

By Representative Sobel

1 A bill to be entitled
2 An act relating to metropolitan planning
3 organizations; amending s. 339.175, F.S.;
4 providing an additional method of selecting
5 voting membership in an M.P.O. under certain
6 circumstances; 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 (2) of section 339.175, Florida
11 Statutes, 1998 Supplement, is amended to read:

12 339.175 Metropolitan planning organization.--It is the
13 intent of the Legislature to encourage and promote the
14 development of transportation systems embracing various modes
15 of transportation in a manner that will maximize the mobility
16 of people and goods within and through urbanized areas of this
17 state and minimize, to the maximum extent feasible, and
18 together with applicable regulatory government agencies,
19 transportation-related fuel consumption and air pollution. To
20 accomplish these objectives, metropolitan planning
21 organizations, referred to in this section as M.P.O.'s, shall
22 develop, in cooperation with the state, transportation plans
23 and programs for metropolitan areas. Such plans and programs
24 must provide for the development of transportation facilities
25 that will function as an intermodal transportation system for
26 the metropolitan area. The process for developing such plans
27 and programs shall be continuing, cooperative, and
28 comprehensive, to the degree appropriate, based on the
29 complexity of the transportation problems.

30 (2) VOTING MEMBERSHIP.--
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1 (a) The voting membership of an M.P.O. shall consist
2 of not fewer than 5 or more than 19 apportioned members, the
3 exact number to be determined on an equitable
4 geographic-population ratio basis by the Governor, based on an
5 agreement among the affected units of general-purpose local
6 government as required by federal rules and regulations. The
7 Governor, in accordance with 23 U.S.C. s. 134, as amended by
8 the Intermodal Surface Transportation Efficiency Act of 1991,
9 may also provide for M.P.O. members who represent
10 municipalities to alternate with representatives from other
11 municipalities within the designated urban area that do not
12 have members on the M.P.O. County commission members shall
13 compose not less than one-third of the M.P.O. membership,
14 except for an M.P.O. with more than 15 members located in a
15 county with a five-member county commission or an M.P.O. with
16 19 members located in a county with no more than 6 county
17 commissioners, in which case county commission members may
18 compose less than one-third percent of the M.P.O. membership,
19 but all county commissioners must be members. All voting
20 members shall be elected officials of general-purpose
21 governments, except that an M.P.O. may include, as part of its
22 apportioned voting members, a member of a statutorily
23 authorized planning board or an official of an agency that
24 operates or administers a major mode of transportation. In
25 metropolitan areas in which authorities or other agencies have
26 been, or may be, created by law to perform transportation
27 functions that are not under the jurisdiction of a
28 general-purpose local government represented on the M.P.O.,
29 they shall be provided voting membership on the M.P.O. The
30 county commission shall compose not less than 20 percent of
31 the M.P.O. membership if an official of an agency that

1 operates or administers a major mode of transportation has
2 been appointed to an M.P.O.

3 (b) Any other provision of this section to the
4 contrary notwithstanding, any county chartered under s. 6(e),
5 Art. VIII of the State Constitution may elect to have its
6 county commission serve as the M.P.O., if the M.P.O.
7 jurisdiction is wholly contained within the county. Any
8 charter county that elects to exercise the provisions of this
9 paragraph shall so notify the Governor in writing. Upon
10 receipt of such notification, the Governor must designate the
11 county commission as the M.P.O. The Governor must appoint
12 four additional voting members to the M.P.O., one of whom must
13 be an elected official representing a municipality within the
14 county, one of whom must be an expressway authority member,
15 one of whom must be a person who does not hold elected public
16 office and who resides in the unincorporated portion of the
17 county, and one of whom must be a school board member.

18 (c) An M.P.O. may submit to the Governor for
19 consideration and approval a membership reapportionment plan
20 that is exempted from the requirements of paragraphs (a) and
21 (b) of this subsection. This plan may be approved by the
22 Governor if the M.P.O. demonstrates that such a membership
23 reapportionment plan is needed to fulfill specific goals and
24 policies applicable to that metropolitan planning area.
25 However, membership reapportionment plans, at a minimum, must
26 comply with all federal requirements pertaining to M.P.O.
27 membership.

28 Section 2. This act shall take effect upon becoming a
29 law.

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HOUSE SUMMARY

Provides an exemption from current requirements with respect to the voting membership of an M.P.O. for an M.P.O. which submits to the Governor for consideration and approval a membership reapportionment plan if the M.P.O. demonstrates that such a membership reapportionment plan is needed to fulfill specific goals and policies applicable to that metropolitan planning area. Provides, however, that membership reapportionment plans, at a minimum, must comply with all federal requirements pertaining to M.P.O. membership.