

By the Committee on Transportation and Representative  
Russell

1                                   A bill to be entitled  
2           An act relating to the Transportation Outreach  
3           Program; amending s. 339.137, F.S.; revising  
4           definitions; amending criteria for program  
5           eligibility; directing the advisory council to  
6           develop methodology for ranking and  
7           prioritizing project proposals; directing the  
8           Florida Transportation Commission to review the  
9           proposed project list before submittal to the  
10          Legislature; providing an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

13  
14           Section 1. Section 339.137, Florida Statutes, is  
15 amended to read:

16           339.137 Transportation Outreach Program (TOP)  
17 supporting economic development; administration; definitions;  
18 eligible projects; Transportation Outreach Program (TOP)  
19 advisory council created; limitations; funding.--

20           (1) There is created within the Department of  
21 Transportation, a Transportation Outreach Program (TOP)  
22 dedicated to funding transportation projects of a high  
23 priority based on the ~~prevailing~~ principles of ~~preserving the~~  
24 ~~existing transportation infrastructure~~; enhancing Florida's  
25 economic growth and competitiveness in national and  
26 international markets; promoting intermodal transportation  
27 linkages for passengers and freight; and improving travel  
28 choices to ensure efficient and cost-competitive mobility for  
29 Florida citizens, visitors, services, and goods.

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

1           (a) ~~Preservation.--Protecting the state's~~  
2 ~~transportation infrastructure investment. Preservation~~  
3 ~~includes:~~  
4           1. ~~Ensuring that 80 percent of the pavement on the~~  
5 ~~State Highway System meets department standards;~~  
6           2. ~~Ensuring that 90 percent of department-maintained~~  
7 ~~bridges meet department standards; and~~  
8           3. ~~Ensuring that the department achieves 100 percent~~  
9 ~~of acceptable maintenance standards on the State Highway~~  
10 ~~System.~~  
11           **(b)** Economic growth and competitiveness.--Ensuring  
12 that state transportation investments promote economic  
13 activities which result in development or retention of income  
14 generative industries which increase per capita earned income  
15 in the state, and that such investments improve the state's  
16 economic competitiveness.  
17           **(b)(c)** Mobility.--Ensuring a cost-effective,  
18 statewide, interconnected transportation system.  
19           **(c)(d)** The term "regionally significant transportation  
20 project ~~of critical concern~~" means a transportation facility  
21 improvement project located in one or more counties ~~county~~  
22 which provides significant enhancement of economic development  
23 opportunities in that region ~~an adjoining county or counties~~  
24 and which provides improvements to a hurricane evacuation  
25 route.  
26           (3) Transportation Outreach Program projects may be  
27 proposed by any local government, regional organization,  
28 economic development board, public or private partnership,  
29 metropolitan planning organization, state agency, or other  
30 entity engaged in economic development activities.  
31

1           ~~(4)(3)~~ Proposed Eligible projects that meet the  
2 minimum eligibility threshold include those for planning,  
3 designing, acquiring rights-of-way for, or constructing the  
4 following:

5           (a) Major highway improvements to:-

6           1. The Florida Intrastate Highway System.

7           2. Major roads and feeder roads which provide linkages  
8 to the Florida Intrastate Highway System ~~major highways.~~

9           3. Bridges of statewide or regional significance.

10          4. Trade and economic development corridors.

11          5. Access projects for freight and passengers.

12          ~~6. Hurricane evacuation routes.~~

13          (b) Major public transportation projects:-

14          1. Seaport projects which improve cargo and passenger  
15 movements or connect the seaports to other modes of  
16 transportation.

17          2. Aviation projects which increase passenger  
18 enplanements and cargo activity or connect airports to other  
19 modes of transportation.

20          3. Transit projects which improve mobility on  
21 interstate highways, or which improve regional or localized  
22 travel, or connect to other modes of transportation.

23          4. Rail projects that facilitate the movement of  
24 passengers and cargo, including ancillary pedestrian  
25 facilities, or connect rail facilities to other modes of  
26 transportation.

27          5. Spaceport Florida Authority projects which improve  
28 space transportation capacity and facilities consistent with  
29 the provisions of s. 331.360.

30          ~~6. Bicycle and pedestrian facilities that add to or~~  
31 ~~enhance a statewide system of public trails.~~

1           (c) Highway and bridge projects that facilitate  
2 retention and expansion of military installations, or that  
3 facilitate reuse and development of any military base  
4 designated for closure by the Federal Government.

5  
6 Each proposed project must be able to document that it  
7 promotes economic growth and competitiveness, as defined in  
8 paragraph (2)(a).

9           (5) In addition to the above minimum eligibility  
10 requirements, each proposed project must comply with the  
11 following eligibility criteria:

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

15           (b) The project is consistent with a current  
16 transportation system plan such as the Florida Intrastate  
17 Highway System, aviation, intermodal/rail, seaport, spaceport,  
18 or transit system plans.

