

Amendment No. 1 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 Representative(s) Russell and Johnson offered the following:

13 **Amendment (with title amendment)**

14 Remove everything after the enacting clause

16 and insert:

17 Section 1. Section 339.141, Florida Statutes, is  
18 created to read:

19 339.141 Regional Transportation Act; short title;  
20 purpose; Regional Transportation Advisory Council; creation;  
21 membership; transportation grants; criteria; applications;  
22 approval; project lists; funding.--

23 (1) Sections 339.141-339.143 shall be known as the  
24 "Regional Transportation Act," dedicated to identifying and  
25 funding high-priority regional transportation projects that  
26 create intermodal transportation linkages for passengers and  
27 freight, thus increasing cost-competitive travel choices for  
28 Florida residents, visitors, and businesses.

29 (2) The underlying purposes of the Regional  
30 Transportation Act are to identify projects throughout the  
31 state that will provide more efficient movement of travelers,

Amendment No. 1 (for drafter's use only)

1 goods, and services; assist local governments in developing  
2 intermodal linkages; promote logical linkages between  
3 different modes of transportation; and attract federal, state,  
4 local, and private-sector funds to make these improvements.

5 (3) The Regional Transportation Advisory Council is  
6 created to make recommendations annually to the Legislature on  
7 the selection of projects as provided in this section.

8 Recommendations shall be made for projects seeking Regional  
9 Transportation Act grants pursuant to s. 339.143.

10 (4) The council shall consist of:

11 (a) The secretary of the Department of Transportation,  
12 or his or her designee.

13 (b) Two members of the Senate appointed by the  
14 President of the Senate.

15 (c) Two members of the House of Representatives  
16 appointed by the Speaker of the House of Representatives.

17  
18 Terms for council members from the Legislature shall be 2  
19 years, provided that a legislative member's term shall not  
20 exceed the term of the presiding officer making that member's  
21 appointment to the council. Initial appointments must be made  
22 no later than 30 days after the effective date of this act.  
23 Vacancies on the council shall be filled in the same manner as  
24 the initial appointments.

25 (5) Each member of the council shall be allowed one  
26 vote. The council shall select a chair from among its  
27 membership. Meetings shall be held at the call of the chair  
28 but not less frequently than quarterly. The members of the  
29 council shall be reimbursed for per diem and travel expenses  
30 as provided in s. 112.061.

31 (6) The Department of Transportation shall provide

Amendment No. 1 (for drafter's use only)

1 administrative staff support and shall ensure that council  
2 meetings are electronically recorded. Such recordings and all  
3 documents received, prepared for, or used by the council in  
4 conducting its business shall be preserved pursuant to  
5 chapters 119 and 257.

6 (7) Applications for Regional Transportation Act  
7 funding shall be submitted to the department no later than  
8 October 1 of each year, beginning in 2002, along with  
9 documentation that the proposed project meets the criteria  
10 listed in s. 339.143. Regional Transportation Act projects may  
11 be proposed by any local government, regional organization,  
12 economic development board, public or private partnership,  
13 metropolitan planning organization, state agency, or other  
14 entity engaged in economic development activities.

15 (8) The department shall review all of the  
16 applications submitted to determine which ones meet the basic  
17 criteria listed in s. 339.143(3). By December 1 of each year,  
18 beginning in 2002, the department shall submit to the council  
19 all of the Regional Transportation Act grant applications that  
20 comply. Included in the department's submittal shall be a  
21 summary of each eligible grant application, including summary  
22 information indicating how the project meets the criteria in  
23 s. 339.143(5).

24 (9)(a) The council shall evaluate all of the  
25 applications it receives from the department and shall  
26 annually develop a list of recommended projects for Regional  
27 Transportation Act grants. The council shall then submit its  
28 recommended project list to the Secretary of the Department of  
29 Transportation for review and inclusion of any additional  
30 compilation of supporting documentation. The Secretary shall  
31 then submit the approved list to the Legislature for its

Amendment No. 1 (for drafter's use only)

1 consideration in time for inclusion in the General  
2 Appropriations Act.

