

1 HB551
2 151313-2
3 By Representative Wren
4 RFD: Ways and Means General Fund
5 First Read: 04-APR-13

1 "(b) Unless the context clearly indicates otherwise,
2 the following words and phrases will have the following
3 meanings:

4 "(1) STATE DEPARTMENT OF TRANSPORTATION DIVISIONS.
5 Those divisions of the Department of Transportation
6 responsible for road construction and maintenance over a
7 specified geographic area of the state.

8 "(2) DEPRECIATION. That process of allocating the
9 original cost per fixed asset over the productive life of the
10 asset using some generally accepted method of depreciation.

11 "(3) EQUIPMENT MANAGEMENT SURPLUS RESERVE ACCOUNT. A
12 special revolving account or fund to be established in the
13 Public Road and Bridge Fund of the State Department of
14 Transportation to accumulate depreciation, equipment
15 replacement allowances, and salvage value to be used to
16 upgrade, replace, or make extraordinary repairs to road
17 machinery and equipment.

18 "(4) EQUIPMENT REPLACEMENT ALLOWANCE. An amount,
19 when added to the depreciation and salvage value of a unit of
20 road machinery and equipment and accumulated in a special
21 account, that will provide the funds to upgrade, replace, or
22 make extraordinary repairs to that unit of road machinery and
23 equipment.

24 "(5) EXTRAORDINARY REPAIRS. Repairs made to extend
25 an asset's useful life beyond that which was originally
26 estimated.

1 "(6) GENERAL OFFICE. Those general and
2 administrative offices of the State Department of
3 Transportation located in Montgomery, Alabama.

4 "(7) ROAD MACHINERY AND EQUIPMENT. Self-propelled
5 equipment or other equipment commonly referred to in the State
6 Department of Transportation as rental equipment, including
7 aircraft.

8 "(8) SALVAGE VALUE. That portion of a unit of road
9 machinery and equipment's cost that is recovered at the end of
10 its productive life.

11 "(c) There is created in the Public Road and Bridge
12 Fund of the State Department of Transportation an Equipment
13 Management Surplus Reserve Account. The director of the
14 department is directed to establish a road machinery and
15 equipment management program which shall determine the type,
16 number, and distribution between the general office and
17 department divisions of the road machinery and equipment
18 necessary to carry out the mission of the State Department of
19 Transportation in an efficient manner. This system shall also
20 determine the productive life of all of the road machinery and
21 equipment and establish depreciation rates, equipment
22 replacement allowance, and salvage value which, when
23 accumulated in the Equipment Management Surplus Reserve
24 Account, will provide the necessary funds to upgrade, replace,
25 or make extraordinary repairs to road machinery and equipment.

26 "(d) The Equipment Management Surplus Reserve
27 Account shall be subdivided into subaccounts as follows: One

1 for the general office and one each for each of the department
2 divisions. Depreciation, equipment replacement allowance, and
3 salvage value shall be credited to the account of the general
4 office or department division to which the unit of road
5 machinery and equipment is assigned and shall not be
6 commingled or transferred between the department division and
7 the general office. The funds in each of these subaccounts of
8 the general office and department divisions shall be available
9 to the appropriate office or division to upgrade, replace, or
10 to make extraordinary repairs to road machinery and equipment.

11 "(e) There is appropriated all of the funds created
12 to the Equipment Management Surplus Reserve Accounts, due to
13 the depreciation, equipment replacement allowance, and salvage
14 value of road machinery and equipment, for upgrading,
15 replacement, or extraordinary repairs to road machinery and
16 equipment. These funds shall not revert at the end of each
17 fiscal year, but shall carry over to each succeeding year. It
18 is the intent of the Legislature that funds appropriated from
19 the Equipment Management Surplus Reserve Account be used only
20 to upgrade, replace, or make extraordinary repairs to road
21 machinery and equipment, and that they not be used to increase
22 the number of units of equipment of the State Department of
23 Transportation. It is the further intent of the Legislature to
24 use these funds to maintain the present level of road
25 maintenance, as opposed to using the funds to place the state
26 in a competitive position with private enterprise. Specific
27 funds shall be appropriated by the Legislature to increase the

1 number of units of road machinery and equipment. It is
2 specifically provided that the aircraft, pickup truck, and
3 three automobiles transferred from the Department of Finance
4 to the State Department of Transportation, pursuant to
5 Executive Order No. 12, dated December 21, 1993, shall be
6 added to and become a part of the Department of Transportation
7 road machinery and equipment management program and Equipment
8 Management Surplus Reserve Account.

9 "(f) Any other provision of law to the contrary
10 notwithstanding, at the end of the productive life of a unit
11 of road machinery or equipment covered by the equipment
12 management surplus reserve account established as provided for
13 in this section, the unit of road machinery or equipment shall
14 be sold at the discretion of the director, either at public
15 auction, as provided for by the laws of the State of Alabama,
16 or by a negotiated sale between the State Department of
17 Transportation and any other state department or agency, and
18 the proceeds from any sale, whether at public auction or by
19 such negotiation, shall be paid into the equipment management
20 surplus reserve account and credited to the subaccount to
21 which the unit of road machinery or equipment is credited.

