

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; amending s. 341.303, F.S.;  
27 | deleting a provision authorizing the department,  
28 | through the Florida Rail Enterprise, to use specified  
29 | funds for certain purposes; creating s. 341.86, F.S.;  
30 | creating within the department the Statewide  
31 | Alternative Transportation Authority; defining the  
32 | term "alternative transportation system"; specifying  
33 | powers of the authority; providing that the authority  
34 | is a single budget entity within the department;  
35 | providing for the carryforward of unexpended funds;  
36 | requiring the department, through the authority, to  
37 | use specified funds in a county to fund the design and  
38 | construction of an alternative transportation system  
39 | for passengers based on a certain proposal by the  
40 | county; specifying requirements for the use of the  
41 | funds; requiring a county proposing the use of funds  
42 | for an alternative transportation system to submit a  
43 | request to the authority, subject to certain  
44 | requirements; requiring local or private matching  
45 | funds for certain distributions, subject to certain  
46 | requirements; prohibiting certain funds distributed  
47 | from being used to subsidize projects with existing  
48 | funding commitments; amending s. 343.58, F.S.;  
49 | conforming provisions to changes made by the act;  
50 | 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

76 County. In order to provide for efficient operations and to  
77 expedite the decisionmaking process, the department shall  
78 provide for maximum decentralization to the districts.

79 (g)1. The responsibility for expending funds for the  
80 design and construction of alternative transportation systems  
81 shall be delegated by the secretary to the executive director of  
82 the alternative transportation authority, who shall serve at the  
83 pleasure of the secretary. The executive director shall report  
84 directly to the secretary, and the authority shall operate  
85 pursuant to s. 341.86.

86 2. To facilitate the most efficient administration of  
87 funds for alternative transportation systems, the authority,  
88 except as provided in s. 287.055, shall be exempt from  
89 departmental policies, procedures, and standards, subject to the  
90 secretary having the authority to apply any such policies,  
91 procedures, and standards to the authority from time to time as  
92 deemed appropriate.

93 Section 2. Paragraph (a) of subsection (4) of section  
94 201.15, Florida Statutes, is amended, and paragraph (b) of that  
95 subsection is republished, to read:

96 201.15 Distribution of taxes collected.—All taxes  
97 collected under this chapter are hereby pledged and shall be  
98 first made available to make payments when due on bonds issued  
99 pursuant to s. 215.618 or s. 215.619, or any other bonds  
100 authorized to be issued on a parity basis with such bonds. Such

101 | pledge and availability for the payment of these bonds shall  
102 | have priority over any requirement for the payment of service  
103 | charges or costs of collection and enforcement under this  
104 | section. All taxes collected under this chapter, except taxes  
105 | distributed to the Land Acquisition Trust Fund pursuant to  
106 | subsections (1) and (2), are subject to the service charge  
107 | imposed in s. 215.20(1). Before distribution pursuant to this  
108 | section, the Department of Revenue shall deduct amounts  
109 | necessary to pay the costs of the collection and enforcement of  
110 | the tax levied by this chapter. The costs and service charge may  
111 | not be levied against any portion of taxes pledged to debt  
112 | service on bonds to the extent that the costs and service charge  
113 | are required to pay any amounts relating to the bonds. All of  
114 | the costs of the collection and enforcement of the tax levied by  
115 | this chapter and the service charge shall be available and  
116 | transferred to the extent necessary to pay debt service and any  
117 | other amounts payable with respect to bonds authorized before  
118 | January 1, 2017, secured by revenues distributed pursuant to  
119 | this section. All taxes remaining after deduction of costs shall  
120 | be distributed as follows:

121 |       (4) After the required distributions to the Land  
122 | Acquisition Trust Fund pursuant to subsections (1) and (2) and  
123 | deduction of the service charge imposed pursuant to s.  
124 | 215.20(1), the remainder shall be distributed as follows:

125 |       (a) The lesser of 24.18442 percent of the remainder or

126 \$541.75 million in each fiscal year shall be paid into the State  
 127 Treasury to the credit of the State Transportation Trust Fund.  
 128 Of such funds, \$75 million for each fiscal year shall be  
 129 transferred to the General Revenue Fund. Notwithstanding any  
 130 other law, the remaining amount credited to the State  
 131 Transportation Trust Fund shall be used for:

132 1. Capital funding for the New Starts Transit Program,  
 133 authorized by Title 49, U.S.C. s. 5309 and specified in s.  
 134 341.051, in the amount of 10 percent of the funds;

135 2. The Small County Outreach Program specified in s.  
 136 339.2818, in the amount of 10 percent of the funds;

137 3. The Strategic Intermodal System specified in ss.  
 138 339.61, 339.62, 339.63, and 339.64, in the amount of 75 percent  
 139 of the funds after deduction of the payments required pursuant  
 140 to subparagraphs 1. and 2.; and

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

148 a. Twenty-five million dollars on a matching basis to the  
 149 Tampa Bay Area Regional Transit Authority for the design and  
 150 construction of an alternative transportation system, as defined

151 in s. 341.86. One dollar in local or private matching funds must  
 152 be provided for each dollar distributed under this sub-  
 153 subparagraph. Federal funds may not be substituted for the local  
 154 or private matching funds.