3 (b) In selecting projects for inclusion on its  
4 recommended projects list, the council shall consider the  
5 additional criteria in s. 339.143(5).

6 (10) The council is encouraged to seek input from  
7 transportation or economic development entities and to  
8 consider the reports and recommendations of task forces, study  
9 commissions, or similar entities charged with reviewing issues  
10 relevant to the council's mission.

11 (11) The council's recommended projects list shall not  
12 be ranked. The list shall total an amount that is no more than  
13 1.5 times the amount of state funding available for the total  
14 regional transportation program that fiscal year.

15 (12) The Legislature shall consider the council's  
16 recommended projects list and shall include approved projects  
17 in the General Appropriations Act. Projects approved by the  
18 Legislature must be included in the department's adopted work  
19 program.

20 (13) For fiscal years 2003-2004 and 2004-2005, the  
21 department shall allocate a minimum of \$62 million from the  
22 State Transportation Trust Fund in its program and resource  
23 plan to fund the programs in ss. 339.141-339.143. For fiscal  
24 year 2005-2006, the department shall allocate a minimum of \$96  
25 million for the program in ss. 339.141-339.143. Beginning in  
26 fiscal year 2006-2007 and for each year thereafter, the  
27 minimum amount allocated shall be \$100 million for projects  
28 seeking Regional Transportation Grants. This allocation of  
29 funds is in addition to any funding provided to this program  
30 by any other provision of law. Notwithstanding any other laws  
31 to the contrary, the requirements of ss. 339.135(1)-(5),

Amendment No. 1 (for drafter's use only)

1 339.155, and 339.175 shall not apply to these funds and  
2 programs.

3 Section 2. Section 339.142, Florida Statutes, is  
4 created to read:

5 339.142 Regional transportation corridors.--

6 (1) A "regional transportation corridor" is defined as  
7 a regional system of transportation infrastructure that  
8 collectively provides for the efficient movement of  
9 significant numbers of persons and significant volumes of  
10 intrastate, interstate, and international commerce by  
11 seamlessly linking multiple modes of travel.

12 (2) Florida's initial regional transportation  
13 corridors are:

14 (a) The Interstate 10 Corridor, from Pensacola to  
15 Jacksonville.

16 (b) The Gulf Coast Corridor, from Pensacola to St.  
17 Petersburg and to Tampa along U.S. 98 and U.S. 19/State Road  
18 27.

19 (c) The Interstate 95-Atlantic Coast Corridor, from  
20 Jacksonville to Miami.

21 (d) The Central Florida/North-South Corridor, from the  
22 Florida-Georgia border to Naples and Fort Lauderdale/Miami,  
23 along Interstate 75.

24 (e) The Central Florida/East-West Corridor, from St.  
25 Petersburg to Tampa and to Titusville, along Interstate 4 and  
26 the Beeline Expressway.

27 (f) The Jacksonville to Tampa Corridor, along U.S.  
28 301.

29 (g) The Jacksonville to Orlando Corridor, along U.S.  
30 17.

31 (h) The Southeastern Everglades Corridor, linking

Amendment No. 1 (for drafter's use only)

1 Wildwood, Winter Garden, Orlando, and West Palm Beach via the  
2 Florida Turnpike.

3  
4 For the purposes of this subsection, the term "corridor"  
5 includes the roadways linking seaports, commercial service and  
6 general aviation airports, rail yards, transportation  
7 terminals, and intermodal service centers to the major  
8 highways listed in this subsection to designate regional  
9 corridors.

10 (3) The Regional Transportation Advisory Council is  
11 authorized to make additions to, deletions from, or  
12 modifications to the initially designated corridors listed in  
13 subsection (2). These changes shall be accomplished through  
14 adoption of a resolution by majority vote of the council  
15 indicating the changes to the corridors. The department may  
16 provide input to the council regarding proposed changes to the  
17 corridors, including the results of any consensus-building  
18 process undertaken by the department to better define regional  
19 transportation corridors. In addition, any of the entities  
20 eligible to submit an application for a Regional  
21 Transportation Act grant pursuant to s. 339.141(7)(a) may  
22 propose corridor changes to the council. The council shall  
23 provide any such adopted resolutions to the Governor, the  
24 President of the Senate, and the Speaker of the House of  
25 Representatives.

