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A bill to be entitled
 An act relating to regional transportation authorities;
 amending s. 343.52, F.S.; revising the definition of
 "transit system" for purposes of the South Florida
 Regional Transportation Authority Act; amending s. 343.54,
 F.S.; revising powers and duties of that authority;
 amending s. 343.55, F.S.; providing for issuance,
 reissuance, and redemption of revenue bonds by the
 authority; amending s. 343.58, F.S.; revising funding
 sources of the authority; removing certain county
 contributions to the authority; revising a vehicle
 registration tax levied by the authority; providing for
 annual revision of the tax until a specified time;
 amending s. 120.52, F.S.; providing that specified
 regional transportation authorities are not agencies under
 the Administrative Procedure Act; amending s. 163.3180,
 F.S.; providing that comprehensive plan concurrency
 requirements do not apply to transit-oriented development
 master plans; providing criteria for such plans; providing
 an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (4) of section 343.52, Florida
 Statutes, is amended to read:

343.52 Definitions.--As used in this part, the term:
 (4) "Transit system" means a system used for the
 transportation of people and goods by means of, without

29 | limitation, a street railway, an inland waterway, an elevated
 30 | railway having a fixed guideway, a commuter railroad, a subway,
 31 | motor vehicles, or motor buses, and includes a complete system
 32 | of tracks, stations, and rolling stock necessary to effectuate
 33 | passenger service to or from the surrounding regional
 34 | municipalities.

35 | Section 2. Paragraph (b) of subsection (1) and subsection
 36 | (5) of section 343.54, Florida Statutes, are amended to read:

37 | 343.54 Powers and duties.--

38 | (1)

39 | (b) It is the express intention of this part that the
 40 | authority be authorized to plan, develop, own, purchase, lease,
 41 | or otherwise acquire, demolish, construct, improve, relocate,
 42 | equip, repair, maintain, operate, and manage a transit system
 43 | and transit facilities; to establish and determine the policies
 44 | necessary for the best interest of the operation and promotion
 45 | of a transit system; and to adopt rules necessary to govern the
 46 | operation of a transit ~~commuter-rail~~ system and transit ~~commuter~~
 47 | ~~rail~~ facilities. It is the intent of the Legislature that the
 48 | South Florida Regional Transportation Authority shall have
 49 | overall authority to coordinate, develop, and operate a regional
 50 | transportation system within the area served.

51 | (5) The authority, by a resolution of its governing board,
 52 | may expand its service area and enter into an agreement a
 53 | ~~partnership~~ with any county that is contiguous to the service
 54 | area of the authority. The board shall determine the conditions
 55 | and terms of the agreement ~~partnership~~, except as provided
 56 | herein. However, the authority may not expand its service area

57 without the consent of the board of county commissioners
 58 representing the proposed expansion area, ~~and a county may not~~
 59 ~~be added to the service area except in the year that federal~~
 60 ~~reauthorization legislation for transportation funds is enacted.~~

61 Section 3. Subsection (3) of section 343.55, Florida
 62 Statutes, is amended to read:

63 343.55 ~~Issuance of~~ Revenue bonds.--

64 (3)(a) The authority may issue, reissue, or redeem bonds
 65 that do not pledge the full faith and credit of the state in
 66 such principal amount as, in the opinion of the authority, is
 67 necessary to provide sufficient moneys for achieving its
 68 corporate purposes.

69 (b) The bonds of the authority, whether on original
 70 issuance or refunding, must be authorized by resolution of the
 71 authority after approval of the issuance of the bonds at a
 72 public hearing, may be either term or serial bonds, and shall
 73 bear such date or dates, mature at such time or times, bear
 74 interest at such rate or rates, be in such denominations, be in
 75 such form, either coupon or fully registered, carry such
 76 registration, exchangeability, and interchangeability
 77 privileges, be payable in such medium of payment and at such
 78 place or places and at such times, be subject to such terms of
 79 redemption, and be entitled to such priorities on the revenues,
 80 rates, fees, rentals, or other charges or receipts of the
 81 authority as such resolution or any resolution subsequent
 82 thereto may provide. The bonds must be executed by such officers
 83 as the authority determines under the requirements of s. 279.06.

84 (c) Said bonds shall be sold by the authority at public
 85 sale by competitive bid. However, if the authority, after
 86 receipt of a written recommendation from a financial adviser,
 87 shall determine by official action after public hearing by a
 88 two-thirds vote of all voting members of the authority that a
 89 negotiated sale of the bonds is in the best interest of the
 90 authority, the authority may negotiate for sale of the bonds
 91 with the underwriter or underwriters designated by the
 92 authority. The authority shall provide specific findings in a
 93 resolution as to the reasons requiring the negotiated sale,
 94 which resolution shall incorporate and have attached thereto the
 95 written recommendation of the financial adviser required by this
 96 paragraph.

97 (d) Any such resolution or resolutions authorizing any
 98 bonds hereunder that do not pledge the full faith and credit of
 99 the state may contain provisions that are part of the contract
 100 with the holders of the bonds as the authority determines
 101 proper. In addition, the authority may enter into trust
 102 indentures or other agreements with its fiscal agent, or with
 103 any bank or trust company within or without the state, as
 104 security for such bonds and may, under the agreements, assign
 105 and pledge the revenues, rates, fees, rentals, tolls, or other
 106 charges or receipts of the authority.