22 "(g) The department may develop a fleet management
23 program for the state which will operate in a similar manner
24 as the department's equipment management program.

25 "§41-17A-6.

26 "(a) In order to ensure compliance with the goals
27 outlined in Section 41-17A-4, as well as to monitor the

1 actions outlined in Section 41-17A-5, a Green Fleets Review
2 Committee is created. The Permanent Joint Legislative
3 Committee on Energy will appoint the members of the Green
4 Fleets Review Committee. The membership of the committee shall
5 reflect the racial, gender, geographic, urban/rural and
6 economic diversity of the state. The Chair of the Green Fleets
7 Review Committee may create advisory subcommittees and appoint
8 members thereto, which may include members of the Green Fleets
9 Review Committee, representatives from governmental agencies,
10 and members of the public with interest and expertise in the
11 objectives of the committee. The Green Fleets Review Committee
12 shall create no more than two active advisory subcommittees at
13 any given time unless the committee votes unanimously for
14 additional subcommittees.

15 "(b) The committee shall thereafter meet at the call
16 of the chair or any majority of the members thereof; provided,
17 that the committee shall meet at least once each four months.
18 The committee shall have a continuing existence and may meet,
19 act, and conduct its business at any place within this state
20 during the sessions of the Legislature or any recess thereof,
21 and in the interim period between sessions.

22 "(c) Each legislative member of the committee or any
23 subcommittee, if created, shall be entitled to his or her
24 regular legislative compensation, his or her per diem, and
25 travel expenses for each day he or she attends a meeting of
26 the committee. Upon requisitions signed by the chair of the
27 committee or subcommittees, these payments shall be paid out

1 of any funds appropriated to the use of the Legislature by
2 means of warrants drawn by the Comptroller on the State
3 Treasury. Notwithstanding the foregoing, no member shall
4 receive additional legislative compensation or per diem when
5 the Legislature is in session or if a member is being paid any
6 other payments on the same dates for attendance on other state
7 business. The total legislative expenditures of the committee
8 shall not exceed five thousand dollars (\$5,000) per fiscal
9 year.

10 "(d) On an annual basis, all state department and
11 agency fleet managers shall submit a draft of their green
12 fleets plan to the ~~State Equipment Management Coordinator, or~~
13 ~~the Department of Finance designee for this position~~
14 Department of Transportation Office of Fleet Management, and
15 the Green Fleets Review Committee detailing how vehicle
16 procurement, fleet operations, and employee travel activity
17 are intended to conform to the green fleet policies and
18 strategies outlined in Section 41-17A-5. Each green fleets
19 plan submitted shall also include, as an appendix or addendum,
20 an updated fleet vehicle inventory list in the same format as
21 the fleet vehicle inventory required by Section 41-17A-3.

22 "(e) Each green fleets plan shall be reviewed by the
23 ~~State Equipment Management Coordinator, or the Department of~~
24 ~~Finance designee for this position~~ Department of
25 Transportation Office of Fleet Management, and the committee
26 for overall conformity with the policies and for completeness
27 in addressing the green fleets strategies. Inadequate plans

1 shall be returned to the submitting department or agency for
2 revision and discussion with the committee.

3 "(f) Any appeal of the committee's decisions must be
4 made in writing to the committee accompanied by appropriate
5 documentation. Valid reasons for an appeal include
6 unavailability of appropriate fleet vehicles, incremental
7 costs in excess of the full life-cycle savings that would
8 accrue from the acquisition of a given vehicle, and the
9 primacy of a given vehicle's mission to public safety or a
10 similar area judged to be applicable by the committee.

11 "(g) Approval of vehicle procurement requests for
12 each department or agency is contingent upon a satisfactory
13 recommendation from the State Fleet Manager as to the merit of
14 the department's or agency's green fleets plan.

15 "(h) The most innovative green fleets plan
16 implemented shall receive recognition in an annual award to
17 the department or agency submitting the most innovative plan.
18 The committee shall determine the recipient of the award
19 during the annual green fleets review meeting."

20 ~~Section 2. Chapter 17, Title 41 of the Code of~~
21 ~~Alabama 1975, is repealed.~~

22 Chapter 17, Title 41 of the Code of Alabama 1975,
23 consisting of Sections 41-17-1 to 41-17-9, inclusive, is
24 repealed effective October 1, 2014. All personnel, facilities,
25 property, equipment, and funds assigned, allocated, or
26 appropriated to the Department of Finance, Division of Service
27 for the operation of a transportation pool or the maintenance

1 and repair of state-owned or operated automobiles shall
2 transfer to the Alabama Department of Transportation,
3 effective October 1, 2014.

4 Section 3. This act shall become effective
5 immediately following its passage and approval by the
6 Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Ways and Means
General Fund..... 04-APR-13

Read for the second time and placed
on the calendar 1 amendment 10-APR-13

Read for the third time and passed
as amended..... 25-APR-13

Yeas 91, Nays 0, Abstains 0

Jeff Woodard
Clerk