26 Section 3. Section 339.143, Florida Statutes, is  
27 created to read:

28 339.143 Regional Transportation Act grants.--

29 (1) The Legislature finds that Florida's future  
30 regional investments in transportation should be targeted  
31 toward a regional transportation system that integrates key

Amendment No. 1 (for drafter's use only)

1 components of the Florida Intrastate Highway System, seaports,  
2 spaceports, aviation facilities, and rail facilities within  
3 designated corridors. The Legislature further finds that  
4 Florida's future economic health depends on a system that can  
5 successfully move growing numbers of residents and tourists  
6 and transport goods and services within Florida, as well as to  
7 and from national and international markets. Therefore, the  
8 Legislature creates Regional Transportation Act grants to  
9 address these needs and to supplement existing related  
10 transportation programs.

11 (2) Projects eligible to receive Regional  
12 Transportation Act grants include, but are not limited to, the  
13 following:

14 (a) Seaport projects that improve cargo and passenger  
15 movements or connect the seaports to other modes of  
16 transportation.

17 (b) Aviation projects that increase passenger  
18 enplanements and cargo activity or connect airports to other  
19 modes of transportation.

20 (c) Transit projects that improve mobility on  
21 interstate highways, improve regional or localized travel, or  
22 connect to other modes of transportation.

23 (d) 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 (e) Road or highway improvements that improve access  
28 to another mode of transportation.

29 (f) Roadway relocation projects or other projects that  
30 address vehicle user conflicts, access issues, or safety  
31 concerns with rail lines.

Amendment No. 1 (for drafter's use only)

1           (3) The basic criteria for receipt of a Regional  
2 Transportation Act grant are as follows:

3           (a) The project must be able to be made production  
4 ready within a 5-year period following the end of the current  
5 fiscal year.

6           (b) The project must be consistent with a current  
7 transportation system plan, including, but not limited to, the  
8 Florida Intrastate Highway System, aviation, intermodal/rail,  
9 seaport, spaceport, or transit system plans.

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

15           (d) The project must be of statewide or regional  
16 significance.

17           (e) The project must facilitate the movement of  
18 people, goods, and services within a regional transportation  
19 corridor designated pursuant to s. 339.142.

20           (f) The project must encourage, enhance, or create  
21 economic benefits in urban or rural areas.

22           (4) Eligible projects that meet the basic criteria in  
23 subsection (3) as determined by the department shall be  
24 forwarded by the department to the Regional Transportation  
25 Council for evaluation.

26           (5) The council shall use the following criteria for  
27 selecting projects for its recommended projects list:

28           (a) Whether other funds are available to help complete  
29 the project.

30           (b) The amount of local, federal, or private matching  
31 funds available for the project.



Amendment No. 1 (for drafter's use only)

1           (c) The extent to which the project incorporates  
2 corridor management techniques, including access management  
3 strategies, right-of-way acquisition or protection measures,  
4 and appropriate zoning and setback controls.

5           (d) The extent to which the project supports a  
6 multimodal transportation district established pursuant to s.  
7 163.3180(15).

8           (e) The extent to which the project uses new  
9 technologies, including intelligent transportation systems, to  
10 enhance the efficiency of the transportation system.

11           (6) Pursuant to s. 339.141, the Regional  
12 Transportation Advisory Council shall develop a list of  
13 recommended regional transportation projects and submit it to  
14 the Secretary of the Department of Transportation, who, after  
15 reviewing it and its supporting documentation, shall forward  
16 it to the Legislature. The Legislature shall consider the  
17 council's recommended projects list and shall include approved  
18 projects in the General Appropriations Act.

