

MINUTES  
 SENATE INTERIM COMMITTEE ON TRANSPORTATION, TECHNOLOGY  
 AND LEGISLATIVE AFFAIRS  
 HOUSE INTERIM COMMITTEE ON PUBLIC TRANSPORTATION  
 Thursday, July 18, 2013

The Senate Committee on Transportation, Technology and Legislative Affairs and the House Committee on Public Transportation met jointly at 10:00 a.m., Thursday, July 18, 2013, in Room B, MAC, Little Rock, Arkansas.

**Committee members in attendance:** Senators Bill Sample, Senate Chair; Linda Chesterfield, Jim Hendren, Jimmy Hickey and Larry Teague; Representatives Jonathan Barnett, House Chair; Walls McCrary, Vice Chair; Charles L. Armstrong (non-voting), Scott Baltz, Jim Dotson, Joe Farrer, David Fielding, Fonda Hawthorne, Mary P. "Prissy" Hickerson, Mike Holcomb, Patti Julian, John Payton, Frederick Smith, and David Whitaker

**Other legislators in attendance:** Senators Ronald Caldwell, Uvalde Lindsey, Gary Stubblefield and Eddie Joe Williams; Representatives Bob Ballinger, Mary Broadaway, Dan Douglas, John Hutchison, Joe Jett, Homer Lenderman, Mark McElroy, Jim Nickels, Mary Slinkard, Butch Wilkins, and Henry "Hank" Wilkins, IV

Representative Jonathan Barnett called the meeting to order. The chairmen recognized Robert Moore, Highway Commissioner and former House Speaker, and Gene Higginbotham, Executive Director, Arkansas Waterways Commission.

Representative Barnett cited the regularly scheduled meeting days for "A" Committees and that exhibits will be available on the website for the public in keeping with the spirit of Act 501 of 2013 encouraging electronic disclosure.

Waterways Commission Biennial Report

Representative Barnett advised that the report has been submitted and is available on the Commission's website. Members were encouraged to review the report as a resource for upcoming committee waterway tours.

Interim Meetings

Senator Sample stated interim meetings would include ISPs and relevant testimony, exhibits, and other issues of interest. As requested by Senator Sample, Senator Chesterfield, Chair, Arkansas Legislative Council (ALC) Policy Making Subcommittee, explained the Policy Making recommendation to ALC that committees be allowed to hold meetings in contiguous states for which legislators would be eligible for per diem and mileage.

Representative Barnett addressed the need to discuss specialized license plates containing offensive and obscene language. He pointed out that this issue has brought forth litigation in other states. He discussed the need to address "what is appropriate" and criteria that does not violate citizens' rights. Senator Chesterfield pointed to a case involving similar specialty plates leading to the arrest of the wrong person. Representative Hickerson questioned the monitoring of specialty plates and the need for legislation enabling the Department of Finance and Administration (DFA) to reject those that are offensive.

Minutes of December 18, 2012 [Exhibit C]

**Upon motion of Senator Chesterfield and a second by Representative McCrary, the minutes were approved.**

Summary of Legislation referred to the Transportation Committee of the 89<sup>th</sup> General Assembly [Exhibit D]

Representative Barnett noted the summary gives a synopsis of all bills considered by the committee and enacted into law. He cited the summary as a resource when responding to questions at various public meetings.

ISP 2013-011 "To Amend the Law Concerning the Gold Star Family Special License Plates" by Senator Cecile Bledsoe [EXHIBIT E-1]

Senator Uvalde Lindsey explained ISP 2013-011 and stated the change would bring us into federal compliance.

**Upon motion by Representative Hickerson and a second by Representative Julian, ISP 2013-011 was adopted.**

ISP 2013-105 "To Amend the Law Concerning the Removal of Unattended or Abandoned Vehicles; To Establish Qualifications for Eligibility for Nonconsent Towing Rotation Lists" by Representative Marshall Wright [EXHIBIT E-2]

ISP 2013-110 "To Regulate the Sale of Salvage Vehicles; To Require Disclosure of a Salvage Vehicle on a Certificate of Title" by Representative Terry Rice [EXHIBIT E-3]

ISP 2013-112 “To Amend the Laws Concerning Regulation of Towing and Recovery; To Amend the Laws Concerning Towing and Recovery” by Senator Bill Sample [EXHIBIT E-4]

Senator Sample and Senator Williams, Chair, Senate State Agencies and Governmental Affairs Committee, have similar ISPs regarding towing and recovery and will confer regarding a possible joint meeting to study this issue.

