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2 An act relating to innovative transportation
3 financing; amending s. 212.0606, F.S.;
4 redistributing certain proceeds of the rental
5 car surcharge; providing appropriations;
6 reducing certain service charges on local
7 option fuel taxes; directing the Department of
8 Transportation to allocate certain funds to
9 implement the Mobility 2000 initiative;
10 providing appropriations; amending s. 320.072,
11 F.S.; revising language with respect to an
12 additional fee imposed on motor vehicles;
13 providing funding for the Mobility 2000
14 initiative and the Transportation Outreach
15 Program; amending s. 215.616, F.S.; providing
16 for state bonds; amending s. 338.251, F.S.,
17 increasing the amount of funds which may be
18 advanced to expressway authorities; amending s.
19 339.08, F.S.; authorizing expenditures of State
20 Transportation Trust Funds; amending 339.12,
21 F.S.; increasing the cap on the local
22 government advance reimbursement program;
23 creating s. 339.55, F.S.; providing for the
24 state-funded infrastructure bank; providing an
25 appropriation; creating s. 339.137, F.S.;
26 providing for the Transportation Outreach
27 Program; providing criteria for projects to be
28 funded by the Transportation Outreach Program;
29 creating s. 339.2818, F.S.; providing for the
30 Small County Outreach Program; creating s.
31 339.2817, F.S.; providing for the County

1 Incentive Grant Program; amending s. 427.0159,
2 F.S.; providing an appropriation; providing
3 exemption from certain chapter 206, F.S.,
4 requirements; providing an effective date.

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

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8 Section 1. Effective July 1, 2000, subsection (2) of
9 section 212.0606, Florida Statutes, is amended to read:

10 212.0606 Rental car surcharge.--

11 (2) Notwithstanding the provisions of section 212.20,
12 and less costs of administration, 80 ~~75~~ percent of the
13 proceeds of this surcharge shall be deposited in the State
14 Transportation Trust Fund, ~~5 percent of the proceeds of this~~
15 ~~surcharge shall be deposited in the General Revenue Fund,~~
16 15.75 percent of the proceeds of this surcharge shall be
17 deposited in the Tourism Promotional Trust Fund created in s.
18 288.122, and 4.25 percent of the proceeds of this surcharge
19 shall be deposited in the Florida International Trade and
20 Promotion Trust Fund. For the purposes of this subsection,
21 "proceeds" of the surcharge means all funds collected and
22 received by the department under this section, including
23 interest and penalties on delinquent surcharges.

24 Section 2. Notwithstanding the provisions of sections
25 215.20(1) and 215.20(3), Florida Statutes, the service charge
26 provided in sections 215.20(1) and 215.20(3), Florida
27 Statutes, which is deducted from the proceeds of the taxes
28 distributed under sections 206.606(1), 207.026, 212.0501(6),
29 and 319.32(5), Florida Statutes, shall be eliminated beginning
30 July 1, 2000.

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1 Section 3. Notwithstanding the provisions of sections
2 215.20(1) and 215.20(3), Florida Statutes, the service charge
3 provided in sections 215.20(1) and 215.20(3), Florida
4 Statutes, which is deducted from the proceeds of the taxes
5 distributed under sections 206.608 and 320.072(4), Florida
6 Statutes, shall be eliminated beginning July 1, 2001.

7 Section 4. In fiscal year 2000-2001, \$125 million is
8 hereby appropriated from non-recurring General Revenue to the
9 State Transportation Trust Fund for the purpose of
10 implementing the County Incentive Grant Program created in
11 section 339.2817, Florida Statutes, and the Small County
12 Outreach Program created in section 339.2818, Florida
13 Statutes. In fiscal years 2001-2002 and 2002-2003, \$125
14 million shall be appropriated annually from non-recurring
15 General Revenue to the State Transportation Trust Fund for the
16 purpose of implementing the County Incentive Grant Program
17 created in section 339.2817, Florida Statutes, and the Small
18 County Outreach Program created in section 339.2818, Florida
19 Statutes. Up to 20 percent of such funds shall be used for
20 the purpose of implementing the Small County Outreach Program
21 as provided in this act. Notwithstanding any other laws to
22 the contrary the requirements of sections 339.135, 339.155,
23 and 339.175, Florida Statutes, shall not apply to these funds
24 and programs.