19           Section 4. Subsections (2), (3) and (6) of section  
20 339.2817, Florida Statutes, are amended to read:

21           339.2817 County Incentive Grant Program.--

22           (2) To be eligible for consideration, projects must be  
23 consistent with applicable local government comprehensive  
24 plans and, to the maximum extent feasible, with local  
25 metropolitan planning organization plans ~~and local government~~  
26 ~~comprehensive plans.~~

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

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

Amendment No. 1 (for drafter's use only)

1 (b) The likelihood that assistance would enable the  
2 project to proceed at an earlier date than the project could  
3 otherwise proceed;

4 (c) The extent to which assistance would foster  
5 innovative public-private partnerships and attract private  
6 debt or equity investment;

7 (d) The extent to which the project uses new  
8 technologies, including intelligent transportation systems,  
9 which enhance the efficiency of the project;

10 (e) The extent to which the project helps to maintain  
11 or protect the environment; ~~and~~

12 (f) The extent to which the project includes  
13 transportation benefits for improving intermodalism and  
14 safety;-

15 (g) The extent to which the county has enacted  
16 local-option fuel taxes and other dedicated local revenue  
17 sources or adopted the 1-percent infrastructure sales surtax  
18 or the small county surtax, with priority spending dedicated  
19 to transportation improvements; and

20 (h) The extent to which the project incorporates  
21 corridor management techniques, including access management  
22 strategies, right-of-way acquisition or protection measures,  
23 and appropriate zoning and setback controls.

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

Amendment No. 1 (for drafter's use only)

1 criteria in subsection (3), the county shall send the  
2 application to the department on behalf of the municipality.  
3 If the proposed project is approved by the department, the  
4 county may retain project oversight authority and  
5 responsibility for the project on behalf of the municipality.  
6 If a municipality's proposed project is rejected by the county  
7 for funding under this section, or if the county's proposed  
8 project adversely affects a municipality within the county,  
9 the municipality may request mediation to resolve any concerns  
10 of the municipality and the county.

11 Section 5. Subsections (1) and (2) of section 339.08,  
12 Florida Statutes, are amended to read:

13 339.08 Use of moneys in State Transportation Trust  
14 Fund.--

15 (1) The department shall expend by rule provide for  
16 the expenditure of the moneys in the State Transportation  
17 Trust Fund accruing to the department, in accordance with its  
18 annual budget.

19 (2) ~~These rules must restrict~~ The use of such moneys  
20 is restricted to the following purposes:

21 (1) To fund the Regional Transportation Grant  
22 projects selected pursuant to s. 339.143 ~~Transportation~~  
23 ~~Outreach Program created in s. 339.137.~~

24 Section 6. Section 339.1371, Florida Statutes, is  
25 amended to read:

26 339.1371 Mobility 2000; ~~Transportation Outreach~~  
27 ~~Program~~ funding.--

28 (1) Beginning in fiscal year 2000-2001 the  
29 Department of Transportation shall allocate sufficient funds  
30 to implement the Mobility 2000 (Building Roads for the 21st  
31 Century) initiative. The department shall develop a plan to

Amendment No. 1 (for drafter's use only)

1 expend these revenues and amend the current tentative work  
2 program for the time period 2000-2001 through 2004-2005 prior  
3 to adoption to include Mobility 2000 projects. In addition,  
4 prior to work program adoption, the department shall submit a  
5 budget amendment pursuant to s. 339.135(7), requesting budget  
6 authority needed to implement the Mobility 2000 initiative.  
7 Funds will be used for corridors that link Florida's economic  
8 regions to seaports, international airports, and markets to  
9 provide connections through major gateways, improved mobility  
10 in major urbanized areas, and access routes for emergency  
11 evacuation to coastal communities based on analysis of current  
12 and projected traffic conditions.