155 b. Thirty-five million dollars to the Statewide  
 156 Alternative Transportation Authority ~~to the Florida Rail~~  
 157 Enterprise for the purposes established in s. 341.86 ~~s.~~  
 158 ~~341.303(5).~~

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

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

168 Section 3. Subsection (5) of section 341.303, Florida  
 169 Statutes, is amended to read:

170 341.303 Funding authorization and appropriations;  
 171 eligibility and participation.—

172 ~~(5) FUND PARTICIPATION; FLORIDA RAIL ENTERPRISE.—The~~  
 173 ~~department, through the Florida Rail Enterprise, is authorized~~  
 174 ~~to use funds provided pursuant to s. 201.15(4)(a)4. to fund:~~

175 ~~(a) Up to 50 percent of the nonfederal share of the costs~~

176 ~~of any eligible passenger rail capital improvement project.~~

177 ~~(b) Up to 100 percent of planning and development costs~~  
178 ~~related to the provision of a passenger rail system, including,~~  
179 ~~but not limited to, preliminary engineering, revenue studies,~~  
180 ~~environmental impact studies, financial advisory services,~~  
181 ~~engineering design, and other appropriate professional services.~~

182 ~~(c) The high-speed rail system.~~

183 ~~(d) Projects necessary to identify or address anticipated~~  
184 ~~impacts of increased freight rail traffic resulting from the~~  
185 ~~implementation of passenger rail systems as provided in s.~~  
186 ~~341.302(3)(b).~~

187 Section 4. Section 341.86, Florida Statutes, is created to  
188 read:

189 341.86 STATEWIDE ALTERNATIVE TRANSPORTATION AUTHORITY.—

190 (1) There is created within the department the Statewide  
191 Alternative Transportation Authority.

192 (2) For purposes of this section, the term "alternative  
193 transportation system" means a system of infrastructure,  
194 appurtenances, and technology designed to move the greatest  
195 number of people in the least amount of time. The term includes,  
196 but is not limited to, autonomous vehicles as defined in s.  
197 316.003 and transportation network companies as defined in s.  
198 627.748. The term does not include other traditional uses of a  
199 roadway system for conveyance.

200 (3) In addition to the powers granted to the department,



201 the authority may exercise all powers granted to it under this  
202 section. These powers are in addition and supplemental to the  
203 existing powers of the department. Powers of the authority  
204 include, but are not limited to:

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

207 (b) Expending funds to publicize and promote alternative  
208 transportation systems and to contract with entities to  
209 accomplish these purposes.

210 (c) Soliciting proposals in accordance with chapter 287  
211 for the design and construction of alternative transportation  
212 systems and contracting with entities to expend funds to  
213 accomplish this purpose.

214 (4) (a) The authority shall be a single budget entity and  
215 shall develop a budget pursuant to chapter 216. The authority's  
216 budget shall be submitted to the Legislature with the  
217 department's budget. All alternative transportation funding by  
218 the department must be included in this budget entity.

219 (b) Notwithstanding the provisions of s. 216.301 to the  
220 contrary and in accordance with s. 216.351, the Executive Office  
221 of the Governor shall, on July 1 of each year, certify forward  
222 all unexpended funds appropriated or provided for the authority.  
223 Of the unexpended funds certified forward, any unencumbered  
224 amounts shall be carried forward. Such funds carried forward may  
225 not exceed 5 percent of the original approved operating budget

226 of the authority pursuant to s. 216.181(1). Funds carried  
227 forward pursuant to this subsection may be used for the purposes  
228 specified in this section. Any certified-forward funds remaining  
229 undisbursed on September 30 of each year shall be carried  
230 forward.

231 (5) The department, through the authority, shall use funds  
232 provided pursuant to s. 201.15(4)(a)4.b. in a county to fund the  
233 design and construction of an alternative transportation system  
234 for passengers based on a county proposal that the authority  
235 approves as being consistent with the requirements of this  
236 section.

237 (6) Of the \$35 million allocated under s.  
238 201.15(4)(a)4.b., the authority must use \$25 million for an  
239 alternative transportation system in a county as defined in s.  
240 125.011(1). The authority must use the remainder for such a  
241 system in any other county or counties in the state.

242 (7) A county proposing the use of funds for an alternative  
243 transportation system must submit a request to the authority  
244 which must include a detailed project and financial plan. The  
245 funding request must specify the duration of the project and the  
246 total amount sought by state fiscal year.

247 (8) One dollar in local or private matching funds must be  
248 provided for each dollar distributed under this section. Federal  
249 funds may not be substituted for the local or private matching  
250 funds.

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

254           Section 5. Paragraph (b) of subsection (4) of section  
 255 343.58, Florida Statutes, is amended to read:

256           343.58 County funding for the South Florida Regional  
 257 Transportation Authority.—

258           (4) Notwithstanding any other provision of law to the  
 259 contrary and effective July 1, 2010, until as provided in  
 260 paragraph (d), the department shall transfer annually from the  
 261 State Transportation Trust Fund to the South Florida Regional  
 262 Transportation Authority the amounts specified in subparagraph  
 263 (a)1. or subparagraph (a)2.

264           (b) Funding required by this subsection may not be  
 265 provided from the funds dedicated to the Statewide Alternative  
 266 Transportation Authority ~~Florida Rail Enterprise~~ pursuant to s.  
 267 201.15(4)(a)4.b. ~~s. 201.15(4)(a)4.~~

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