

1 A bill to be entitled
2 An act relating to the Tampa Bay Area Regional Transit
3 Authority; amending s. 339.175, F.S.; creating the
4 Tampa Bay Area Regional Transit Authority Metropolitan
5 Planning Organization Chairs Coordinating Committee to
6 replace the Tampa Bay Area Regional Transportation
7 Authority Metropolitan Planning Organization Chairs
8 Coordinating Committee; providing that the Tampa Bay
9 Area Regional Transit Authority Metropolitan Planning
10 Organization Chairs Coordinating Committee is created
11 within the Tampa Bay Area Regional Transit Authority;
12 amending s. 343.90, F.S.; revising the short title to
13 "Tampa Bay Area Regional Transit Authority Act";
14 amending s. 343.91, F.S.; revising the definition of
15 the term "authority" to mean the Tampa Bay Area
16 Regional Transit Authority and to include only
17 Hillsborough, Manatee, Pasco, and Pinellas Counties
18 and any other contiguous county that is party to an
19 agreement of participation; revising the definition of
20 the term "commuter rail"; amending s. 343.92, F.S.;
21 creating the Tampa Bay Area Regional Transit
22 Authority, instead of the Tampa Bay Area Regional
23 Transportation Authority; decreasing voting membership
24 on the governing board of the authority; requiring the
25 members to be appointed within a specified period;

26 | revising appointment and term requirements of such
27 | membership; revising requirements for filling
28 | vacancies on the board; requiring the Governor to
29 | appoint an initial chair of the board from one of the
30 | three members appointed by the Governor; requiring the
31 | board to elect a chair from among certain members at
32 | the end of the initial chair's term; providing that
33 | seven members of the board constitute a quorum;
34 | providing that the vote of seven members is necessary
35 | for any action to be taken by the authority; requiring
36 | the board to evaluate the abolishment, continuance,
37 | modification, or establishment of specified committees
38 | beginning on a specified date; requiring the board to
39 | submit its recommendations for abolishment,
40 | continuance, modification, or establishment of the
41 | committees to the Legislature before a specified time;
42 | deleting requirements related to the establishment of
43 | a Transit Management Committee, a Citizens Advisory
44 | Committee, and technical advisory committees;
45 | conforming provisions to changes made by the act;
46 | amending s. 343.922, F.S.; revising the express
47 | purposes of the authority to include planning,
48 | implementing, and operating mobility improvements and
49 | expansions of certain multimodal transportation
50 | options, producing a certain regional transit

51 development plan, and serving as the recipient of
 52 certain federal funds under certain circumstances;
 53 directing the authority to provide to the Legislature
 54 a plan to produce the regional transit development
 55 plan by a specified date; providing requirements for
 56 the regional transit development plan; requiring the
 57 authority to develop and adopt a regional transit
 58 development plan instead of a transportation master
 59 plan; deleting obsolete provisions; conforming
 60 provisions to changes made by the act; amending ss.
 61 343.94, 343.947, 343.95, 343.975, and 343.976, F.S.;
 62 conforming provisions to changes made by the act;
 63 providing an effective date.

64

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

66

67 Section 1. Paragraph (i) of subsection (6) of section
 68 339.175, Florida Statutes, is amended to read:

69 339.175 Metropolitan planning organization.—

70 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,
 71 privileges, and authority of an M.P.O. are those specified in
 72 this section or incorporated in an interlocal agreement
 73 authorized under s. 163.01. Each M.P.O. shall perform all acts
 74 required by federal or state laws or rules, now and subsequently
 75 applicable, which are necessary to qualify for federal aid. It

76 | is the intent of this section that each M.P.O. shall be involved
77 | in the planning and programming of transportation facilities,
78 | including, but not limited to, airports, intercity and high-
79 | speed rail lines, seaports, and intermodal facilities, to the
80 | extent permitted by state or federal law.

81 | (i) The Tampa Bay Area Regional Transit ~~Transportation~~
82 | Authority Metropolitan Planning Organization Chairs Coordinating
83 | Committee is created within the Tampa Bay Area Regional Transit
84 | ~~Transportation~~ Authority, composed of the M.P.O.'s serving
85 | Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, Polk,
86 | and Sarasota Counties. The authority shall provide
87 | administrative support and direction to the committee. The
88 | committee must, at a minimum:

89 | 1. Coordinate transportation projects deemed to be
90 | regionally significant by the committee.