13 (2) Notwithstanding any other provision of law, in  
14 fiscal year 2001-2002 and each year thereafter, the increase  
15 in revenue to the State Transportation Trust Fund derived from  
16 ss. 1, 2, 3, 7, 9, and 10, ch. 2000-257, Laws of Florida,  
17 shall be ~~first~~ used by the Department of Transportation to  
18 fund the Mobility 2000 initiative ~~and any remaining funds~~  
19 ~~shall be used to fund the Transportation Outreach Program~~  
20 ~~created pursuant to s. 339.137~~. Notwithstanding any other law  
21 to the contrary, the requirements of ss. 206.46(3) and  
22 206.606(2) shall not apply to the Mobility 2000 initiative.

23 Section 7. Subsection (3) of section 215.211, Florida  
24 Statutes, is amended to read:

25 215.211 Service charge; elimination or reduction for  
26 specified proceeds.--

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

31 (a) For the period July 1, 2005, through June 30,

Amendment No. 1 (for drafter's use only)

1 2006, the rate of the service charge shall be 3.5 percent.

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

5  
6 An amount equal to the reduction in the service charge ~~The~~  
7 ~~increased revenues derived from this subsection~~ 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 used  
11 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 ss. 206.46(3),  
14 206.606(2), 339.135(1)-(5), 339.155, and 339.175 shall not  
15 apply to these funds and programs.

16 Section 8. For fiscal years 2003-2004 and 2004-2005,  
17 the department shall allocate a maximum of \$30 million to  
18 projects seeking County Incentive Grant Program grants and  
19 Small County Outreach Program grants. Up to 20 percent of such  
20 funds shall be used for the purpose of implementing the Small  
21 County Outreach Program. For fiscal year 2005-2006, the  
22 department shall allocate a maximum of \$4 million to projects  
23 seeking County Incentive Program grants and Small County  
24 Outreach Program grants. Up to 20 percent of such funds shall  
25 be used for the purpose of implementing the Small County  
26 Outreach Program.

27 Section 9. Section 339.137, Florida Statutes, is  
28 repealed.

29 Section 10. This act shall take effect July 1, 2002.  
30  
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Amendment No. 1 (for drafter's use only)

1 ===== T I T L E    A M E N D M E N T =====

2 And the title is amended as follows:

3            On page 1, line 3, through page 2, line 17,  
4 remove: all of said lines

5

6 and insert:

7            339.141, F.S.; creating the Regional  
8            Transportation Act; providing program purpose;  
9            creating the Regional Transportation Advisory  
10            Council; providing for membership, meetings,  
11            and staff support of the council; providing  
12            duties; requiring recommendation of regional  
13            transportation projects; providing criteria and  
14            procedures for approval of Regional  
15            Transportation Act grant projects; providing  
16            for approval by the department secretary, who  
17            then submits the list to the Legislature;  
18            providing for funding; providing for allocation  
19            of funds from the State Transportation Trust  
20            Fund; limiting application of certain  
21            requirements; creating s. 339.142, F.S.;  
22            providing for designation as a regional  
23            transportation corridor; providing a  
24            definition; designating certain infrastructure  
25            as such corridors; authorizing the council to  
26            designate such corridors; creating s. 339.143,  
27            F.S.; creating Regional Transportation Act  
28            grants; providing legislative findings and  
29            purpose; providing criteria for program  
30            eligibility; providing for recommendation by  
31            the council and approval by the Legislature;

Amendment No. 1 (for drafter's use only)

1 providing for funding; amending s. 339.2817,  
2 F.S.; adding new criteria to the County  
3 Incentive Grant Program; amending s. 339.08,  
4 F.S.; revising provisions relating to use of  
5 moneys in the State Transportation Trust Fund;  
6 correcting references; amending s. 339.1371,  
7 F.S.; deleting provisions for funding the  
8 Transportation Outreach Program; amending s.  
9 215.211, F.S.; clarifying intent to use certain  
10 local-option fuel tax revenues; specifying  
11 funding for the County Incentive Grant Program  
12 and the Small County Outreach Program;  
13 repealing s. 339.137, F.S., relating to the  
14 Transportation Outreach Program; providing  
15 funds for certain county incentive programs;  
16 providing an effective date.

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