By the Committee on Transportation; and Senator Sebesta

306-2262A-02

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A bill to be entitled An act relating to transportation; creating s. 339.141, F.S.; creating the Regional Transportation Act; providing purpose; creating the Regional Transportation Advisory Council; providing for membership, meetings, and staff support of the council; providing duties; requiring recommendation of regional and local transportation projects; providing criteria and procedures for approval of Regional Transportation Grant projects and Local Transportation Management Grant projects; providing for approval by the Legislature; providing for funding; providing for allocation of funds from the State Transportation Trust Fund; limiting application of certain requirements; creating s. 339.142, F.S.; providing for designation as a regional transportation corridor; providing a definition; designating certain infrastructure as such corridors; authorizing the council to designate such corridors; creating s. 339.143, F.S.; creating the Regional Transportation Grant program; providing legislative findings and purpose; providing criteria for program eligibility; providing for recommendation by the council and approval by the Legislature; providing for funding; creating s. 339.144, F.S.; creating the Local Transportation Management Grant program; providing legislative findings and purpose; providing criteria for

1 program eligibility; providing for 2 recommendation by the council and approval by 3 the Legislature; providing for funding; amending s. 339.08, F.S.; revising provisions 4 5 relating to use of moneys in the State 6 Transportation Trust Fund; conforming 7 references; amending s. 339.1371, F.S.; eliminating provisions for funding the 8 9 Transportation Outreach Program; amending s. 10 215.211, F.S.; providing for use of certain 11 proceeds to fund projects selected under the act; repealing s. 339.137, F.S., relating to 12 13 the Transportation Outreach Program; repealing 14 s. 339.2817, F.S., relating to the County Incentive Grant Program; repealing s. 339.2818, 15 F.S., relating to the Small County Outreach 16 17 Program; providing an effective date. 18 19 Be It Enacted by the Legislature of the State of Florida: 20 Section 1. Section 339.141, Florida Statutes, is 21 22 created to read: 23 339.141 Regional Transportation Act; short title; 24 purpose; Regional Transportation Council; creation; 25 membership; transportation grants; criteria; applications; approval; project lists; funding.--26 27 (1) Sections 339.141-339.144 may be cited as the 'Regional Transportation Act," dedicated to identifying and 28 29 funding high-priority regional transportation projects that 30 create intermodal transportation linkages for passengers and

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the initial appointments.

freight, thus increasing cost-competitive travel choices for Florida residents, visitors, and businesses. 2 3 (2) The underlying purposes of the Regional Transportation Act are to identify projects throughout the 4 5 state which will provide more efficient movement of travelers, 6 goods, and services; assist local governments in developing 7 intermodal linkages; promote logical linkages between 8 different modes of transportation; and attract federal, state, 9 local, and private-sector funds to make these improvements. 10 (3) The Regional Transportation Advisory Council is 11 created to make recommendations annually to the Legislature on the selection of projects as provided in this section. 12 Recommendations shall be made for projects seeking Regional 13 14 Transportation Grants pursuant to s. 339.143 and Local 15 Transportation Management Grants pursuant to s. 339.144. The council shall consist of: 16 17 The secretary of the Department of Transportation, (a) 18 or his or her designee. 19 (b) One member of the Senate appointed by the President of the Senate. 20 21 One member of the House of Representatives 22 appointed by the Speaker of the House of Representatives. 23 24 Terms for council members from the Legislature shall be 2 years, provided that a legislative member's term shall not 25 exceed the term of the presiding officer making that member's 26

appointment to the council. Initial appointments must be made

no later than 30 days after the effective date of this act.

Vacancies on the council shall be filled in the same manner as

- vote. The council shall select a chair from among its membership. Meetings shall be held at the call of the chair but not less frequently than quarterly. The members of the council shall be reimbursed for per diem and travel expenses as provided in s. 112.061.
- (6) The Department of Transportation shall provide administrative staff support and shall ensure that council meetings are electronically recorded. Such recordings and all documents received, prepared for, or used by the council in conducting its business shall be preserved pursuant to chapters 119 and 257.
- (7) Applications for Regional Transportation Act funding shall be submitted to the department no later than October 1 of each year, beginning in 2002, along with documentation that the proposed project meets the criteria listed in s. 339.143 or s. 339.144, as applicable.
- (a) Regional Transportation Grant projects may be proposed by any local government, regional organization, economic development board, public or private partnership, metropolitan planning organization, state agency, or other entity engaged in economic development activities.
- (b) Local Transportation Management Grant applications may be submitted by counties and municipalities.
- (c) No project may be submitted for consideration under both grant programs in the same fiscal year.
- (8) The department shall review all of the applications submitted to determine which ones meet the basic criteria listed in ss. 339.143(3) and 339.144(2). By December 1 of each year, beginning in 2002, the department shall submit to the council all of the Regional Transportation Grant

applications that comply, and to each county's legislative
delegation the applicable Local Transportation Management
Grant applications that comply. Included in the department's
submittals shall be a summary of each eligible grant
application, including summary information indicating how the
project meets the criteria in s. 339.143(5) or s. 339.144(3),
as applicable.