25 Section 5. Notwithstanding the provisions of section
26 215.20(1), Florida Statutes, the service charge provided in
27 section 215.20(1), Florida Statutes, which is deducted from
28 the proceeds of the local option fuel tax distributed under
29 section 336.025, Florida Statutes, shall be reduced as
30 follows:

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1 (1) For the period July 1, 2005, through June 30,
2 2006, the rate of the service charge shall be 3.5 percent.

3 (2) Beginning July 1, 2006, and thereafter, no service
4 charge shall be deducted from the proceeds of the local option
5 fuel tax distributed under section 336.025, Florida Statutes.

6
7 The increased revenues derived from this section shall be
8 deposited in the State Transportation Trust Fund and used to
9 fund the County Incentive Grant Program and the Small County
10 Outreach Program. Up to 20 percent of such funds shall be
11 used for the purpose of implementing the Small County Outreach
12 Program as provided in this act. Notwithstanding any other
13 laws to the contrary the requirements of sections 339.135,
14 339.155, and 339.175, Florida Statutes, shall not apply to
15 these funds and programs.

16 Section 6. Beginning in fiscal year 2000-2001 the
17 Department of Transportation shall allocate sufficient funds
18 to implement the Mobility 2000 (Building Roads for the 21st
19 Century) initiative. The department shall develop a plan to
20 expend these revenues and amend the current tentative work
21 program for the time period 2000-2001 through 2004-2005 prior
22 to adoption to include Mobility 2000 projects. In addition,
23 prior to work program adoption, the department shall submit a
24 budget amendment pursuant to section 339.135(7), Florida
25 Statutes, requesting budget authority needed to implement the
26 Mobility 2000 initiative. Funds will be used for corridors
27 that link Florida's economic regions to seaports,
28 international airports, and markets to provide connections
29 through major gateways, improved mobility in major urbanized
30 areas, and access routes for emergency evacuation to coastal

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1 communities based on analysis of current and projected traffic
2 conditions.

3 Section 7. In fiscal year 2000-2001, there is hereby
4 appropriated \$30 million from non-recurring General Revenue to
5 the State Transportation Trust Fund to carry out the Mobility
6 2000 initiative pursuant to section 6. Any funds which result
7 from this appropriation or which result from increased
8 revenues to the State Transportation Trust Fund derived from
9 sections 1 and 2 of this act, and which are remaining in
10 fiscal year 2000-2001 after the Mobility 2000 initiative is
11 funded shall be used by the Department of Transportation to
12 fund projects identified, prioritized, and unfunded in the
13 Florida Freight Stakeholders Task Force Report, or in the Year
14 2000 "Fast Track" Project Applications. Pursuant to section
15 339.135(7), Florida Statutes, the department may amend the
16 work program to add the projects necessary to implement this
17 section.

18 Section 8. For purposes of funding the following
19 projects, there is hereby appropriated from the State
20 Transportation Trust Fund the following amounts from increases
21 in revenue resulting from section 7:

22 (a) Orlando - Sanford Airport/runway expansion -
23 Seminole Co. (\$8,349,366);

24 (b) 79th Street Station - Hialeah - Dade Co.
25 (\$2,000,000);

26 (c) Hollywood Intermodal Initiative - Broward Co.
27 (\$1,000,000);

28 (d) Melbourne Airport - New Hanger Construction -
29 Brevard Co. (\$834,937);

30 (e) South Florida Rail Feasibility Study - Palm
31 Beach/Broward/Dade (\$500,000). Funds provided for the South

1 Florida Rail Corridor Feasibility Study are to review the CSX,
2 FEC and I-95 Corridors and their relation to land use in Palm
3 Beach, Broward and Dade Counties. The department shall
4 contract with the South Florida Regional Transportation
5 Organization. The study shall be competitively bid under
6 chapter 287;

7 (f) Atlantic Corridor - City of Miami Beach - Dade Co.
8 (\$450,000);

9 (g) Relocation Study - Panama City Airport
10 (\$1,000,000).

11 (h) County Road 210 - St. Johns County (\$2,000,000).

12 Section 9. In fiscal years 2001-2002 and 2002-2003,
13 \$25 million shall be appropriated annually from non-recurring
14 General Revenue to the State Transportation Trust Fund, and
15 used to fund the Transportation Outreach Program created
16 pursuant to section 339.137, Florida Statutes.