91 | 2. Review the impact of regionally significant land use
92 | decisions on the region.

93 | 3. Review all proposed regionally significant
94 | transportation projects in the respective transportation
95 | improvement programs which affect more than one of the M.P.O.'s
96 | represented on the committee.

97 | 4. Institute a conflict resolution process to address any
98 | conflict that may arise in the planning and programming of such
99 | regionally significant projects.

100 | Section 2. Section 343.90, Florida Statutes, is amended to

101 read:

102 343.90 Short title.—This part may be cited as the "Tampa
103 Bay Area Regional Transit ~~Transportation~~ Authority Act."

104 Section 3. Paragraphs (a) and (e) of subsection (1) of
105 section 343.91, Florida Statutes, are amended to read:

106 343.91 Definitions.—

107 (1) As used in this part, the term:

108 (a) "Authority" means the Tampa Bay Area Regional Transit
109 ~~Transportation~~ Authority, the body politic and corporate and
110 agency of the state created by this part, covering ~~the seven-~~
111 ~~county area comprised of Citrus, Hernando,~~ Hillsborough,
112 Manatee, Pasco, and Pinellas, ~~Manatee, and Sarasota~~ Counties and
113 any other contiguous county that is party to an agreement of
114 participation.

115 (e)1. "Commuter rail" means a complete system of tracks,
116 guideways, stations, and rolling stock necessary to effectuate
117 medium-distance to long-distance passenger rail service to,
118 from, or within the municipalities within the authority's
119 designated ~~seven-county~~ region.

120 2. "Heavy rail transit" means a complete rail system
121 operating on an electric railway with the capacity for a heavy
122 volume of traffic, characterized by high-speed and rapid-
123 acceleration passenger rail cars operating singly or in multicar
124 trains on fixed rails in separate rights-of-way from which all
125 other vehicular and pedestrian traffic are excluded. "Heavy rail

HB 1243

2017

126 transit" includes metro, subway, elevated, rapid transit, and
127 rapid rail systems.

128 3. "Light rail transit" means a complete system of tracks,
129 overhead catenaries, stations, and platforms with lightweight
130 passenger rail cars operating singly or in short, multicar
131 trains on fixed rails in rights-of-way that are not separated
132 from other traffic for much of the way.

133 Section 4. Section 343.92, Florida Statutes, is amended to
134 read:

135 343.92 Tampa Bay Area Regional Transit ~~Transportation~~
136 Authority.—

137 (1) There is created and established a body politic and
138 corporate, an agency of the state, to be known as the Tampa Bay
139 Area Regional Transit ~~Transportation~~ Authority.

140 (2) The governing board of the authority shall consist of
141 13 ~~15~~ voting members appointed no later than 45 days after the
142 creation of the authority.

143 ~~(a) The secretary of the department shall appoint two~~
144 ~~advisors to the board who must be the district secretary for~~
145 ~~each of the department districts within the seven-county area of~~
146 ~~the authority.~~

147 ~~(b) The 15 voting members of the board shall be as~~
148 follows:

149 (a)1. The county commissions of Citrus, ~~Hernando~~,
150 Hillsborough, Manatee, Pasco, and Pinellas, ~~Manatee~~, and

151 ~~Sarasota~~ Counties shall each appoint one county commissioner
152 ~~elected official~~ to the board. Members appointed under this
153 paragraph ~~subparagraph~~ shall serve 2-year terms with not more
154 than three consecutive terms being served by any person. If a
155 member under this paragraph ~~subparagraph~~ leaves elected office,
156 a vacancy exists on the board to be filled as provided in this
157 paragraph within 90 days ~~subparagraph~~.