- (9)(a) The council shall evaluate all of the applications it receives from the department and the legislative delegations and shall annually develop separate lists of recommended projects for Regional Transportation

 Grants and Local Transportation Management Grants for approval by the Secretary of Transportation. Upon approval, the secretary shall submit the approved list for the Legislature's consideration for inclusion in the General Appropriations Act.
- (b) In selecting projects for inclusion on its two recommended projects lists, the council shall consider the additional criteria in ss. 339.143(5) and 339.144(3), depending on the grant program.
- (10) The council is encouraged to seek input from transportation or economic development entities and to consider the reports and recommendations of task forces, study commissions, or similar entities charged with reviewing issues relevant to the council's mission.
- (11) The council's recommended projects lists shall not be ranked. Each list of projects shall total an amount that is no more than 1.5 times the amount of state funding available for the total regional transportation program that fiscal year.
- 30 (12) The Legislature shall consider the council's
 31 recommended projects lists and shall include approved projects

in the General Appropriations Act. Projects approved by the Legislature must be included in the department's adopted work 2 3 program. 4 (13) For fiscal years 2003-2004 and 2004-2005, the 5 department shall allocate a minimum of \$92 million from the 6 State Transportation Trust Fund in its program and resource 7 plan to fund the programs in ss. 339.141-339.144. Of that 8 amount, a minimum of \$62 million shall be awarded to projects seeking Regional Transportation Grants. A maximum of \$30 9 million shall be awarded to projects seeking Local 10 11 Transportation Management Grants. For fiscal year 2005-2006, the department shall allocate a minimum of \$100 million for 12 the programs in ss. 339.141-339.144. Of that amount, a maximum 13 of \$4 million shall be awarded to projects seeking Local 14 Transportation Management Grants. Beginning in fiscal year 15 2006-2007 and for each year thereafter, the minimum amount 16 17 allocated shall be \$100 million for projects seeking Regional Transportation Grants. This allocation of funds is in addition 18 19 to any funding provided to this program by any other provision of law. Notwithstanding any other laws to the contrary, the 20 21 requirements of ss. 339.135(1)-(5), 339.155, and 339.175 shall not apply to these funds and programs. 22 23 Section 2. Section 339.142, Florida Statutes, is 24 created to read: 339.142 Regional transportation corridors.--25 (1) A "regional transportation corridor" is defined as 26 27 a regional system of transportation infrastructure that collectively provides for the efficient movement of 28 29 significant numbers of persons and significant volumes of 30 intrastate, interstate, and international commerce by 31 seamlessly linking multiple modes of travel.

1	(2) Florida's initial regional transportation
2	corridors are:
3	(a) The Interstate 10 Corridor, from Pensacola to
4	Jacksonville.
5	(b) The Gulf Coast Corridor, from Pensacola to St.
6	Petersburg and to Tampa along U.S. 98 and U.S. 19/State Road
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8	(c) The Interstate 95-Atlantic Coast Corridor, from
9	Jacksonville to Miami.
10	(d) The Central Florida/North-South Corridor, from the
11	Florida-Georgia border to Naples and Fort Lauderdale/Miami,
12	along Interstate 75.
13	(e) The Central Florida/East-West Corridor, from St.
14	Petersburg to Tampa and to Titusville, along Interstate 275,
15	Interstate 4, and the Beeline Expressway.
16	(f) The Jacksonville to Tampa Corridor, along U.S.
17	<u>301.</u>
18	(g) The Jacksonville to Orlando Corridor, along U.S.
19	<u>17.</u>
20	(h) The Southeastern Everglades Corridor, linking
21	Wildwood, Winter Garden, Orlando, and West Palm Beach via the
22	Florida Turnpike.
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24	For the purposes of this subsection, the term "corridor"
25	includes the roadways linking seaports, commercial service and
26	general aviation airports, rail yards, transportation
27	terminals, and intermodal service centers to the major
28	highways listed in this subsection to designate regional
29	corridors.
30	(3) The Regional Transportation Advisory Council is
31	authorized to make additions to deletions from or