17 Section 10. Effective July 1, 2005, subsection (4) of
18 section 320.072, Florida Statutes, is amended to read:

19 320.072 Additional fee imposed on certain motor
20 vehicle registration transactions.--

21 (4) A tax collector or other duly authorized agent of
22 the department shall promptly remit all moneys collected
23 pursuant to this section, less any refunds granted pursuant to
24 subsection (3), to the department to. ~~The department shall~~
25 ~~deposit 30 percent of such moneys as they are received into~~
26 ~~the General Revenue Fund. The remainder of the proceeds, after~~
27 ~~deducting the service charge imposed by s. 215.20, shall be~~
28 deposited into the State Transportation Trust Fund.

29 Section 11. Notwithstanding any other provision of
30 law, in fiscal year 2001-2002 and each year thereafter, the
31 increase in revenue to the State Transportation Trust Fund

1 derived from sections 1, 2, 3, 7, 9, and 10 of this act shall
2 be first used by the Department of Transportation to fund the
3 Mobility 2000 initiative and any remaining funds shall be used
4 to fund the Transportation Outreach Program created pursuant
5 to section 339.137, Florida Statutes. Notwithstanding any
6 other law to the contrary the requirements of ss. 206.46(3),
7 206.606(2), Florida Statutes, shall not apply to the Mobility
8 2000 Initiative.

9 Section 12. Subsection (7) is added to section
10 215.616, Florida Statutes, to read:

11 215.616 State bonds for federal aid highway
12 construction.--

13 (7) Up to \$325 million in bonds may be issued for the
14 Mobility 2000 initiative with emphasis on the Florida
15 Intrastate Highway System to advance projects in the most
16 cost-effective manner and to support emergency evacuation,
17 improved access to urban areas, or the enhancement of trade
18 and economic growth corridors of statewide and regional
19 significance which promote Florida's economic growth.

20 Section 13. Subsection (5) of section 338.251, Florida
21 Statutes, is amended to read:

22 338.251 Toll Facilities Revolving Trust Fund.--The
23 Toll Facilities Revolving Trust Fund is hereby created for the
24 purpose of encouraging the development and enhancing the
25 financial feasibility of revenue-producing road projects
26 undertaken by local governmental entities in a county or
27 combination of contiguous counties.

28 (5) No amount in excess of \$1,500,000~~\$500,000~~
29 annually shall be advanced to any one governmental entity
30 pursuant to this section without specific appropriation by the
31 Legislature.

1 Section 14. Subsection (2) of section 339.08, Florida
2 Statutes, is amended to read:

3 339.08 Use of moneys in State Transportation Trust
4 Fund.--

5 (2) These rules must restrict the use of such moneys
6 to the following purposes:

7 (a) To pay administrative expenses of the department,
8 including administrative expenses incurred by the several
9 state transportation districts, but excluding administrative
10 expenses of commuter rail authorities that do not operate rail
11 service.

12 (b) To pay the cost of construction of the State
13 Highway System.

14 (c) To pay the cost of maintaining the State Highway
15 System.

16 (d) To pay the cost of public transportation projects
17 in accordance with chapter 341 and ss. 332.003-332.007.

18 (e) To reimburse counties or municipalities for
19 expenditures made on projects in the State Highway System as
20 authorized by s. 339.12(4) upon legislative approval.

21 (f) To pay the cost of economic development
22 transportation projects in accordance with s. 288.063.

23 (g) To lend or pay a portion of the operating,
24 maintenance, and capital costs of a revenue-producing
25 transportation project that is located on the State Highway
26 System or that is demonstrated to relieve traffic congestion
27 on the State Highway System.

28 (h) To match any federal-aid funds allocated for any
29 other transportation purpose, including funds allocated to
30 projects not located in the State Highway System.

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1 (i) To pay the cost of county road projects selected
2 in accordance with the Small County Road Assistance Program
3 created in s. 339.2816.

4 (j) To pay the cost of county or municipal road
5 projects selected in accordance with the County Incentive
6 Grant Program created in s. 339.2817, and the Small County
7 Outreach Program created in s. 339.2818.

8 (k) To provide loans and credit enhancements for use
9 in constructing and improving highway transportation
10 facilities selected in accordance with the State-funded
11 Infrastructure Bank created in s. 339.55.

12 (l) To fund the Transportation Outreach Program
13 created in s. 339.137.

14 (m)~~(j)~~ To pay other lawful expenditures of the
15 department.