158 ~~2. The Tampa Bay Area Regional Transportation Authority~~
159 ~~(TBARTA) Metropolitan Planning Organization Chairs Coordinating~~
160 ~~Committee shall appoint one member to the board who must be a~~
161 ~~chair of one of the six metropolitan planning organizations in~~
162 ~~the region. The member appointed under this subparagraph shall~~
163 ~~serve a 2-year term with not more than three consecutive terms~~
164 ~~being served by any person.~~

165 ~~(b) 3.a. Two members of the board shall be the mayor, or~~
166 ~~the mayor's designee, of the largest municipality within the~~
167 ~~service area of each of The following independent transit~~
168 ~~agencies or their legislatively created successor agencies shall~~
169 ~~each appoint one member to the board: Pinellas Suncoast Transit~~
170 ~~Authority and Hillsborough Area Regional Transit Authority. Each~~
171 ~~member appointed under this paragraph The largest municipality~~
172 ~~is that municipality with the largest population as determined~~
173 ~~by the most recent United States Decennial Census.~~

174 ~~b. Should a mayor choose not to serve, his or her designee~~
175 ~~must be an elected official selected by the mayor from that~~

176 ~~largest municipality's city council or city commission. A mayor~~
177 ~~or his or her designee shall serve a 2-year term with not more~~
178 ~~than three consecutive terms being served by any person.~~

179 ~~e. A designee's term ends if the mayor leaves office for~~
180 ~~any reason. If a member no longer meets the transit authority's~~
181 ~~criteria for appointment designee leaves elected office on the~~
182 ~~city council or commission, a vacancy exists on the board to be~~
183 ~~filled by the mayor of that municipality as provided in this~~
184 ~~paragraph within 90 days sub-subparagraph a.~~

185 (c) The President of the Senate and the Speaker of the
186 House of Representatives shall each appoint to the board two
187 members from the regional business community, each of whom must
188 reside in one of the counties governed by the authority and may
189 not be an elected official. A member initially appointed under
190 this paragraph shall serve a 1-year term. Thereafter, a member
191 appointed under this paragraph shall serve a 2-year term with
192 not more than three consecutive terms being served by any
193 person. A vacancy during a term shall be filled within 90 days
194 in the same manner as the original appointment for the remainder
195 of the unexpired term.

196 ~~d. A mayor who has served three consecutive terms on the~~
197 ~~board must designate an elected official from that largest~~
198 ~~municipality's city council or city commission to serve on the~~
199 ~~board for at least one term.~~

200 ~~4.a. One membership on the board shall rotate every 2~~

201 ~~years between the mayor, or his or her designee, of the largest~~
202 ~~municipality within Manatee County and the mayor, or his or her~~
203 ~~designee, of the largest municipality within Sarasota County.~~
204 ~~The mayor, or his or her designee, from the largest municipality~~
205 ~~within Manatee County shall serve the first 2-year term. The~~
206 ~~largest municipality is that municipality with the largest~~
207 ~~population as determined by the most recent United States~~
208 ~~Decennial Census.~~

209 ~~b. Should a mayor choose not to serve, his or her designee~~
210 ~~must be an elected official selected by the mayor from that~~
211 ~~municipality's city council or city commission.~~

212 ~~(d)5.~~ The Governor shall appoint to the board three
213 members from the regional four business community
214 representatives, each of whom must reside in one of the ~~seven~~
215 ~~counties governed by the authority and, none of whom may not be~~
216 an elected official officials, and at least one but not more
217 ~~than two of whom shall represent counties within the federally~~
218 ~~designated Tampa Bay Transportation Management Area. Of the~~
219 members initially appointed under this paragraph, one shall
220 serve a 1-year term, one shall serve a 2-year term, and one
221 shall serve a term as the initial chair as provided in
222 subsection (5). Thereafter, a member ~~Members~~ appointed under
223 this paragraph by the Governor shall serve a 2-year term ~~3-year~~
224 ~~terms~~ with not more than three ~~two~~ consecutive terms being
225 served by any person.

226 ~~(e)~~ Appointments may be staggered to avoid mass turnover
227 at the end of any 2-year or 4-year period. A vacancy during a
228 term shall be filled ~~by the respective appointing authority~~
229 within 90 days in the same manner as the original appointment
230 ~~and only~~ for the remainder of the unexpired term.

231 (3) The members of the board shall serve without
232 compensation but shall be entitled to receive from the authority
233 reimbursement for travel expenses and per diem actually incurred
234 in connection with the business of the authority as provided in
235 s. 112.061.