19           (c) The project is not inconsistent with an approved  
20 local comprehensive plan of any local government within whose  
21 boundaries the project is located in whole or in part, or, if  
22 inconsistent, is accompanied by an explanation of why the  
23 project should be undertaken.

24           (d) The project involves two or more modes of  
25 transportation, or can document that it will have a  
26 significant economic benefit in two or more counties.

27  
28 One or more of the minimum criteria listed in paragraphs  
29 (a)-(d) may be waived for a regionally significant  
30 transportation project.

31

1           ~~(4) Transportation Outreach projects may be proposed~~  
2 ~~by any local government, regional organization, economic~~  
3 ~~development board, public or private partnership, metropolitan~~  
4 ~~planning organization, state agency, or other entity engaged~~  
5 ~~in economic development activities.~~

6           (6)(5) The following criteria shall be used  
7 ~~Transportation funding under this section shall use the~~  
8 ~~following mechanisms to prioritize the eligible proposed~~  
9 ~~projects:~~

10           (a) The project must promote economic growth and  
11 ~~competitiveness. Economic development-related transportation~~  
12 ~~projects may compete for funding under the program. Projects~~  
13 ~~funded under this program should provide for increased~~  
14 ~~mobility on the state's transportation system. Projects which~~  
15 ~~have local or private matching funds may be given priority~~  
16 ~~over other projects.~~

17           (b) The project must promote intermodal transportation  
18 ~~linkages for passengers and freight. Establishment of a~~  
19 ~~funding allocation under this program reserved to quickly~~  
20 ~~respond to transportation needs of emergent economic~~  
21 ~~competitiveness development projects that may be outside of~~  
22 ~~the routine project selection process. This funding may be~~  
23 ~~used to match local or private contributions for~~  
24 ~~transportation projects which meet the definition of economic~~  
25 ~~competitiveness contained in this section.~~

26           (c) The project must broaden transportation choices  
27 ~~for Florida residents, visitors, and commercial interests in~~  
28 ~~order to ensure efficient and cost-competitive mobility of~~  
29 ~~people, services, and goods. Establish innovative financing~~  
30 ~~methods to enable the state to respond in a timely manner to~~  
31 ~~major or emergent economic development-related transportation~~

1 ~~needs that require timely commitments. These innovative~~  
2 ~~financing methods include, but are not limited to, the state~~  
3 ~~infrastructure bank, state bonds for right-of-way acquisition~~  
4 ~~and bridge construction, state bonds for fixed guideway~~  
5 ~~transportation systems, state bonds for federal aid highway~~  
6 ~~construction, funds previously programmed by the department~~  
7 ~~for high-speed rail development, and any other local, state,~~  
8 ~~or federal funds made available to the department.~~

9 (d) Projects that have local, federal, or private  
10 matching funds shall be given priority over projects that meet  
11 all the other criteria.

12 (7) Eligible projects shall also utilize innovative  
13 financing methods that enable the state to respond in a timely  
14 manner to major or emergent economic development-related  
15 transportation needs that require timely commitments. These  
16 innovative financing methods include, but are not limited to,  
17 private investment strategies, use of the state infrastructure  
18 bank, state bonds for right-of-way acquisition and bridge  
19 construction, state bonds for fixed guideway transportation  
20 systems, state bonds for federal aid highway construction,  
21 funds previously programmed by the department for high-speed  
22 rail development, and any other local, state, or federal funds  
23 made available to the department.

24 ~~(6) In addition to complying with the prevailing~~  
25 ~~principles provided in subsection (1), to be eligible for~~  
26 ~~funding under the program, projects must also meet the~~  
27 ~~following minimum criteria:~~

28 ~~(a) The project or project phase selected can be made~~  
29 ~~production-ready within a 5-year period following the end of~~  
30 ~~the current fiscal year.~~

31

1           ~~(b) The project is listed in an outer year of the~~  
2 ~~5-year work program and can be made production-ready and~~  
3 ~~advanced to an earlier year of the 5-year work program.~~

4           ~~(c) The project is consistent with a current~~  
5 ~~transportation system plan including, but not limited to, the~~  
6 ~~Florida Intrastate Highway System, aviation, intermodal/rail,~~  
7 ~~seaport, spaceport, or transit system plans.~~

8           ~~(d) The project is not inconsistent with an approved~~  
9 ~~local comprehensive plan of any local government within whose~~  
10 ~~boundaries the project is located in whole or in part or, if~~  
11 ~~inconsistent, is accompanied by an explanation of why the~~  
12 ~~project should be undertaken.~~

13           ~~(e) One or more of the minimum criteria listed in~~  
14 ~~paragraphs (a)-(d) may be waived for a statewide or regionally~~  
15 ~~significant transportation project of critical concern.~~

16           ~~(8)(7)~~ The Transportation Outreach Program (TOP)  
17 advisory council is created to annually make recommendations  
18 to the Legislature on prioritization and selection of economic  
19 growth projects as provided in this section.

