

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; requiring a three-fourths vote  
7           of the MPO; providing an effective date.

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

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11           Section 1. Subsection (2) of section 339.175, Florida  
12   Statutes, 1998 Supplement, is amended to read:

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

31           (2) VOTING MEMBERSHIP.--

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) Any other provision of this section to the  
19 contrary notwithstanding, a chartered county with over 1  
20 million population may elect to reapportion the membership of  
21 an M.P.O. whose jurisdiction is wholly within the county. The  
22 charter county may exercise the provisions of this paragraph  
23 if:

24 1. The M.P.O. approves the reapportionment plan by a  
25 3/4 vote of its membership;

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

29 and  
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1           3. The charter county determines the reapportionment  
2 plan otherwise complies with all federal requirements  
3 pertaining to M.P.O. membership.

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5 Any charter county that elects to exercise the provisions of  
6 this paragraph shall notify the Governor in writing.

7           Section 2. This act shall take effect upon becoming a  
8 law.

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