236 (4) Members of the board shall comply with the applicable
237 financial disclosure requirements of ss. 112.3145, 112.3148, and
238 112.3149.

239 (5) The Governor shall appoint one of the three members
240 appointed under paragraph (2) (d) as the initial chair ~~from among~~
241 ~~the full membership~~ of the board immediately upon their
242 appointment. ~~In no case may those appointments be made any later~~
243 ~~than 45 days following the creation of the authority.~~ The
244 initial chair shall serve ~~will hold this position for~~ a minimum
245 term of 2 years. The board shall elect a vice chair and
246 secretary-treasurer from among its members who shall serve a
247 minimum term of 1 year and shall establish the duties and powers
248 of those positions during its inaugural meeting. During its
249 inaugural meeting, the board shall ~~will~~ also establish its rules
250 of conduct and meeting procedures.

251 (6) At the end of the initial chair's term, the board
 252 shall elect a chair from among the ~~its~~ members appointed by the
 253 Governor, the President of the Senate, and the Speaker of the
 254 House of Representatives. The chair shall hold office at the
 255 will of the board. In that election, the board shall also elect
 256 a vice chair and secretary-treasurer.

257 (7) The first meeting of the authority shall be held no
 258 later than 60 days after the creation of the authority.

259 (8) Seven ~~Eight~~ members of the board shall constitute a
 260 quorum, and the vote of seven ~~eight~~ members is necessary for any
 261 action to be taken by the authority. The authority may meet upon
 262 the constitution of a quorum. A vacancy does not impair the
 263 right of a quorum of the board to exercise all rights and the
 264 ability to perform all duties of the authority.

265 (9) Beginning July 1, 2017, the board must evaluate the
 266 abolishment, continuance, modification, or establishment of ~~may~~
 267 ~~establish committees for~~ the following committees areas:

- 268 (a) Planning committee.
- 269 (b) Policy committee.
- 270 (c) Finance committee.
- 271 (d) Citizens advisory committee.
- 272 (e) Tampa Bay Area Regional Transit Authority Metropolitan
 273 Planning Organization Chairs Coordinating Committee.
- 274 (f) Transit management committee.
- 275 (g) Technical advisory committee.

276
277 The board must submit its recommendations for abolishment,
278 continuance, modification, or establishment of the committees to
279 the President of the Senate and the Speaker of the House of
280 Representatives before the beginning of the 2018 Regular
281 Session.

282 (10) The authority may employ an executive director, an
283 executive secretary, its own legal counsel and legal staff,
284 technical experts, engineers, and such employees, permanent or
285 temporary, as it may require. The authority shall determine the
286 qualifications and fix the compensation of such persons, firms,
287 or corporations and may employ a fiscal agent or agents;
288 however, the authority shall solicit sealed proposals from at
289 least three persons, firms, or corporations for the performance
290 of any services as fiscal agents. The authority may, except for
291 duties specified in chapter 120, delegate its power to one or
292 more of its agents or employees to carry out the purposes of
293 this part, subject always to the supervision and control of the
294 authority.

295 ~~(11) (a) The authority shall establish a Transit Management~~
296 ~~Committee comprised of the executive directors or general~~
297 ~~managers, or their designees, of each of the existing transit~~
298 ~~providers and bay area commuter services.~~

299 ~~(b) The authority shall establish a Citizens Advisory~~
300 ~~Committee comprised of appointed citizen committee members from~~

301 ~~each county and transit provider in the region, not to exceed 16~~
302 ~~members.~~

303 ~~(c) The authority may establish technical advisory~~
304 ~~committees to provide guidance and advice on regional~~
305 ~~transportation issues. The authority shall establish the size,~~
306 ~~composition, and focus of any technical advisory committee~~
307 ~~created.~~

308 (11) ~~(d)~~ Persons appointed to a committee shall serve
309 without compensation but may be entitled to per diem or travel
310 expenses as provided in s. 112.061.