modifications to the initially designated corridors listed in subsection (2). These changes shall be accomplished through 2 3 adoption of a resolution by majority vote of the council indicating the changes to the corridors. The department may 4 5 provide input to the council regarding proposed changes to the 6 corridors, including the results of any consensus-building process undertaken by the department to better define regional 7 8 transportation corridors. In addition, any of the entities eligible to submit an application for a Regional 9 10 Transportation Grant pursuant to s. 339.141(7)(a) may propose 11 corridor changes to the council. The council shall provide any such adopted resolutions to the Governor, the President of the 12 Senate, and the Speaker of the House of Representatives. 13 14 Section 3. Section 339.143, Florida Statutes, is created to read: 15 339.143 Regional Transportation Grant program. --16 17 (1) The Legislature finds that Florida's future 18 regional investments in transportation should be targeted 19 toward a regional transportation system that integrates key components of the Florida Intrastate Highway System, seaports, 20 spaceports, aviation facilities, and rail facilities within 21 designated corridors. The Legislature further finds that 22 Florida's future economic health depends on a system that can 23 24 successfully move growing numbers of residents and tourists and transport goods and services within Florida, as well as to 25 and from national and international markets. Therefore, the 26 27 Legislature creates the Regional Transportation Grant program to address these needs and to supplement existing related 28 29 transportation programs. 30

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1	(2) Projects eligible to receive Regional
2	Transportation Grants include, but are not limited to, the
3	following:
4	(a) Seaport projects that improve cargo and passenger
5	movements or connect the seaports to other modes of
6	transportation.
7	(b) Aviation projects that increase passenger
8	enplanements and cargo activity or connect airports to other
9	modes of transportation.
10	(c) Transit projects that improve mobility on
11	interstate highways, improve regional or localized travel, or
12	connect to other modes of transportation.
13	(d) Rail projects that facilitate the movement of
14	passengers and cargo, including ancillary pedestrian
15	facilities, or that connect rail facilities to other modes of
16	transportation.
17	(e) Road or highway improvements that improve access
18	to another mode of transportation.
19	(f) Roadway relocation projects or other projects that
20	address vehicle user conflicts, access issues, or safety
21	concerns with rail lines.
22	(3) The basic criteria for receipt of a Regional
23	Transportation Grant are as follows:
24	(a) The project must be able to be made
25	production-ready within a 5-year period following the end of
26	the current fiscal year.
27	(b) The project must be consistent with a current
28	transportation system plan, including, but not limited to, the
29	Florida Intrastate Highway System, aviation, intermodal/rail,

seaport, spaceport, or transit system plans.

1	(c) The project must not be inconsistent with an
2	approved local comprehensive plan of any local government
3	within whose boundaries the project is located in whole or in
4	part, or, if inconsistent, must be accompanied by an
5	explanation of why the project should be undertaken.
6	(d) The project must be of statewide or regional
7	significance.
8	(e) The project must facilitate the movement of
9	people, goods, and services within a regional transportation
10	corridor designated pursuant to s. 339.142.
11	(f) The project must encourage, enhance, or create
12	economic benefits in urban or rural areas.
13	(4) Eligible projects that meet the basic criteria in
14	subsection (3) as determined by the department shall be
15	forwarded by the department to the Regional Transportation
16	Advisory Council for evaluation.
17	(5) The council shall use the following criteria for
18	selecting projects for its recommended projects list:
19	(a) Whether other funds are available to help complete
20	the project.
21	(b) The amount of local, federal, or private matching
22	funds available for the project.
23	(c) The extent to which the project incorporates
24	corridor management techniques, including access management
25	strategies, right-of-way acquisition or protection measures,
26	and appropriate zoning and setback controls.
27	(d) The extent to which the project supports a
28	multimodal transportation district established pursuant to s.
29	163.3180(15).
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1 (e) The extent to which the project uses new technologies, including intelligent transportation systems, to 2 3 enhance the efficiency of the transportation system. (6) Pursuant to s. 339.141, the Regional 4 5 Transportation Advisory Council shall develop a list of 6 recommended regional transportation projects and submit it to 7 the Secretary of Transportation for approval. Upon approval, 8 the secretary shall submit the approved list to the Legislature. The Legislature shall consider the council's 9 recommended projects list and shall include approved projects 10 11 in the General Appropriations Act. Section 4. Section 339.144, Florida Statutes, is 12 13 created to read: 14 339.144 Local Transportation Management Grant 15 program. --The Legislature finds that while planning and 16 17 financing a statewide transportation system is of primary importance to Florida's economic well-being and public safety, 18 19 the state also has a responsibility to share in the costs of addressing the mobility needs of Florida's local and 20 21 metropolitan areas. The Legislature further finds that a local transportation management grant program, in conjunction with 22 other existing programs, is necessary to financially assist 23 24 local governments in planning and building transportation 25 systems that encourage sound planning practices, promote economic development, and encourage connectivity with state 26 27 transportation infrastructure. Therefore, the Legislature 28 creates the Local Transportation Management Grant program. 29 The basic criteria for receipt of a Local 30 Transportation Management Grant are as follows:

