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A bill to be entitled An act relating to transportation; amending s. 334.065, F.S.; revising membership of the Center for Urban Transportation Research advisory board; amending s. 334.066, F.S.; revising membership of the I-STREET advisory board; amending s. 339.175, F.S.; revising legislative intent; revising requirements for the designation of additional M.P.O.'s; revising projects and strategies to be considered in developing an M.P.O.'s long-range transportation plan and transportation improvement program; requiring the Department of Transportation to convene M.P.O.'s of similar size to exchange best practices; authorizing such M.P.O.'s to develop committees or working groups; requiring training for new M.P.O. governing board members to be provided by the department or another specified entity; removing provisions relating to M.P.O. coordination mechanisms; requiring certain M.P.O.'s to submit a feasibility report to the Governor and Legislature regarding consolidation; specifying goals thereof; deleting obsolete provisions; conforming provisions to changes made by the act; including public-private partnerships in authorized financing techniques; revising proposed transportation enhancement activities that must be

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indicated by the long-range transportation plan; requiring the department to review certain aspects of each M.P.O.'s long-range transportation plan and to return such plan to the M.P.O. for revision if deemed unsatisfactory; requiring the department to create a quality performance scoring mechanism to evaluate each M.P.O.'s service to its communities and to establish a minimum acceptable quality performance score; requiring each M.P.O. to report its quality performance score annually to the district secretary and to publish the score on its website; requiring the department to validate each M.P.O.'s score calculation; requiring an M.P.O. that does not achieve the minimum acceptable quality performance score within a certain timeframe to be placed under the control of the Secretary of Transportation; requiring the secretary to appoint the district secretary or another person to assume the role of executive director of such M.P.O.; providing responsibilities; providing an appropriation from the State Transportation Trust Fund for the M.P.O. with the highest quality performance score; providing requirements for the expenditure of such funds; requiring such M.P.O. to represent the state in any federal conference or membership organization;

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removing provisions relating to the Metropolitan Planning Organization Advisory Council; amending s. 331.3051, F.S.; conforming provisions to changes made by the act; amending s. 331.310, F.S.; conforming a cross-reference; requiring a report to the Governor and Legislature; requiring the Department of Highway Safety and Motor Vehicles to begin implementation of a redesigned registration license plate by a specified date; providing redesign requirements; providing an effective date.

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

Section 1. Subsection (3) of section 334.065, Florida Statutes, is amended to read:

334.065 Center for Urban Transportation Research.-

- (3) An advisory board shall be created to periodically and objectively review and advise the center concerning its research program. Except for projects mandated by law, state-funded base projects shall not be undertaken without approval of the advisory board. The membership of the board shall consist of nine experts in transportation-related areas, as follows:
  - (a) A member appointed by the President of the Senate.
- (b) A member appointed by the Speaker of the House of Representatives.

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(c) The Secretary of Transportation or his or her designee.

- (d) The Secretary of Commerce or his or her designee.

  including the secretaries of the Department of Transportation,
  the Department of Environmental Protection, and the Department
  of Economic Opportunity, or their designees, and
  - (e) A member of the Florida Transportation Commission.
- (f) The nomination of the remaining <u>four</u> members of the board shall be made to the President of the University of South Florida by the College of Engineering at the University of South Florida. The appointment of these members must be reviewed and approved by the Florida Transportation Commission and confirmed by the Board of Governors.
- Section 2. Paragraph (d) of subsection (3) of section 334.066, Florida Statutes, is amended to read:
- 334.066 Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab.-
- (3) An advisory board shall be created to periodically review and advise I-STREET concerning its research program. The board shall consist of nine members with expertise in transportation-related areas, as follows:
- (d) The Secretary of <u>Commerce</u> <del>Economic Opportunity</del> or his or her designee.
- Section 3. Subsection (10) of section 339.175, Florida Statutes, is renumbered as subsection (11), subsection (1),

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paragraph (a) of subsection (2), paragraphs (b), (j), and (i) of subsection (6), subsection (7), and present subsection (11) are amended, and a new subsection (10) is added to that section, to read:

