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## HIGHWAYS, BRIDGES AND FERRIES

### *Developmental Highways: Create Network Through State*

CODE SECTION: O.C.G.A. § 32-4-22 (new)  
BILL NUMBER: HB 16  
ACT NUMBER: 337  
SUMMARY: The Act creates a system of public roads throughout the state to be known as the developmental highway system.  
EFFECTIVE DATE: July 1, 1989

#### *History*

The developmental highways bill originated from the Governor's Road Improvement Program.<sup>1</sup> Governor Harris developed the highway program to promote Georgia's continued economic growth and safety on the state highways.<sup>2</sup> The State Transportation Board adopted the Governor's Road Improvement Program on November 17, 1988.<sup>3</sup>

Although Georgia has the largest public road system in the Southeast, totaling 11,301 primary miles, the state has the smallest amount of four-lane highway mileage in the region, 731 miles; Georgia also has the smallest four-lane highway percentage for a total state highway system, 6.5%, in the Southeast.<sup>4</sup> The additional four-lane highways to be constructed will enhance Georgia's competitive position in the region with regard to economic growth, making the state second only to Florida in the total number of four-lane highway miles, and better positioning the state for continued economic growth.<sup>5</sup> These additional multi-lane highways will reduce transportation costs for industries, farmers, and travelers, while increasing driving efficiency and safety.<sup>6</sup> The new roads will also combat the increasing traffic problem in the state.<sup>7</sup>

The program provides for 1,757 miles of additional four-lane highways, thereby increasing growth corridor highways to 2,627 miles plus 113

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1. Telephone interview with Representative Denmark Groover, Jr., House District No. 99 (Mar. 22, 1989) [hereinafter Groover Interview].

2. THE GOVERNOR'S ROAD IMPROVEMENT PROGRAM FOR GEORGIA'S CONTINUED ECONOMIC GROWTH AND SAFETY, at 1 (available in Georgia State University College of Law Library) [hereinafter GOVERNOR'S PROGRAM].

3. See HB 16 (HCS), 1989 Ga. Gen. Assem.

4. GOVERNOR'S PROGRAM, *supra* note 2, at 6.

5. *Id.* at 2.

6. *Id.* at 6.

7. *Id.* The traffic load on Georgia roads has increased by 38% since 1980. *Id.*

miles of truck access routes.<sup>8</sup> The highway program makes it possible to serve ninety-two percent of Georgia cities with a population of 2,000 or more.<sup>9</sup> The program also places ninety-eight percent of state land area within twenty miles of a four-lane road, while placing seventy-five percent of the state's population within two miles of a four-lane highway.<sup>10</sup>

Another reason for the creation of the developmental highway system is improved safety.<sup>11</sup> The fatality rate on multi-lane, divided highways is half the rate of that on two-lane, rural highways for all types of vehicles.<sup>12</sup> In addition, statistics reveal that accidents occur about three times more often on two-lane roads than on multi-lane, divided highways.<sup>13</sup> The state expects that the new highway system will reduce rural traffic fatalities in the state by fifty percent or more.<sup>14</sup>

### HB 16

The Act adds section 32-4-22 to provide for the creation of the developmental highway system.<sup>15</sup> This highway system consists of the following road corridors: The Appalachian Developmental Highway; "Corridor Z" across south Georgia; U.S. Highway 27 in west Georgia; U.S. Highway 82, which crosses south Georgia from the Alabama border to Waycross; Golden Isles Parkway, linking middle Georgia with Brunswick; Savannah River Parkway, between Augusta and Savannah; U.S. Highway 441 in east Georgia; Fall Line Freeway, between Columbus and Augusta; U.S. Highway 319 in south Georgia; U.S. Highway 19 between Griffin and Florida; U.S. Highway 84, linking Alabama with Brunswick; U.S. Highway 1 and Georgia Highway 17 in east Georgia; Georgia Highway 72, connecting Athens with South Carolina; the Metropolitan Atlanta Outer Perimeter Highway; and selected truck access routes.<sup>16</sup>

Initially, HB 16 included a section which provided for additional financing of the developmental highway system.<sup>17</sup> This supplemental financing provision required at least 83 $\frac{1}{3}$ % of the State Public Transportation Fund generated by the additional tax on the sale of motor fuels, as proposed in HB 144, to be expended on the developmental

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8. *Id.* at 2.