311 Section 5. Subsection (1), paragraph (a) of subsection
312 (2), subsection (3), subsection (4), and paragraph (g) of
313 subsection (5) of section 343.922, Florida Statutes, are amended
314 to read:

315 343.922 Powers and duties.—

316 (1) The express purposes of the authority are to:

317 (a) Plan, implement, and operate ~~improve~~ mobility
318 improvements and expansions of ~~expand~~ multimodal transportation
319 options for passengers and freight throughout the designated
320 ~~seven-county Tampa Bay~~ region.

321 (b) Produce a regional transit development plan,
322 integrating the transit development plans of participant
323 counties, to include a prioritization of regionally significant
324 transit projects and facilities.

325 1. The authority shall provide to the President of the

326 Senate and the Speaker of the House of Representatives, on or
327 before the beginning of the 2018 Regular Session, a plan to
328 produce the regional transit development plan.

329 2. The regional transit development plan prepared by the
330 authority shall adhere to guidance and regulations set forth by
331 the department or any successor agency, including, but not
332 limited to:

- 333 a. Public involvement;
334 b. Collection and analysis of socioeconomic data;
335 c. Performance evaluation of existing services;
336 d. Service design and ridership forecasting; and
337 e. Financial planning.

338 (c) Serve, with the consent of the Governor or his or her
339 designee, as the recipient of federal funds supporting an
340 intercounty project or a regionally significant transit project
341 that exists in a single county within the designated region.

342 (2) (a) The authority has the right to plan, develop,
343 finance, construct, own, purchase, operate, maintain, relocate,
344 equip, repair, and manage those public transportation projects,
345 such as express bus services; bus rapid transit services; light
346 rail, commuter rail, heavy rail, or other transit services;
347 ferry services; transit stations; park-and-ride lots; transit-
348 oriented development nodes; or feeder roads, reliever roads,
349 connector roads, bypasses, or appurtenant facilities, that are
350 intended to address critical transportation needs or concerns in

351 the ~~Tampa Bay~~ region as identified by the authority ~~by July 1,~~
352 2009. These projects may also include all necessary approaches,
353 roads, bridges, and avenues of access that are desirable and
354 proper with the concurrence of the department, as applicable, if
355 the project is to be part of the State Highway System.

356 (3) (a) ~~No later than July 1, 2009,~~ The authority shall
357 develop and adopt a regional transit development ~~transportation~~
358 ~~master~~ plan that provides a vision for a regionally integrated
359 multimodal transportation system. The goals and objectives of
360 the ~~master~~ plan are to identify areas of the ~~Tampa Bay~~ region
361 where multimodal mobility, traffic safety, freight mobility, and
362 efficient emergency evacuation alternatives need to be improved;
363 identify areas of the region where multimodal transportation
364 systems would be most beneficial to enhance mobility and
365 economic development; develop methods of building partnerships
366 with local governments, existing transit providers, expressway
367 authorities, seaports, airports, and other local, state, and
368 federal entities; develop methods of building partnerships with
369 CSX Corporation and CSX Transportation, Inc., to craft mutually
370 beneficial solutions to achieve the authority's objectives, and
371 with other private sector business community entities that may
372 further the authority's mission, and engage the public in
373 support of regional multimodal transportation improvements. The
374 ~~master~~ plan shall identify and may prioritize projects that will
375 accomplish these goals and objectives, including, without

376 limitation, the creation of express bus and bus rapid transit
377 services, light rail, commuter rail, and heavy rail transit
378 services, ferry services, freight services, and any other
379 multimodal transportation system projects that address critical
380 transportation needs or concerns, pursuant to subsection (2);
381 and identify the costs of the proposed projects and revenue
382 sources that could be used to pay those costs. In developing the
383 ~~master~~ plan, the authority shall review and coordinate with the
384 future land use, capital improvements, and traffic circulation
385 elements of its member local governments' comprehensive plans
386 and the plans, programs, and schedules of other units of
387 government having transit or transportation authority within
388 whose jurisdictions the projects or improvements will be located
389 to define and resolve potential inconsistencies between such
390 plans and the authority's developing ~~master~~ plan. ~~By July 1,~~
391 ~~2008, the authority, working with its member local governments,~~
392 ~~shall adopt a mandatory conflict resolution process that~~
393 ~~addresses consistency conflicts between the authority's regional~~
394 ~~transportation master plan and local government comprehensive~~
395 ~~plans.~~

396 (b) The authority shall consult with the department to
397 further the goals and objectives of the Strategic Regional
398 Transit Needs Assessment completed by the department.