339.175 Metropolitan planning organization.-

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PURPOSE.—It is the intent of the Legislature to encourage and promote the safe and efficient management, operation, and development of multimodal surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and through urbanized areas of this state while balancing conservation of natural resources minimizing transportation-related fuel consumption, air pollution, and greenhouse gas emissions through metropolitan transportation planning processes identified in this section. To accomplish these objectives, metropolitan planning organizations, referred to in this section as M.P.O.'s, shall develop, in cooperation with the state and public transit operators, transportation plans and programs for metropolitan areas. The plans and programs for each metropolitan area must provide for the development and integrated management and operation of transportation systems and facilities, including pedestrian walkways and bicycle transportation facilities that will function as an intermodal transportation system for the metropolitan area, based upon the prevailing principles provided in s. 334.046(1). The process for developing such plans and

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programs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive, to the degree appropriate, based on the complexity of the transportation problems to be addressed. To ensure that the process is integrated with the statewide planning process, M.P.O.'s shall develop plans and programs that identify transportation facilities that should function as an integrated metropolitan transportation system, giving emphasis to facilities that serve important national, state, and regional transportation functions. For the purposes of this section, those facilities include the facilities on the Strategic Intermodal System designated under s. 339.63 and facilities for which projects have been identified pursuant to s. 339.2819(4).

## (2) DESIGNATION. -

- (a)1. An M.P.O. shall be designated for each urbanized area of the state; however, this does not require that an individual M.P.O. be designated for each such area. Such designation shall be accomplished by agreement between the Governor and units of general-purpose local government representing at least 75 percent of the population of the urbanized area; however, the unit of general-purpose local government that represents the central city or cities within the M.P.O. jurisdiction, as defined by the United States Bureau of the Census, must be a party to such agreement.
  - 2. To the extent possible, only one M.P.O. shall be

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designated for each urbanized area or group of contiguous urbanized areas. More than one M.P.O. may be designated within an existing urbanized area only if the Governor and the existing M.P.O. determine that the size and complexity of the existing urbanized area makes the designation of more than one M.P.O. for the area appropriate. After July 1, 2024, no additional M.P.O.'s shall be designated in the state except in urbanized areas, as defined by the United States Bureau of the Census, where the urbanized area boundary is not contiguous to an urbanized area designated before the 2020 census, in which case each M.P.O. designated for the area must:

- a. Consult with every other M.P.O. designated for the urbanized area and the state to coordinate plans and transportation improvement programs.
- b. Ensure, to the maximum extent practicable, the consistency of data used in the planning process, including data used in forecasting travel demand within the urbanized area.
- Each M.P.O. required under this section must be fully operative no later than 6 months following its designation.
- (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers, privileges, and authority of an M.P.O. are those specified in this section or incorporated in an interlocal agreement authorized under s. 163.01. Each M.P.O. shall perform all acts required by federal or state laws or rules, now and subsequently

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applicable, which are necessary to qualify for federal aid. It is the intent of this section that each M.P.O. be involved in the planning and programming of transportation facilities, including, but not limited to, airports, intercity and high-speed rail lines, seaports, and intermodal facilities, to the extent permitted by state or federal law. An M.P.O. may not perform project production or delivery for capital improvement projects on the State Highway System.

- (b) In developing the long-range transportation plan and the transportation improvement program required under paragraph (a), each M.P.O. shall provide for consideration of projects and strategies that will:
- 1. Support the economic vitality of the contiguous urbanized metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.
- 2. Increase the safety and security of the transportation system for motorized and nonmotorized users.
- 3. Increase the accessibility and mobility options available to people and for freight.
- 4. Protect and enhance the environment, <u>conserve natural</u>
  <u>resources</u> <del>promote energy conservation</del>, and improve quality of life.
- 5. Enhance the integration and connectivity of the transportation system, across and between modes and contiguous urbanized metropolitan areas, for people and freight.

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- 201 6. Promote efficient system management and operation.
  - 7. Emphasize the preservation of the existing transportation system.
  - 8. Improve the resilience of transportation infrastructure.
    - 9. Reduce traffic and congestion.