1 (a) The project must be able to be made 2 production-ready within a 5-year period following the end of 3 the current fiscal year. The project must be consistent with a current 4 5 state, regional, or local transportation system plan. 6 The project must not be inconsistent with an 7 approved local comprehensive plan of any local government 8 within whose boundaries the project is located in whole or in 9 part, or, if inconsistent, must be accompanied by an 10 explanation of why the project should be undertaken. 11 (3) Projects that meet the basic criteria in subsection (2) as determined by the department shall be 12 forwarded by the department to the appropriate legislative 13 delegation. The delegation shall evaluate the applications for 14 projects within its particular county based on the following 15 16 criteria: 17 The extent to which the project provides 18 intermodal access benefits. 19 The extent to which the project facilitates the movement of people, goods, and services on a designated 20 21 regional transportation corridor. 22 The extent to which the project encourages, enhances, or creates economic benefits in urban or rural 23 24 areas. 25 (d) The extent to which the county has enacted local 26 option fuel taxes and other dedicated local revenue sources or 27 adopted the 1-percent infrastructure sales surtax or the small county surtax, with priority spending dedicated to 28 29 transportation improvements. 30 The extent to which the project helps to maintain

or protect the environment, enhances existing public

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investments in transportation infrastructure, or encourages redevelopment and revitalization of downtown areas.

- (f) Whether other funds are available to help complete the project.
- (g) The amount of local, federal, or private matching funds available for the project.
- (h) 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.
- (i) The extent to which the project supports a multimodal transportation district established pursuant to s. 163.3180(15).
- (j) The extent to which the project uses new technologies, including intelligent transportation systems, to enhance the efficiency of the transportation system.
- (k) The extent to which the project serves as an evacuation route, handles high levels of agricultural travel, or is considered a major arterial route. For projects under this paragraph, the physical condition of the road also may be considered.

Each legislative delegation shall rank its county's projects and send its list of rankings to the Regional Transportation Advisory Council by January 15 of each year, beginning in 2003.

27 (4) Pursuant to s. 339.141, the Regional
28 Transportation Advisory Council shall develop an unranked list
29 of recommended Local Transportation Management Grant projects,
30 based on its evaluation of the criteria in subsection (3) and
31 the recommendations from the county legislative delegations.

The council shall submit the recommended projects list to the Legislature by February 15 of each year, beginning in 2003.

The Legislature shall consider the council's recommended projects list and shall include approved projects in the General Appropriations Act.

(5) The grant program shall provide a 50-percent state match for project costs of selected projects within a county with a population of 75,000 or more, and a 75-percent match for projects within counties with a population of less than 75,000. The match requirement may be waived for rural areas pursuant to s. 288.06561.

Section 5. Subsections (1) and (2) of section 339.08, Florida Statutes, are amended to read:

339.08 Use of moneys in State Transportation Trust Fund.--

- (1) The department shall <u>expend</u> by rule provide for the expenditure of the moneys in the State Transportation Trust Fund accruing to the department, in accordance with its annual budget.
- (2) These rules must restrict The use of such moneys is restricted to the following purposes:
- (a) To pay administrative expenses of the department, including administrative expenses incurred by the several state transportation districts, but excluding administrative expenses of commuter rail authorities that do not operate rail service.
- (b) To pay the cost of construction of the State Highway System.
- (c) To pay the cost of maintaining the State Highway System.

- (d) To pay the cost of public transportation projects in accordance with chapter 341 and ss. 332.003-332.007.
- (e) To reimburse counties or municipalities for expenditures made on projects in the State Highway System as authorized by s. 339.12(4) upon legislative approval.
- (f) To pay the cost of economic development transportation projects in accordance with s. 288.063.
- (g) To lend or pay a portion of the operating, maintenance, and capital costs of a revenue-producing transportation project that is located on the State Highway System or that is demonstrated to relieve traffic congestion on the State Highway System.
- (h) To match any federal-aid funds allocated for any other transportation purpose, including funds allocated to projects not located in the State Highway System.
- (i) To pay the cost of county road projects selected in accordance with the Small County Road Assistance Program created in s. 339.2816.
- (j) To pay the cost of county or municipal road projects selected in accordance with the <u>Local Transportation</u>

 Management Grant program created pursuant to s. 339.144 County

 Touchive Grant Program created in s. 339.2817 and the Small County Outreach Program created in s. 339.2818.
- (k) To provide loans and credit enhancements for use in constructing and improving highway transportation facilities selected in accordance with the state-funded infrastructure bank created in s. 339.55.
- (1) To fund the <u>Regional Transportation Grant projects</u> selected pursuant to s. 339.143 Transportation Outreach

 Program created in s. 339.137.

