

## HB 930: Bill Summary

*This document summarizes the intended effects of HB 930 and should be read together with the Bill (LC 39 1946S)*

HB 930 creates the Atlanta-region Transit Link Authority (**the 'ATL'**): a new structure for coordinated and integrated transit planning for the 13-County Metro Atlanta region. The Bill establishes the governance and accountability of the ATL, as well as outlining new transit funding through optional local taxes (TSPLOST) which counties may apply to raise transit funds.

### **Purpose and Objectives**

HB 930 creates a new regional governance and funding structure for transit in Metro Atlanta. Metro Atlanta is defined as the 13-County nonattainment area, namely: Cherokee, Clayton, Coweta, Cobb, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale Counties. Counties that are newly established nonattainment areas will have the ability to join the jurisdiction of the ATL by majority vote of the board and passage of a resolution by the board of commissioners, of such county.

HB 930 intends to improve the coordination, integration and efficiency of transit in the region, to promote a seamless and high-quality transit system for Metro Atlanta. HB 930 creates a regional governance structure ("the ATL") which will develop a Regional Transit Plan ("the Plan"). The Plan encompasses all transit projects and initiatives across the region.

The Bill empowers the ATL to contract for delivery of transit services, delivery of capital projects and ensure unified branding for transit across the region.

### **Creation of the Atlanta-region Transit Link Authority (ATL)**

Upon becoming a law, the Bill establishes a new transit governance structure: the Atlanta-region Transit Link Authority ('ATL'). The ATL will be a state level authority that ensures coordinated planning and funding of transit across the 13-County Metro Atlanta region.

The ATL is administratively attached to the Georgia Regional Transportation Authority (GRTA) which allows for shared administrative resources.

### **Regional Governance - ATL Board**

The ATL will be governed by a 16-member Board.

10 of these members will represent 10 new, specially created Transit Districts. These Districts were developed promote regional representation rather than county by county representation. The representatives for each of these 10 Districts is chosen by a combination of County Commission Chairs, a caucus of local legislative delegations and one Mayor, chosen by a caucus of Mayors from the municipalities located within each District. Any district within or partly within the City of Atlanta will also let the Mayor of City of Atlanta contribute to the vote on selection of that District's representative. Each member must be a resident of the authority district he or she represents. The Transit District map is in Appendix I below.

The Board Chair will be appointed by the Georgia Governor, and the vice-chair will be selected annually by a vote of the ATL Board Members. Two Board Members would be appointed by the Speaker of the House and two Board Members would be appointed by the Lieutenant Governor. The Georgia Department of Transportation Commissioner would sit on the Board as an ex-officio, non-voting member. There are residency requirements stated for these state level these appointments.

Board members serve four-year terms, except the first Board where members appointed from odd-numbered authority districts will serve two-year terms to ensure staggered terms going forward.

Other than the Department of Transportation Commissioner, no person holding any other office of profit or trust under the state can serve on the board, meaning an individual can't serve on the ATL board and serve on another state board or office.

No later than December 1, 2018, the respective caucuses appointing board members from the authority districts shall meet and appoint their respective board members.

The board may, in its discretion, appoint an executive director as the administrative head of the authority and shall set his or her salary. The executive director of GRTA shall serve as the interim executive director until the board is constituted and an executive director is appointed by the board.

### **Regional Transit Plan**

One of two core activities of the ATL will be development of the Regional Transit Plan. This Plan will design the future transit state for the Metro Atlanta region, identifying and prioritizing the projects and initiatives required to develop region-wide transit. The Plan will be developed for six and 20-year time horizons and will involve analysis of the region's transit needs and how transit can contribute to broader economic and social objectives.

The plan will be developed in consultation with the region's Metropolitan Planning Organizations. Regional stakeholders, including local governments, may submit requests to the ATL for additions and amendments to the Plan from time to time based on changing conditions.

### **Transit Funding**

The Bill improves access to transit funding for the region.

#### **TSPLOST**

At a local level, the Bill expands transit-specific local sales and use tax, empowering Counties within the ATL to raise additional sales tax of up to 1% for up to 30 years ('Transit TSPLOST'), if they choose. Non-ATL Counties may partner with neighboring Counties to adopt a TSPLOST. The process for implementing TSPLOST is in Appendix II, below.