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(j)1. To more fully accomplish the purposes for which M.P.O.'s have been mandated, the department shall, at least annually, convene M.P.O.'s of similar size, based on the size of population served, for the purpose of exchanging best practices. M.P.O.'s may shall develop committees or working groups as needed to accomplish such purpose. At the discretion of the department, training for new M.P.O. governing board members shall be provided by the department, by an entity pursuant to a contract with the department, by the Florida Center for Urban Transportation Research, or by the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies (I-STREET) Living Lab coordination mechanisms with one another to expand and improve transportation within the state. The appropriate method of coordination between M.P.O.'s shall vary depending upon the project involved and given local and regional needs. Consequently, it is appropriate to set forth a flexible methodology that can be used by M.P.O.'s to coordinate with other M.P.O.'s and appropriate political subdivisions as circumstances demand.

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Any M.P.O. may join with any other M.P.O. or any individual political subdivision to coordinate activities or to achieve any federal or state transportation planning or development goals or purposes consistent with federal or state law. When an M.P.O. determines that it is appropriate to join with another M.P.O. or any political subdivision to coordinate activities, the M.P.O. or political subdivision shall enter into an interlocal agreement pursuant to s. 163.01, which, at a minimum, creates a separate legal or administrative entity to coordinate the transportation planning or development activities required to achieve the goal or purpose; provides the purpose for which the entity is created; provides the duration of the agreement and the entity and specifies how the agreement may be terminated, modified, or rescinded; describes the precise organization of the entity, including who has voting rights on the governing board, whether alternative voting members are provided for, how voting members are appointed, and what the relative voting strength is for each constituent M.P.O. or political subdivision; provides the manner in which the parties to the agreement will provide for the financial support of the entity and payment of costs and expenses of the entity; provides the manner in which funds may be paid to and disbursed from the entity; and provides how members of the entity will resolve disagreements regarding interpretation of the interlocal agreement or disputes relating to the operation of the entity.

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Such interlocal agreement shall become effective upon its recordation in the official public records of each county in which a member of the entity created by the interlocal agreement has a voting member. Multiple M.P.O.'s may merge, combine, or otherwise join together as a single M.P.O.

- (i) By February 28, 2025 December 31, 2023, the M.P.O.'s serving Lee and Collier Hillsborough, Pasco, and Pinellas
  Counties must submit a feasibility report to the Governor, the President of the Senate, and the Speaker of the House of Representatives exploring the benefits, costs, and process of consolidation into a single M.P.O. serving the contiguous urbanized area, the goal of which would be to:
- 1. Coordinate transportation projects deemed to be regionally significant.
- 2. Review the impact of regionally significant land use decisions on the region.
- 3. Review all proposed regionally significant transportation projects in the  $\underline{\text{respective}}$  transportation improvement programs.
- (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must develop a long-range transportation plan that addresses at least a 20-year planning horizon. The plan must include both long-range and short-range strategies and must comply with all other state and federal requirements. The prevailing principles to be considered in the long-range transportation plan are: preserving

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the existing transportation infrastructure; enhancing Florida's economic competitiveness; and improving travel choices to ensure mobility. The long-range transportation plan must be consistent, to the maximum extent feasible, with future land use elements and the goals, objectives, and policies of the approved local government comprehensive plans of the units of local government located within the jurisdiction of the M.P.O. Each M.P.O. is encouraged to consider strategies that integrate transportation and land use planning to provide for sustainable development and reduce greenhouse gas emissions. The approved long-range transportation plan must be considered by local governments in the development of the transportation elements in local government comprehensive plans and any amendments thereto. The long-range transportation plan must, at a minimum:

(a) Identify transportation facilities, including, but not limited to, major roadways, airports, seaports, spaceports, commuter rail systems, transit systems, and intermodal or multimodal terminals that will function as an integrated metropolitan transportation system. The long-range transportation plan must give emphasis to those transportation facilities that serve national, statewide, or regional functions, and must consider the goals and objectives identified in the Florida Transportation Plan as provided in s. 339.155. If a project is located within the boundaries of more than one M.P.O., the M.P.O.'s must coordinate plans regarding the project

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in the long-range transportation plan. Multiple M.P.O.'s within a contiguous urbanized area must coordinate the development of long-range transportation plans to be reviewed by the Metropolitan Planning Organization Advisory Council.

