
9 ~~management system mapping. Contracts for consulting services~~
10 ~~are not subject to the department’s exemption from the~~
11 ~~procurement code contained in Section 11-35-710(1). Consulting~~
12 ~~services must be procured by the department pursuant to Chapter~~
13 ~~35, Title 11.~~

14 (2) ~~For purposes of this section ‘emergency repairs’ means,~~
15 ~~but is not limited to, unforeseen deterioration of roads, bridges, or~~
16 ~~equipment due to accidents, natural disasters, or other causes that~~
17 ~~could not have been expected or that pose an immediate danger to~~
18 ~~the public.~~

19 (B) ~~The secretary is charged with evaluating and approving the~~
20 ~~routine operation and maintenance requests or emergency repairs~~
21 ~~that are needed for existing roads and bridges that are not included~~
22 ~~in the Statewide Transportation Improvement Program. However,~~
23 ~~requests made for resurfacing, installation of new signals, curb cuts~~
24 ~~on primary roads, bike lanes, or construction projects under ten~~
25 ~~million dollars must be approved by the commission pursuant to~~
26 ~~Section 57-1-370(N). The sale, lease, or disposal of surplus~~
27 ~~property must be conducted pursuant to Article 15, Chapter 35,
28 ~~Title 11.”~~~~

29

30 SECTION 7. Section 57-1-470 of the 1976 Code is amended to
31 read:

32

33 “Section 57-1-470. (A)(1) ~~At each commission meeting the~~
34 ~~secretary must provide a detailed written report of all: The~~
35 ~~department, at the direction of the secretary, must develop the~~
36 ~~long-range Statewide Transportation Plan, with a minimum~~
37 ~~twenty-year forecast period at the time of adoption, that provides~~
38 ~~for the development, implementation, maintenance, preservation,~~
39 ~~and rehabilitation of the multimodal transportation system for the~~
40 ~~State with a particular emphasis placed on preserving, maintaining,~~
41 ~~and rehabilitation the state’s existing transportation infrastructure.~~

42 (1)(2) ~~requests that he has received since the last commission~~
43 ~~meeting for routine operation and maintenance or emergency~~

1 ~~repairs, his decision concerning those requests, and a status report~~
2 ~~on all approved requests; and~~ The plan must be developed in a
3 manner consistent with all federal laws or regulations and in
4 consultation with all interested parties, particularly the
5 metropolitan planning organizations and the nonmetropolitan
6 planning organization area local officials.

7 ~~(2)(3) pending projects approved by the commission~~
8 ~~pursuant to Section 57-1-370(N) and the status of those projects, if~~
9 ~~there has been any material change in the status since the last~~
10 ~~commission meeting.~~ The plan must be developed so that at the
11 end of the planning period the state's highway system is in good
12 structural and functional condition, department maintained bridges
13 are in good structural and functional condition, and the department
14 is implementing an acceptable maintenance standard throughout
15 the state highway system.

16 (4) The plan may be revised from time to time as permitted
17 by and in the manner required by federal laws or regulations.

18 ~~(B) The commission must review the report and make findings~~
19 ~~as to whether the requests approved by the secretary meet the~~
20 ~~needs of the public based upon objective and quantifiable factors.~~
21 Concerning the development, content, and implementation of the
22 Statewide Transportation Improvement Program, the department
23 must:

24 (1) allocate funds for preservation, maintenance, and
25 rehabilitation projects sufficient to produce an increase in the
26 number of roads and bridges in good structural and functional
27 condition necessary to achieve the standards required in the
28 Statewide Transportation Plan;

29 (2) develop a process for consulting with nonmetropolitan
30 local officials, with responsibility for transportation, that provides
31 an opportunity for their participation in the development of the
32 long-range Statewide Transportation Plan and the Statewide
33 Transportation Improvement Program;

34 (3) ensure that it is developed pursuant to federal laws and
35 regulations and develop an updated Statewide Transportation
36 Improvement Program from time to time as permitted by and in the
37 manner required by federal laws or regulations;

38 (4) develop and revise the Statewide Transportation Plan to
39 be included in the Statewide Transportation Improvement Program
40 for each nonmetropolitan planning area in consultation with local
41 officials with responsibility for transportation;

1 (5) work in consultation with each metropolitan planning
2 organization to develop and revise a transportation improvement
3 program for each metropolitan planning area;

4 (6) select from the approved Statewide Transportation
5 Improvement Program the transportation projects undertaken in
6 nonmetropolitan areas in consultation with the affected
7 nonmetropolitan local officials with responsibility for
8 transportation;

9 (7) select projects to be undertaken, in consultation with
10 each metropolitan planning organization, from the metropolitan
11 planning organization's approved transportation improvement plan
12 in metropolitan areas not designated as a transportation
13 management area;

14 (8) consult with each metropolitan planning organization, in
15 metropolitan areas designated as transportation management areas,
16 concerning the projects selected to be undertaken from the
17 approved transportation improvement program and in accordance
18 with the priorities approved by the transportation improvement
19 program; and

20 (9) when selecting projects to be undertaken from
21 nontransportation management area metropolitan planning
22 organizations' transportation improvement programs, or selecting
23 the nonmetropolitan area projects to be undertaken that are
24 included in the Statewide Transportation Improvement Program,
25 and when consulting with metropolitan planning organizations
26 designated as transportation management areas, the commission
27 shall establish a priority list of projects to the extent permitted by
28 federal laws or regulations, taking into consideration at least each
29 of the following criteria:

30 (a) financial viability including a life cycle analysis of
31 estimated maintenance and repair costs over the expected life of
32 the project;

33 (b) public safety;

34 (c) potential for economic development;

35 (d) traffic volume and congestion;

36 (e) truck traffic;

37 (f) the pavement quality index;

38 (g) environmental impact;

39 (h) alternative transportation solutions; and

40 (i) consistency with local land use plans.

41 A weighted ranking system that effectively precludes the
42 consideration of any of the criteria listed in this item may not be
43 utilized during the ranking process.

1 (C) Each Statewide Transportation Improvement Plan must
2 cumulatively produce at least one-fourth of the improvements in
3 roads and bridges necessary to achieve the good structural and
4 functional conditions required by the Statewide Transportation
5 Plan.

6 ~~(C)(D)~~ The commission may question the secretary concerning
7 the approval or denial of any request and the process the secretary
8 employed to reach his decision. The commission also may request
9 additional information concerning any request and further
10 investigate any request, approval, or denial of a project by the
11 secretary. The secretary must fully cooperate with any request
12 made of him or his office by the commission regarding any further
13 investigation undertaken by the commission. The secretary may
14 not finalize the development of or implement the Statewide
15 Transportation Plan or the Statewide Transportation Improvement
16 Plan until he receives and considers comments and
17 recommendations from the Joint Transportation Planning Review
18 Committee pursuant to Article 9 of this chapter.

19 ~~(D)(E)(1)~~ The text of the secretary's written report and the
20 findings made by the commission must be included in the
21 commission meeting minutes. A list of all projects approved by
22 the commission at its last meeting, together with its explanation of
23 the objective and quantifiable factors used to justify its approval,
24 also must be included in the commission meeting minutes. To the
25 extent that state funds are available to address the needs of the
26 state highway system, the department must develop a
27 comprehensive plan specifying objectives and performance
28 measures for the preservation and improvement of the existing
29 system. The projects included in this plan must be supported
30 solely by state funds including the Nonfederal Aid Highway Fund
31 or another state revenue source. When developing the plan
32 required by this subsection, the department must consider, but is
33 not limited to, considering the criteria in subsection (B)(9).

34 (2) When state funding is programmed for a project selected
35 from the plan to be undertaken, the department may use federal
36 law, regulations, or guidelines relevant to the type of project being
37 undertaken to be eligible for federal matching funds.

38 (F) To the extent permitted by federal laws or regulations, the
39 department has the authority to award all federal enhancement
40 grants. Annually, the department must submit a report to the
41 chairman of the Senate Transportation Committee, the chairman of
42 the Senate Finance Committee, the chairman of the House of
43 Representatives Ways and Means Committee, and the chairman of

1 the House of Representatives Education and Public Works
2 Committee describing the number of federal enhancement grants
3 that were awarded and the recipients of the federal enhancement
4 grants.

5 (G) Roads may be added to or removed from the state highway
6 system pursuant to Section 57-5-80.

7 (H) The department shall conduct a public hearing in each
8 county in which a public hearing is required by federal regulations
9 to allow the department to share information regarding the project
10 with the local community and to allow the local community to
11 address its concerns with department officials. The hearing must
12 include the opportunity for members of the public to address a
13 hearing officer in a format in which comments can be heard by the
14 general public.

15 (I) The department shall promulgate, by regulation, procedures
16 not inconsistent with federal laws for applying the criteria
17 contained in subsection (B)(9) for prioritizing projects.”

18
19 SECTION 8. Section 57-1-490 of the 1976 Code is amended to
20 read:

21
22 “Section 57-1-490. (A) The department shall be audited by a
23 certified public accountant or firm of certified public accountants
24 once each year to be designated by the State Auditor. The
25 designated accountant or firm of accountants shall issue audited
26 financial statements in accordance with generally accepted
27 accounting principles, and such financial statements shall be made
28 available annually by October fifteenth to the General Assembly.
29 The costs and expenses of the audit must be paid by the
30 department out of its funds.

31 (B) The Materials Management Office of the State Budget and
32 Control Board annually must audit the department’s internal
33 procurement operation to ensure that the department has acted
34 properly with regard to the department’s exemptions contained in
35 Section 11-35-710. The audit must be performed in accordance
36 with applicable state law, including, but not limited to,
37 administrative penalties for violations found as a result of the
38 audit. The results of the audit must be made available by October
39 fifteenth to ~~the Department of Transportation Commission,~~ the
40 Department of the Transportation’s chief internal auditor, the
41 Governor, the chairmen of the Senate Finance and Transportation
42 Committees, and the chairmen of the House of Representatives
43 Ways and Means and Education and Public Works Committees.

1 The costs and expenses of the audit must be paid by the
2 department out of its funds.

3 (C) The Legislative Audit Council shall either direct the
4 Department of Transportation Office of Internal Audit to conduct
5 or contract for an independent with a private firm to conduct a
6 performance and compliance audit of the department's finance and
7 administration division, mass transit division, and construction
8 engineering and planning division. This audit must be completed
9 by January 15, ~~2010~~ 2012. The Legislative Audit Council may
10 direct the Office of Internal Audit or contract for follow-up audits
11 ~~or conduct follow-up~~ audits as needed based upon the ~~audit's~~
12 ~~initial~~ findings contained in the initial audit conducted pursuant to
13 this section. The costs of these audits, including related
14 administrative and management expenses of the ~~Legislative Audit~~
15 ~~Council~~ Office of Internal Audit, are an operating expense of the
16 department. The department shall pay directly to the Legislative
17 Audit Council the cost of the audits.