The Bill empowers Cobb County to create a Special District for Transit Committee to be composed of the members of the board of commissioners of Cobb County and the members of the House of Representatives and Senate whose respective districts include any portion of Cobb County. The Committee may formulate a map for a proposed Cobb County Special District for Transit for the provision of public transportation services. Upon approval of such map Cobb county can work in consultation with the ATL to negotiate terms of a rapid transit contract, on behalf of the special district, if such contract is to be entered into after January 1, 2019. The transit services must be in the ATL's Regional Transit Plan and must be approved by the ATL, if such contract is to be entered into after January 1, 2019. A rapid transit contract must be entered into on behalf of the Cobb County Special District for Transit prior to December 1, 2019 or the subsection relating to the Cobb County Special District shall be repealed.

The Cobb Commission may choose any method to finance this transit expansion. However, passage of that referendum will authorize Cobb County to implement a special retail and use tax.

In addition to standing provisions to join MARTA, Gwinnett now has the additional option of contracting with MARTA for services. If the contract is entered into after January 1, 2019, the rapid transit service must be part of the Regional Transit Plan and approved by The ATL (MARTA already has the power to contract with non-MARTA counties for bus service).

Access to these funding streams will be conditional on allocating this money to the projects and priorities in the Plan. Once collected, these funds can be used for capital costs as well as ongoing operations and maintenance of transit systems.

### **Regional Transit Funding Management and Distribution**

The ATL is the sole entity for coordination and planning and the dispersing of federal and state funding for transit within the jurisdiction of the authority. This is the second core activity and function of the ATL.

Upon receiving federal designated recipient status, the ATL, instead of MARTA, will establish and administer the distribution procedures for federal formula funding programs and suballocate that funding amongst operators within the jurisdiction of the ATL. This status will provide the visibility necessary for regional planning without impacting the federal direct recipient status of operators such as MARTA or SRTA, who will continue to directly apply for and receive FTA grant funds, provided such projects are part of the Regional Transit Plan.

### **Interaction with Existing Transit Operators**

Current providers – particularly MARTA – will have their current operational and funding autonomy preserved. MARTA will continue to have control over its existing revenues and funding sources, and will be the sole provider of passenger heavy-rail for the region.

The ATL can – if the Board of Directors and impacted Counties agree – take a more active role in transit operations, including choosing to deliver specific transit services as appropriate.

The exception to the above is that the ATL will assume transit operations from GRTA, no later than July 1, 2020 and from SRTA, no later than July 1, 2021.

The ATL will create unified branding for the Metro Atlanta transit system, helping commuters to have visibility and a more seamless regional transit experience. On and after January 1, 2019, MARTA will be required to use ATL branding on new transit equipment with a value greater than \$250,000 that is visible to the public. On and after January 1, 2023 any property of MARTA must reflect the ATL brand.

### **What does this mean for GRTA?**

- GRTA still exists and continues to exist.
- GRTA's authority over the TIP, DRI, and Governor's Development Council remain intact as they exist today.
- The ATL is administratively attached to GRTA.
- GRTA's role in regional transit transitions to ATL no later than July 1, 2020.

### **What does this mean for SRTA?**

- SRTA still exists and continues to exist.
- SRTA's authority over tolling, GTIB, and transportation financing remain intact.
- SRTA's GO! Transit program will be coordinated with the ATL.
- SRTA's role in regional transit operations transitions to ATL no later than July 1, 2021.

Other than as discussed above, the existing relationship between SRTA and GRTA remains intact.