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1 (m) To pay other lawful expenditures of the 2 department.

Section 6. Section 339.1371, Florida Statutes, is amended to read:

339.1371 Mobility 2000; Transportation Outreach Program; funding.--

- (1) Beginning in fiscal year 2000-2001 the Department of Transportation shall allocate sufficient funds to implement the Mobility 2000 (Building Roads for the 21st Century) initiative. The department shall develop a plan to expend these revenues and amend the current tentative work program for the time period 2000-2001 through 2004-2005 prior to adoption to include Mobility 2000 projects. In addition, prior to work program adoption, the department shall submit a budget amendment pursuant to s. 339.135(7), requesting budget authority needed to implement the Mobility 2000 initiative. Funds will be used for corridors that link Florida's economic regions to seaports, international airports, and markets to provide connections through major gateways, improved mobility in major urbanized areas, and access routes for emergency evacuation to coastal communities based on analysis of current and projected traffic conditions.
- (2) Notwithstanding any other provision of law, in fiscal year 2001-2002 and each year thereafter, the increase in revenue to the State Transportation Trust Fund derived from ss. 1, 2, 3, 7, 9, and 10, ch. 2000-257, Laws of Florida, shall be first used by the Department of Transportation to fund the Mobility 2000 initiative and any remaining funds shall be used to fund the Transportation Outreach Program created pursuant to s. 339.137. Notwithstanding any other law

to the contrary, the requirements of ss. 206.46(3) and 2 206.606(2) shall not apply to the Mobility 2000 initiative. 3 Section 7. Subsection (3) of section 215.211, Florida Statutes, is amended to read: 4 5 215.211 Service charge; elimination or reduction for 6 specified proceeds.--7 (3) Notwithstanding the provisions of s. 215.20(1), 8 the service charge provided in s. 215.20(1), which is deducted 9 from the proceeds of the local option fuel tax distributed 10 under s. 336.025, shall be reduced as follows: 11 (a) For the period July 1, 2005, through June 30, 2006, the rate of the service charge shall be 3.5 percent. 12 (b) Beginning July 1, 2006, and thereafter, no service 13 charge shall be deducted from the proceeds of the local option 14 fuel tax distributed under s. 336.025. 15 16 17 An amount equal to the reduction in the service charge The increased revenues derived from this subsection shall be 18 19 deposited in the State Transportation Trust Fund and used to 20 fund the projects selected under the Local Transportation Management Grant program created pursuant to s. 339.144 County 21 22 Incentive Grant Program and the Small County Outreach Program. Up to 20 percent of such funds shall be used for the purpose 23 24 of implementing the Small County Outreach Program as provided 25 in this act. Notwithstanding any other laws to the contrary, the requirements of ss. 206.46(3), 206.606(2), 339.135(1)-(5), 26 339.155, and 339.175 shall not apply to these funds and 27 28 programs. 29 Section 8. Sections 339.137, 339.2817, and 339.2818, 30 Florida Statutes, are repealed.

Section 9. This act shall take effect July 1, 2002.

1	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2	COMMITTEE SUBSTITUTE FOR Senate Bill 480
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4	This CS creates the Regional Transportation Act dedicated to identifying and funding high-priority regional transportation
5	projects. The CS creates the Regional Transportation Advisory Council, to be comprised of the Florida Department of
6	Transportation (FDOT) secretary or a designee; a sitting member appointed by the Speaker of the House of
7	Representatives; and a sitting member appointed by the President of the Senate. The CS creates the Regional
8	Transportation Grant program and the Local Transportation
9	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
10	Local Transportation Management Grant projects to the FDOT secretary for final approval. Upon approval the secretary
11	submits the list of projects to the Legislature by February 15 of each year, beginning in 2003.
12	The CS creates s. 339.142, F.S., listing eight "regional transportation corridors," and repeals the Transportation
13	Outreach Program, the County Improvement Grant Program, and
14	the Small County Outreach Program.
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