18 (D) Copies of every audit conducted pursuant to this section
19 must be made available to the ~~Department of Transportation~~
20 ~~Commission,~~ the Department of Transportation chief internal
21 auditor, the Governor, the chairmen of the Senate Finance and
22 Transportation Committees, and the chairmen of the House of
23 Representatives Ways and Means and Education and Public Works
24 Committees.”

25
26 SECTION 9. Article 7, Chapter 1, Title 57 of the 1976 Code is
27 amended to read:

28
29 “ARTICLE 7.

30
31 JOINT TRANSPORTATION THE REVIEW AND OVERSIGHT
32 COMMITTEE OF THE DEPARTMENT OF
33 TRANSPORTATION

34
35 Section 57-1-710. There is hereby established a committee to
36 be known as the ~~Joint Transportation Review,~~ hereinafter referred
37 ~~to as the review committee,~~ and Oversight Committee of the
38 Department of Administration which must exercise the powers and
39 fulfill the duties described in this article.

40
41 Section 57-1-720. (A) The ~~review committee~~ Review and
42 Oversight is composed of the following ten members.

43 (1) From the Senate:

1 (a) the chairman of the Finance Committee or his
2 designee;
3 (b) the chairman of the Judiciary Committee or his
4 designee;
5 (c) the chairman of the Transportation Committee or his
6 designee; and
7 (d) two members appointed by the President Pro Tempore,
8 one member upon the recommendation of the Senate Majority
9 Leader and one member upon the recommendation of the Senate
10 Minority Leader.

11 (2) From the House of Representatives:

12 (a) the chairman of the Ways and Means Committee or
13 his designee;

14 (b) the chairman of the Education and Public Works
15 Committee or his designee; and

16 (c) ~~one member~~ three members of the House of
17 Representatives appointed by the Speaker of the House of
18 Representatives; ~~and~~

19 (d) ~~two members appointed by the Speaker of the House~~
20 ~~of Representatives from the state at large.~~

21 (B) In making appointments to the ~~review committee~~ Review
22 and Oversight Committee, race, gender, and other demographic
23 factors, such as residence in rural or urban areas, must be
24 considered to assure nondiscrimination, inclusion, and
25 representation to the greatest extent possible of all segments of the
26 population of the State.

27 (C) The ~~review committee~~ Review and Oversight Committee
28 must meet as soon as practicable after appointment and organize
29 itself by electing one of its members as chairman and such other
30 officers as the review committee may consider necessary.
31 Thereafter, the ~~review committee~~ Review and Oversight
32 Committee must meet as necessary to screen ~~candidates for~~
33 ~~election to the commission~~ Secretary of Transportation appointees,
34 conduct periodic oversight hearings, and at the call of the chairman
35 or by a majority of the members. A quorum consists of six
36 members.

37

38 Section 57-1-730. The review and oversight committee has the
39 following powers and duties:

40 (A)(1) to screen each ~~candidate applying for election to the~~
41 ~~commission~~ Secretary of Transportation appointee to determine if
42 the appointee is qualified and meets the requirements by law to
43 serve in office giving due consideration to ability, area of

1 expertise, dedication, compassion, common sense, and integrity of
2 the appointee; and

3 ~~(2) in screening candidates and making its findings, the~~
4 ~~review committee must give due consideration to:~~

5 ~~(a) ability, area of expertise, dedication, compassion,~~
6 ~~common sense, and integrity of each candidate; and~~

7 ~~(b) the impact that each candidate would have on the~~
8 ~~racial and gender composition of the commission, and each~~
9 ~~candidate's impact on other demographic factors represented on~~
10 ~~the commission, such as residence in rural or urban areas, to assure~~
11 ~~nondiscrimination to the greatest extent possible of all segments of~~
12 ~~the population of the State;~~

13 ~~(3)(2) to determine if each candidate is qualified and meets~~
14 ~~the requirements provided by law to serve as a member of the~~
15 ~~Department of Transportation Commission, make findings~~
16 ~~concerning whether each candidate an appointee is qualified, and~~
17 ~~deliver its findings to the Clerk of the Senate and the Clerk of the~~
18 ~~House of Representatives; and~~

19 ~~(4) to submit the names of all qualified candidates to the~~
20 ~~congressional district delegation for election.~~

21 (B) conduct periodic oversight hearings.

22
23 ~~Section 57-1-740. (A) For purposes of this section, a~~
24 ~~vacancy is created on the commission when a term expires, a new~~
25 ~~congressional district is created, or a commission member resigns,~~
26 ~~dies, or is removed from office as provided in Section~~
27 ~~57-1-330(C). If known in advance, the review committee may~~
28 ~~provide notice of a vacancy and begin screening prior to the actual~~
29 ~~date of the vacancy.~~

30 ~~(B) Whenever a commission member must be elected to fill a~~
31 ~~vacancy:~~

32 ~~(1) The review committee must forward a notice of the~~
33 ~~transportation commission district member vacancy to:~~

34 ~~(a) a newspaper of general circulation within the~~
35 ~~congressional district from which a commission member must be~~
36 ~~elected with a request that it be published at least once a week for~~
37 ~~four consecutive weeks;~~

38 ~~(b) any person who has informed the committee that he~~
39 ~~desires to be notified of the vacancy; and~~

40 ~~(c) to each member of the congressional district~~
41 ~~delegation.~~

42 ~~The committee may provide such additional notice that it deems~~
43 ~~appropriate.~~

1 ~~(2) The review committee may not accept a notice of~~
2 ~~intention to seek the office from any candidate until the review~~
3 ~~committee certifies to the clerk of the Senate and the clerk of the~~
4 ~~House of Representatives that the proper notices, required by this~~
5 ~~section, have been requested to be published or provided as~~
6 ~~required in this subsection.~~

7 ~~(3) The cost of the notification process required by this~~
8 ~~section must be absorbed and paid from the approved accounts of~~
9 ~~the Senate and the House of Representatives as contained in the~~
10 ~~annual appropriations act.~~

11 ~~(C) Any person desiring to be a candidate for election to fill a~~
12 ~~vacancy on the commission must file a notice of intention with the~~
13 ~~review committee no later than five business days after the last~~
14 ~~date the published notice appeared in a newspaper of general~~
15 ~~circulation. Upon the expiration of the notice of intention filing~~
16 ~~period, the review committee must provide every member of the~~
17 ~~affected congressional district delegation with a complete list of~~
18 ~~the people who filed a notice.~~

19 ~~(D)(1) When the notice of intention filing period closes, the~~
20 ~~review committee shall begin to conduct an investigation of~~
21 ~~candidates, as it considers appropriate, and may utilize the services~~
22 ~~of any agency of state government to assist in the investigation.~~
23 ~~Upon request of the review committee for assistance, an agency~~
24 ~~shall cooperate fully.~~

25 ~~(2)(a)(i) Upon completion of the candidate investigations,~~
26 ~~the chairman of the review committee shall schedule a public~~
27 ~~hearing concerning the qualifications of the candidates. Any~~
28 ~~person who desires to testify at the hearing, including the~~
29 ~~candidates, must furnish a written statement of his proposed~~
30 ~~testimony to the chairman of the review committee. This~~
31 ~~statement shall be furnished no later than forty eight hours prior to~~
32 ~~the date and time set for the hearing. The review committee shall~~
33 ~~determine the persons who shall testify at the hearing. All~~
34 ~~testimony, including documents furnished to the review~~
35 ~~committee, shall be submitted under oath and persons knowingly~~
36 ~~furnishing false information either orally or in writing shall be~~
37 ~~subject to the penalties provided by law for perjury and false~~
38 ~~swearing.~~

39 ~~(ii) During the course of the investigation, the review~~
40 ~~committee may schedule an executive session at which the~~
41 ~~candidates, and other persons who the review committee wishes to~~
42 ~~interview, may be interviewed on matters pertinent to the~~
43 ~~candidate's qualification for the office to be filled.~~

1 (iii) ~~The review committee shall render its tentative~~
2 ~~findings as to whether the candidates are qualified to serve on the~~
3 ~~commission as a district member and its reasons for making the~~
4 ~~findings within a reasonable time after the hearing. If only one~~
5 ~~person applies to fill a vacancy or if the review committee~~
6 ~~concludes there are fewer candidates qualified for a vacancy than~~
7 ~~those who initially filed, it shall submit to the congressional~~
8 ~~district delegation for election only the names and qualifications of~~
9 ~~those who are considered to be qualified. The nominations of the~~
10 ~~review committee for any candidate for the election to the~~
11 ~~commission are binding on the congressional district delegation,~~
12 ~~and it shall not elect a person not nominated by the review~~
13 ~~committee.—Nothing shall prevent the congressional district~~
14 ~~delegation from rejecting all persons nominated. In this event, the~~
15 ~~review committee shall submit another group of names and~~
16 ~~qualifications for that position. Further nominations in the manner~~
17 ~~required by this chapter must be made until the office is filled.~~

18 (b) ~~As soon as possible after the completion of the~~
19 ~~hearing, a verbatim copy of the testimony, documents submitted at~~
20 ~~the hearing, and findings of fact shall be transcribed and published~~
21 ~~in the journals of both houses or otherwise made available in a~~
22 ~~reasonable number of copies to the members of both houses and a~~
23 ~~copy must be furnished to each candidate.~~

24 (c)(i) ~~The review committee must transmit to the~~
25 ~~congressional district delegation the names of all qualified~~
26 ~~candidates.~~

27 (ii) ~~No member of the congressional district delegation~~
28 ~~may pledge his vote to elect a candidate until the review committee~~
29 ~~has released its written report concerning the qualifications of the~~
30 ~~candidate to the members of the appropriate congressional district~~
31 ~~delegation. The release of the written report of qualifications shall~~
32 ~~occur no earlier than forty eight hours after the names of the~~
33 ~~qualified candidates have been initially released to members of the~~
34 ~~appropriate congressional district delegation.~~

35 (iii) ~~No candidate may directly or indirectly seek the~~
36 ~~pledge of a vote from a member of the candidate's congressional~~
37 ~~delegation or, directly or indirectly, contact a statewide~~
38 ~~constitutional officer, a member of the General Assembly, or the~~
39 ~~Joint Transportation Review Committee regarding screening for~~
40 ~~the commission until the review committee has released its written~~
41 ~~report as to the qualifications of all candidates in a particular~~
42 ~~congressional district. For purposes of this section, 'indirectly~~
43 ~~seek the pledge' means the candidate, or someone acting on behalf~~

1 of and at the request of the candidate, requests another person to
2 contact a member of the General Assembly, a statewide
3 constitutional officer, or a member of the review committee on
4 behalf of the candidate before the review committee's release of
5 the written report of qualifications.

6 (iv) The prohibitions of this section do not extend to an
7 announcement of candidacy by the candidate and statements by the
8 candidate detailing the candidate's qualifications.

9 (d) A candidate may withdraw at any stage of the
10 proceedings, and in this event no further inquiry, report on, or
11 consideration of his candidacy shall be made.

