

SB

226

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

REPORTED OUT
APR 10 2002
SENATE FINANCE
COMMITTEE

DATE: 2/19/02

FURTHER:

DATE TURNED
IN TO OFFICE: 04/10/02

Finance Committee considered

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 226

SB 226 HIGHWAY DESIGN & CONSTRUCTION

"An Act requiring highways to be designed and constructed so that they will adequately serve anticipated traffic levels for the next 30 years; and providing for an effective date."

and recommends:

- be replaced with CS 55 SB 226 (FIN)
- adopt previous CS CS Forthcoming
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:

- same title
- new title

House Bill:

- same title
- technical title
- new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
FN Forthcoming				

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>	✓			
<i>[Signature]</i>			✓	
<i>[Signature]</i>			✓	
<i>[Signature]</i>			✓	
<i>[Signature]</i>	✓			
COCHAIR: <i>[Signature]</i>	✓			
COCHAIR: <i>[Signature]</i>	✓			

RECORDED-GWT
 APR 10 2002
 (G.W.P. SERVICE)

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: CSSSSB226(FIN)
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: DOT&PF
 Title An Act requiring certain highway BRU _____
projects to be designed and constructed... Component _____
 Sponsor Donley
 Requester Senate Rules Component No. _____

Expenditures/Revenues (Thousands of Dollars)
 Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ()						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type-Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0
 Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Dennis R. Poshard, Assistant to Commissioner Phone 465-3904
 Division Commissioner's Office Date/Time 4/17/02 2:18 PM
 Approved by: Joseph L. Perkins, Commissioner Date 4/17/2002
 Agency Alaska Department of Transportation and Public Facilities

22-LS0993VB
Utermohle
4/9/02

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 226()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATORS DONLEY, Cowdery, Phillips

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to design of highway projects; and providing for an effective date."

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 * Section 1. AS 19.10.160 is amended by adding a new subsection to read:

4 (b) After December 31, 2002, design for proposed major upgrade and new
5 construction projects for highways in federally recognized metropolitan planning areas
6 must be conducive to safety, durability, and economy of maintenance and provide for
7 capacity that will adequately serve planned future traffic as set out in this subsection.

8 This subsection does not apply to designs for highway maintenance projects.

9 Proposed major upgrade and new construction projects that are estimated to cost

10 (1) less than \$1,000,000 must be designed to adequately serve planned
11 future traffic for at least the next 10 years after construction of the project;

12 (2) between \$1,000,000 and \$5,000,000, inclusive, must be designed to
13 adequately serve planned future traffic for at least the next 20 years after construction
14 of the project;

15 (3) more than \$5,000,000 must be designed to adequately serve

- 1 planned future traffic for at least the next 25 years after construction of the project.
- 2 * Sec. 2. This Act takes effect January 1, 2003.

proposed but not amended

WORK DRAFT

WORK DRAFT

WORK DRAFT

22-LS0993\B
Utermohle
4/9/02

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 226()
IN THE LEGISLATURE OF THE STATE OF ALASKA
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11 ~~future traffic for at least the next 10 years after construction of the project,~~

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13 adequately serve planned future traffic for at least the next 20 years after construction
14 of the project;

15 (2) (3) more than \$5,000,000 must be designed to adequately serve

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- 2 * **Sec. 2.** This Act takes effect January 1, 2003.

not adopted

22-LS0993\O
Utermohle
2/12/02

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 226()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATORS DONLEY, Cowdery, Phillips

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring certain highway projects to be designed and constructed so that the
2 highways will adequately serve anticipated traffic levels for at least the next 30 years;
3 and providing for an effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * Section 1. AS 19.10.160 is amended by adding a new subsection to read:

6 (b) After December 31, 2002, plans and specifications for proposed major
7 upgrade and new construction projects for highways in metropolitan areas must
8 provide for the design and construction of highways that will adequately serve the
9 planned future traffic for at least the next 30 years in a manner that is conducive to
10 safety, durability, and economy of maintenance. This subsection does not apply to
11 plans and specifications for highway maintenance projects.

12 * Sec. 2. This Act takes effect January 1, 2003.

22-LS0993\O
Utermohle
2/12/02

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 226()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATORS DONLEY, Cowdery, Phillips

A BILL

FOR AN ACT ENTITLED

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3 **and providing for an effective date."**

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10 safety, durability, and economy of maintenance. This subsection does not apply to
11 plans and specifications for highway maintenance projects.

12 *** Sec. 2. This Act takes effect January 1, 2003.**



SENATOR DAVE DONLEY

ALASKA STATE LEGISLATURE

Sectional Analysis

Sponsor Substitute Senate Bill 226

Sec. 1 Adds a new section to AS 19.10.160 that specifies that designs for new roads and major upgrades should be based on anticipated traffic levels at varying durations based on estimated project costs.

- Projects that cost under \$1,000,000 would be designed for traffic levels at least 10 years after completion.
- Projects that cost \$1,000,000 to \$5,000,000 would be designed for traffic levels at least 20 years after completion.
- Projects that cost over \$5,000,000 would be designed for traffic levels at least 25 years after completion.

This requirement applies to federally recognized metropolitan planning areas only. Highway maintenance projects are exempted.

