

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 480

SPONSOR: Transportation Committee and Senator Sebesta

SUBJECT: Transportation

DATE: March 12, 2002      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	McAuliffe	Meyer	TR	Favorable/CS
2.	_____	_____	AGG	_____
3.	_____	_____	AP	_____
4.	_____	_____	RC	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

## I. Summary:

This CS creates the Regional Transportation Act dedicated to identifying and funding high-priority regional transportation projects. The CS creates the Regional Transportation Advisory Council, to be comprised of the Florida Department of Transportation (FDOT) secretary or a designee; a sitting member appointed by the Speaker of the House of Representatives; and a sitting member appointed by the President of the Senate. The CS creates the Regional Transportation Grant program and the Local Transportation Management Grant program, and requires the Council to evaluate project applications, and to submit an unranked list of Regional Transportation Grant projects and an unranked list of Local Transportation Management Grant projects to the FDOT secretary for final approval. Upon approval the secretary submits the list of projects to the Legislature by February 15 of each year, beginning in 2003.

The CS creates s. 339.142, F.S., listing eight “regional transportation corridors,” and repeals the Transportation Outreach Program, the County Improvement Grant Program, and the Small County Outreach Program.

This CS substantially amends ss. 215.211, 339.1371, 339.08, creates ss. 339.141, 339.142, 339.143, and 339.144, and repeals ss. 339.137, 339.2817, and 339.2818 of the Florida Statutes.

## II. Present Situation:

FDOT has several programs to provide transportation funding to local governments. These include the Transportation Outreach Program; the County Incentive Grant Program; Small County Outreach Program; and the Small County Road Assistance Program.

### Transportation Outreach Program

Section 339.137, F.S., provides for the Transportation Outreach Program (TOP). TOP funds high priority transportation projects that enhance Florida's economic growth and competitiveness, preserve existing infrastructure, and improve travel choices to ensure mobility. Eligible projects include everything from improvements to the state highway system, to Spaceport Florida improvements, to bicycle and pedestrian paths. Projects are selected by a seven-member advisory council made up of representatives of private interests directly involved in transportation or tourism. The project list is forwarded to the Governor and the Legislature for their review, and its approval is subject to the General Appropriations Act.

In FY 2001-2002, TOP received an appropriation of \$116.3 million. Over the next decade, TOP may receive an estimated \$936 million.

### **County Incentive Grant Program**

Section 339.2817, F. S., provides for the County Incentive Grant Program. To be eligible for the program, projects must be located on the State Highway System or must relieve congestion on the State Highway System. For projects in the Florida Intrastate Highway System, FDOT provides 60 percent of project costs. For projects in the State Highway System, FDOT provides 50 percent of project costs. For local projects, which are demonstrated to relieve traffic congestion on the State Highway System, FDOT provides 35 percent of project costs.

### **Small County Outreach Program**

Section 339.2818, F.S., provides for the Small County Outreach Program. The program was created to assist small county governments (150,000 or less in population) in resurfacing and reconstructing county roads. FDOT funds 75 percent of the cost of projects funded under this program.

### **Small County Road Assistance Program**

Section 339.2816, F.S., provides for the Small County Road Assistance Program. This program assists small county governments (75,000 or less in population) in resurfacing or reconstructing county roads. To be eligible, counties must enact the maximum rate of the local option fuel tax and have imposed an ad valorem millage rate of at least 8 mills, or impose an ad valorem millage rate of 10 mills. The primary criteria for prioritizing project funding is the physical condition of the road. The program is funded at \$25 million a year until FY 2009-2010.

### **FDOT's Intermodal Program**

Pursuant to s. 341.053, F.S., FDOT is directed to draft and implement an intermodal development plan to connect Florida's airports, seaports, passenger and freight rail systems, and any intermodal systems with the Florida Intrastate Highway System. Improving intermodal connectivity is viewed as a key to boosting economic development, providing more transportation choices to travelers and shippers, and to more effectively and efficiently utilizing existing transportation infrastructure.

Projects funded through the program primarily improve or create access to and from airports, seaports and railroads. The intermodal project receiving the most attention – and funds – currently is the “Miami Intermodal Center,” (MIC), that is anticipated to improve the linkages of the Miami International Airport to I-95, provide better access for visitors needing rental cars and public transit, and make it easier and safer, via “people movers,” for travelers to get in and out of the airport terminal and area parking lots.

FDOT also is updating its Intermodal System Plan and is in Phase 2 of a Freight/Trade Corridor Plan. The earlier versions of both plans have identified transportation corridors based on major highway and railroad systems, and which need improved links to airports and seaports.

