

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

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

Prepared By: The Professional Staff of the Higher Education Appropriations Committee

BILL: SB 208

INTRODUCER: Senator Oelrich

SUBJECT: Community College Student Fees/Transportation

DATE: February 4, 2010      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Harkey</u>	<u>Matthews</u>	<u>HE</u>	<b>Favorable</b>
2.	<u>Bryant</u>	<u>Hamon</u>	<u>HI</u>	<b>Favorable</b>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

This bill authorizes each community college board of trustees to establish a transportation access fee. The fee may not exceed \$6.00 per credit hour. The fee would not be covered by the Bright Futures Scholarship Program.

This bill amends section 1009.23, Florida Statutes.

**II. Present Situation:**

**College Fees**

Section 1009.23, F.S., authorizes community college boards of trustees to charge tuition and out-of-state fees and fees for technology; student financial aid; activities and services; and capital improvements, technology enhancements, and equipment for student buildings. In addition, a community college board of trustees may establish user fees<sup>1</sup> and fines which may not exceed the cost of the services provided and may only be charged to persons receiving the service. A community college may not charge any fee except as authorized by law. Community colleges do not have statutory authority to charge transportation access fees.

**University Transportation Access Fees**

Under s. 1009.24(13), F.S., state universities are authorized to charge transportation access fees. As an example of how a university may use the transportation access fee, the University of Florida and the City of Gainesville entered into an interlocal agreement as part of a growth

<sup>1</sup> User fees may be charged for certain enumerated purposes such as lab, parking, library, distance learning, facility, and equipment use.

management agreement. The goal of the agreement was to mitigate the impact of university transportation related issues, specifically by taking cars off the road and by reducing the demand for on-campus parking. To accomplish this goal, the university has contracted with the Gainesville Regional Transportation System (RTS) to provide students unlimited access to the city bus system, and the university contracts for bus service. In the fall semester of 2009, the average daily ridership was 49,425 riders per day. When school is in session, approximately 75 percent of the daily riders are university students. A committee of students and administrators assist RTS in determining which routes and service will be included in each annual contract. The higher the number of routes and level of service requested, the higher the cost. In general, busy stops are served every 10 to 15 minutes. Most stops are visited at least every 30 minutes. Routes are designed per student requests to visit specific apartment and condominium complexes, businesses, and university sites. In addition, there are several intercampus routes allowing students to travel from one part of campus to another. In general, hours of service are from 6:00 am to 2:00 am. According to the Board of Governors, the 2009-2010 transportation access fee at the University of Florida is \$6.79 per credit hour.

### **The Governor's Veto of CS/HB 739**

SB 208 is identical to CS/HB 739 which was passed by the 2009 Legislature and vetoed by the Governor. The Governor's veto message dated June 10, 2009, stated:

I am concerned that the community college transportation fee will be charged to all students instead of being charged solely to students who benefit from the fee. In challenging economic times, I cannot support charging students up to an additional \$200 per year for services that they may not utilize.

The governor's reason for vetoing the bill states that the fee should be charged solely to students who benefit from the fee. However, the benefit of access to public transportation might not be limited to those using the public transportation but could also extend to all students through reduced traffic congestion on campus and a reduction in the demand for parking spaces.

### **III. Effect of Proposed Changes:**

This bill authorizes each community college board of trustees to establish a transportation access fee which could not exceed \$6.00 per credit hour. An increase in the fee could only occur once each year and would have to be implemented in the fall term. The fee would not be covered by the Bright Futures Scholarship Program.

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

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Students at a community college that imposed the transportation access fee would have to pay the fee. The fee is capped at \$6.00 per credit hour.

C. Government Sector Impact:

This is an optional fee to be approved by the local community college board of trustees. The Department of Education (DOE) estimates that if all colleges chose to impose the fee at the maximum allowable amount, \$54.8 million would be generated. However, the DOE points out that colleges located in rural areas and those in municipalities that do not offer a public transportation service would not have the option of contracting for public transportation.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.