

REFERENCE TITLE: light rail performance audit

State of Arizona
Senate
Forty-eighth Legislature
Second Regular Session
2008

SB 1495

Introduced by
Senators Gorman: Blendu, Gould, Gray L, Johnson; Representatives Biggs,
Kavanagh, Nichols, Pearce, Yarbrough

AN ACT

AMENDING SECTION 28-6313, ARIZONA REVISED STATUTES; RELATING TO
TRANSPORTATION PROJECTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-6313, Arizona Revised Statutes, is amended to
3 read:

4 28-6313. Performance audits of proposed transportation projects
5 and systems

6 A. Beginning in 2010 and every fifth year thereafter, the auditor
7 general shall contract with a nationally recognized independent auditor with
8 expertise in evaluating multimodal transportation systems and in regional
9 transportation planning to conduct a performance audit, as defined in section
10 41-1278, of the regional transportation plan and projects scheduled for
11 funding during the next five years.

12 B. IF THE PORTION OF THE LIGHT RAIL SYSTEM REFERRED TO AS THE MINIMUM
13 OPERATING SEGMENT IN THE REGIONAL TRANSPORTATION PLAN APPROVED PURSUANT TO
14 SECTION 28-6308 IS NOT COMPLETED ON OR BEFORE JANUARY 1, 2009, A SEPARATE
15 PERFORMANCE AUDIT SHALL BE CONDUCTED TWELVE MONTHS AFTER THE MINIMUM
16 OPERATING SYSTEM IS OPEN. THE AUDITOR GENERAL SHALL CONTRACT WITH A
17 NATIONALLY RECOGNIZED INDEPENDENT AUDITOR WITH EXPERTISE IN EVALUATING LIGHT
18 RAIL SYSTEMS TO CONDUCT THE PERFORMANCE AUDIT. THE COST OF THE AUDIT SHALL
19 BE PAID FROM COUNTY TRANSPORTATION EXCISE TAX REVENUES.

20 ~~B.~~ C. With respect to light rail systems, the ~~audit~~ AUDITS UNDER
21 SUBSECTIONS A AND B OF THIS SECTION shall consider the criteria used by the
22 federal transit administration pursuant to 49 United States Code section
23 5309(e)(1)(B) and the interrelationship among the criteria to provide federal
24 funding for light rail systems. For light rail systems, the audit shall also
25 consider:

- 26 1. Service levels.
- 27 2. Capital costs.
- 28 3. Operation and maintenance costs.
- 29 4. Transit ridership.
- 30 5. Farebox revenues.

31 ~~C.~~ D. The audit UNDER SUBSECTION A OF THIS SECTION shall:

32 1. Examine the regional transportation plan and projects scheduled for
33 funding within each transportation mode based on the performance factors
34 established in section 28-505, subsection A, in the context of the
35 transportation system.

36 2. Review past expenditures of the regional transportation plan and
37 examine the performance of the system in relieving congestion and improving
38 mobility.

39 3. Make recommendations regarding whether further implementation of a
40 project or transportation system is warranted, warranted with modifications
41 or not warranted.

42 ~~D.~~ E. The auditor general or the auditors contracted to conduct the
43 audit UNDER SUBSECTION A OF THIS SECTION shall periodically update the
44 transportation policy committee regarding the progress of the audit.

1 ~~E.~~ F. Within forty-five days after the release of the ~~audit~~ AUDITS,
2 the regional public transportation authority, the citizens transportation
3 oversight committee, the state transportation board and the county board of
4 supervisors, by a majority vote of each entity, shall submit written
5 recommendations to the transportation policy committee that the findings are
6 agreed to or disagreed with and the recommendations should be implemented, ~~BE~~
7 implemented with modification or not be implemented.

8 ~~F.~~ G. Within forty-five days after ~~the~~ AN audit's release, the
9 regional planning agency shall hold a public hearing on the audit findings
10 and recommendations.

11 ~~G.~~ H. The auditor general shall distribute copies of ~~the~~ EACH audit
12 to:

- 13 1. The regional planning agency.
- 14 2. The transportation policy committee.
- 15 3. The citizens transportation oversight committee.
- 16 4. The regional public transportation authority in the county.
- 17 5. The county board of supervisors.
- 18 6. The state transportation board.
- 19 7. The governor, secretary of state, president of the senate and
20 speaker of the house of representatives.
- 21 8. The Arizona state library, archives and public records.
- 22 9. Any other person who requests a copy pursuant to title 39, ~~CHAPTER~~
23 1, article 2.

24 ~~H.~~ I. The state transportation board, regional planning agency,
25 regional public transportation authority and county board of supervisors
26 shall cooperate with and submit to the auditor general and the auditors
27 contracted to conduct ~~the~~ EACH audit information necessary to conduct the
28 audits under this section.

29 ~~I.~~ J. The cost incurred by the auditor general in contracting with
30 independent auditors for conducting performance audits under ~~subsection~~
31 SUBSECTIONS A AND B of this section shall be paid from revenues of the county
32 transportation excise tax under section 42-6105. When due, the payments have
33 priority over any other distribution authorized by section 42-6105. The
34 auditor general shall deposit the payments in the audit services revolving
35 fund established by section 41-1279.06.