



Final Legislative Update 2020

GRA Enjoys Successful 2020 General Assembly

Despite the challenges brought on by the Covid-19 pandemic, GRA had a very positive session in which the GRA Board's legislative agenda was passed and awaits Governor Kemp's signature. We are very pleased that the problematic union bills from 2019 did not move forward.

The rail industry benefitted greatly from the efforts and daily presence of our members' lobbyists Craig Camuso, Conner Poe, and Linda Hamrick who each led on various parts of the agenda. We also appreciate GRA President Ben Tarbutton who provided support and wise counsel throughout the entire legislative process.

GRA Legislative Agenda Items

House Bill 820: introduced by House Transportation Chairman Kevin Tanner, is a product of the Freight and Logistics Commission's recommendations. It would create a budget placeholder for rail and would create the Georgia Freight Railroad Program, which would be administered under the Georgia Department of Transportation. The bill already passed out of the Senate Transportation Committee before the General Assembly went into recess. When the legislature reconvened, the Senate voted unanimously to pass HB 820; it now heads to the governor's desk for his signature.

Senate Majority Whip Steve Gooch has a nearly identical piece of legislation, **Senate Bill 371**, which overwhelmingly passed the House by a vote of 154 to 1 and also now heads to the governor's desk.

House Resolution 935 would extend the Joint Committee on Freight and Logistics Commission for an additional year. Before the General Assembly's recess, it was adopted by the House by a vote of 169 to 0 and passed out of the Senate Transportation Committee. When the General Assembly reconvened in June, the Senate voted unanimously to pass the resolution.

Senate Bill 370: Protecting Railroad Right of Way: In 2019, the General Assembly passed SB 2, designed to facilitate Electric Membership Corporations (EMCs) to provide broadband services to rural Georgia. One provision allows the EMCs to add additional facilities on existing electric easements without additional consideration or safety measures. GRA has been working with members to address the concerns raised by SB 2. This session Senate Majority Whip Steve

Gooch introduced Senate Bill 370, which specifies that EMCs are required to comply with the application, review, safety, and permit requirements of railroad companies and state agencies when working in an electric easement that is located on property controlled by railroads or state agencies. In March, the Senate voted unanimously to pass SB 370, and when legislators came back in June, it passed unanimously by a vote of 149 to 0.

There were several pieces of legislation from the 2019 session that GRA opposed and did not pass:

House Bill 190, Two Man Crew: HB 190, introduced by Representative Rick Williams, would require a train that is in use for the movement of freight to operate with at least two crew members. The bill would also require railroad companies to provide automated external defibrillators on trains and would provide for monetary penalties for failure to comply with the proposed provisions in the bill. GRA and its members actively opposed this legislation this year, and it did not pass.

House Bill 375, Rail Crossings: HB 375, introduced by Representative Joseph Gullett, would prevent a railroad common carrier from authorizing the operation of a train that causes a road to be blocked for longer than 15 minutes, except under certain circumstances. GRA and its members actively opposed this legislation this session, and it did not pass.

Senate Bill 96, Whistle Posts: SB 96, introduced by Senator Randy Robertson last session, would require railroad companies to put up and maintain whistle posts at least 0.25 miles ahead of an approaching private grade crossing. GRA and its members actively opposed this legislation this session, and it did not pass.

Truck Size and Weight: Oppose any legislation that increases the allowable size and weight of truck carrying freight. Typically, advocates seek to revise O.C.G.A. 32-6-26 (g) (1), which allows for a weight increase and various radius distance increases for forest products, live poultry, cotton, feed, granite, raw ore or minerals, solid waste concrete or poultry. The Georgia Railroad Association actively opposed any legislation that would increase truck weights, and no legislation was passed.

Other Rail Issues

House Bill 793: Included in the final version of the Fiscal Year 2021 budget was a \$37 million bond for GDOT for funds that have been traditionally used for the improvement of state-owned rail.

House Bill 857 by Representative Alan Powell (R-Hartwell) was passed by the Senate in the final days of the session and has now been sent to the governor's desk. GRA was monitoring legislation this session relating to the burning of crossties. Two identical bills were introduced, one in the House and one in the Senate. Both would prohibit the burning of certain chemically treated wood products for the purposes of commercial energy generation. **Senate Bill 385** by Senator John Wilkinson (R-Toccoa) was passed out of the Senate Regulated Industries Committee, though it did not receive a vote by the full Senate by the Crossover Day deadline.