12 (3) All records, information, and other material that the
13 review committee has obtained or used to make its findings of fact,
14 except materials, records, and information presented under oath at
15 the public hearing, shall be kept strictly confidential. After the
16 review committee has reported its findings of fact, or after a
17 candidate withdraws his name from consideration, all records,
18 information, and material required to be kept confidential must be
19 destroyed.

20 (4)(a) The review committee may, in the discharge of its
21 duties, administer oaths and affirmations, take depositions, and
22 issue subpoenas to compel the attendance of witnesses and the
23 production of books, papers, correspondence, memoranda, and
24 other records considered necessary in connection with the
25 investigation of the review committee.

26 (b) No person shall be excused from attending and
27 testifying or from producing books, papers, correspondence,
28 memoranda, or other records before the review committee on the
29 ground that the testimony or evidence, documentary or otherwise,
30 required of him may tend to incriminate him or subject him to a
31 penalty or forfeiture. However, no individual shall be prosecuted
32 or subjected to any criminal penalty based upon testimony or
33 evidence submitted or forfeiture for or on account of any
34 transaction, matter, or thing concerning which he is compelled,
35 after having claimed his privilege against self incrimination, to
36 testify or produce evidence, documentary or otherwise, except that
37 the individual so testifying shall not be exempt from prosecution
38 and punishment for perjury and false swearing committed during
39 testimony.

40 (e) In case of contumacy by any person or refusal to obey
41 a subpoena issued to any person, any circuit court of this State or
42 circuit judge thereof within the jurisdiction of which the person
43 guilty of contumacy or refusal to obey is found, resides, or

1 ~~transacts business, upon application by the review committee, may~~
2 ~~issue to the person an order requiring him to appear before the~~
3 ~~review committee to produce evidence, if so ordered, or to give~~
4 ~~testimony concerning the matter under investigation. Any failure~~
5 ~~to obey an order of the court may be punished as contempt.~~
6 ~~Subpoenas shall be issued in the name of the review committee~~
7 ~~and shall be signed by the review committee chairman. Subpoenas~~
8 ~~shall be issued to those persons as the review committee may~~
9 ~~designate.~~

10 (5) ~~The privilege of the floor in either house of the General~~
11 ~~Assembly may not be granted to a candidate, or any immediate~~
12 ~~family member of a candidate unless the family member is serving~~
13 ~~in the General Assembly, during the time the candidate's~~
14 ~~application is pending before the review committee and during the~~
15 ~~time the candidate's election is pending.~~

16
17 Section 57-1-750. (A) Committee members are entitled to
18 such mileage, subsistence, and per diem as authorized by law for
19 members of boards, committees, and commissions while in the
20 performance of the duties for which appointed. These expenses
21 shall be paid from the general fund of the State on warrants duly
22 signed by the chairman of the review committee and payable by
23 the authorities from which they are appointed.

24 (B) The expenses associated with the review committee's
25 duties to qualify and nominate candidates for the Department of
26 Transportation Commission must be paid from the legislative
27 appropriation of the general fund of the State.

28
29 Section 57-1-760. (A) The review committee must use clerical
30 and professional employees of the General Assembly for its staff,
31 who must be made available to the review committee.

32 (B) The review committee may employ or retain other
33 professional staff, upon the determination of the necessity for other
34 staff by the review committee and as may be funded in the
35 legislative appropriation of the annual general appropriations act.

36 (C) The costs and expenses of the review committee must be
37 funded in the legislative appropriation of the annual general
38 appropriations act.”

39
40 SECTION 10. Chapter 1, Title 57 of the 1976 Code is amended
41 by adding:

42
43 “Article 9

1
2 Joint Transportation Planning Review Committee
3

4 Section 57-1-800. (A) There is hereby created a joint
5 committee of the General Assembly to be known as the Joint
6 Transportation Planning Review Committee to study and monitor
7 policies and procedures relating to the development,
8 implementation, maintenance, preservation, and rehabilitation of
9 the multimodal statewide transportation system and to provide
10 advisory assistance concerning the Statewide Transportation Plan
11 and the Statewide Transportation Improvement Program.

12 (B) The committee is comprised of the following ten members
13 of the General Assembly:

14 (1) three members of the Senate Transportation Committee,
15 appointed by the chairman;

16 (2) three members of the House of Representatives
17 Education and Public Works Committee, appointed by the
18 chairman;

19 (3) the Chairman of the Senate Finance Committee, or his
20 designee;

21 (4) the Chairman of the House Ways and Means Committee,
22 or his designee;

23 (5) the President Pro Tempore of the Senate, or his designee;
24 and

25 (6) the Speaker of the House of Representatives, or his
26 designee.

27 (C) Terms of members of the committee shall correspond to the
28 terms for which they are elected to the General Assembly. The
29 committee shall elect officers of the committee, but any person so
30 elected may succeed himself if elected to do so.

31 (D) The expenses of the committee shall be paid from approved
32 accounts of both houses. The Legislative Council and all other
33 legislative staff organizations shall provide such assistance as the
34 joint committee may request.

35
36 Section 57-1-810. The committee is specifically charged with,
37 but not limited to, the following responsibilities:

38 (1) to review, prior to development by the Secretary of
39 Transportation, the long-range Statewide Transportation Plan, and
40 any amendments to the plan, required pursuant to Section
41 57-1-470(A);

42 (2) to review, prior to development by the Secretary of
43 Transportation, the Statewide Transportation Improvement

1 Program, and any amendments to the program, required pursuant
2 to Section 57-1-470(B);

3 (3) to provide comments and recommendations to the
4 Secretary of Transportation concerning the Statewide
5 Transportation Plan and the Statewide Transportation
6 Improvement Program. The committee's comments and
7 recommendations must be considered by the secretary prior to
8 completing the development of the plan and the program;

9 (3) to consult with independent transportation experts
10 concerning the State's transportation planning processes and assist
11 in the formulation of short and long-term recommendations for the
12 General Assembly;

13 (4) to carry out all of the above assigned responsibilities in
14 consultation and cooperation with the Department of
15 Transportation;

16 (5) to report its findings and recommendations to the
17 General Assembly annually or more frequently if deemed
18 advisable by the committee.

19

20 Section 57-1-820. To assist the committee in carrying out its
21 responsibilities, the Department of Transportation shall provide to
22 the commission:

23 (1) a complete description of each project proposed for
24 inclusion in the Statewide Transportation Plan or Statewide
25 Transportation Improvement Program;

26 (2) a statement of justification for the proposed project
27 including an explanation of the project's rank;

28 (3) the estimated total cost of the proposed project;

29 (4) the method of financing for the proposed project; and

30 (5) an estimate of future maintenance costs associated with
31 the proposed project.”

32

33 SECTION 11. Chapter 15, Title 2 of the 1976 Code is amended
34 by adding:

35

36 “Section 2-15-130. (A) There is established within the
37 Legislative Audit Council the Department of Transportation
38 Internal Audit Office. The functions and duties of the office shall
39 be carried out by the Department of Transportation Chief Internal
40 Auditor who shall be hired by the director of the Legislative Audit
41 Council. The chief internal auditor may employ other
42 professional, administrative, technical, and clerical personnel as he

1 determines to be necessary in the proper discharge of the duties
2 and responsibilities of the office.

3 (B)(1) The office shall establish, implement, and maintain the
4 exclusive internal audit function of all of the Department of
5 Transportation's functions, duties, responsibilities, and activities.
6 Audits shall be performed at the direction of the director of the
7 Legislative Audit Council or as required by law.

8 (2) The audits performed by the chief internal auditor must
9 comply with recognized governmental auditing standards. The
10 department and any entity contracting with the department must
11 fully cooperate with the chief internal auditor in the discharge of
12 his duties and responsibilities and must timely produce all books,
13 papers, correspondence, memoranda, and other records considered
14 necessary in connection with an internal audit. All final audit
15 reports must be submitted to the commission and the chairman of
16 the Senate Transportation Committee, the chairman of the Senate
17 Finance Committee, the chairman of the House of Representatives
18 Education and Public Works Committee, and the chairman of the
19 House of Representatives Ways and Means Committee before
20 being made public.

21 (C) The Department of Transportation must reimburse the
22 Legislative Audit Council for reasonable expenses associated with
23 providing office space, telephone services, computer and
24 technology services, and related supplies for the chief internal
25 auditor and his support staff.”

26
27 SECTION 12. Chapter 1, Title 57 of the 1976 Code is amended
28 by adding:
29

30 “Section 57-1-45. (A) For the purposes of this section, ‘senior
31 level engineers’ means an engineer employed by the department
32 whose primary duties and responsibilities are not carried out on the
33 engineering district level.

34 (B) For a period of three years after leaving the employment of
35 the department, the Secretary of Transportation, departmental
36 deputy secretaries, division deputy directors, the Chief Highway
37 Engineer, and all senior level engineers may not respond to or
38 participate in responding to a request for proposal or request for
39 qualification solicited by the department, bid on, negotiate, or
40 participate in the performance of a contract with the department, or
41 otherwise attempt to influence the award of a contract by the
42 department if the contract would have fallen under their
43 responsibilities while employed by the department.

1 (C)(1) A person violating the provisions of section is guilty of a
2 felony and, upon conviction, must be imprisoned not more than
3 five years and is disqualified forever from holding any office of
4 trust or profit under the Constitution or laws of this State.

5 (2) A contract awarded to a person in violation of this
6 section, or to the employer of a person in violation of this section,
7 is void and must be relet. The department may recover all direct
8 and indirect expenses associated with reletting the contract from
9 the person, or employer of the person, in violation of this section.”

10

11 SECTION 13. On the effective date of this act the Department of
12 Transportation Commission is dissolved. All powers, duties,
13 responsibilities, and authority vested in the commission on the
14 effective date of this act not otherwise accounted for in this act are
15 devolved upon the Secretary of Transportation.

16

17 SECTION 14. References in the 1976 Code to the “Department
18 of Transportation Commission”, or the “commission”, that refer to
19 the administrative and governing authority of the Department of
20 Transportation or the functions, powers, duties, responsibilities,
21 and authority of the Department of Transportation Commission
22 prior to the effective date of this act, mean the “Secretary of
23 Transportation”, “Secretary”, “Department of Transportation”, or
24 “department”, as appropriate. The Code Commissioner shall
25 change references in the 1976 Code to conform to this act, and
26 such changes must be included in the next printing of replacement
27 volumes or cumulative supplements.

28

29 SECTION 15. This act takes effect upon approval by the
30 Governor.

31

----XX----

32



Memorandum

TO: All Members of the CMCOG **Transportation Subcommittee**

FROM: Reginald Simmons, Transportation Director

DATE: February 9, 2012

SUBJECT: Transportation Reauthorization

REQUESTED ACTION

The Central Midlands Council of Governments staff will review the current legislative actions regarding the reauthorization of SAFETEA-LU.