16 Section 15. Paragraph (c) of subsection (4) of section
17 339.12, Florida Statutes, is amended to read:

18 339.12 Aid and contributions by governmental entities
19 for department projects; federal aid.--

20 (4)

21 (c) The department may ~~is authorized to~~ enter into
22 agreements under this subsection for a project or project
23 phase not included in the adopted work program. As used in
24 this paragraph, the term "project phase" means acquisition of
25 rights-of-way, construction, construction inspection, and
26 related support phases. The project or project phase must be
27 a high priority of the governmental entity. Reimbursement for
28 a project or project phase must be made from funds
29 appropriated by the Legislature pursuant to s.
30 339.135(5). All other provisions of this subsection apply to
31 agreements entered into under this paragraph. ~~At no time~~

1 ~~shall~~ The total amount of project agreements for projects or
2 project phases not included in the adopted work program may
3 not at any time exceed \$100~~\$50~~ million.

4 Section 16. Section 339.55, Florida Statutes, is
5 created to read:

6 339.55 State-funded infrastructure bank.--

7 (1) There is created within the Department of
8 Transportation a state-funded infrastructure bank for the
9 purpose of providing loans and credit enhancements to
10 government units and private entities for use in constructing
11 and improving transportation facilities.

12 (2) The bank may lend capital costs or provide credit
13 enhancements for a transportation facility project that is on
14 the State Highway System or that provides for increased
15 mobility on the state's transportation system. Loans from the
16 bank may be subordinated to senior project debt that has an
17 investment grade rating of "BBB" or higher.

18 (3) Loans from the bank may bear interest at or below
19 market interest rates, as determined by the department.
20 Repayment of any loan from the bank shall commence not later
21 than 5 years after the project has been completed or, in the
22 case of a highway project, the facility has opened to traffic,
23 whichever is later, and shall be repaid in no more than 30
24 years.

25 (4) Except as provided in s. 339.137, to be eligible
26 for consideration, projects must be consistent, to the maximum
27 extent feasible, with local metropolitan planning organization
28 plans and local government comprehensive plans and must
29 provide a dedicated repayment source to ensure the loan is
30 repaid to the bank.

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1 (5) The department may consider, but is not limited
2 to, the following criteria for evaluation of projects for
3 assistance from the bank:

4 (a) The credit worthiness of the project.

5 (b) A demonstration that the project will encourage,
6 enhance, or create economic benefits.

7 (c) The likelihood that assistance would enable the
8 project to proceed at an earlier date than would otherwise be
9 possible.

10 (d) The extent to which assistance would foster
11 innovative public-private partnerships and attract private
12 debt or equity investment.

13 (e) The extent to which the project would use new
14 technologies, including intelligent transportation systems,
15 that would enhance the efficient operation of the project.

16 (f) The extent to which the project would maintain or
17 protect the environment.

18 (g) A demonstration that the project includes
19 transportation benefits for improving intermodalism and
20 safety.

21 (h) The amount of the proposed assistance as a
22 percentage of the overall project costs with emphasis on local
23 and private participation.

24 (6) Loan assistance provided by the bank shall be
25 included in the department's work program developed in
26 accordance with s. 339.135.

27 (7) The department is authorized to adopt rules to
28 implement the state-funded infrastructure bank.

29 Section 17. There is hereby appropriated \$50 million
30 in fiscal year 2000-2001 from non-recurring General Revenue to
31 the State Transportation Trust Fund to carry out the

1 provisions of section 339.55, Florida Statutes, related to the
2 state-funded infrastructure bank. In fiscal years 2001-2002
3 and 2002-2003, \$50 million shall be appropriated annually from
4 non-recurring General Revenue to the State Transportation
5 Trust Fund to capitalize the state-funded infrastructure bank
6 created in section 339.55, Florida Statutes.

7 Section 18. Section 339.137, Florida Statutes, is
8 created to read:

9 339.137 Transportation Outreach Program (TOP)
10 supporting economic development; administration; definitions;
11 eligible projects; Transportation Outreach Program (TOP)
12 Advisory Council created; limitations; funding.--

13 (1) There is created within the Department of
14 Transportation, a Transportation Outreach Program (TOP)
15 dedicated to funding transportation projects of a high
16 priority based on the prevailing principles of preserving the
17 existing transportation infrastructure; enhancing Florida's
18 economic growth and competitiveness; and improving travel
19 choices to ensure mobility.

