

1                                   A bill to be entitled  
 2           An act relating to transportation; amending s. 339.135,  
 3           F.S.; providing a funding source for allocations to the  
 4           South Florida Regional Transportation Authority under  
 5           specified provisions; amending s. 343.58, F.S., relating  
 6           to the South Florida Regional Transportation Authority;  
 7           providing that funds dedicated by county governments may  
 8           be used for certain purposes; providing for allocation of  
 9           funds from the State Transportation Trust Fund to the  
 10          authority; providing for cessation of the allocation under  
 11          certain circumstances; providing an effective date.

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

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 15           Section 1. Paragraph (a) of subsection (4) of section  
 16   339.135, Florida Statutes, is amended to read:

17           339.135 Work program; legislative budget request;  
 18   definitions; preparation, adoption, execution, and amendment.—

19           (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

20           (a)1. To assure that no district or county is penalized  
 21   for local efforts to improve the State Highway System, the  
 22   department shall, for the purpose of developing a tentative work  
 23   program, allocate funds for new construction to the districts,  
 24   except for the turnpike enterprise, based on equal parts of  
 25   population and motor fuel tax collections. Funds for  
 26   resurfacing, bridge repair and rehabilitation, bridge fender  
 27   system construction or repair, public transit projects except  
 28   public transit block grants as provided in s. 341.052, and other

29 | programs with quantitative needs assessments shall be allocated  
30 | based on the results of these assessments. The department may  
31 | not transfer any funds allocated to a district under this  
32 | paragraph to any other district except as provided in subsection  
33 | (7). Funds for public transit block grants shall be allocated to  
34 | the districts pursuant to s. 341.052. Funds for the intercity  
35 | bus program provided for under s. 5311(f) of the federal  
36 | nonurbanized area formula program shall be administered and  
37 | allocated directly to eligible bus carriers as defined in s.  
38 | 341.031(12) at the state level rather than the district. In  
39 | order to provide state funding to support the intercity bus  
40 | program provided for under provisions of the federal 5311(f)  
41 | program, the department shall allocate an amount equal to the  
42 | federal share of the 5311(f) program from amounts calculated  
43 | pursuant to s. 206.46(3).

44 |       2. Notwithstanding the provisions of subparagraph 1., the  
45 | department shall allocate at least 50 percent of any new  
46 | discretionary highway capacity funds to the Florida Strategic  
47 | Intermodal System created pursuant to s. 339.61. Any remaining  
48 | new discretionary highway capacity funds shall be allocated to  
49 | the districts for new construction as provided in subparagraph  
50 | 1. For the purposes of this subparagraph, the term "new  
51 | discretionary highway capacity funds" means any funds available  
52 | to the department above the prior year funding level for  
53 | capacity improvements, which the department has the discretion  
54 | to allocate to highway projects.

55 |       3. Notwithstanding subparagraph 1. and ss. 206.46(3),  
56 | 334.044(26), and 339.2819(3), and for the 2009-2010 fiscal year

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57 only, the department shall reduce work program levels to balance  
58 the finance plan to the revised funding levels resulting from  
59 any reduction in the 2009-2010 General Appropriations Act. This  
60 subparagraph expires July 1, 2010.

61 4. For the 2009-2010 fiscal year only, prior to any  
62 project or phase thereof being deferred, the department's cash  
63 balances shall be as provided in paragraph (6)(b), and the  
64 reductions in subparagraph 3. shall be made to financial  
65 projects not programmed for contract letting as identified with  
66 a work program contract class code 8 and the box code RV. These  
67 reductions shall not negatively impact safety or maintenance or  
68 project contingency percentage levels as of April 21, 2009. This  
69 subparagraph expires July 1, 2010.