BACKGROUND

It's been in excess of 860 days since the *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users* (SAFETEA-LU) expired on September 30, 2009. Since its expiration, Congress has passed eight (8) continuing resolutions that are designed to fund approved highway, interstate, bridge, transit, and enhancement projects. The last resolution was passed in the latter part of 2011 and is set to expire on March 31, 2012.

Over the past several weeks, there has been increased activity in both the House and Senate to get an approved highway bill before the end of March. Both chambers have recently released reauthorization bills with the House of Representatives presenting a \$260 billion bill over the next five (5) years and the Senate presenting a \$109 billion bill over the next two years. Both reauthorization bills will keep funding at current SAFETEA-LU levels but offer a myriad of changes in the operations and implementation of transportation programs. Staff will discuss these proposed changes with the committee.

ATTACHMENT

Public Transportation Act of 2012 Fact Sheet
House of Representatives Bill Summary

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Federal Public Transportation Act of 2012

Bill Highlights

- Reauthorizes federal public transportation programs at current funding levels for two fiscal years.
- Improves the safety of public transportation systems by improving the effectiveness of federal and state oversight and requiring public transportation safety plans at transit agencies.
- Establishes a system to monitor and manage public transportation assets to improve safety and increase reliability and performance.
- Eliminates earmarks from federal transit programs.
- Streamlines the New Starts process for transit construction to accelerate project delivery by eliminating duplicative steps and speed federal decision-making.
- Establishes a State of Good Repair program to assist public transportation systems in addressing the backlog of maintenance needs.

Sec. 3005, 49 USC 5303/5304, Metropolitan and State Transportation Planning

- Improves metropolitan and statewide planning processes to incorporate a more comprehensive performance-based approach, drawing on the planning provisions developed in the “Moving Ahead for Progress in the 21st Century Act” as reported by the Committee on Environment and Public Works. The use of performance targets will assist metropolitan areas and states in targeting limited resources to improve the condition and performance of transportation assets, including public transportation assets.
- Existing metropolitan planning organizations (MPOs) will be required to meet minimum requirements established by the Secretary of Transportation. All existing MPOs will have the opportunity to review their planning process in order to meet the new minimum requirements.
- Creates a pilot program for transit-oriented development planning to advance planning efforts that support transit-oriented development around fixed guideway capital investment and core capacity projects (New Starts projects). Improved development around public transportation projects enhances economic development, increases transit ridership, and promotes multi-modal connectivity and accessibility. Grants for planning will help communities develop strategies to facilitate transit-oriented development.

Sec. 3007, 49 USC 5306, Public Transportation Emergency Relief Program

- Establishes a program to assist States and public transportation systems pay for unusually heavy expenses resulting from a disaster.

Secs. 3008 and 3027, 49 USC 5307 and 5336, Urbanized Area Formula Grants

- Maintains the basic structure for urbanized area grants under Section 5307. The program continues to be the largest program for federal investment in public transportation. The “Job Access and Reverse Commute” program (JARC) has been moved to Section 5307.
- Maintains the existing criteria for use of 5307 funds for capital projects (operating expenses continue to be ineligible) in urban areas with a population greater than 200,000. In addition, the bill maintains language allowing rural areas to use up to 100 percent of their 5307 funding for operating expenses. A modified “100 bus rule” has been included, allowing systems with 75-100 buses operating in peak service to use up to 25% of their 5307 funding for operating expenses and those operating 75 or fewer buses to use up to 50% for operating expenses.
- Includes a provision establishing a program to allow public transportation providers temporary flexibility during periods of high unemployment to use a limited portion of their 5307 funds for up to two years, provided they meet the established criteria, for operating expenses.

Sec. 3009, 49 USC 5308, Clean Fuel Grant Program

- Establishes the Clean Fuel Grant Program as a competitive program to support the use of clean fuel vehicles in public transportation. Grants will be available for the acquisition of clean fuel vehicles and related equipment, the construction of facilities for clean fuel vehicles, and the rehabilitation of existing facilities to accommodate the use of clean fuel vehicles.
- Grants can be made to all modes of public transportation, but not less than 65 percent of available funds in each fiscal year must fund eligible bus-related projects, and not less than 10 percent of available funds in each fiscal year must fund eligible bus-related facility and infrastructure projects.

Sec. 3010, 49 USC 5309, Fixed Guideway Capital Investment Grants (New Starts)

- Reforms and streamlines the “Fixed Guideway Capital Investment Grant” program (previously the “Major Capital Investment Grant” or “New Starts” program). Based on extensive feedback from project sponsors and other stakeholders, the bill streamlines the New Starts process to accelerate project delivery by eliminating duplicative steps in project development and instituting a modified program structure that will allow the Federal Transit Administration to review proposals quickly, without sacrificing effective project oversight.
- Duplicative steps in the existing process are eliminated under the bill, and the number of federal approvals required to advance a project is decreased. *See Attached Flow Chart.
- Projects under \$100 million can utilize an expedited review process if they meet standards of similar highly qualified projects. The bill also creates a category of demonstration projects for

sponsors that propose a significant amount of local and/or private funding and reduce the federal commitment required for the projects.

- Establishes a new category for capital investment projects by authorizing core capacity projects, which will undergo the same process as other true “new starts” projects but provide an opportunity for existing systems to make necessary but significant investments that are currently not eligible for funding.
- Modifies the definition of Bus Rapid Transit project eligible under this Section to ensure that such projects actually mimic the characteristics of fixed guideway systems.

Sec. 3011, 49 USC 5310, Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities

- Consolidates the existing “Elderly and Disabled” (Sec. 5310) and “New Freedom” (Sec. 5317) programs into a single program that increases the level of resources available beyond the level of funding available under existing programs.
- The consolidated program will continue to ensure support for non-profit providers of transportation, and it will continue to make available funds to public transportation services that exceed the requirements of the Americans with Disabilities Act, as previously provided under the “New Freedom” program.
- Maintains the requirement for communities to develop a coordinated public transportation-human services transportation plan to improve the delivery of service.

Sec. 3012, 49 USC 5311, Formula Grants for Other Than Urbanized Areas (Rural Formula)

- Maintains the existing structure providing funding to states for public transportation in rural areas. The 5311 formula is expanded to include the rural component of the current “Job Access and Reverse Commute” program that is being eliminated, and the level of public transportation service that is provided within a state’s rural areas will be considered in the distribution of new funds.
- Funding for the “Public Transportation on Indian Reservations” program is increased to \$30 million. The Secretary will distribute \$10 million competitively each fiscal year, and \$20 million will be available to Indian Tribes as formula grants to continue and expand public transportation services.
- Establishes a new “Appalachian Development Public Transportation Program” to distribute \$20 million to states within the Appalachian region with a goal of providing greater public transportation opportunities to residents in these challenged areas.

Sec. 3013, 49 USC 5312, Research, Development, Demonstration, and Deployment Projects

- Modifies the existing research program by eliminating earmarks and reforming the program to provide research focused on public transportation with a goal of providing meaningful results.
- Creates a clearly delineated pipeline with criteria for continued progress with a goal of taking an idea from the research phase through to demonstration and deployment in the field.
- For the first time, the program specifically provides funding for demonstration and deployment of products and services that may benefit public transportation; a major impediment to putting new technology to use in the field often cited by public transportation providers.

Sec. 3014, 49 USC 5314, Technical Assistance and Standards Development

- Provides grants for activities that help public transportation systems more effectively and efficiently provide public transportation service and helps grant recipients administer funds received under this chapter;
- Authorizes the Federal Transit Administration to continue making grants for the development of voluntary standards by the public transportation related to procurement, safety and other subjects and authorizes the Secretary to fund technical assistance centers to assist grant recipients following a competitive process.

Sec. 3015, 49 USC 5318, Bus Testing Facilities

- Instructs the Secretary to certify no more than 4 comprehensive facilities for testing new bus models for maintainability, reliability, safety, performance (including braking performance), structural integrity, fuel economy, emissions, and noise.
- Includes a new requirement that vehicles tested at these facilities meet the requirements (receive a passing grade) established by the Secretary in order for a recipient to spend federal dollars to procure the vehicle.

Sec. 3016, 49 USC 5322, Public Transportation Workforce Development and Human Resource Programs

- Authorizes the Secretary to make grants, or enter into contracts for, activities that address human resource and workforce needs as they apply to public transportation activities.
- Requires public transportation agencies to spend a portion of their 5307 formula funding on workforce development activities, unless the Secretary determines that a transit agency has an adequate workforce development program or has partnered with a local educational institution to sufficiently addresses workforce development and human resource needs.

- Creates the Innovative Public Transportation Workforce Development Program, a competitive grant program to promote and assist the development of innovative workforce development and human resource activities within the public transportation industry.

Sec. 3019, 49 USC 5326, Transit Asset Management

- Establishes a system to monitor and manage public transportation assets to improve safety and increase reliability and performance. Recipients are required to establish and use an asset management system to develop capital asset inventories and condition assessments, and report on the condition of their system as a whole, including a description of the change in overall condition since the last report.
- The Secretary of Transportation is required to define the term ‘state of good repair,’ including objective standards for measuring the condition of capital assets.

Sec. 3021, 49 USC 5329, Public Transportation Safety Program

- Establishes a National Public Transportation Safety Plan to improve the safety of all public transportation systems that receive Federal funding. The Secretary will develop minimum performance standards for vehicles used in public transportation and establish a training program for Federal and State employees who conduct safety audits and examinations of public transportation systems.
- Requires public transportation agencies to establish comprehensive safety plans, thus encouraging a “culture of safety” in which each employee completes a safety training program that includes continuing safety education and training. Public transportation agency safety plans will be approved by the agency’s board of directors, and reviewed and updated annually.
- Improves the effectiveness of State Safety Oversight Agencies and increases federal funding for safety. States will submit proposals for state safety oversight programs for rail fixed guideway public transportation systems to the Secretary, and upon approval, receive funding at an 80 percent Federal share. The Act builds on the existence of State safety oversight agencies and requires them to be independent legal entities that have the authority, staff training and expertise to enforce Federal safety law.
- Provides new enforcement over public transportation safety to the Secretary of Transportation. In the event a public transportation agency is in violation of Federal safety law, the Secretary will have the authority to require more frequent oversight; impose more frequent reporting requirements; impose conditions on grants; withhold grant funds; and impose civil penalties. Public transportation agencies will be given the opportunity to address violations before these penalties are imposed, and Congress must be notified prior to the Secretary withholding grant funds or imposing civil penalties.

Sec 3027, 49 USC 5337, State of Good Repair Grant Program

- Modernizes, and renames, the old “Rail Modernization” program by establishing a program structure and defining eligible expenses under the program with a goal of moving all systems towards a state of good repair and enabling systems to maintain a state of good repair.
- The program has two major components: a rail fixed guideway state of good repair formula program and a high intensity bus state of good repair formula program. In addition, the bill establishes a discretionary grant program for rail fixed guideway systems.
- Funding tiers and earmarks in the old rail modernization program have been eliminated and replaced with a new structure that focuses on the age of the system, revenue vehicle miles and directional route miles. Additionally, the new proposal no longer recognizes highway high occupancy vehicle lanes as eligible directional route miles if they are not reserved for the sole use of public transportation vehicles.
- The new high intensity bus state of good repair formula program focuses on systems that have a large number of bus rapid transit, express bus or other high intensity bus routes that may not qualify as a fixed guideway.