20 (2) For purposes of this section, words and phrases
21 shall have the following meanings:

22 (a) Preservation.--Protecting the state's
23 transportation infrastructure investment. Preservation
24 includes:

25 1. Ensuring that 80 percent of the pavement on the
26 State Highway System meets department standards;

27 2. Ensuring that 90 percent of department-maintained
28 bridges meet department standards; and

29 3. Ensuring that the department achieves 100 percent
30 of acceptable maintenance standards on the state highway
31 system.

1 (b) Economic Growth and Competitiveness.--Ensuring
2 that state transportation investments promote economic
3 activities which result in development or retention of income
4 generative industries which increase per capita earned income
5 in the state, and that such investments improve the state's
6 economic competitiveness.

7 (c) Mobility.--Ensuring a cost-effective, statewide,
8 interconnected transportation system.

9 (d) The term "regionally significant transportation
10 project of critical concern" means a transportation facility
11 improvement project located in one county which provides
12 significant enhancement of economic development opportunities
13 in an adjoining county or counties and which provides
14 improvements to a hurricane evacuation route.

15 (3) Eligible projects include those for planning,
16 designing, acquiring rights-of-way for, or constructing the
17 following:

18 (a) Major highway improvements.

19 1. Florida Intrastate Highway System.

20 2. Feeder roads which provide linkages to major
21 highways.

22 3. Bridges of statewide or regional significance.

23 4. Trade and economic development corridors.

24 5. Access projects for freight and passengers.

25 6. Hurricane evacuation routes.

26 (b) Major public transportation projects.

27 1. Seaport projects which improve cargo and passenger
28 movements.

29 2. Aviation projects which increase passenger
30 enplanements and cargo activity.

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1 3. Transit projects which improve mobility on
2 interstate highways, or which improve regional or localized
3 travel.

4 4. Rail projects that facilitate the movement of
5 passengers and cargo including ancillary pedestrian
6 facilities.

7 5. Spaceport Florida Authority projects which improve
8 space transportation capacity and facilities consistent with
9 the provisions of s. 331.360.

10 6. Bicycle and pedestrian facilities that add to or
11 enhance a statewide system of public trails.

12 (c) Highway and bridge projects that facilitate
13 retention and expansion of military installations, or that
14 facilitate reuse and development of any military base
15 designated for closure by the federal government.

16 (5) Transportation Outreach projects may be proposed
17 by any local government, regional organization, economic
18 development board, public or private partnership, metropolitan
19 planning organization, state agency, or other entity engaged
20 in economic development activities.

21 (6) Transportation funding under this section shall
22 use the following mechanisms to prioritize proposed projects:

23 (a) Economic development-related transportation
24 projects may compete for funding under the program. Projects
25 funded under this program should provide for increased
26 mobility on the state's transportation system. Projects which
27 have local or private matching funds may be given priority
28 over other projects.

29 (b) Establishment of a funding allocation under this
30 program reserved to quickly respond to transportation needs of
31 emergent economic competitiveness development projects that

1 may be outside of the routine project selection process. This
2 funding may be used to match local or private contributions
3 for transportation projects which meet the definition of
4 economic competitiveness contained in this section.

5 (c) Establish innovative financing methods to enable
6 the state to respond in a timely manner to major or emergent
7 economic development-related transportation needs that require
8 timely commitments. These innovative financing methods
9 include, but are not limited to, the state infrastructure
10 bank, state bonds for right-of-way acquisition and bridge
11 construction, state bonds for fixed guideway transportation
12 systems, state bonds for federal aid highway construction,
13 funds previously programmed by the department for high-speed
14 rail development, and any other local, state, or federal funds
15 made available to the department.

16 (7) In addition to complying with the prevailing
17 principles provided in subsection (1), to be eligible for
18 funding under the program projects must also meet the
19 following minimum criteria:

20 (a) The project or project phase selected can be made
21 production-ready within a 5-year period following the end of
22 the current fiscal year.

23 (b) The project is listed in an outer year of the
24 5-year work program and can be made production-ready and
25 advanced to an earlier year of the 5-year work program.

26 (c) The project is consistent with a current
27 transportation system plan including, but not limited to, the
28 Florida Intrastate Highway System, aviation, intermodal/rail,
29 seaport, spaceport, or transit system plans.

30 (d) The project is not inconsistent with an approved
31 local comprehensive plan of any local government within whose

1 boundaries the project is located in whole or in part or, if
2 inconsistent, is accompanied by an explanation of why the
3 project should be undertaken.