### **III. Effect of Proposed Changes:**

#### **The Regional Transportation Act**

Section 339.141, F.S., creates the Regional Transportation Act dedicated to identifying and funding high-priority regional transportation projects. The section specifies purposes of the Act as: identifying strategic intermodal corridors that can be improved or developed to provide more efficient movement of travelers, goods and services; assisting local governments in developing intermodal linkages; promoting logical linkages between different modes of transportation; attracting federal, local and private-sector funding for intermodal transportation.

The section creates the Regional Transportation Advisory Council, to be comprised of the FDOT secretary or a designee; a sitting member appointed by the Speaker of the House of Representatives; and a sitting member appointed by the President of the Senate. The section provides the terms of Council members are for two years, and the legislative appointees’ terms may not exceed the term of the presiding officers who appointed them. The section directs FDOT to serve as staff to the Council, and to ensure that all meetings are electronically recorded, and that all documents related to the Council’s work be treated as public records.

The section further creates the Regional Transportation Grant program and the Local Transportation Management Grant program. The section requires that applications for grants be submitted to FDOT by October 1 of each year, beginning in 2002. No project may be submitted as an application under both programs in the same fiscal year. FDOT is required to screen the applications in both programs for eligibility, and by December 1 of each year, beginning in 2002, to submit the eligible Regional Transportation Grant Program applications to the Council, and the eligible Local Transportation Management Grant applications to the appropriate legislative delegation. By January 15 of each year, beginning in 2003, each legislative delegation must submit its ranked list of Local Transportation Management grant projects to the Council.

The section requires the Council to evaluate project applications, and to submit an unranked list of Regional Transportation Grant projects and an unranked list of Local Transportation Management Grant projects to the FDOT secretary for final approval. Upon approval the secretary must submit the list of projects to the Legislature by February 15 of each year, beginning in 2003. Each list of projects must total no more than 1.5 times the amount of funding available for each grant program that fiscal year for the new program.

The section specifies that a minimum of \$92 million be made available for the new programs in FY 03-04 and FY 04-05, but beginning in FY 05-06, the minimum set aside for the new programs will be \$100 million in funding. The section specifies that a minimum of \$62 million from those funds must be used for the regional transportation grants, and a maximum of \$30 million may be used for the Local Transportation Management Grant program. In FY 05-06, funds previously allocated to the County Incentive Grant program will be allocated to the Local Transportation Management Grants.

### **Regional Transportation Corridors**

Section 2 of the CS creates s. 339.142, F.S., listing the following eight “regional transportation corridors:”

- The Interstate 10 Corridor, from Pensacola to Jacksonville;
- The Gulf Coast Corridor, from Pensacola to St. Petersburg to Tampa along U.S. 98 and U.S. 19/State Road 27;
- The Interstate 95-Atlantic Coast Corridor, from Jacksonville to Miami;
- The Central Florida/North-South Corridor, from the Florida-Georgia border to Naples and Fort Lauderdale/Miami, along Interstate 75;
- The Central Florida/East-West Corridor, from St. Petersburg to Tampa to Titusville, along Interstate 275, Interstate 4 and the Beeline Expressway;
- The Jacksonville to Tampa Corridor, along U.S. 301;
- The Jacksonville to Orlando Corridor, along U.S. 17; and
- The Southeastern Everglades Corridor, linking Wildwood, Winter Garden, Orlando and West Palm Beach via the Florida Turnpike.

The CS gives the Council the authority to add to, delete, or modify the original list of corridors, and to forward its changes to the Legislature.

This section also provides that any roads connecting seaports, airports, railroads, terminals and intermodal systems to the main highways are all part of the regional corridors.

### **The Regional Transportation Grant Program**

Section 3 of the CS creates s. 339.143, F.S., the Regional Transportation Grant program.

Expresses legislative findings. Lists types of eligible projects as:

- Seaport projects that improve cargo and passenger movements, or connect the seaports to other modes of transportation.
- Aviation projects that increase passenger enplanements and cargo activity, or connect airports to other modes of transportation.
- Transit projects that improve mobility on interstate highways, improve regional or localized travel, or connect to other modes of transportation.
- Rail projects that facilitate the movement of passengers and cargo including ancillary pedestrian facilities, or connect rail facilities to other modes of transportation.
- Road or highway improvements that improve access to another mode of transportation.
- Roadway relocation or related projects that address user conflicts, access issues, or safety concerns.

Specifies project criteria to be used by FDOT to screen applications:

- The project can be made production-ready within a 5-year period following the end of the current fiscal year.
- The project is consistent with a current transportation system plan including, but not limited to, the Florida Intrastate Highway System, aviation, intermodal/rail, seaport, spaceport, or transit system plans.
- The project is not inconsistent with an approved local comprehensive plan of any local government within whose boundaries the project is located in whole or in part, or, if inconsistent, is accompanied by an explanation of why the project should be undertaken.
- The project must provide intermodal access benefits.
- The project must facilitate the movement of people, goods and services on a designated strategic intermodal corridor.
- The project must encourage, enhance, or create economic benefits in urban or rural areas.

