

HB 807

2018

1 A bill to be entitled
2 An act relating to metropolitan planning
3 organizations; amending s. 339.175, F.S.; providing
4 voting membership requirements for certain
5 metropolitan planning organizations designated on or
6 after a specified date; providing an effective date.

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

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10 Section 1. Subsection (3) of section 339.175, Florida
11 Statutes, is amended to read:

12 339.175 Metropolitan planning organization.—

13 (3) VOTING MEMBERSHIP.—

14 (a) 1. Except as provided in subparagraph 2., the voting
15 membership of an M.P.O. shall consist of at least 5 but not more
16 than 25 apportioned members, with the exact number determined on
17 an equitable geographic-population ratio basis, based on an
18 agreement among the affected units of general-purpose local
19 government and the Governor, as required by federal regulations.
20 In accordance with 23 U.S.C. s. 134, the Governor may also allow
21 M.P.O. members who represent municipalities to alternate with
22 representatives from other municipalities within the
23 metropolitan planning area which do not have members on the
24 M.P.O. With the exception of instances in which all of the
25 county commissioners in a single-county M.P.O. are members of

26 | the M.P.O. governing board, county commissioners shall compose
27 | at least one-third of the M.P.O. governing board membership. A
28 | multicounty M.P.O. may satisfy this requirement by any
29 | combination of county commissioners from each of the counties
30 | constituting the M.P.O. Voting members shall be elected
31 | officials of general-purpose local governments, one of whom may
32 | represent a group of general-purpose local governments through
33 | an entity created by an M.P.O. for that purpose. An M.P.O. may
34 | include, as part of its apportioned voting members, a member of
35 | a statutorily authorized planning board, an official of an
36 | agency that operates or administers a major mode of
37 | transportation, or an official of Space Florida. ~~As used in this~~
38 | ~~section, the term "elected officials of a general purpose local~~
39 | ~~government" excludes constitutional officers, including~~
40 | ~~sheriffs, tax collectors, supervisors of elections, property~~
41 | ~~appraisers, clerks of the court, and similar types of officials.~~
42 | County commissioners shall compose not less than 20 percent of
43 | the M.P.O. membership if an official of an agency that operates
44 | or administers a major mode of transportation has been appointed
45 | to an M.P.O.

46 | 2. For an M.P.O. designated on or after July 1, 2018, as a
47 | result of a combination or merger of individual M.P.O.'s, the
48 | voting membership shall consist of at least 5 members, with the
49 | exact number determined on an equitable geographic-population
50 | ratio basis, based on an agreement among the affected units of

51 general-purpose local government and the Governor, as required
52 by federal regulations. In accordance with 23 U.S.C. s. 134, the
53 Governor may also allow M.P.O. members who represent
54 municipalities to alternate with representatives from other
55 municipalities within the metropolitan planning area which do
56 not have members on the M.P.O. Voting members shall be elected
57 officials of general-purpose local governments, one of whom may
58 represent a group of general-purpose local governments through
59 an entity created by an M.P.O. for that purpose. An M.P.O. may
60 include, as part of its apportioned voting members, a member of
61 a statutorily authorized planning board, an official of an
62 agency that operates or administers a major mode of
63 transportation, or an official of Space Florida.

64
65 For purposes of this section, the term "elected officials of a
66 general-purpose local government" excludes constitutional
67 officers, including sheriffs, tax collectors, supervisors of
68 elections, property appraisers, clerks of the court, and similar
69 types of officials.

70 (b) In metropolitan areas in which authorities or other
71 agencies have been or may be created by law to perform
72 transportation functions and are or will be performing
73 transportation functions that are not under the jurisdiction of
74 a general-purpose local government represented on the M.P.O.,
75 such authorities or other agencies may be provided voting

76 membership on the M.P.O. In all other M.P.O.'s in which
 77 transportation authorities or agencies are to be represented by
 78 elected officials of ~~from~~ general-purpose local governments, the
 79 M.P.O. shall establish a process by which the collective
 80 interests of such authorities or other agencies are expressed
 81 and conveyed.

82 (c) Any other provision of this section to the contrary
 83 notwithstanding, a charter ~~chartered~~ county with a population of
 84 over 1 million ~~population~~ may elect to reapportion the
 85 membership of an M.P.O. if the M.P.O. ~~whose~~ jurisdiction is
 86 wholly contained within the county. The charter county may
 87 exercise the provisions of this paragraph if:

88 1. The M.P.O. approves the reapportionment plan by a
 89 three-fourths vote of its membership;

90 2. The M.P.O. and the charter county determine that the
 91 reapportionment plan is needed to fulfill specific goals and
 92 policies applicable to that metropolitan planning area; and

93 3. The charter county determines the reapportionment plan
 94 otherwise complies with all federal requirements pertaining to
 95 M.P.O. membership.

96
 97 A ~~Any~~ charter county that elects to exercise the provisions of
 98 this paragraph shall notify the Governor in writing.

99 (d) Any other provision of this section to the contrary
 100 notwithstanding, a ~~any~~ county chartered under s. 6(e), Art. VIII

101 of the State Constitution may elect to have its county
102 commission serve as the M.P.O. ~~7~~ if the M.P.O. jurisdiction is
103 wholly contained within the county. A ~~Any~~ charter county that
104 elects to exercise the provisions of this paragraph shall ~~se~~
105 notify the Governor in writing. Upon receipt of such
106 notification, the Governor must designate the county commission
107 as the M.P.O. The Governor must appoint four additional voting
108 members to the M.P.O., one of whom must be an elected official
109 representing a municipality within the county, one of whom must
110 be an expressway authority member, one of whom must be a person
111 who does not hold elected public office and who resides in the
112 unincorporated portion of the county, and one of whom must be a
113 school board member.

114 Section 2. This act shall take effect July 1, 2018.