4 (e) One or more of the minimum criteria listed in
5 paragraphs (a) through (d) may be waived for a statewide or
6 regionally significant transportation project of critical
7 concern.

8 (8) The Transportation Outreach Program (TOP) Advisory
9 Council is created to annually make recommendations to the
10 Legislature on prioritization and selection of economic growth
11 projects as provided in this section.

12 (a) The council shall consist of:

13 1. Two representatives of private interests who are
14 directly involved in or affected by any mode of transportation
15 or tourism chosen by the Speaker of the House of
16 Representatives.

17 2. Two representatives of private interests who are
18 directly involved in or affected by any mode of transportation
19 or tourism chosen by the President of the Senate.

20 3. Three representatives of private or governmental
21 interests who are directly involved in or affected by any mode
22 of transportation or tourism chosen by the Governor.

23 (b) Terms for council members shall be 2 years, and
24 each member shall be allowed one vote.

25 (c) Initial appointments must be made no later than 60
26 days after this act takes effect. Vacancies in the council
27 shall be filled in the same manner as the initial
28 appointments.

29 (d) The council shall hold its initial meeting no
30 later than 30 days after the members have been appointed in
31 order to organize and select a chair and vice chair from the

1 council membership. Meetings shall be held at the call of the
2 chair, but not less frequently than quarterly.

3 (e) The members of the council shall serve without
4 compensation, but shall be reimbursed for per diem and travel
5 expenses as provided in s. 112.061. The department shall
6 provide administrative staff support, travel and per diem
7 expenses for the council.

8 (9) Because transportation investment plays a key role
9 in economic development, the council and the department shall
10 actively participate in state and local economic development
11 programs, including:

12 (a) Working in partnership with other state and local
13 agencies in business recruitment, expansion, and retention
14 activities to ensure early transportation input into these
15 activities.

16 (b) Providing expertise and rapid response in
17 analyzing the transportation needs of emergent economic
18 development projects.

19 (c) The council and department must develop a
20 macroeconomic analysis of the linkages between transportation
21 investment and economic performance, as well as a method to
22 quantifiably measure the economic benefits of the investments.

23 (10) The council shall review and prioritize projects
24 submitted for funding under the program with priority given to
25 projects which comply with the prevailing principles provided
26 in subsection (1), and shall recommend to the Legislature a
27 transportation outreach program. The department shall provide
28 technical expertise and support as requested by the council,
29 and shall develop financial plans, cash forecast plans, and
30 program and resource plans necessary to implement this

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1 program. These supporting documents shall be submitted with
2 the transportation outreach program.

3 (11) Projects recommended for funding under the
4 transportation outreach program shall be submitted to the
5 Governor and the Legislature as a separate section of the
6 department's tentative work program. Final approval of the
7 transportation outreach program shall be made by the
8 Legislature through the General Appropriations Act. Program
9 projects approved by the Legislature must be included in the
10 department's adopted work program.

11 (12) For purposes of funding projects under the
12 program, the department shall allocate from the State
13 Transportation Trust Fund in its program and resource plan a
14 minimum of \$60 million each year beginning in fiscal 2001-2002
15 for a transportation outreach program. This funding is to be
16 reserved for projects to be funded under the transportation
17 outreach program. This allocation of funds is in addition to
18 any funding provided to this program by any other provision of
19 law.

20 (13) Notwithstanding any other law to the contrary the
21 requirements of ss. 206.46(3), 206.606(2), 339.135, 339.155,
22 and 339.175 shall not apply to the transportation outreach
23 program.

24 (14) The department is authorized to adopt rules to
25 implement the transportation outreach program supporting
26 economic development.

27 Section 19. Section 339.2818, Florida Statutes, is
28 created to read:

29 339.2818 Small County Outreach Program.--

30 (1) There is created within the Department of
31 Transportation the Small County Outreach Program. The purpose

1 of this program is to assist small county governments in
2 resurfacing or reconstructing county roads or in constructing
3 capacity or safety improvements to county roads.

4 (2) For the purposes of this section, the term "small
5 county" means any county that has a population of 150,000 or
6 less as determined by the most recent official estimate
7 pursuant to s. 186.901.

8 (3) Funds allocated under this program, pursuant to
9 section 4 of this act are in addition to any funds provided
10 pursuant to s. 339.2816, for the Small County Road Assistance
11 Program.