9. *Id.*

10. *Id.*

11. *Id.* at 11.

12. *Id.*

13. *Id.*

14. *Id.*

15. HB 16 (HCS), 1989 Ga. Gen. Assem.

16. *Id.*

17. HB 16, as introduced, 1989 Ga. Gen. Assem.

highway system.<sup>18</sup> Priority of the expenditures was to be given to those corridors on which work is already under way.<sup>19</sup>

Since most of the projects other than the Metropolitan Atlanta Outer Perimeter Highway are already under construction, the Developmental Highway Bill attracted political support from both rural and urban areas of the state.<sup>20</sup> The provision further limited funds spent on the Outer Perimeter Highway during the first thirteen years of the additional motor fuels tax to the acquisition of right of way and construction of the northeastern one-third of the highway.<sup>21</sup> The legislature added this limitation on the construction of the Outer Perimeter Highway to satisfy rural legislators' concern that a large percentage of the funds to be allocated to the developmental highway program might be allocated to the Outer Perimeter Highway, due to the tremendous growth in the Metropolitan Atlanta area, at the expense of further road improvements in rural areas.<sup>22</sup>

Allocating a large percentage of funds to the Outer Perimeter Highway construction would inhibit economic development, thereby defeating the main purpose of the developmental highway program.<sup>23</sup> Hence, HB 16 provided that the total funds allocated annually to the Outer Perimeter Highway could not exceed fifteen percent of the total funds allocated annually to the developmental highway system until the completion of all other highway corridors.<sup>24</sup>

The House Committee on Transportation, however, introduced a substitute to HB 16, which removed the entire supplemental financing section from the bill.<sup>25</sup> This substitution was necessary because the legislature defeated the motor fuels tax bill, HB 144.<sup>26</sup> The motor fuels tax bill was an extremely controversial issue in the 1989 session, and its failure to pass would have severely affected the funding of the developmental highway program had it not been for the passage of the additional one percent sales tax.<sup>27</sup>

The committee substitute also placed the developmental highway system under the control and supervision of the State Transportation

18. *Id.*

19. *Id.*

20. Telephone interview with Jim McGee, Legislative Liaison, Georgia Department of Transportation (Apr. 5, 1989) [hereinafter McGee Interview].

21. HB 16, as introduced, 1989 Ga. Gen. Assem.

22. McGee Interview, *supra* note 20.

23. *Id.*

24. HB 16, as introduced, 1989 Ga. Gen. Assem.

25. HB 16 (HCS), 1989 Ga. Gen. Assem.

26. Groover Interview, *supra* note 1. Although the motor fuels tax bill was defeated by the legislature, additional funding for road improvements of \$135 million will be available through the additional one percent sales tax approved by the General Assembly. *Id.*

27. Telephone interview with Senator J. Tom Coleman, Jr., Chairman, Senate Transportation Committee, Senate District No. 1 (Apr. 5, 1989).

Board.<sup>28</sup> By not prescribing any funding priorities or limitations for the developmental highway system, the committee substitute allows the State Transportation Board more flexibility in setting priorities regarding right of way acquisition and construction.<sup>29</sup> Even though the State Transportation Board has the authority to determine priorities, it is committed to spreading the road improvement projects around the state in an effort to satisfy the needs of both legislators and constituents in all areas of the state.<sup>30</sup> Therefore, the politics of road building will continue to affect the prioritization of projects under the developmental highway system umbrella.<sup>31</sup> The developmental highway system, as proposed by Governor Harris, is approved and will be funded by additional financing made available through the sales tax increase, with additional right of way acquisition and construction beginning immediately.<sup>32</sup>

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28. HB 16 (HCS), 1989 Ga. Gen. Assem.

29. Groover Interview, *supra* note 1.

30. McGee Interview, *supra* note 20.

31. *Id.*

32. Beasley, *Land Buys for Outer Perimeter to Start*, Atlanta J., Mar. 17, 1989, at A1, col. 1.