

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Transportation Committee

BILL: SB 2524

SPONSOR: Senator Geller

SUBJECT: Regional Transportation Authorities

DATE: April 21, 2005

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Eichin	Meyer	TR	Fav/1 amendment
2.			CA	
3.			GE	
4.			TA	
5.				
6.				

## Please see last section for Summary of Amendments

Technical amendments were recommended

Amendments were recommended

Significant amendments were recommended

### I. Summary:

Senate Bill 2524 permits the South Florida Regional Transit Authority (SFRTA) to issue bonds directly, without the assistance of the State Division of Bond Finance. The bill removes the requirement for Broward, Miami-Dade, and Palm Beach counties to each contribute \$4.235 million to the SFRTA and raises the license tax on each vehicle registered in those counties by \$3. Additionally, the bill clarifies the SFRTA is not an agency of the state for purposes of the Administrative Procedures Act.

This bill substantially amends the following sections of the Florida Statutes: 120.52, 163.3180, 343.52, 343.54, 343.55, and 343.58.

### II. Present Situation:

In 2003, the Legislature passed SB 686, which reestablished the Tri-Rail Commuter Rail Authority as the South Florida Regional Transportation Authority to improve opportunities for drawing down federal matching dollars for public transit projects. The new transportation authority is empowered to construct, finance, and manage a variety of public transportation options, as opposed to only commuter rail, as an integrated system. It has numerous powers and responsibilities, including the power to acquire, sell, and lease property; to use eminent domain; to enter into purchasing agreements and other contracts; to enforce collection of system rates,

fees, and other charges; and to approve revenue bonds issued on its behalf by the State Division of Bond Finance. The authority has a nine-member board comprising:

- A county commissioner from each of the three counties, selected by his or her peers;
- A citizen selected by each county commission who must live within the county he or she is representing, be a registered voter, and, insofar as practicable, represent civic and business interests of the community;
- One of the FDOT district secretaries who is responsible for one or more of the counties within the authority's boundaries, *i.e.*, either the District 4 secretary (whose region includes Broward and Palm Beach counties) or the District 6 secretary (whose region includes Miami- Dade). At this time, the FDOT District 6 secretary serves on the Authority;
- Two citizens appointed by the Governor who live in different counties within the Authority's jurisdiction but not the same county as the FDOT district secretary. They also must be registered voters.

The 2003 law also required each of the three counties served by the authority to dedicate funding of \$2.67 million annually, no later than August 1, 2003. The law identified the following sources of this dedicated funding:

- Local-option fuel taxes;
- Each county's share of the local ninth-cent fuel tax;
- Proceeds of a \$2 annual fee for registration or renewal of registration of each vehicle licensed in this state and registered in one of the three counties, if approved by a county referendum; or
- Other non-federal funds.

In addition, each county must provide annual funding for operations of at least \$1.565 million. These local funding requirements are repealed if the authority does not obtain federal matching funds by December 31, 2009. The fee has not been imposed.

The authority is continuing to improve the existing commuter rail system with its 18 stations. Since 1995, the major project has been the \$451-million "Double Track Corridor Improvement Program," which makes improvements to the existing 72-mile route and builds a second mainline track parallel to the existing track. It is expected to be completed and open for revenue service in March 2006. About \$334 million of the project cost has been funded by the Federal Highway Administration through direct grants; FDOT has paid the rest. Current ridership on the commuter rail component of the system averages about 7,900 riders a day. In 2004, total ridership was 2,861,217 persons.

### III. Effect of Proposed Changes:

**Section 1** amends s. 343.52, F.S., expanding the definition of "Transit system" to include an inland waterway in the system used for the transportation of people and goods.

**Section 2** amends s. 343.54, F.S., deleting the words commuter rail and effectively broadening the scope of the powers and duties of the authority to govern the operation of a transit system and transit facilities. The bill clarifies the authority may expand the authority's service area by

entering into agreements with any county contiguous to the authority's service area. Further, the bill removes the limitation allowing expansion of the service area only during a year when federal reauthorization legislation for transportation funds is enacted.

**Section 3** amends s. 343.55, F.S., to provide the authority the ability to issue bonds that do not pledge the full faith and credit of the state.

**Section 4** amends s. 343.58, F.S., to remove the requirement for each county served by the authority to annually dedicate \$2.67 million to the authority. The annual \$2 license tax for vehicle registration and renewals within the authority's service area is increased to \$5 and is indexed to the Consumer Price Index until 2030. Further, an additional requirement for each county to allocate no less than \$1.565 million to fund the operations of the authority is removed. The section is repealed on December 31, 2009 if federal matching funds based on the section's dedicated funds have not been received by then.

**Section 5** amends s. 120.52, F.S., to include regional transportation authorities in the list of governmental bodies not considered an agency of the state for the purposes of ch.120, F.S., the Administrative Procedures Act.

**Section 6** amends s. 163.3180, F.S., to define a transit-oriented development and exclude such developments from concurrency requirements.

**Section 7** states the act shall take effect upon becoming law.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

#### **V. Economic Impact and Fiscal Note:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill authorizes the levying of a license tax of \$5 for each vehicle in Broward, Miami-Dade, and Palm Beach counties.

C. Government Sector Impact:

Broward, Miami-Dade, and Palm Beach counties are each relieved of the requirement to dedicate \$4.235 million annually to the authority.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

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This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

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## VIII. Summary of Amendments:

### **Barcode 092970 by Transportation:**

The amendment removes language allowing the authority to expand the service area by entering into agreements with any county contiguous to the existing service area. Further, the amendment lets stand the limitation allowing expansion of the service area only during a year when federal reauthorization legislation for transportation funds is enacted.

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