20           (a) The council shall consist of:

21           1. Two representatives of private interests, chosen by  
22 the Speaker of the House of Representatives, who are directly  
23 involved in or affected by any mode of transportation or  
24 tourism ~~chosen by the Speaker of the House of Representatives.~~

25           2. Two representatives of private interests, chosen by  
26 the President of the Senate, who are directly involved in or  
27 affected by any mode of transportation or tourism ~~chosen by~~  
28 ~~the President of the Senate.~~

29           3. Three representatives of private or governmental  
30 interests, chosen by the Governor, who are directly involved  
31

1 in or affected by any mode of transportation or tourism ~~chosen~~  
2 ~~by the Governor.~~

3 (b) Terms for council members shall be 2 years, and  
4 each member shall be allowed one vote. Every 2 years, the  
5 council shall select from among its membership a chair and  
6 vice chair.

7 ~~(c) Initial appointments must be made no later than 60~~  
8 ~~days after this act takes effect. Vacancies in the council~~  
9 shall be filled in the same manner as the initial  
10 appointments.

11 ~~(d) The council shall hold its initial meeting no~~  
12 ~~later than 30 days after the members have been appointed in~~  
13 ~~order to organize and select a chair and vice chair from the~~  
14 ~~council membership. Meetings shall be held at the call of the~~  
15 chair, but not less frequently than quarterly.

16 (e) The members of the council shall serve without  
17 compensation, but shall be reimbursed for per diem and travel  
18 expenses as provided in s. 112.061.

19 (f) The department shall provide administrative staff  
20 support, ensuring that council meetings are electronically  
21 recorded. Such recordings and all documents received, prepared  
22 for, or used by the council in conducting its business shall  
23 be preserved pursuant to chapters 119 and 257. In addition,  
24 the department shall provide in its annual budget for travel  
25 and per diem expenses for the council.

26 (g) The council shall develop a methodology for  
27 scoring and ranking project proposals, based on the  
28 prioritization criteria in subsection (6). The council may  
29 change a project's ranking based on other factors as  
30 determined by the council. However, such other factors must be  
31 fully documented in writing by the council.

1           (h) The council is encouraged to seek input from  
2 transportation or economic-development entities and to  
3 consider the reports and recommendations of task forces, study  
4 commissions, or similar entities charged with reviewing issues  
5 relevant to the council's mission.

6           ~~(9)(8)~~ Because transportation investment plays a key  
7 role in economic development, the council and the department  
8 shall actively participate in state and local economic  
9 development programs, including:

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

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

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

22           (d) Identifying long-term strategic transportation  
23 projects that will promote the principles listed in subsection  
24 (1).

25           ~~(10)(9)~~ The council shall review and prioritize  
26 projects submitted for funding under the program ~~with priority~~  
27 ~~given to projects which comply with the prevailing principles~~  
28 ~~provided in subsection (1),~~ and shall recommend to the  
29 Legislature a transportation outreach program. The department  
30 shall provide technical expertise and support as requested by  
31 the council, and shall develop financial plans, cash forecast

1 plans, and program and resource plans necessary to implement  
2 this program. These supporting documents shall be submitted  
3 with the Transportation Outreach Program.

4 (11)(a)(10) Projects recommended for funding under the  
5 Transportation Outreach Program shall be submitted to the  
6 Florida Transportation Commission at least 30 days before the  
7 start of the regular legislative session. The Florida  
8 Transportation Commission shall review the projects to  
9 determine whether they are in compliance with this section and  
10 prepare a report detailing its findings.

11 (b) The council shall submit its list of recommended  
12 projects to the Governor and the Legislature as a separate  
13 budget request submitted at the same time as section of the  
14 department's tentative work program, which is 14 days before  
15 the start of the regular session. The Florida Transportation  
16 Commission shall submit its written report at the same time to  
17 the Governor and the Legislature. Final approval of the  
18 Transportation Outreach Program project list shall be made by  
19 the Legislature through the General Appropriations Act.  
20 Program projects approved by the Legislature must be included  
21 in the department's adopted work program.

22 (12)(11) For purposes of funding projects under the  
23 Transportation Outreach Program, the department shall allocate  
24 from the State Transportation Trust Fund in its program and  
25 resource plan a minimum of \$60 million each year beginning in  
26 fiscal year 2001-2002 ~~for a transportation outreach program.~~  
27 This funding is to be reserved for projects to be funded  
28 pursuant to this section ~~under the Transportation Outreach~~  
29 ~~Program~~. This allocation of funds is in addition to any  
30 funding provided to this program by any other provision of  
31 law.