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- Include a financial plan that demonstrates how the plan can be implemented, indicating resources from public and private sources which are reasonably expected to be available to carry out the plan, and recommends any additional financing strategies for needed projects and programs. The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted long-range transportation plan if reasonable additional resources beyond those identified in the financial plan were available. For the purpose of developing the long-range transportation plan, the M.P.O. and the department shall cooperatively develop estimates of funds that will be available to support the plan implementation. Innovative financing techniques may be used to fund needed projects and programs. Such techniques may include the assessment of tolls, public-private partnerships, the use of value capture financing, or the use of value pricing. Multiple M.P.O.'s within a contiguous urbanized area must ensure, to the maximum extent possible, the consistency of data used in the planning process.
- (c) Assess capital investment and other measures necessary to:
  - 1. Ensure the preservation of the existing metropolitan

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transportation system including requirements for the operation, resurfacing, restoration, and rehabilitation of major roadways and requirements for the operation, maintenance, modernization, and rehabilitation of public transportation facilities; and

- 2. Make the most efficient use of existing transportation facilities to relieve vehicular congestion, improve safety, and maximize the mobility of people and goods. Such efforts must include, but are not limited to, consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as automated driving systems and other developments.
- enhancement activities, including, but not limited to, pedestrian and bicycle facilities, trails or facilities that are regionally significant or critical linkages for the Florida Shared-Use Nonmotorized Trail Network, scenic easements, landscaping, integration of advanced air mobility, and integration of autonomous and electric vehicles, electric bicycles, and motorized scooters used for freight, commuter, or micromobility purposes historic preservation, mitigation of water pollution due to highway runoff, and control of outdoor advertising.
- (e) In addition to the requirements of paragraphs (a)-(d), in metropolitan areas that are classified as nonattainment areas for ozone or carbon monoxide, the M.P.O. must coordinate the

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development of the long-range transportation plan with the State Implementation Plan developed pursuant to the requirements of the federal Clean Air Act.

In the development of its long-range transportation plan, each M.P.O. must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the long-range transportation plan. The long-range transportation plan must be approved by the M.P.O. and by the department as provided in subsection (10).

## (10) ACCOUNTABILITY.-

- (a) The department shall review each M.P.O.'s long-range transportation plan for productive flow and connectivity for people and freight within the M.P.O.'s metropolitan area. If the department finds an M.P.O.'s long-range transportation plan to be unsatisfactory or incongruent with the metropolitan area, the department shall return the plan to the M.P.O. for revision.
- (b) The department shall create quality performance metrics and a scoring mechanism by which to evaluate each M.P.O.'s service to its communities, taking into consideration traffic congestion, the utilization rate of multimodal transportation facilities, resident satisfaction, efficiency of

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the transportation system for people and freight, and other factors the department deems necessary. The department shall establish a minimum acceptable quality performance score.

- (c) Beginning in 2025 and each year thereafter, each
  M.P.O. shall report its score for each quality performance
  metric by December 1 to the district secretary and shall publish
  the score and supporting data on its website. The department
  must validate each M.P.O.'s score calculation and make
  adjustments thereto if necessary.
- (d) Beginning in December of 2026 and every 3 years thereafter, an M.P.O. that does not achieve the minimum acceptable quality performance score shall be placed under the control of the Secretary of Transportation. The Secretary of Transportation shall appoint the district secretary or another person to assume the role of executive director of the M.P.O. and chair of its governing board for a period not to exceed 1 year, during which time the district secretary or other person shall make recommendations to the governing board regarding:
- 1. Any leadership, process, and management changes needed to improve the M.P.O.'s quality performance score.
- 2. Whether the metropolitan area of the M.P.O. would be better served by consolidation of the M.P.O. with an M.P.O. in a contiguous urbanized metropolitan area.
- (e) Subject to appropriation by the Legislature, beginning in 2026 and every 3 years thereafter, the single M.P.O. with the