70 5. Notwithstanding subparagraphs 1. and 2. and ss.  
71 206.46(3) and 334.044(26), and for fiscal years 2009-2010  
72 through 2013-2014 only, the department shall annually allocate  
73 up to \$15 million of the first proceeds of the increased  
74 revenues estimated by the November 2009 Revenue Estimating  
75 Conference to be deposited into the State Transportation Trust  
76 Fund to provide for the portion of the transfer of funds  
77 included in s. 343.58(4)(a)1. or s. 343.58(4)(b)1., whichever is  
78 applicable. The transfer of funds included in s. 343.58(4) shall  
79 not negatively impact projects included in fiscal years 2009-  
80 2010 through 2013-2014 of the work program as of July 1, 2009,  
81 as amended pursuant to subsection (7). This subparagraph expires  
82 July 1, 2014.

83 Section 2. Section 343.58, Florida Statutes, is amended to  
84 read:

85           343.58 County funding for the South Florida Regional  
86 Transportation Authority.—

87           (1) Each county served by the South Florida Regional  
88 Transportation Authority must dedicate and transfer not less  
89 than \$2.67 million to the authority annually. The recurring  
90 annual \$2.67 million must be dedicated by the governing body of  
91 each county before October 31 of each fiscal year. These funds  
92 may be used for capital, operations, and maintenance.

93           (2) At least \$45 million of a state-authorized, local  
94 option recurring funding source available to Broward, Miami-  
95 Dade, and Palm Beach counties is directed to the authority to  
96 fund its capital, operating, and maintenance expenses. The  
97 funding source shall be dedicated to the authority only if  
98 Broward, Miami-Dade, and Palm Beach counties impose the local  
99 option funding source.

100           (3) In addition, each county shall continue to annually  
101 fund the operations of the South Florida Regional Transportation  
102 Authority in an amount not less than \$1.565 million. Revenue  
103 raised pursuant to this subsection shall also be considered a  
104 dedicated funding source.

105           (4) Notwithstanding any other provision of law to the  
106 contrary and effective July 1, 2010, the department shall  
107 transfer annually from the State Transportation Trust Fund to  
108 the South Florida Regional Transportation Authority the amounts  
109 specified in paragraph (a) or paragraph (b).

110           (a) If the authority becomes responsible for maintaining  
111 and dispatching the South Florida Rail Corridor:

112           1. \$15 million from the State Transportation Trust Fund to

113 the South Florida Regional Transportation Authority for  
 114 operations, maintenance, and dispatch; and  
 115 2. An amount no less than the work program commitments  
 116 equal to \$27.1 million for fiscal year 2010-2011, as of July 1,  
 117 2009, for operating assistance to the authority and corridor  
 118 track maintenance and contract maintenance for the South Florida  
 119 Rail Corridor.

120 (b) If the authority does not become responsible for  
 121 maintaining and dispatching the South Florida Rail Corridor:

122 1. \$13.3 million from the State Transportation Trust Fund  
 123 to the South Florida Regional Transportation Authority for  
 124 operations; and

125 2. An amount no less than the work program commitments  
 126 equal to \$17.3 million for fiscal year 2010-2011, as of July 1,  
 127 2009, for operating assistance to the authority.

128 (5)-(4) The current funding obligations under subsections  
 129 (1), and (3), and (4) shall cease upon commencement of the  
 130 collection of funding from the funding source under subsection  
 131 (2). If the funding under subsection (2) is discontinued for any  
 132 reason, the funding obligations under subsections (1) and (3)  
 133 shall resume when collection from the funding source under  
 134 subsection (2) ceases. Payment by the counties shall be on a pro  
 135 rata basis the first year following cessation of the funding  
 136 under subsection (2). The authority shall refund a pro rata  
 137 share of the payments for the current fiscal year made pursuant  
 138 to the current funding obligations under subsections (1) and (3)  
 139 as soon as reasonably practicable after it begins to receive  
 140 funds under subsection (2). If, by December 31, 2015, the South

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141 Florida Regional Transportation Authority has not received  
142 federal matching funds based upon the dedication of funds under  
143 subsection (1), subsection (1) shall be repealed.

144 Section 3. This act shall take effect July 1, 2010.