

By Senator Young

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1 A bill to be entitled
2 An act relating to the Statewide Alternative
3 Transportation Authority; amending s. 20.23, F.S.;
4 adding an alternative transportation authority as part
5 of the operations of the Department of Transportation;
6 requiring the authority to be headed by an executive
7 director; requiring the headquarters of the authority
8 to be located in Leon County; requiring the
9 responsibility for expending certain funds to be
10 delegated by the department secretary to the executive
11 director of the authority, subject to certain
12 requirements; requiring the authority to operate
13 pursuant to specified provisions; exempting the
14 authority from certain departmental policies,
15 procedures, and standards, subject to the secretary
16 having the authority to apply any such policies,
17 procedures, and standards to the authority; amending
18 s. 201.15, F.S.; beginning in a specified timeframe,
19 revising annual allocations in the State
20 Transportation Trust Fund for the Transportation
21 Regional Incentive Program; specifying annual
22 allocations to the Tampa Bay Area Regional Transit
23 Authority and the Statewide Alternative Transportation
24 Authority for certain purposes; specifying
25 requirements for matching funds for the Tampa Bay Area
26 Regional Transit Authority; repealing s. 341.303(5),
27 F.S., relating to fund participation and the Florida
28 Rail Enterprise; deleting a provision authorizing the
29 department, through the Florida Rail Enterprise, to

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30 use specified funds for certain purposes; creating s.
31 341.86, F.S.; creating within the department the
32 Statewide Alternative Transportation Authority;
33 defining the term "alternative transportation system";
34 specifying powers of the authority; requiring the
35 authority to be a single budget entity and to develop
36 a budget pursuant to specified provisions; requiring
37 the authority's budget to be submitted to the
38 Legislature with the department's budget; requiring
39 all alternative transportation system funding by the
40 department to be included in a certain budget entity;
41 requiring the Executive Office of the Governor, on a
42 specified date of each year, to certify forward
43 certain unexpended funds for the authority, subject to
44 certain requirements; requiring the department,
45 through the authority, to use specified funds in a
46 county to fund the design and construction of an
47 alternative transportation system for passengers based
48 on a certain proposal by the county; specifying
49 requirements for the use of the funds; requiring a
50 county proposing the use of funds for an alternative
51 transportation system to submit a request to the
52 authority, subject to certain requirements; requiring
53 local matching funds for certain distributions,
54 subject to certain requirements; prohibiting certain
55 funds distributed from being used to subsidize certain
56 existing projects; amending s. 343.58, F.S.;
57 conforming provisions to changes made by the act;
58 providing an effective date.

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

Section 1. Paragraph (a) of subsection (4) of section 20.23, Florida Statutes, is amended, and paragraph (g) is added to that subsection, to read:

20.23 Department of Transportation.—There is created a Department of Transportation which shall be a decentralized agency.

(4) (a) The operations of the department shall be organized into seven districts, each headed by a district secretary, and a turnpike enterprise, ~~and~~ a rail enterprise, and an alternative transportation authority, each enterprise and the authority headed by an executive director. The district secretaries and the executive directors shall be registered professional engineers in accordance with ~~the provisions of~~ chapter 471 or the laws of another state, or, in lieu of professional engineer registration, a district secretary or executive director may hold an advanced degree in an appropriate related discipline, such as a Master of Business Administration. The headquarters of the districts shall be located in Polk, Columbia, Washington, Broward, Volusia, Miami-Dade, and Hillsborough Counties. The headquarters of the turnpike enterprise shall be located in Orange County. The headquarters of the rail enterprise and the alternative transportation authority shall be located in Leon County. In order to provide for efficient operations and to expedite the decisionmaking process, the department shall provide for maximum decentralization to the districts.

(g)1. The responsibility for expending funds for the design

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88 and construction of alternative transportation systems shall be
89 delegated by the secretary to the executive director of the
90 alternative transportation authority, who shall serve at the
91 pleasure of the secretary. The executive director shall report
92 directly to the secretary, and the authority shall operate
93 pursuant to s. 341.86.