ISP 2013-124 “To Amend the Uniform Motor Vehicle Administration, Certificate of Title, and Antitheft Act, Arkansas Code § 27-14-101 ET SEQ.” by Representative John Payton [EXHIBIT E-5]

Representative Payton asked for participation and discussion of the pros and cons by DFA, Motor Vehicle Commission, New and Used Car Dealers Association, and dismantlers. He noted that this is a non-restrictive bill involving the disclosure and branding of salvage and changes the definition of flood.

**Upon motion by Senator Sample and a second by Representative Fielding, Interim Study Proposals 2013-105, 2013-110, 2013-112 and 2013-124 were adopted for study.**

Update on Projects to be funded by the Temporary 1/2¢ Sales Tax, effective July 1, 2013 (Attachment 1)

Scott Bennett, Director, Arkansas Highway and Transportation Department (AHTD), introduced Randy Ort and Jeff Whatley, Public Information Office, and Frank Vozel, Deputy Director and Chief Engineer, a 42-year employee of AHTD who will retire at the end of the year. Mr. Bennett recognized and thanked Mr. Vozel for his work and commitment to the State of Arkansas.

Mr. Bennett gave a PowerPoint presentation (Attachment 1) on the Interstate Rehabilitation Program and 1/2-cent sales tax increase for the Connecting Arkansas Program (CAP). Together these programs would improve 650 miles or less than 4% of the total highway system. He discussed the need for an additional \$200 million a year over the next 10 years for highway congestion, pavement and bridge conditions, maintenance, administration, and operations to remain at current levels. Mr. Bennett advised there were concerns with revenue and the status of the Federal Highway Trust Fund. The first deposit to cities and counties in August will be relatively small. By October there should be a fairly steady stream of deposits.

Discussion items included the following:

- funding and how it is applied to our highway systems
- crossover accidents relative to cable median barriers – no occurrences
- Highway 226 to Walnut Ridge/Hoxie - currently underway and should be completed in about a year
- Highway 67 between Walnut Ridge/Hoxie and the Missouri state line - reviewing possible improvements
- Highway 64 - completed from Conway up to and around Vilonia and a segment from Beebe to the West; work should be completed within 4 years
- District 85 - ; another section just north should be let to contract next month; work continuing the next few years
- Highway 5 from Highway 89 to Highway 64 – long term plan to continue to widen Highway 5
- Highway 321 - short term plan on Highway 321 due to congestion
- Highway 41 south of Horatio – some widening needs but main needs are to maintain what they have
- contract mowing - being done by several cities with some doing it for nothing in return; work is underway on a program to set some guidelines on maintenance reimbursement
- electronic message boards - there will be an increase in quantity and usage to advise travelers of construction
- Welcome Centers - one under construction in Helena-West Helena and one recently opened in West Memphis; no current plans to rebuild existing ones or build new ones due to funding
- bypasses - AHTD considers how the route will function once the bypass is built; Monett Mayor declined to take over maintenance of the area that runs in front of the school; Commission must decide on building the bypass or spending the money elsewhere
- current and future I-49 projects; widening roads with traffic in structuring the use of the 1/2 cents sales tax program
- traffic routes and funding once the Panama Canal reopens
- disaster relief reimbursement
- members were encouraged to review the Blue Ribbon Committee on Highway Finance Report

Next Meeting – September 10, 2013

The next committee meeting will be September 10, 2013, at 1:30 p.m. The agenda will include a referral from the Rules and Regulations Subcommittee. The committee will report during the subcommittee’s September 11, 2013 meeting.

There being no further business, the meeting adjourned at 11:30 a.m.