Sec. 3029, 49 USC 5338, Authorizations

- See Attached table for funding amounts

Sec. 3030, 49 USC 5340, Apportionments based on growing States and high density States formula factors

- Maintains the existing formula for providing funding to growing states and high density states

	FPTA -- TF	FPTA -- GF
Administration		\$ 108,350,000
Section 5329 -- Safety [non-add]		[\$10,000,000]
Section 5326 -- Asset Management Program [non-add]		[\$1,000,000]
Section 5305 Planning Programs	\$ 144,850,000	
Section 5303 Metropolitan Transportation Planning Program [non-add]	[\$103,275,920]	
Transit Oriented Development Pilot - Planning [non-add]	[\$20,000,000]	
Section 5304 Statewide Transportation Planr.	[\$21,574,080]	
Section 5306 Emergency Relief		
Section 5307 Urbanized Area Formula Program	\$ 4,756,161,500	
Job Access and Reverse Commute [non-add]	[\$144,760,000]	
Ferry takedown (of which \$10M is for geographically constrained areas) [non-add]	[\$35,000,000]	
Takedown -- STIC (1% of the total apportionment) [non-add]	[\$45,763,915]	
Section 5308 Clean Fuels Program	\$ 65,150,000	
Setaside for activities under 5312 [non-add]	[\$8,500,000]	
Section 5309 Capital Investment Grants		\$ 1,955,000,000
Section 5310 Elderly and Disabled	\$ 248,600,000	
Section 5311 Nonurbanized Area Formula Program	\$ 591,190,000	
Takedown -- Transit Asset Management [non-add]		
Takedown -- Rural Transit Assistance Program (RTAP) [non-add]	[\$10,860,276]	
Takedown -- Public Transportation on Indian Reservations [non-add]	[\$30,000,000]	
Takedown -- Appalachian Development Public Transportation Pogram[non-add]	[\$20,000,000]	
Job Access and Reverse Commute [non-add]	[\$46,190,000]	
Section 5312 Research, Development, Demonstration, and Deployment Projects	\$ 34,000,000	
Section 5313 Transit Cooperative Research Program (TCRP)	\$ 6,500,000	
Section 5314 Technical Assistance and Standards Development	\$ 4,500,000	
Section 5315 National Transit Institute	\$ 5,000,000	
Section 5320 Paul S. Sarbanes Transit in Parks Program		\$ 26,900,000
Section 5322 Workforce Development and Human Resource Programs	\$ 2,000,000	
Section 5335 National Transit Database	\$ 3,850,000	
Section 5337 SGR	\$ 1,987,263,500	
Fixed Guideway SGR [non-add]	[\$1,874,763,500]	
Fixed Guideway SGR Discretionary		\$ 7,463,000
Motorbus SGR [non-add]	[\$112,500,000]	
Section 5340 Growing States and High Density States Formula	\$ 511,500,000	
	\$ 8,360,565,000	\$ 2,097,713,000



The American Energy & Infrastructure Jobs Act

Summary of Transportation Reauthorization Proposal

Transportation and Infrastructure Committee
U.S. House of Representatives



The American Energy & Infrastructure Jobs Act

The American Energy & Infrastructure Jobs Act (H.R. 7) is an initiative to create long-term American jobs by linking improvements to the nation's transportation infrastructure with increased production of domestic energy.

This key component of House Republicans' efforts to put Americans back to work is a long-term reauthorization of federal highway, transit and highway safety programs that will streamline and consolidate federal transportation programs, cut red tape and government bureaucracy, increase funding flexibility for states and local governments, better leverage existing infrastructure resources, and encourage more private sector participation in building infrastructure.

This comprehensive infrastructure proposal also makes significant reforms to federal passenger and freight rail transportation, hazardous materials transportation, and waterborne transportation programs.

Furthermore, while the previous surface transportation law included over 6,300 earmarks, the American Energy & Infrastructure Jobs Act contains no earmarks. There has been no larger transportation reform bill since the creation of the Interstate Highway System in 1956.

This legislation will not be another short-term stimulus failure. Instead, this initiative will provide long-term stability, critical to a state's ability to plan major transportation infrastructure projects and provide lasting employment. And by removing barriers to American energy production, this fiscally responsible legislation will provide a new, sustainable source of revenue for rebuilding our highways and bridges, reduce energy costs, and create jobs across the country.

The American Energy & Infrastructure Jobs Act will be the most significant jobs legislation this Congress will consider.

Summary of Transportation & Infrastructure Provisions

Transportation Reauthorization Funding

- Authorizes approximately \$260 billion over five years for Highway, Transit, and Highway Safety programs, consistent with current funding levels.
- Provides at least 5 years of stability for states to undertake major infrastructure projects.
- Contains no earmarks – previous transportation law contained over 6,300 earmarks.

Transportation Program Consolidation & Reform

- Most significant transportation reform bill since the Interstate Highway System was created in 1956.
- Consolidates or eliminates nearly 70 duplicative programs or programs not in the federal interest.
- Eliminates requirements for states to spend highway funding on non-highway activities, but permits states to fund those activities if they so choose.
- Allows states to fund their most critical infrastructure needs.

Streamlining the Project Delivery Process

- Cuts bureaucratic red tape by allowing federal agencies to review transportation projects concurrently, delegates project approval authority to states, and establishes hard deadlines for federal agencies to make decisions on permits and project approvals.
- Expands the list of activities that qualify for Categorical Exclusions – an approval process that is faster and simpler than the standard process.
- By cutting the project review process time in half, we will ensure environmental protections remain in place while making infrastructure improvements in a much more effective manner.

Better Leverage Existing Resources

- Encourages more private sector participation in building infrastructure
- Funds the Transportation Infrastructure Finance and Innovation Act (TIFIA) program for low interest loans at \$1 billion per year
- Incentivizes states to build upon the existing State Infrastructure Bank program.

Program Reform & Reducing the Size of Government

Currently, there are over 100 federal surface transportation programs, many of which were created over the last 50 years to address narrow interests beyond the original programmatic goals. Many of these programs are duplicative or do not serve a national interest; they simply add to the massive federal bureaucracy. Dollars that could be directed to infrastructure are instead diverted to the continued administration of these programs.

The American Energy & Infrastructure Jobs Act reforms surface transportation programs by consolidating or eliminating approximately 70 programs that are duplicative or do not serve a federal purpose. This proposal identifies programs that serve similar purposes, such as the Indian Reservation Roads Program and the Transit on Indian Reservations Program, and consolidates them into a Tribal Transportation Program. The proposal also identifies programs that do not serve a federal interest, such as the National Historic Covered Bridge Preservation Program and the Nonmotorized Transportation Pilot Program, and eliminates them.

Furthermore, states will no longer be required to spend highway funding on non-highway activities. States will be permitted to fund such activities if they choose, but they will be provided the flexibility to identify and address their most critical infrastructure needs. However, this additional flexibility will not be unchecked. States will be held accountable for their spending decisions through new performance measures and transparency requirements.

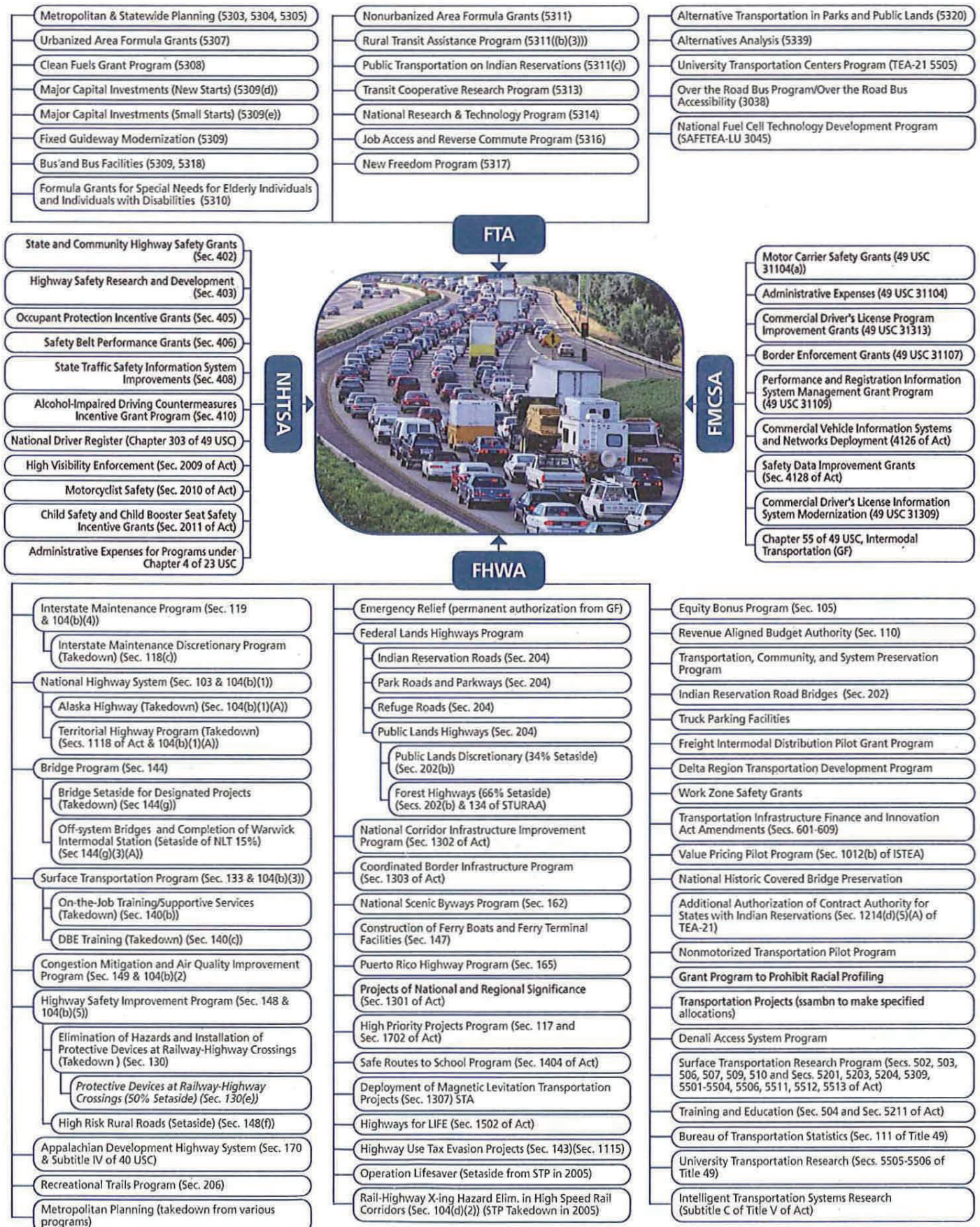
The Highway Trust Fund was created in the 1950s to construct the Interstate Highway System. In the years since, numerous new programs have been created and the focus of our federal transportation programs has expanded well beyond their original intent and goals. This legislation refocuses the Highway Trust Fund on programs and projects that have regional and national impacts and eliminates programs that do not.

