

HCS HB 946, 1106 & 952 -- TRANSPORTATION

SPONSOR: Crawford

COMMITTEE ACTION: Voted "do pass" by the Committee on Transportation and Motor Vehicles by a vote of 15 to 5.

HIGHWAYS AND TRANSPORTATION COMMISSION

This substitute requires that beginning August 28, 2004, two members of the Highways and Transportation Commission, one from each opposing political party, who have the most seniority in commission service will be elected by the commission, one to serve as chair and the other as vice chair. Effective March 1, 2005, the commission will then elect for a one-year term a chair and vice chair from the two members, one from each opposing political party, who have the most seniority in commission service. At the end of the one-year term, the chair and vice chair will switch their positions. Thereafter, the commission leadership will continue to rotate accordingly. The substitute contains provisions for filling vacancies due to removal, death, or resignation.

CHIEF COUNSEL

The substitute requires the Director of the Department of Transportation to select and fix the salary of the chief counsel for the department. Currently, the chief counsel is selected by the Highways and Transportation Commission.

REAL ESTATE TRANSACTIONS

The substitute requires that when the Highways and Transportation Commission acquires real estate through eminent domain the restriction or loss of access to any adjacent highway be considered when assessing damages. Restriction or loss of access includes the prohibition of making right or left turns into or out of the real estate involved, if access was present before the proposed improvement was built. The substitute also requires that the report to the Joint Committee on Transportation include an inventory of the real property owned by the Department of Transportation and a description of all real estate transactions by the department for the preceding fiscal year. This information will include the date of each transaction, the source of revenue used, and the allocation of any income produced by the real estate.

HIGHWAY NAME DESIGNATION

The substitute names the portion of State Highway J in Lincoln

County from the intersection of State Highway J and State Highway 47 to the intersection of State Highway J and State Highway U as the "Veterans Highway."

#### LOG TRUCKS

The substitute establishes the maximum axle weight on local log trucks of 22,400 pounds on one axle or 44,800 pounds on any tandem axle that does not have more than three axles and does not pull a trailer which has more than two axles.

#### OUTDOOR ADVERTISING

The substitute prohibits local zoning authorities from requiring a legally erected outdoor advertising structure be removed or altered as a condition for issuance of a permit, license, or other approval for any use, structure, development, or activity other than outdoor advertising without just compensation.

#### TRANSPORTATION CORPORATIONS OR DISTRICTS

When transportation corporations or districts issue a request for proposals to finance, design, engineer, build, or assist in developing any part of a project that will become part of the state highway system, the following procedures will apply:

(1) The transportation corporation or district must set a deadline for filing written responses. Failure to meet the deadline will prohibit any future proposal to that corporation or district;

(2) The department proposals must meet the same requirements as private organization proposals;

(3) Any rules, requirements, benefits, or concessions made available to a district or corporation by the commission or the department must be made available in the same manner and degree with regard to all competing proposals; and

(4) Any agreement entered into between the commission or the department and a transportation corporation or district after the date of the first introduction of this legislation where the procedures do not meet the requirements of the substitute will be void.

The substitute contains an emergency clause for the section dealing with taking of property by eminent domain.

FISCAL NOTE: No impact on state funds.

PROPOSERS: Supporters say that the bill will strengthen Missouri's Department of Transportation, transportation system, and transportation districts.

Testifying for HB 946 were Representative Crawford; and Department of Transportation. Testifying for HB 1106 and HB 952 was Representative Crawford.

OPPOSERS: There was no opposition voiced to the committee.

OTHERS: Also testifying on HB 952 was Department of Transportation.

Robert Triplett, Legislative Analyst