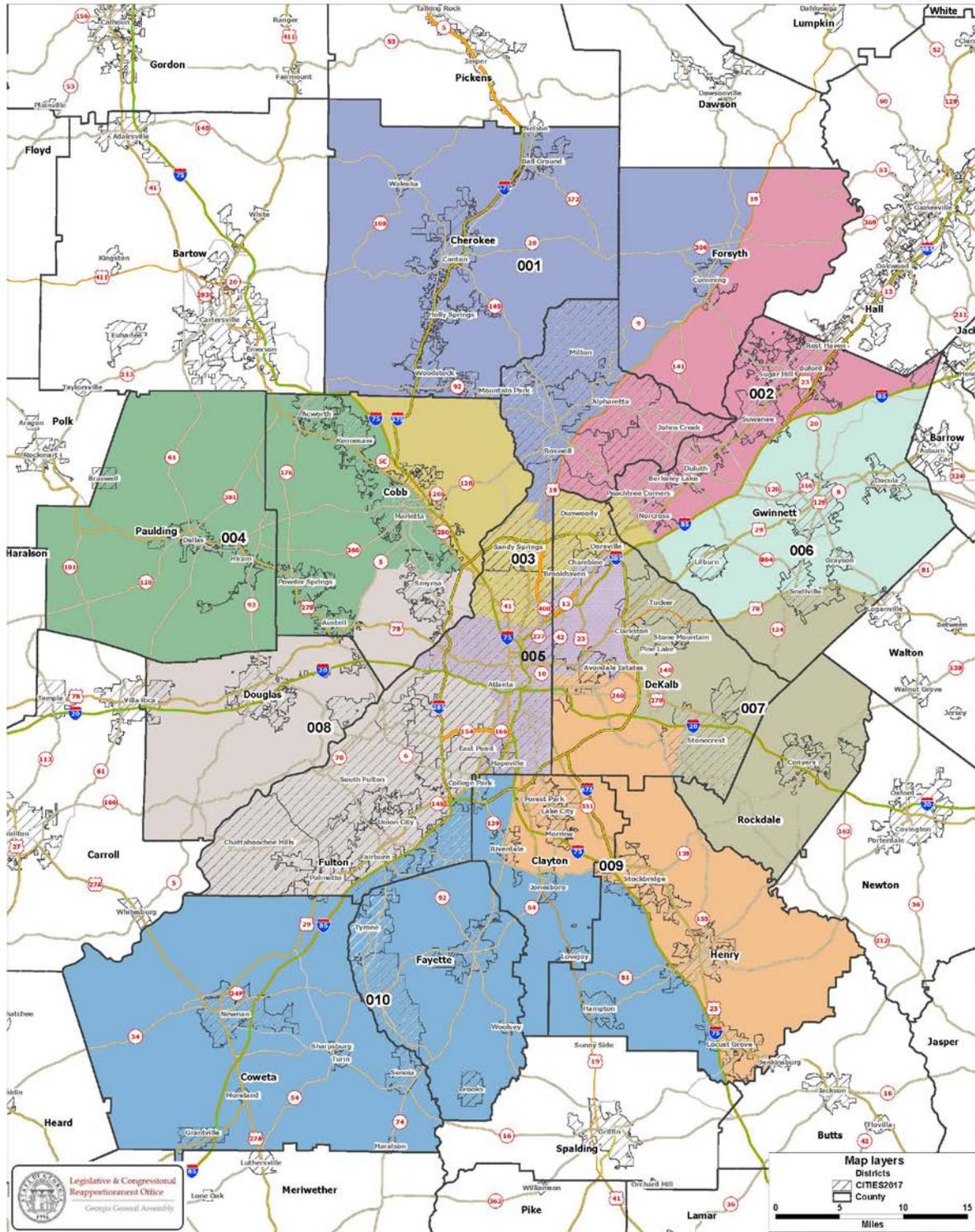
As a caveat to this bill, the Governor has pledged \$100,000,000 in state bonds for transit in HB 684 (appropriated to SRTA).

**PLEASE NOTE: THIS BILL IS THE SUBJECT OF CONTINUED REVIEW AND ANALYSIS.**

Appendix I: Transit District Map

Proposed Transit District Areas

Client: H069  
 Plan: transit-dist-2018  
 Type: Regional



## **Appendix II: Process for implementing TSPLOST**

*The process below applies to all 13 Counties with the exception of Fulton County:*

- Any County that seeks to implement a TSPLOST in line with this Bill must write to the Mayor or Chief Elected Official in each municipality with the date and time for a meeting at which the governing authorities of the County will discuss possible transit projects for inclusion in the TSPLOST referendum, and the proposed TSPLOST rate.
- These projects must be selected from the Regional Transit Plan and through agreement with The ATL.
- After this meeting, and the execution of any required intergovernmental agreements, a referendum shall be held for approved electors of the County or Counties to decide on the proposed projects and rate of tax.
  - Referenda must identify the projects, the approximate costs, the operators and the period of time (in years) for which the tax will be imposed. That period may not exceed 30 years.
- If the referendum is successful, the tax shall be imposed on the first day of the next succeeding calendar quarter which begins more than 80 days after the referendum date. All proceeds will be collected and kept in a separate account.
- All TSPLOST revenue will be used exclusively on transit projects identified in the Regional Transit Plan (except that 1 percent of the amount collected will be paid into the State general fund).
- No later than December 31 of each year, the governing authority of each County and municipality shall publish annually in a newspaper a simple, nontechnical report the estimated costs and expenditures of the projects.
- Counties may hold referenda for re-imposition or continuation of the taxes prior to their expiration.

Any two or more neighboring counties outside the 13-County region may adopt TSPLOST by following the procedures in the Bill.