Reforming programs and reducing the federal bureaucracy under the American Energy & Infrastructure Jobs Act will ensure a more streamlined federal government and the more effective investment of resources.



See the following two pages for charts representing the current surface transportation programmatic bureaucracy, and the consolidation proposed under the American Energy & Infrastructure Jobs Act.

Current Surface Transportation Programs & Bureaucracy



Surface Transportation Program Consolidation & Reform

Urbanized Area Formula Grants	Major Capital Investments (New Starts)	Major Capital Investments (Small Starts)
Fixed Guideway Modernization	Coordinated Access and Mobility Programs	Rural Area Formula Grants
Metropolitan and Statewide Planning Program	Bus and Bus Facilities Formula Grants	FTA Transit Research
Rural Transit Assistance Program		

FTA



State Highway Safety Grants
National Driver Register
Administrative Expenses

NHTSA

Motor Carrier Safety Grants
Administrative Expenses
Commercial Driver's License Program Implementation Grants
Commercial Vehicle Information Systems and Networks Deployment

FMCSA

FHWA

National Highway System Program	Surface Transportation Program	Highway Safety Improvement Program
Congestion Mitigation and Air Quality Improvement Program	Equity Bonus Program	Appalachian Development Highway System
Federal Lands Highway Program	Tribal Transportation Program	Territorial Highway Program
Puerto Rico Highway Program	Emergency Relief Highway Program	Metropolitan Planning Program
Surface Transportation Research and Deployment	Construction of Ferry Boats and Ferry Terminal Facilities	Statewide Planning Program
Transportation Infrastructure Finance and Innovation Act	Recreational Trails Program	State Infrastructure Banks

Streamlining Project Delivery & Cutting Red Tape

Government bureaucracy and red tape in the approval and permitting process create needless infrastructure project delays and cost increases. According to the Federal Highway Administration, highway projects can take up to 15 years to complete. While state and local governments deal with the seemingly endless review process, transportation capacity and safety improvements stall, construction costs escalate, and job creation is put on hold.

For example, after a series of fatal accidents on a roadway in Toulumne County, California, a project was proposed to widen the roadway by no more than two feet in any location, construct 2,000 feet of new guardrail, replace two culvert pipes, and resurface the road. This project took over seven years just to complete the environmental reviews and permit approvals. Unfortunately, during that seven year period there were additional serious accidents on the roadway that could have been avoided.

Project reviews are necessary to help protect the environment, but a more reasonable process is essential to using our resources more effectively. It can be done. When a design flaw caused the collapse of the I-35W bridge in Minnesota in 2007, the replacement was contracted to be completed in just 437 days and was completed significantly ahead of schedule using innovative contracting methods and a streamlined environmental review process.

The American Energy & Infrastructure Jobs Act streamlines and condenses the project review process by cutting bureaucratic red tape, allowing federal agencies to review transportation projects concurrently, setting hard deadlines for federal agencies to approve projects, and delegating more decision making authority to states.

Efficient Environmental Reviews

- Condenses the final environmental impact statement and combines it with the record of decision.
- Provides a single system to review decisions and reduce bureaucratic delay by requiring concurrent reviews and setting deadlines for approvals.
- Classifies projects in the right-of-way as categorical exclusions under NEPA.

Clarifies Eligibility for Pre-Construction Activities

- Allows for acquisition of land during NEPA where the transaction itself does not cause a change in the area's land use or cause adverse environmental effects.
- Encourages corridor preservation to reduce project costs, delays, and impacts on communities.
- Allows detailed design prior to NEPA completion at state expense, making such work eligible for federal reimbursement only if the project is subsequently approved.

Promotes Integrated Planning and Programmatic Approaches

- Builds on the efforts in section 6001 of SAFETEA-LU and allows environmental decisions made in the planning process to be carried forward into the NEPA process.
- Clarifies authority for programmatic approaches (rather than project-by-project reviews).

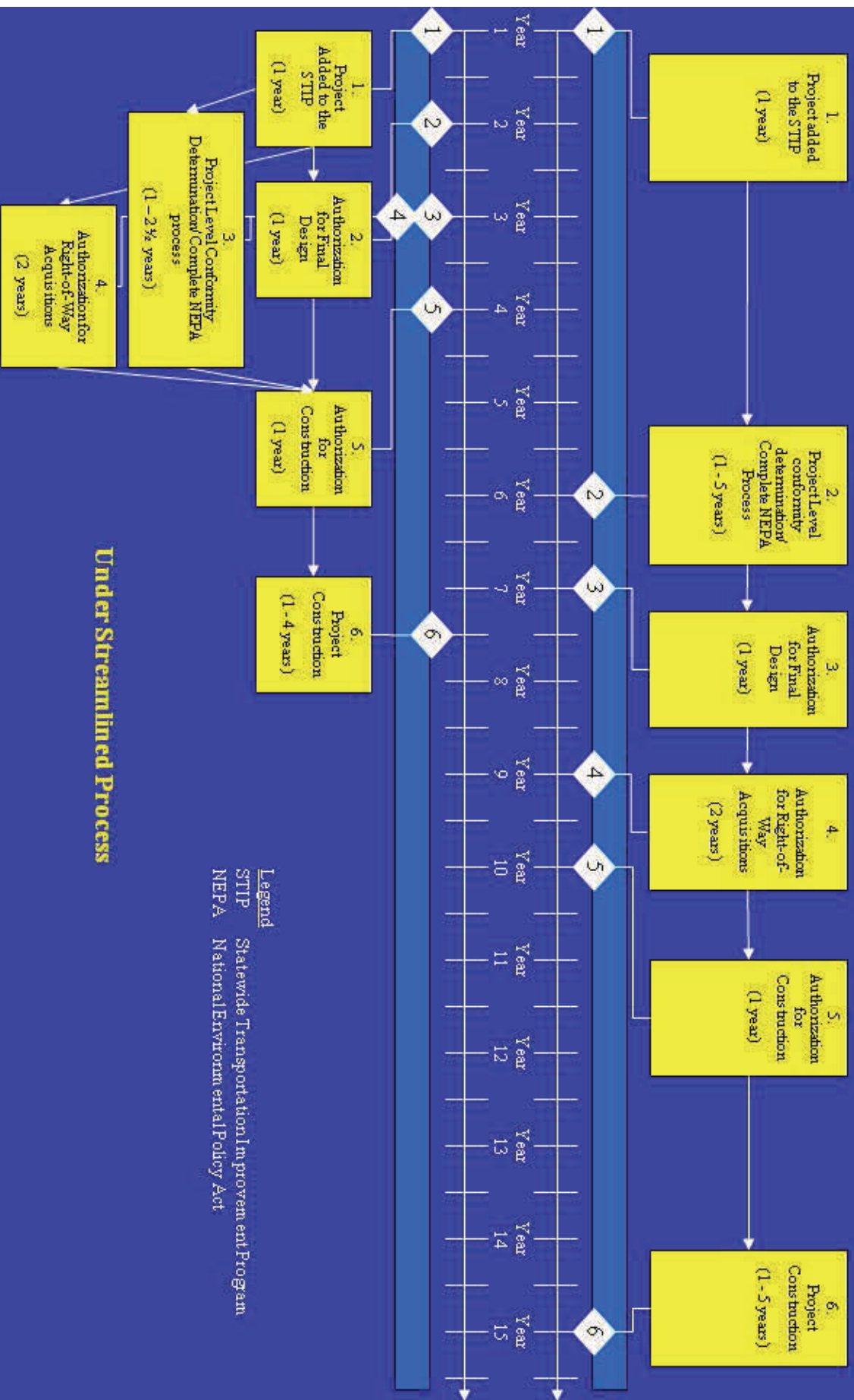
By cutting the project review process time in half, we can ensure environmental protections remain in place while investing infrastructure resources in a much more effective manner.

See chart on the following page for a comparison of the current bureaucratic process and the streamlined process under the American Energy & Infrastructure Jobs Act.



Highway Project Development Process

Under Current Bureaucratic Process



Increasing Private Sector Participation & Maximizing Existing Revenue

The American Energy & Infrastructure Jobs Act maximizes the buying power of infrastructure resources in a number of ways, including better leveraging existing federal funds and adopting policies that will attract private sector investment.

Private sector interest in building infrastructure is considerable, and encouraging the private sector to responsibly partner with federal and state governments can significantly enhance the amount of available federal revenue. While public-private partnerships cannot address all of our infrastructure needs, significant changes in existing programs and policy will attract private sector investment.

The American Energy & Infrastructure Jobs Act builds upon and improves the successful Transportation Infrastructure Finance and Innovation Act (TIFIA) loan program. The measure dedicates \$1 billion per year to the TIFIA program resulting in \$10 billion in low interest loans to fund at least \$20 billion per year in transportation projects. Providing additional funding for TIFIA will help meet demand for credit assistance for transportation projects and enable increased leveraging of Highway Trust Fund dollars with state, local and private-sector funding.

The legislation does not create a new National Infrastructure Bank, but rather builds upon existing State Infrastructure Banks. States will be encouraged to create and capitalize State Infrastructure Banks to provide loans for transportation projects at the state and local level. The percentage of federal highway funding that a state can dedicate to a State Infrastructure Bank will be increased from 10 percent to 15 percent and states will receive a specific amount of funding that can only be used to fund State Infrastructure Banks.

This proposal also calls for unlocking existing revenue sources that are not being fully utilized for their intended purpose.

Under this initiative, existing lanes on the Interstate Highway System remain toll-free, however states will have the ability to toll new capacity on the Interstate System. States will also have greater flexibility to toll non-Interstate highways.

The Harbor Maintenance Trust Fund is supported by cargo fees and is critical for dredging and harbor channel improvements. Despite growing maritime infrastructure needs, these funds are not being fully utilized to maintain our ports.

This measure improves the underutilized Rail Rehabilitation and Improvement Financing (RRIF) Program by creating a faster and more predictable application process and allowing more flexibility in loan terms. While RRIF was created to allow for loans and loan guarantees to help improve the nation's rail infrastructure, the slow process for approval and constricting terms have stunted its potential. This proposal ensures the program is able to help address the nation's growing rail infrastructure needs at a time when the economy is continuing its recovery.

The American Energy & Infrastructure Jobs Act will allow federal dollars to work more effectively and generate additional revenue for infrastructure improvements and job creation. By more effectively leveraging available resources, we can achieve more infrastructure and employment benefits per dollar invested.



