

**SENATE BILL NO. 263**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE TRANSPORTATION COMMITTEE

Introduced: 4/12/24

Referred: Transportation

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the Roads and Highways Advisory Board; relating to metropolitan**  
2 **planning organizations; relating to the statewide transportation improvement program;**  
3 **and providing for an effective date."**

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

5 \* **Section 1.** AS 19.20.220 is amended to read:

6 **Sec. 19.20.220. Approval of local transportation improvement plan.** The  
7 governor may approve a transportation improvement plan or an amendment to a  
8 transportation improvement plan prepared by a metropolitan planning organization if  
9 the plan is consistent with applicable federal law and regulation [AND THE POLICY  
10 BOARD OF THE METROPOLITAN PLANNING ORGANIZATION IS  
11 ORGANIZED IN ACCORDANCE WITH APPLICABLE PROVISIONS OF  
12 AS 19.20.210].

13 \* **Sec. 2.** AS 44.42 is amended by adding a new section to read:

14 **Sec. 44.42.053. Statewide transportation improvement program.** (a) The

1 department shall develop a four-year statewide transportation improvement program  
 2 for transportation system preservation, improvement, and development and shall  
 3 revise the program every two years.

4 (b) The statewide transportation improvement program must include a  
 5 description of how the program contributes to the goals and objectives listed in the  
 6 long-range transportation plan developed under AS 44.42.050.

7 (c) The department shall conform the statewide transportation improvement  
 8 program to the requirements for participation in a federal transportation program and  
 9 for participation in other available transportation funding programs.

10 (d) The department shall incorporate without change in the statewide  
 11 transportation improvement program a transportation improvement plan prepared by a  
 12 metropolitan planning organization and approved by the governor under  
 13 AS 19.20.220.

14 (e) The department shall provide an ongoing opportunity for public  
 15 participation in the development of the statewide transportation improvement program  
 16 by means of an Internet website. The department shall notify the senate secretary, the  
 17 chief clerk of the house of representatives, and the public when the department  
 18 submits the statewide transportation improvement program, or a change to the  
 19 statewide transportation improvement program, to the federal government. The notice  
 20 must include the program or change that was submitted to the federal government. The  
 21 department may use the Alaska Online Public Notice System under AS 44.62.175 or  
 22 another public Internet website to provide notice to the public.

23 \* **Sec. 3.** AS 44.42 is amended by adding new sections to read:

24 **Article 4A. Roads and Highways Advisory Board.**

25 **Sec. 44.42.450. Roads and Highways Advisory Board.** The Roads and  
 26 Highways Advisory Board is established in the department.

27 **Sec. 44.42.460. Membership.** (a) The board consists of the following  
 28 members appointed by the governor:

- 29 (1) one member from the commercial trucking industry;  
 30 (2) one member from a highway-related travel or tourism industry;  
 31 (3) one member from the heavy construction industry;

1 (4) one member from each metropolitan planning organization in the  
2 state;

3 (5) one member who represents an advocacy group for nonmotorized  
4 or limited mobility transportation;

5 (6) one member who represents the department;

6 (7) one public member from the first or second judicial district;

7 (8) one public member from the third judicial district; and

8 (9) one public member from the fourth judicial district.

9 (b) The board shall elect a chair from among its members.

10 (c) The department shall provide staff for the board.

11 (d) Members of the board serve without compensation, but are entitled to per  
12 diem and travel expenses authorized for boards and commissions under AS 39.20.180.

13 **Sec. 44.42.470. Terms.** Members of the board serve staggered terms of three  
14 years. A member of the board may not serve more than two consecutive terms.

15 **Sec. 44.42.480. Meetings.** A majority of the members of the board constitutes  
16 a quorum. The board shall meet at least quarterly and by a call of the chair. Meetings  
17 may be held in person or by electronic means. In addition to the subjects that may be  
18 considered in an executive session under AS 44.62.310(c), the board may consider in  
19 an executive session matters that relate to transportation plans and projects that are not  
20 yet public but will be subject to public comment at a later time.

21 **Sec. 44.42.490. Purpose and duties of the board.** (a) The purpose of the  
22 board is to provide recommendations to the commissioner on public policy related to  
23 the powers and duties of the department with respect to state road and highway  
24 functions.

25 (b) The board shall focus on highway construction, equipment use, deferred  
26 maintenance, capital spending, project assessment, project prioritization criteria,  
27 including a future projects list, and identifying other critical needs of the state's road  
28 and highway transportation infrastructure.

29 (c) At least once every two years, the board shall assess the continued viability  
30 of a road and highway project that has been in the preconstruction phase for at least  
31 three years. For each project, the board may issue a recommendation to the department

1 regarding whether it is in the best interest of the state that the project proceed as  
2 planned, undergo reevaluation, or be closed through federal approval. The board shall  
3 submit the recommendation to the department, the senate secretary, and the chief clerk  
4 of the house of representatives and notify the legislature that the recommendation is  
5 available.

6 (d) The board shall advise the department as the department develops and  
7 revises project selection and prioritization criteria and make recommendations to the  
8 department, by resolution of the board, regarding proposed changes in criteria.

9 (e) In this section, "road and highway" does not include the Alaska marine  
10 highway system or a road or highway within the boundaries of a rural or international  
11 airport.

12 \* **Sec. 4.** AS 19.20.210 is repealed.

13 \* **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to  
14 read:

15 APPOINTMENT OF INITIAL MEMBERS OF THE ROADS AND HIGHWAYS  
16 ADVISORY BOARD. Notwithstanding AS 44.42.470, added by sec. 3 of this Act, the  
17 governor shall appoint the initial members of the Roads and Highways Advisory Board  
18 established in AS 44.42.450, added by sec. 3 of this Act, to staggered terms as follows:

19 (1) five members shall be appointed to serve terms that expire two years after  
20 the effective date of this Act; and

21 (2) the remaining members shall be appointed to serve terms that expire three  
22 years after the effective date of this Act.

23 \* **Sec. 6.** This Act takes effect January 1, 2025.