107 (e) Any of the bonds issued pursuant to this part are
 108 negotiable instruments and have all the qualities and incidents
 109 of negotiable instruments under the law merchant and the
 110 negotiable instruments law of the state. ~~The Division of Bond~~

111 ~~Finance is authorized to issue revenue bonds on behalf of the~~
 112 ~~authority to finance or refinance the cost of projects.~~

113 Section 4. Section 343.58, Florida Statutes, is amended to
 114 read:

115 343.58 ~~County~~ Funding for the South Florida Regional
 116 Transportation Authority.--

117 ~~(1) Each county served by the South Florida Regional~~
 118 ~~Transportation Authority must dedicate \$2.67 million to the~~
 119 ~~authority annually. The recurring annual \$2.67 million must be~~
 120 ~~dedicated by the governing body of each county by August 1,~~
 121 ~~2003. Notwithstanding ss. 206.41 and 206.87, such dedicated~~
 122 ~~funding may come from each county's share of the ninth-cent fuel~~
 123 ~~tax, the local option fuel tax, or any other source of local gas~~
 124 ~~taxes or other nonfederal funds available to the counties. In~~
 125 ~~addition,~~ The Legislature authorizes the levy of an annual
 126 license tax in the amount of \$5 ~~\$2~~ for the registration or
 127 renewal of registration of each vehicle taxed under s. 320.08
 128 and registered in the area served by the South Florida Regional
 129 Transportation Authority with an escalation equivalent to the
 130 Consumer Price Index each year until 2030. The annual license
 131 tax shall take effect in any county served by the authority upon
 132 approval by the residents in a county served by the authority.
 133 The annual license tax shall be levied and the Department of
 134 Highway Safety and Motor Vehicles shall remit the proceeds each
 135 month from the tax to the South Florida Regional Transportation
 136 Authority.

137 ~~(2) In addition, each county shall continue to annually~~
 138 ~~fund the operations of the South Florida Regional Transportation~~

139 ~~Authority in an amount not less than \$1.565 million. Such Funds~~
 140 pursuant to this section ~~subsection~~ shall also be considered a
 141 dedicated funding source.

142
 143 If, by December 31, 2009, the South Florida Regional
 144 Transportation Authority has not received federal matching funds
 145 based upon the dedication of funds under this section ~~subsection~~
 146 ~~(1)~~, this section ~~subsection (1)~~ shall be repealed.

147 Section 5. Subsection (1) of section 120.52, Florida
 148 Statutes, is amended to read:

149 120.52 Definitions.--As used in this act:

150 (1) "Agency" means:

151 (a) The Governor in the exercise of all executive powers
 152 other than those derived from the constitution.

153 (b) Each:

154 1. State officer and state department, and each
 155 departmental unit described in s. 20.04.

156 2. Authority, including a regional water supply authority.

157 3. Board.

158 4. Commission, including the Commission on Ethics and the
 159 Fish and Wildlife Conservation Commission when acting pursuant
 160 to statutory authority derived from the Legislature.

161 5. Regional planning agency.

162 6. Multicounty special district with a majority of its
 163 governing board comprised of nonelected persons.

164 7. Educational units.

165 8. Entity described in chapters 163, 373, 380, and 582 and
 166 s. 186.504.

167 (c) Each other unit of government in the state, including
 168 counties and municipalities, to the extent they are expressly
 169 made subject to this act by general or special law or existing
 170 judicial decisions.

171
 172 This definition does not include any legal entity or agency
 173 created in whole or in part pursuant to chapter 361, part II,
 174 any metropolitan planning organization created pursuant to s.
 175 339.175, any separate legal or administrative entity created
 176 pursuant to s. 339.175 of which a metropolitan planning
 177 organization is a member, a regional transportation authority
 178 created pursuant to chapter 343, an expressway authority
 179 pursuant to chapter 348, any legal or administrative entity
 180 created by an interlocal agreement pursuant to s. 163.01(7),
 181 unless any party to such agreement is otherwise an agency as
 182 defined in this subsection, or any multicounty special district
 183 with a majority of its governing board comprised of elected
 184 persons; however, this definition shall include a regional water
 185 supply authority.

186 Section 6. Paragraph (b) of subsection (4) of section
 187 163.3180, Florida Statutes, is amended to read:

188 163.3180 Concurrency.--

189 (4)

190 (b) The concurrency requirement as implemented in local
 191 comprehensive plans does not apply to public transit facilities
 192 or transit-oriented development master plans. For the purposes
 193 of this paragraph, public transit facilities include transit
 194 stations and terminals, transit station parking, park-and-ride

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195 lots, intermodal public transit connection or transfer
196 facilities, and fixed bus, guideway, and rail stations. For the
197 purposes of this paragraph, transit-oriented development master
198 plans are plans adopted by a local governing body that
199 graphically depict the locations of transit stations, roadways,
200 buildings, public spaces, and civic spaces within a quarter-mile
201 to half-mile radius of the transit station. As used in this
202 paragraph, the terms "terminals" and "transit facilities" do not
203 include airports or seaports or commercial or residential
204 development constructed in conjunction with a public transit
205 facility, except as may be constructed within a transit-oriented
206 development master plan.

207 Section 7. This act shall take effect upon becoming a law.