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highest quality performance score will receive \$5 million from the State Transportation Trust Fund. Such funds shall be expended at the M.P.O.'s discretion for a project approved in its work program list. Such M.P.O. shall also represent the state in any federal M.P.O. conference or membership organization. (11) METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL.-(a) A Metropolitan Planning Organization Advisory Council is created to augment, and not supplant, the role of the individual M.P.O.'s in the cooperative transportation planning process described in this section. (b) The council shall consist of one representative from each M.P.O. and shall elect a chairperson annually from its number. Each M.P.O. shall also elect an alternate representative from each M.P.O. to vote in the absence of the representative. Members of the council do not receive any compensation for their services, but may be reimbursed from funds made available to council members for travel and per diem expenses incurred in the their council duties as provided (c) The powers and duties of the Metropolitan Planning Organization Advisory Council are to: 1. Establish bylaws by action of its governing board providing procedural rules to quide its proceedings and

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consideration of matters before the council, or, alternatively,

adopt rules pursuant to ss. 120.536(1) and 120.54 to implement

2. Assist M.P.O.'s in carrying out the urbanized area transportation planning process by serving as the principal forum for collective policy discussion pursuant to law.

3. Serve as a clearinghouse for review and comment by M.P.O.'s on the Florida Transportation Plan and on other issues required to comply with federal or state law in carrying out the urbanized area transportation and systematic planning processes instituted pursuant to s. 339.155. The council must also report

provisions of law conferring powers or duties upon it.

435 annually to the Florida Transportation Commission on the
436 alignment of M.P.O. long-range transportation plans with the

437 Florida Transportation Plan.

4. Employ an executive director and such other staff as necessary to perform adequately the functions of the council, within budgetary limitations. The executive director and staff are exempt from part II of chapter 110 and serve at the direction and control of the council. The council is assigned to the Office of the Secretary of the Department of Transportation for fiscal and accountability purposes, but it shall otherwise function independently of the control and direction of the department.

5. Deliver training on federal and state program requirements and procedures to M.P.O. board members and M.P.O. staff.

6. Adopt an agency strategic plan that prioritizes steps

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451 the agency will take to carry out its mission within the context 452 of the state comprehensive plan and any other statutory mandates 453 and directives. 454 (d) The Metropolitan Planning Organization Advisory 455 Council may enter into contracts in accordance with chapter 287 456 to support the activities described in paragraph (c). Lobbying 457 and the acceptance of funds, grants, assistance, gifts, or bequests from private, local, state, or federal sources are 458 459 prohibited. 460 Section 4. Subsection (14) of section 331.3051, Florida 461 Statutes, is amended to read: 462 331.3051 Duties of Space Florida.—Space Florida shall: 463 (14) Partner with the Metropolitan Planning Organization 464 Advisory Council to coordinate and specify how aerospace 465 planning and programming will be part of the state's cooperative 466 transportation planning process. 467 Section 5. Paragraph (e) of subsection (2) of section 468 331.310, Florida Statutes, is amended to read: 469 331.310 Powers and duties of the board of directors.-(2) 470 The board of directors shall: 471 Prepare an annual report of operations as a supplement to the annual report required under s. 331.3051(15) s. 472 473 331.3051(16). The report must include, but not be limited to, a balance sheet, an income statement, a statement of changes in 474 475 financial position, a reconciliation of changes in equity

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476 accounts, a summary of significant accounting principles, the 477 auditor's report, a summary of the status of existing and 478 proposed bonding projects, comments from management about the 479 year's business, and prospects for the next year. 480 By October 31, 2024, the Department of Section 6. 481 Transportation shall submit to the Governor, the President of 482 the Senate, and the Speaker of the House of Representatives a 483 report that provides a comprehensive review of the boundaries of 484 each of the department's districts and whether any district's 485 boundaries should be redrawn as a result of population growth 486 and increased urban density. 487 By October 1, 2024, the Department of Highway Section 7. 488 Safety and Motor Vehicles must begin implementation of a 489 redesigned registration license plate required by s. 490 320.06(3)(a), Florida Statutes. The redesign does not apply to 491 specialty license plates. In redesigning the plate, the 492 department must replace the current graphic and remove the term 493 "MYFLORIDA.COM" and replace it solely with the word "FLORIDA." 494 The department must coordinate with the Department of 495 Transportation to ensure the legibility of the redesigned registration license plate and must also consider adding an 496 497 additional character to the registration license plate due to the state's continued economic growth. 498

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This act shall take effect July 1, 2024.

CODING: Words stricken are deletions; words underlined are additions.

Section 8.

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