Rationale: Project costs can be used as an indicator of extensiveness of the project work. Factors determining the cost of projects include the design, materials used, and construction execution. Lower cost projects can be expected to provide for shorter useful lives than higher cost projects.

Sec.2 Adds an effective date of January 1,2003.

DD:pc

Co-Chair: Senate Finance Committee

Vice-Chair: Senate Judiciary Committee

Member: Legislative Budget and Audit Committee • Legislative Council



SENATOR DAVE DONLEY

ALASKA STATE LEGISLATURE

Sponsor Statement

Sponsor Substitute for Senate Bill 226

" An Act relating to design of highway projects; and providing for an effective date"

This sponsor substitute for Senate Bill 226 adds a section to AS 19.10.160 that specifies that designs for new roads and major upgrades should be based on anticipated traffic levels at varying durations based on estimated project costs.

- Projects that cost under \$1,000,000 would be designed for traffic levels at least 10 years after completion.
- Projects that cost \$1,000,000 to \$5,000,000 would be designed for traffic levels at least 20 years after completion.
- Projects that cost over \$5,000,000 would be designed for traffic levels at least 25 years after completion.

This requirement applies only to federally recognized metropolitan planning areas. Highway maintenance projects are exempted.

Currently, the DOT/PF regulations state that road projects should be designed for 20 years of use. Current interpretation of the 20-year period is that the period begins when the project's Environmental Impact Statement process is completed. The average time for a project to be ready for the public's use from that point is usually about 8-11 years (5-6 years moving up the priority list and then 3-5 years for design and construction). That leaves very few years of use within the 20-year time period. The bill modifies the planning horizon and design criteria so that the estimated traffic level criteria used are based on a starting point of after the construction is complete.

Project costs can be used as an indicator of extensiveness of the project work. Factors determining the cost of projects include the design, materials used, and construction execution. Lower cost projects can be expected to provide for shorter useful lives than higher cost projects and can be expected to be done more frequently.

Federal regulations require that federally funded major upgrades and new roads be designed for at least 20 years of use while bridges must last at least 50 years.

DD:pc

Co-Chair: Senate Finance Committee

Vice-Chair: Senate Judiciary Committee

Member: Legislative Budget and Audit Committee • Legislative Council



SENATOR DAVE DONLEY

ALASKA STATE LEGISLATURE

Sponsor Statement

Sponsor Substitute for Senate Bill 226

"Requiring Highways to be Designed and Constructed for at least 30 Years Life"

Senate Bill 226 would require the Department of Transportation and Public Facilities to require design and construction of major upgrades and new roads to last for at least 30 years. Currently, the DOT/PF regulations state that road projects should be designed for 20 years of use. Maintenance projects would not have to meet these criteria, nor would road projects outside major metropolitan areas.

Current interpretation of the 20-year period is that the period begins when the project's Environmental Impact Statement process is completed. The average time for a project to be ready for the public's use from that point is about 8-11 years (5-6 years moving up the priority list and then 3-5 years for design and construction). That leaves only 10 years of use within the required 20-year time period. The bill increases the planning horizon so that the actual use period will hopefully be at least 20 years.

SB226 would amend AS 19.10.160 "Standard plans and specifications" to include language that directs the Department to design and construct highways that will adequately serve the planned future traffic for at least the next 30 years with criteria that include meeting current safety and durability standards, as well as providing for economical maintenance in the future.

Federal regulations require that federally funded major upgrades and new roads be designed for 20-30 years of use while bridges must last at least 50 years. The Federal law does not forbid longer periods for design and use.

DD:pc

Co-Chair: Senate Finance Committee

Vice-Chair: Senate Judiciary Committee

Member: Legislative Budget and Audit Committee • Legislative Council



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ALASKA DIVISION
709 West Ninth Street, Room 851
P.O. Box 21648
Juneau, Alaska 99802
907-586-7418 | 907-586-7420 FAX

April 9, 2002

REFER TO
HDA-AK
File #: ADM-GEN 11

Phil Cutler, Aid to Senator Donley
Mail Stop 3100
State Capitol
Juneau, AK 99801

SUBJECT: SB 226

Dear Mr. Cutler:

Your faxed memorandum on April 9 asked if the Federal Highway Administration had any concerns with the wording of Senate Bill 226. The bill requires that projects in metropolitan planning areas be designed for certain future year traffic levels based on project costs. This requirement would impose restrictions on project designs where federal regulations allow flexibility, but it does not appear that these provisions, if enacted, would jeopardize federal funding.

For more information, please contact John Lohrey of our office at 907-586-7418.

Sincerely,

For
David C. Miller
Division Administrator

OPTIONAL FORM 90 (7-90)

FAX TRANSMITTAL

of pages - 1

To Phil Cutler	From John Lohrey
Dept./Agency Legislature	Phone # 586-7428
Fax # 465-6595	Fax # 586-7420

SITE: ANCHORAGE LIO

COMMITTEE: SFIN

DATE: 4-10-02

SUBJECT OF MEETING:

UPDATE #:



P R I N T YOUR NAME

ADDRESS (MAILING & ZIP)

REPRESENTING

DO YOU WANT
TO TESTIFY?
Y OR N

Frank Dillon		AK Truckers Assoc	Y-SB 226
Email address:			
Email address:			
Email address:			
Email address:			
Email address:			
Email address:			
Email address:			