Federal Highway Program

Fifty years ago the goal of the Federal Highway Program was to fund road construction projects that facilitated interstate travel and interstate commerce. After the Interstate Highway System was largely completed, the Federal Highway Program began to fund a broader range of projects. Today there are more than 50 programs run by the Federal Highway Administration that fund projects ranging from graffiti removal to planting of wildflowers.

The American Energy & Infrastructure Jobs Act eliminates approximately 40 Federal Highway Administration programs and focuses our limited federal resources on projects that have regional or national significance. Federal approvals and processes are streamlined to ensure projects are expedited, and administrative overhead can be reduced through programmatic reform, increasing the amount of funding available for projects.

State Flexibility and Accountability

- States maintain the opportunity to fund the broad range of eligible projects under the current Surface Transportation and Congestion Mitigation and Air Quality programs, but they are not required to spend a specific amount of funding on specific types of projects, such as transportation museums or landscaping.
- More than 90 percent of Federal Highway Program funding will be distributed through formula programs to state departments of transportation, allowing state and local transportation officials to prioritize projects rather than bureaucrats in Washington D.C.
- States are provided the maximum amount of flexibility in choosing what projects to fund with their federal highway dollars, but will be held accountable for those choices through performance measures and transparency requirements.

A Focus on the National Highway System

- The new Federal Highway Program focuses primarily on the National Highway System – a 160,000 mile system of roads that includes the Interstate Highway System and other roads important to the nation's economy, defense and freight mobility.
- Approximately half of the funding provided for the Federal Highway Program is directed to funding projects on the National Highway System.



Highway Safety

- The legislation continues the Highway Safety Improvement Program and allows funding to be used on safety projects on virtually any road.

Improved Leveraging of Resources

- The bill better leverages our limited federal resources, including through the TIFIA program and the existing State Infrastructure Bank structure. This approach keeps the federal financing bureaucracy at a minimum and maximizes states' financial capabilities.

Highway & Motor Carrier Safety

Since 2005, highway fatalities have steadily declined from 43,510 to 32,885 in 2010. There also has been a dramatic reduction in severe and fatal crashes involving large trucks and buses in recent years, with fatalities from crashes dropping from 5,539 in 2005 to 3,944 in 2010.

Reauthorization of the highway and motor carrier safety programs under the American Energy & Infrastructure Jobs Act continues the progress made in recent years by incorporating performance measures into each state's highway safety plan. Each state is required to establish quantifiable targets for each performance measure. This will help states target the most effective highway and motor carrier safety activities and hold states accountable for how they spend their federal funding.

NHTSA Safety Programs

- Focuses funding on NHTSA's highway safety grant program that distributes money to states through a formula for highway safety activities.
- Clarifies that states can use highway safety grant funding for initiatives to increase seat belt use, prevent impaired driving, and improve motorcycle safety.
- Changes the distribution formula for NHTSA's highway safety grant program so states that have laws and programs designed to increase seat belt use, prevent impaired driving, or improve the safety of young drivers receive more funding.
- Holds states accountable by requiring them to spend federal funding in areas where they are not meeting performance goals.

Motor Carrier Safety Programs

- Ensures that federal regulations keep unsafe trucks and buses off the road while allowing companies that operate in a safe and responsible manner to continue to do so.
- Prevents companies that have been shut down for violating safety standards from reincarnating as new carriers to avoid compliance.
- Consolidates grant programs and institutes new performance measures to focus state motor carrier safety efforts on reducing the number of crashes and fatalities involving large trucks and buses.
- Establishes annual inspection programs for buses.
- Requires the Secretary to establish a clearinghouse of positive drug and alcohol test results by commercial drivers.
- Requires the Secretary to prescribe regulations to establish minimum training requirements for commercial drivers.



Federal Transit Programs

The American Energy & Infrastructure Jobs Act focuses on federal transit policies and programs that most effectively contribute to public transportation services that meet the needs of commuters, transit-dependent individuals, and occasional transit riders.

Private Sector Partnering

- Removes current barriers that prevent the private sector from offering public transportation services.
- Provides incentives to vanpools and intercity bus operators to participate in federally-supported transit services.
- Requires that private intercity and charter bus operators be given reasonable access to federally-funded transit facilities.
- Encourages and rewards public-private partnerships when building new rail transit systems.

Focuses on Formula Programs

- Repeals discretionary programs that are unpredictable and not transparent, and focuses available funding on formula programs that provide stable and predictable funding to states and local transit agencies.
- Increases the percentage of available formula funds for transit programs that benefit suburban and rural areas, and programs that support transit services for the elderly, disabled, and transit-dependent.

Streamlines and Simplifies

- Consolidates and simplifies human service transportation programs from three separate programs to one.
- Streamlines the New Starts and Small Starts competitive grant program, cutting project development time in half.

Improves Transit Safety

- Strengthens the rail transit safety oversight program without creating a new federal transit safety bureaucracy.



Passenger & Freight Rail Transportation

Government can do more to effectively leverage federal investments in infrastructure. Additionally, regulatory overreach and misguided spending programs are crippling our economy, stifling job creation, and wasting our limited federal resources. The American Energy & Infrastructure Jobs Act streamlines the project delivery process, reduces regulatory burdens, and promotes accountability and responsibility while maintaining the highest commitment to rail safety.

Leveraging Federal Investments

- Creates a faster and more predictable application process for Rail Rehabilitation and Improvement Financing (RRIF) loans.
- Increases access to the RRIF program by providing more flexible loan terms.

Streamlining Project Delivery

- Expedites project review which reduces costs to project sponsors.
- Increases coordination among federal agencies and allows for review of projects concurrently.
- Creates greater certainty by establishing hard deadlines for agency action and decisions.
- Delegates more decision making authority to the states.
- Expands classes of projects excluded from extensive environmental review.

Reducing Regulatory Burdens

- Increases the opportunity for the successful implementation for Positive Train Control (PTC) by changing the implementation deadline and allowing for technology neutral solutions, while maintaining our commitment to safety.
- Improves the rulemaking process at the Federal Railroad Administration to protect against overly-burdensome regulations and red tape.

Reforming Amtrak

- Places limits on Amtrak's use of federal funds to focus it on providing better service.
- Cuts Amtrak's operating subsidy by 25 percent in FY 2012 and 2013.
- Clarifies Amtrak Inspector General's authority to protect federal funds against fraud, waste, and abuse.
- Requires Amtrak's money-losing, poorly managed food and beverage services to be competitively bid.

Promoting Accountability and Saving Money

- Eliminates the congestion grants set aside program in the Intercity Passenger Rail grants program, currently authorized at \$100 million per year in FY 2012 and 2013.
- Terminates Capital Grants program for Class II and Class III Railroads, authorized at \$50 million per year.



Hazardous Materials Transportation

The Pipeline and Hazardous Materials Safety Administration oversees the safe and secure shipment of nearly 1.4 million daily movements of hazardous materials, including such common products as paints, fuels, fertilizers, alcohols, chlorine, fireworks, and batteries that are essential to the general public and local economies.

The American Energy & Infrastructure Jobs Act advances safety, efficiency, and accountability in the transportation of hazardous materials and promotes the nation's economic health through certainty and uniformity in the regulation of those materials.

Promotes Regulatory Certainty and Transparency

- Reforms rulemaking process to be less burdensome on industry and ensure economic effects are properly accounted for.
- Establishes regulatory certainty through notice and comment rulemaking.
- Promotes efficiency by incorporating safe special permits into regulations.
- Requires program review to improve administration of motor carrier permitting.

Creates Uniformity to Grow Business and the Economy

- Eliminates differing state requirements for notification, enforcement, and permitting that hinder the free-flow of commerce and do not increase safety levels.
- Establishes uniform training and enforcement among the states.
- Ensures the nation's expert on hazardous materials transportation remains its international representative.
- Eliminates overlapping federal jurisdiction.
- Protects economic growth by preempting unreasonable burdens on commerce.

Reduces Regulatory Burdens

- Bans certain regulations whose cost-effectiveness is unproven.
- Ensures no new user fees will be imposed on the industry.
- Eliminates unnecessary package inspections that burden commerce.
- Ensures penalties are fairly imposed on those entities responsible for violations.

Promotes Accountability and Saves Money

- Allows flexibility and requires accountability in managing grant programs.
- Eliminates wasteful earmarks.



Waterborne Transportation

Waterborne trade at our nation's ports is vital to the American economy, and millions of jobs throughout the country are dependent upon the commercial shipping industry. The American Energy & Infrastructure Jobs Act encourages funds collected for the maintenance of our nation's harbors to be invested for that purpose.

Calls for Dedicated Funds Go to Infrastructure Programs

- The Harbor Maintenance Trust Fund (HMTF) provides funds for the United States Army Corps of Engineers (Corps) to carry out the dredging of navigation channels to their authorized depths and widths. The HMTF is based upon a user fee collected from shippers that utilize the nation's coastal ports. Unfortunately, we do not invest all of these fees back into harbor maintenance. In FY 2010 the HMTF grew by \$1.3 billion, but only \$828.6 million was spent. If the status quo continues, the HMTF is estimated to have a balance of \$6.93 billion at the end of FY 2012.
- This legislation calls for HMTF expenditures to be tied to revenues and spent for harbor maintenance as intended.





Memorandum

TO: All Members of the CMCOG **Transportation Subcommittee**

FROM: Reginald Simmons, Transportation Director

DATE: February 9, 2012

SUBJECT: FY 2012 TIGER Grants

REQUESTED ACTION

The Central Midlands Council of Governments staff will review the FY 2012 TIGER Grants Program. On January 31st, USDOT published its final Notice of Funding Availability in the Federal Register for the next round of TIGER grants.

BACKGROUND

On November 18, 2011, the President signed the Consolidated and Further Continuing Appropriations Act, 2012 (Pub. L. 112-055, Nov. 18, 2011) (FY 2012 Appropriations Act). The FY 2012 (FY12) Appropriations Act appropriated \$500 million to be awarded by the Department of Transportation (DOT) for National Infrastructure Investments. This appropriation is similar, but not identical to the appropriation for the Transportation Investment Generating Economic Recovery, or the TIGER Discretionary Grant Program authorized and implemented pursuant to the American Recovery and Reinvestment Act of 2009 (Recovery Act).

- As with the TIGER and TIGER II programs, the FY11 TIGER programs, funds for the FY12 TIGER program are to be awarded on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or region.
- Like the FY11 Appropriations Act, the FY12 Act **does not** provide any funding for projects solely for the planning, preparation, or design of capital projects (TIGER Planning Grants); however, these activities may be eligible to the extent that they are part of an overall construction project that receives TIGER Discretionary Grants funding.
- For the FY12 program, DOT will make up to \$100 million available for high speed and intercity passenger rail projects in this round of funding.

Staff will present this grant program to the committee.

