



Legislative Update

June 24, 2020

The General Assembly reconvened last week for Legislative Days 30 through 35 after an approximately three-month recess due to the COVID-19 crisis, though the day-to-day operations under the Gold Dome looked dramatically different than they did before the recess. To allow for social distancing, the Capitol building's maximum capacity was dramatically reduced, and many areas where lobbyists and guests usually congregate, including outside of the House and Senate chambers, were blocked off. Additionally, committee meetings were limited to the House or Senate members of the committee, and individuals testifying on the bill were brought in one at a time. The General Assembly is convening Monday through Friday of this week to finish up this year's legislative session.

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. On Wednesday of last week, the Senate voted unanimously to pass HB 820; it now heads to the governor's desk.

Senate Majority Whip Steve Gooch has a nearly identical piece of legislation, **Senate Bill 371**, was reported favorably out of the House Transportation Committee last week. After the House Rules Committee selected this bill to be heard on the House floor on Wednesday, it overwhelmingly passed the House by a vote of 154 to 1.

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. Last Monday when the General Assembly reconvened, 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 last week, it passed out of the House Transportation Committee. It was heard on the House floor on Wednesday afternoon, where it passed unanimously by a vote of 149-0.

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. Though there has not been legislation introduced relating to truck weights, we are keeping a close eye on this issue following a recommendation by the Senate Study Committee on Reducing Georgia's Cost of Doing Business during the interim to address truck weights.

Burning of Crossties: We are monitoring two bills that relate to the burning of crossties. Two identical bills have been 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.

House Bill 857 by Representative Alan Powell (R-Hartwell) was passed out of the Senate Regulated Industries and Utilities Committee this week, but it has not been selected by the Rules Committee to receive a vote from the full Senate. We are continuing to monitor its movement.

We are continuing to keep an eye on several pieces of legislation that did not pass last session, but are still in play for this session:

HB 190, Two Man Crew: GRA opposes HB 190, introduced by Representative Rick Williams, which seeks to require a train that is in use for the movement of freight to operate with at least two crew members. The bill also seeks to require railroad companies to provide automated external defibrillators on trains and provides for monetary penalties for failure to comply with the proposed provisions in the bill. There has not been any movement on this piece of legislation yet this session.

HB 375, Rail Crossings: GRA opposes HB 375, introduced by Representative Joseph Gullett. The proposed legislation 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. There has not been any movement on this piece of legislation yet this session.

SB 96, Whistle Posts: GRA opposes SB 96, introduced by Senator Randy Robertson last session, which would require railroad companies to put up and maintain whistle posts at least 0.25 miles ahead of an approaching private grade crossing. There has not been any movement on this piece of legislation yet this session.