94 2. To facilitate the most efficient administration of funds
95 for alternative transportation systems, the authority, except as
96 provided in s. 287.055, is exempt from departmental policies,
97 procedures, and standards, subject to the secretary having the
98 authority to apply any such policies, procedures, and standards
99 to the authority from time to time as deemed appropriate.

100 Section 2. Paragraph (a) of subsection (4) of section
101 201.15, Florida Statutes, is amended, and paragraph (b) of that
102 subsection is republished, to read:

103 201.15 Distribution of taxes collected.—All taxes collected
104 under this chapter are hereby pledged and shall be first made
105 available to make payments when due on bonds issued pursuant to
106 s. 215.618 or s. 215.619, or any other bonds authorized to be
107 issued on a parity basis with such bonds. Such pledge and
108 availability for the payment of these bonds shall have priority
109 over any requirement for the payment of service charges or costs
110 of collection and enforcement under this section. All taxes
111 collected under this chapter, except taxes distributed to the
112 Land Acquisition Trust Fund pursuant to subsections (1) and (2),
113 are subject to the service charge imposed in s. 215.20(1).
114 Before distribution pursuant to this section, the Department of
115 Revenue shall deduct amounts necessary to pay the costs of the
116 collection and enforcement of the tax levied by this chapter.

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117 The costs and service charge may not be levied against any
118 portion of taxes pledged to debt service on bonds to the extent
119 that the costs and service charge are required to pay any
120 amounts relating to the bonds. All of the costs of the
121 collection and enforcement of the tax levied by this chapter and
122 the service charge shall be available and transferred to the
123 extent necessary to pay debt service and any other amounts
124 payable with respect to bonds authorized before January 1, 2017,
125 secured by revenues distributed pursuant to this section. All
126 taxes remaining after deduction of costs shall be distributed as
127 follows:

128 (4) After the required distributions to the Land
129 Acquisition Trust Fund pursuant to subsections (1) and (2) and
130 deduction of the service charge imposed pursuant to s.
131 215.20(1), the remainder shall be distributed as follows:

132 (a) The lesser of 24.18442 percent of the remainder or
133 \$541.75 million in each fiscal year shall be paid into the State
134 Treasury to the credit of the State Transportation Trust Fund.
135 Of such funds, \$75 million for each fiscal year shall be
136 transferred to the General Revenue Fund. Notwithstanding any
137 other law, the remaining amount credited to the State
138 Transportation Trust Fund shall be used for:

139 1. Capital funding for the New Starts Transit Program,
140 authorized by Title 49, U.S.C. s. 5309 and specified in s.
141 341.051, in the amount of 10 percent of the funds;

142 2. The Small County Outreach Program specified in s.
143 339.2818, in the amount of 10 percent of the funds;

144 3. The Strategic Intermodal System specified in ss. 339.61,
145 339.62, 339.63, and 339.64, in the amount of 75 percent of the

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146 funds after deduction of the payments required pursuant to
147 subparagraphs 1. and 2.; and

148 4. The Transportation Regional Incentive Program specified
149 in s. 339.2819, in the amount of 25 percent of the funds after
150 deduction of the payments required pursuant to subparagraphs 1.
151 and 2. Beginning in the 2021-2022 fiscal year, the first \$60
152 million of the funds allocated pursuant to this subparagraph
153 must ~~shall~~ be allocated annually for alternative transportation
154 systems, as defined in s. 341.86, as follows:

155 a. Twenty-five million dollars on a matching basis to the
156 Tampa Bay Area Regional Transit Authority for the design and
157 construction of an alternative transportation system, as defined
158 in s. 341.86. One dollar in local or private matching funds must
159 be provided for each dollar distributed under this sub-
160 paragraph. Federal funds may not be substituted for the local
161 or private matching funds.

162 b. Thirty-five million dollars to the Statewide Alternative
163 Transportation Authority ~~to the Florida Rail Enterprise~~ for the
164 purposes established in s. 341.86 ~~s. 341.303(5).~~

165 (b) The lesser of 0.1456 percent of the remainder or \$3.25
166 million in each fiscal year shall be paid into the State
167 Treasury to the credit of the Grants and Donations Trust Fund in
168 the Department of Economic Opportunity to fund technical
169 assistance to local governments.