ATTACHMENT

TIGER FY 2012 Fact Sheet

FY2012 TIGER Discretionary Grant Program

Objectives of the TIGER Discretionary Grant Program

- On November 18, 2011, the President signed the Consolidated and Further Continuing Appropriations Act, 2012 (Pub. L. 112-055, Nov. 18, 2011) (FY 2012 Appropriations Act). The FY 2012 (FY12) Appropriations Act appropriated \$500 million to be awarded by the Department of Transportation (DOT) for National Infrastructure Investments. This appropriation is similar, but not identical to the appropriation for the Transportation Investment Generating Economic Recovery, or the TIGER Discretionary Grant Program authorized and implemented pursuant to the American Recovery and Reinvestment Act of 2009 (Recovery Act).
 - As with the TIGER and TIGER II programs, the FY11 TIGER programs, funds for the FY12 TIGER program are to be awarded on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or region.
 - Like the FY11 Appropriations Act, the FY12 Act **does not** provide any funding for projects solely for the planning, preparation, or design of capital projects (TIGER Planning Grants); however, these activities may be eligible to the extent that they are part of an overall construction project that receives TIGER Discretionary Grants funding.
 - For the FY12 program, DOT will make up to \$100 million available for high speed and intercity passenger rail projects in this round of funding.

Funding and Types of Awards:

- The FY 2012 Appropriations Act specifies that TIGER Discretionary Grants may be not less than \$10 million and not greater than \$200 million.
 - TIGER Discretionary Grants may be used for up to 80 percent of the cost
- For projects located in rural areas, the minimum TIGER Discretionary Grant size is \$1 million.
 - Not less than \$120 million of the funds provided for TIGER Discretionary Grants may be used for projects located in rural areas
- - DOT is generally defining “rural area” as any area not in an urbanized area, as such term is defined by the Census Bureau
 - For projects located in rural areas the FY 2012 Appropriation Act does not require matching funds
- Up to \$175 million of the \$500 million available for TIGER Discretionary Grants may be used to pay the subsidy and administrative costs of the Transportation Infrastructure Finance and Innovation Act (TIFIA).
- Pursuant to the FY12 Appropriations Act, no more than 25 percent of the funds made available for TIGER Discretionary Grants, or (\$125 million) may be awarded to projects in a single State.

Eligible Applicants: State, local, and tribal Governments, including U.S. territories, transit agencies, port authorities, metropolitan planning organizations (MPOs), other political subdivisions of State or local Governments, and multi-State or multi-jurisdictional groups applying through a single lead applicant (for multi-jurisdictional groups, each member of the group, including the lead applicant, must be an otherwise eligible applicant as described above).

Eligible Projects: Capital investments in surface transportation infrastructure. Types of projects include, but are not limited to:

- highway or bridge projects eligible under title 23, United States Code;
- public transportation projects eligible under chapter 53 of title 49, United States Code;
- passenger and freight rail projects;
- port infrastructure investments; and
- Eligible projects do not include research, demonstration, or pilot projects that do not result in publically accessible surface transportation infrastructure.

Evaluation Criteria: TIGER Discretionary Grants will be awarded based on two categories of selection criteria, “Primary Selection Criteria” and “Secondary Selection Criteria.”

- The **Primary Selection Criteria** include:
- **Long-Term Outcomes:** The Department will give priority to projects that have a significant impact on desirable long-term outcomes for the Nation, a metropolitan area, or region.
The following long-term outcomes will be given priority:
 - *State of Good Repair:* Improving the condition of existing transportation facilities and systems, with particular emphasis on projects that minimize life-cycle costs
 - *Economic Competitiveness:* Contributing to the economic competitiveness of the U.S. over the medium- to long-term
 - *Livability:* Fostering livable communities through place-based policies and investments that increase transportation choices and access to transportation services for people in communities across the U.S.
 - *Environmental Sustainability:* Improving energy efficiency, reducing dependence on oil, reducing greenhouse gas emissions and benefitting the environment
 - *Safety:* Improving the safety of U.S. transportation facilities and systems.
- **Job Creation & Economic Stimulus:** Job creation and near-term economic activity remain a top priority of this Administration; therefore, DOT will give priority to projects that are expected to quickly create and preserve jobs and promote rapid increases in economic activity, particularly jobs and activity that benefit economically distressed areas as defined by section 301 of the Public Works and Economic

Development Act of 1965, as amended (42 U.S.C. 3161) (“Economically Distressed Areas”).

- The **Secondary Selection Criteria** include:
 - Innovation: DOT will give priority to projects that use innovative strategies to pursue the long-term outcomes outlined above
 - Partnership: DOT will give priority to projects that demonstrate strong collaboration among a broad range of participants and/or integration of transportation with other public service efforts

Important Dates:

- Pre-applications: The pre-application system will open on or before February 13, 2012.
- Deadline for Pre-Applications February 20, 2012
- Application System Opens: February 22, 2012
- Deadline for Applications: March 19, 2012



Memorandum

TO: All Members of the CMCOG **Transportation Subcommittee**

FROM: Reginald Simmons, Transportation Director

DATE: February 9, 2012

SUBJECT: TIP Amendment – Installation of ADA Ramps

REQUESTED ACTION

The Central Midlands Council of Governments staff requests a recommendation of approval to amend the 2009-2015 TIP to adjust the funding for the City of Columbia’s Enhancement Project – Installation of ADA Ramps.

BACKGROUND

In FY 2009, the CMCOG Board approved the Installation of ADA Ramps Enhancement Project as submitted by the City of Columbia. The funding for this project was approved as follows:

\$123,467	Federal
<u>\$162,177</u>	<u>Local</u>
\$285,644	Total

This funding represents an overmatching of the local funds needed to meet the required 60/40 match. The city proposes to reduce this overmatch and meet the minimum 40% local match as required by the COATS Enhancement Guidelines. The new amount will be as follows:

\$123,467	Federal
<u>\$ 82,311</u>	<u>Local</u>
\$205,778	Total

Staff will request approval of this amendment.

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Memorandum

TO: All Members of the CMCOG **Transportation Subcommittee**

FROM: Reginald Simmons, Transportation Director

DATE: February 9, 2012

SUBJECT: Central Columbia Mobility Improvement Project

REQUESTED ACTION

The Central Midlands Council of Governments staff requests a recommendation of approval to amend the 2009-2015 Transportation Improvement Plan to add \$1.8 million in Section 5307 funds to the Central Columbia Mobility Improvement Project.

BACKGROUND

On December 8, 2011, the CMCOG Board added the Central Columbia Mobility Improvement Project to the COATS 2009-2015 TIP. This project attempts to address issues adversely affecting Columbia's public mobility, economic development, and quality of life. Project partners include the City of Columbia, the University of South Carolina (USC), Central Midlands Regional Transit Authority (CMRTA), and the South Carolina Department of Transportation (SCDOT). While the entire project involves transformative changes to Assembly Street, Greene Street, and several railroad crossings, the bulk of the work will occur on Assembly Street from Elmwood Avenue to Rosewood Drive. The aim is to preserve Assembly Street as a major thoroughfare, while also reducing congestion, creating a safe pedestrian-friendly atmosphere, and improving the connectivity of City residents, visitors, and college students. Staff will present a request to add additional funding to this project.

ATTACHMENT

Project Description

Central Columbia Mobility Improvement Project

The Central Columbia Mobility Improvement Project attempts to address issues adversely affecting Columbia's public mobility, economic development, and quality of life. Project partners include the City of Columbia, the University of South Carolina (USC), Central Midlands Regional Transit Authority (CMRTA), and the South Carolina Department of Transportation (SCDOT). While the entire project involves transformative changes to Assembly Street, Greene Street, and several railroad crossings, the bulk of the work will occur on Assembly Street from Elmwood Avenue to Rosewood Drive. The aim is to preserve Assembly Street as a major thoroughfare, while also reducing congestion, creating a safe pedestrian-friendly atmosphere, and improving the connectivity of City residents, visitors, and college students.

The current focal point of the Central Columbia Mobility Improvement Project involves the area along Assembly Street between Gervais and Blossom streets. It is within the context of this area (i.e., between these two intersections) that we have received a positive review from FTA while awaiting a final decision as to the eligibility of using Section 5307 funds to complete some (if not all) of the proposed work.

Proposed improvements in this area include the following:

- Replacing existing bus stop benches with covered bus shelters
- Installing new pedestrian crosswalks
- Providing pedestrian and/or street lighting
- Adding landscaping (e.g., trees along the street)
- Inserting a bike lane
- Adding public art
- Installing security cameras
- Installing bike racks
- Installing a street clock
- Installing a route information kiosk
- Implementing a Bikeshare Program
- Extending the existing sidewalks

This six-block stretch is a pivotal area for several employment, educational, and transit facilities. Consequently, the project partners are focusing their efforts on making this area more pedestrian and transit friendly while reducing congestion and decreasing vehicular air pollutants.

USC, the City of Columbia, and Richland County have all made significant commitments to reduce greenhouse gas emissions and improve air quality as part of a collaborative effort to address climate change, prevent non-attainment by the EPA for the Columbia area, and improve the health and quality of life for our community. In addition, USC has become carbon neutral under the American College & Universities Presidents' Climate Commitment, the City has signed the Mayor's Climate Protection Action Agreement, and Richland County has joined the Cool

Counties Program. Consequently, it is our intention to increase and improve the use of pedestrian walkways and increase bus and bike routes in the USC campus core and along major corridors, such as Assembly and Greene streets. Improving the transit system and adding convenient and safe bus stops for the downtown and campus area would provide a major opportunity for students, commuters, and campus visitors to utilize public systems instead of their own vehicles, drastically reducing the volume of CO₂ and pollution produced in the Columbia area.

Currently, the architectural environment of the intersections along Assembly Street in the college district favors vehicular traffic with far less regard for pedestrian safety. In fact, a recent traffic study conducted by USC showed that 3,000 pedestrians cross the intersection of Assembly and Greene streets daily. The University expects (conservatively) this number to triple once the construction of the Darla Moore School of Business is completed in December 2013. Peak pedestrian crossings, corresponding with class changes, anticipate 50 to 80 pedestrians gathering to cross through this intersection at each light change.

Therefore, USC has developed a plan, with input from SCDOT and support from the City of Columbia, which would eliminate left turns at the intersection of Assembly and Greene streets and widen the center median to create a safe haven to more fully acknowledge the pedestrian crossing element at these intersections. Other proposed amenities such as scored concrete crosswalks, landscaping, enhanced lighting, and wider landings with brick pavers for queuing while waiting for walk signals will further enhance pedestrian safety.

With the CMRTA actively identifying high density student areas to service, it is also extremely important to provide not only bus stops, but also larger queuing and mid-block staging areas at intersections along Assembly Street. In addition, there are several state agencies and hotels located along this area of Assembly Street, the employees of which make up a large contingent of bus riders. In fact, the CMRTA has identified the bus stops located at College and Assembly streets as well as Gervais and Assembly streets as major service points for riders participating in JARC, Mid-day Circular, and Park-and-Ride programs.

Ultimately, USC and the City of Columbia aspire for Assembly Street to properly balance the aesthetics of an environment shared by pedestrians and vehicles while improving the transit system and encouraging its widespread use.