The CS directs FDOT to forward screened applications to the Council, including a summary of how the screened applications meet the Council's evaluative criteria. Specifies criteria for use by the Council in evaluating the eligible applications:

- Whether other funds are available to help complete the project;
- The amount of local, federal, or private matching funds available for the project.
- The extent to which the project incorporates corridor management techniques, including access management strategies, right-of-way acquisition or protection measures, and appropriate zoning and setback controls.
- The extent to which the project supports a multimodal transportation district established pursuant to s. 163.3180(15).
- The extent to which the project uses new technologies, including intelligent transportation systems, to enhance the efficiency of the transportation system.

### **The Local Transportation Management Grant Program**

Section 4 of the CS creates s. 339.144, F.S., the Local Transportation Management Grant program. Expresses legislative findings. Specifies project criteria to be used by FDOT to screen applicants for eligibility, which are:

- The project can be made production-ready within a 5-year period following the end of the current fiscal year.
- The project is consistent with a current transportation system plan including, but not limited to, the Florida Intrastate Highway System, aviation, intermodal/rail, seaport, spaceport, or transit system plans.
- The project is not inconsistent with an approved local comprehensive plan of any local government within whose boundaries the project is located in whole or in part, or, if inconsistent, is accompanied by an explanation of why the project should be undertaken.
- The project must provide intermodal access benefits.
- The project must facilitate the movement of people, goods and services on a designated strategic intermodal corridor.
- The project must encourage, enhance, or create economic benefits in urban or rural areas.

The CS provides the following criteria for use by the legislative delegations and the Council when evaluating applications:

- Whether funds other than state funds are available to help complete the project;
- The amount of local, federal, or private matching funds available for the project.
- The extent to which the project incorporates corridor management techniques, including access management strategies, right-of-way acquisition or protection measures, and appropriate zoning and setback controls.
- The extent to which the project supports a multimodal transportation district established pursuant to s. 163.3180(15).
- The extent to which the project uses new technologies, including intelligent transportation systems, to enhance the efficiency of the transportation system.
- The extent to which the county has enacted local-option fuel taxes, other dedicated local revenue sources, or adopted the 1-percent infrastructure sales surtax or the small county surtax, with priority spending dedicated to transportation improvements.
- The extent to which the project helps maintain or protect the environment, enhances existing public investments in transportation infrastructure, or encourages redevelopment and revitalization of downtown areas.
- The extent, to which the project serves as an evacuation route, handles high volumes of agricultural traffic or is considered a major arterial route.

The section directs the legislative delegations to submit their recommended lists to the Council by January 15 of each year. The section reiterates that the Council submits an unranked list to the FDOT secretary for final approval. Upon approval the secretary submits the list of projects to the Legislature by February 15 of each year, which must consider the recommended list in developing its General Appropriations Act. The section further provides for a 50-percent state match for counties with at least a 75,000 population, and a 75-percent state match for counties with fewer than 75,000 residents, and authorizes a waiver of the local match for economically distressed rural areas.

Section 5 of the CS amends s. 339.08, F.S., to delete obsolete references and to delete references to the Transportation Outreach Program, the County Improvement Grant Program, and the Small County Outreach Program being eligible for funding through the State Transportation Trust Fund, and adds the Local Transportation Management Grant Program and the Regional Transportation Grant Program.

Section 6 of the CS amends s. 339.1371, F.S., to delete references to the Transportation Outreach Program receiving unspent funds earmarked originally for Mobility 2000 Initiative. Specifies that the Regional Transportation Act programs shall receive those excess funds, instead.

Section 7 amends s. 215.211(3), F.S., to divert former General Revenue administrative and service charge funds from the County Improvement Grant Program and the Small County Outreach Program to the Local Management Transportation Program, effective July 1, 2005.

Section 8 repeals s. 339.137, F.S., (the Transportation Outreach Program); s. 339.2817, F.S., (the County Improvement Grant Program); and s. 339.2818, F.S., (the Small County Outreach Program).

Section 9 provides this act shall take effect July 1, 2002.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

**V. Economic Impact and Fiscal Note:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Indeterminate.

C. Government Sector Impact:

Local governments will benefit from this CS because there is no funding for the County Incentive Grant Program and the Small County Outreach Program for FY 03-04 and FY 04-05, and potentially for FY 02-03, if the Legislature accepts the Governor's transportation budget. The Local Transportation Management Grant Program within The new program will provide funding for local road and bridge projects to fill that potential three-year funding gap.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.