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171 Moneys distributed pursuant to paragraphs (a) and (b) may not be
172 pledged for debt service unless such pledge is approved by
173 referendum of the voters.

174 Section 3. Subsection (5) of section 341.303, Florida

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175 Statutes, is repealed.

176 Section 4. Section 341.86, Florida Statutes, is created to
177 read:

178 341.86 Statewide Alternative Transportation Authority.—

179 (1) There is created within the department the Statewide
180 Alternative Transportation Authority.

181 (2) For purposes of this section, the term "alternative
182 transportation system" means a system of infrastructure,
183 appurtenances, and technology designed to move the greatest
184 number of people in the least amount of time. The term includes,
185 but is not limited to, autonomous vehicles as defined in s.
186 316.003 and transportation network companies as defined in s.
187 627.748. The term does not include other traditional uses of a
188 roadway system for conveyance.

189 (3) In addition to the powers granted to the department,
190 the authority may exercise all powers granted to it under this
191 section. These powers are in addition and supplemental to the
192 existing powers of the department. Powers of the authority
193 include, but are not limited to:

194 (a) Evaluating, financing, and overseeing proposals for
195 alternative transportation systems in this state.

196 (b) Expending funds to publicize and promote alternative
197 transportation systems and to contract with entities to
198 accomplish these purposes.

199 (c) Soliciting proposals in accordance with chapter 287 for
200 the design and construction of alternative transportation
201 systems and contracting with entities to expend funds to
202 accomplish this purpose.

203 (4) (a) The authority shall be a single budget entity and

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204 shall develop a budget pursuant to chapter 216. The authority's
205 budget shall be submitted to the Legislature with the
206 department's budget. All alternative transportation funding by
207 the department must be included in this budget entity.

208 (b) Notwithstanding the provisions of s. 216.301 to the
209 contrary and in accordance with s. 216.351, the Executive Office
210 of the Governor shall, on July 1 of each year, certify forward
211 all unexpended funds appropriated or provided for the authority.
212 Of the unexpended funds certified forward, any unencumbered
213 amounts shall be carried forward. Such funds carried forward may
214 not exceed 5 percent of the original approved operating budget
215 of the authority pursuant to s. 216.181(1). Funds carried
216 forward pursuant to this paragraph may be used for the purposes
217 specified in this section. Any certified-forward funds remaining
218 undisbursed on September 30 of each year shall be carried
219 forward.

220 (5) The department, through the authority, shall use funds
221 provided pursuant to s. 201.15(4)(a)4.b. in a county to fund the
222 design and construction of an alternative transportation system
223 for passengers based on a county proposal that the authority
224 approves as being consistent with the requirements of this
225 section.

226 (6) Of the \$35 million allocated under s. 201.15(4)(a)4.b.,
227 the authority must use \$25 million for an alternative
228 transportation system in a county as defined in s. 125.011(1).
229 The authority must use the remainder for such a system in any
230 other county or counties in the state.

231 (7) A county proposing the use of funds for an alternative
232 transportation system must submit a request to the authority

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233 which must include a detailed project and financial plan. The
234 funding request must specify the duration of the project and the
235 total amount sought by state fiscal year.

236 (8) One dollar in local or private matching funds must be
237 provided for each dollar distributed under this section. Federal
238 funds may not be substituted for the local or private matching
239 funds.

240 (9) Funds distributed under this section may not be used to
241 subsidize projects with existing funding commitments as of July
242 1, 2018.

243 Section 5. Paragraph (b) of subsection (4) of section
244 343.58, Florida Statutes, is amended to read:

245 343.58 County funding for the South Florida Regional
246 Transportation Authority.—

247 (4) Notwithstanding any other provision of law to the
248 contrary and effective July 1, 2010, until as provided in
249 paragraph (d), the department shall transfer annually from the
250 State Transportation Trust Fund to the South Florida Regional
251 Transportation Authority the amounts specified in subparagraph
252 (a)1. or subparagraph (a)2.

253 (b) Funding required by this subsection may not be provided
254 from the funds dedicated to the Statewide Alternative
255 Transportation Authority Florida Rail Enterprise pursuant to s.
256 201.15(4)(a)4.b. s. 201.15(4)(a)4.

257 Section 6. This act shall take effect July 1, 2018.