12 (4)(a) Small counties shall be eligible to compete for
13 funds that have been designated for the Small County Outreach
14 Program for projects on county roads. The department shall
15 fund 75 percent of the cost of projects on county roads funded
16 under the program.

17 (b) In determining a county's eligibility for
18 assistance under this program, the department may consider
19 whether the county has attempted to keep county roads in
20 satisfactory condition.

21 (c) The following criteria shall be used to prioritize
22 road projects for funding under the program:

23 1. The primary criterion is the physical condition of
24 the road as measured by the department.

25 2. As secondary criteria the department may consider:

26 a. Whether a road is used as an evacuation route.

27 b. Whether a road has high levels of agricultural
28 travel.

29 c. Whether a road is considered a major arterial
30 route.

31 d. Whether a road is considered a feeder road.

1 e. Other criteria related to the impact of a project
2 on the public road system or on the state or local economy as
3 determined by the department.

4 (5) The department is authorized to administer
5 contracts on behalf of a county selected to receive funding
6 for a project under this section. All projects funded under
7 this section shall be included in the department's work
8 program developed pursuant to s. 339.135.

9 Section 20. Section 339.2817, Florida Statutes, is
10 created to read:

11 339.2817 County Incentive Grant Program.--

12 (1) There is created within the Department of
13 Transportation a County Incentive Grant Program for the
14 purpose of providing grants to counties, to improve a
15 transportation facility which is located on the State Highway
16 System or which relieves traffic congestion on the State
17 Highway System.

18 (2) To be eligible for consideration, projects must be
19 consistent, to the maximum extent feasible, with local
20 metropolitan planning organization plans and local government
21 comprehensive plans.

22 (3) The department must consider, but is not limited
23 to, the following criteria for evaluation of projects for
24 County Incentive Grant Program assistance:

25 (a) The extent to which the project will encourage,
26 enhance, or create economic benefits;

27 (b) The likelihood that assistance would enable the
28 project to proceed at an earlier date than the project could
29 otherwise proceed;

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1 (c) The extent to which assistance would foster
2 innovative public-private partnerships and attract private
3 debt or equity investment;

4 (d) The extent to which the project uses new
5 technologies, including intelligent transportation systems,
6 which enhance the efficiency of the project;

7 (e) The extent to which the project helps to maintain
8 or protect the environment; and

9 (f) The extent to which the project includes
10 transportation benefits for improving intermodalism and
11 safety.

12 (4) The percentage of matching funds provided from the
13 County Incentive Grant Program to the eligible county will be
14 based on the following:

15 (a) For projects on the Florida Intrastate Highway
16 System the department shall provide 60 percent of project
17 costs.

18 (b) For projects on the State Highway System the
19 department shall provide 50 percent of project costs.

20 (c) For local projects which are demonstrated to
21 relieve traffic congestion on the State Highway System the
22 department shall provide 35 percent of project costs.

23 (5) The department is authorized to adopt rules to
24 administer the County Incentive Grant Program.

25 (6) A municipality may apply to the county in which the
26 municipality is located for consideration by the county for
27 funding under this section of any project or project phase of
28 a transportation facility which is located on the state
29 highway system or which is demonstrated to relieve congestion
30 on the state highway system. The county must evaluate all
31 municipal applications as provided in subsection (3). If a

1 municipality's proposed project is rejected by the county for
2 funding under this section, or if the county's proposed
3 project adversely affects a municipality within the county,
4 the municipality may request mediation to resolve any concerns
5 of the municipality and the county.

6 Section 21. Subsections (2) and (3) of section
7 427.0159, Florida Statutes, are redesignated as subsections
8 (3) and (4), respectively, and a new subsection (2) is added
9 to that section to read:

10 427.0159 Transportation Disadvantaged Trust Fund.--
11 (2) Beginning on July 1, 2000, and annually
12 thereafter, \$2,000,000, shall be allocated by the Department
13 of Transportation solely for providing additional funds as
14 provided in subsection (3) of s. 427.0159. The allocation
15 provided in this section is contingent on Senate Bill 854 or
16 similar legislation becoming law.

17 Section 22. Notwithstanding any other law to the
18 contrary the requirements of sections 206.46(3) and
19 206.606(2), Florida Statutes, shall not apply to any funding,
20 programs, or other provisions contained in this act.

21 Section 23. This act shall take effect upon becoming a
22 law.

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