399 (c) Before the adoption of the regional transit
400 development ~~master~~ plan, the authority shall hold at least one

401 public meeting in each of the ~~seven~~ counties within the
402 designated region. At least one public hearing must be held
403 before the authority's board.

404 (d) After its adoption, the regional transit development
405 ~~master~~ plan shall be updated every 5 years before July 1.

406 (e) The authority shall present the original regional
407 transit development ~~master~~ plan and updates to the governing
408 bodies of the counties within the designated ~~seven-county~~
409 region, to the TBARTA Metropolitan Planning Organization Chairs
410 Coordinating Committee, and to the legislative delegation
411 members representing those counties within 90 days after
412 adoption.

413 (f) The authority shall coordinate plans and projects with
414 the TBARTA Metropolitan Planning Organization Chairs
415 Coordinating Committee, to the extent practicable, and
416 participate in the regional M.P.O. planning process to ensure
417 regional comprehension of the authority's mission, goals, and
418 objectives.

419 (g) The authority shall provide administrative support and
420 direction to the TBARTA Metropolitan Planning Organization
421 Chairs Coordinating Committee as provided in s. 339.175(6)(i).

422 (4) The authority may undertake projects or other
423 improvements in the regional transit development ~~master~~ plan in
424 phases as particular projects or segments become feasible, as
425 determined by the authority. The authority shall coordinate

426 project planning, development, and implementation with the
427 applicable local governments. The authority's projects that are
428 transportation oriented must be consistent to the maximum extent
429 feasible with the adopted local government comprehensive plans
430 at the time such projects are funded for construction. Authority
431 projects that are not transportation oriented and meet the
432 definition of development pursuant to s. 380.04 must be
433 consistent with the local comprehensive plans. In carrying out
434 its purposes and powers, the authority may request funding and
435 technical assistance from the department and appropriate federal
436 and local agencies, including, but not limited to, state
437 infrastructure bank loans.

438 (5) The authority is granted and may exercise all powers
439 necessary, appurtenant, convenient, or incidental to the
440 carrying out of the aforesaid purposes, including, but not
441 limited to, the following rights and powers:

442 (g) To borrow money and to make and issue negotiable
443 notes, bonds, refunding bonds, and other evidences of
444 indebtedness or obligations, either in temporary or definitive
445 form, hereinafter in this chapter sometimes called "revenue
446 bonds" of the authority, for the purpose of financing all or
447 part of the mobility improvements within the ~~Tampa Bay~~ region,
448 as well as the appurtenant facilities, including all approaches,
449 streets, roads, bridges, and avenues of access authorized by
450 this part, the bonds to mature not exceeding 40 years after the

HB 1243

2017

451 date of the issuance thereof, and to secure the payment of such
452 bonds or any part thereof by a pledge of any or all of its
453 revenues, rates, fees, rentals, or other charges.

454 Section 6. Subsection (1) of section 343.94, Florida
455 Statutes, is amended to read:

456 343.94 Bond financing authority.—

457 (1) Pursuant to s. 11(f), Art. VII of the State
458 Constitution, the Legislature approves bond financing by the
459 Tampa Bay Area Regional Transit ~~Transportation~~ Authority for
460 construction of or improvements to commuter rail systems,
461 transit systems, ferry systems, highways, bridges, toll
462 collection facilities, interchanges to the system, and any other
463 transportation facility appurtenant, necessary, or incidental to
464 the system. Subject to terms and conditions of applicable
465 revenue bond resolutions and covenants, such costs may be
466 financed in whole or in part by revenue bonds issued pursuant to
467 paragraph (2) (a) or paragraph (2) (b), whether currently issued
468 or issued in the future or by a combination of such bonds.

469 Section 7. Section 343.947, Florida Statutes, is amended
470 to read:

471 343.947 Department may be appointed agent of authority for
472 construction.—The department may be appointed by the authority
473 as its agent for the purpose of constructing and completing
474 transportation projects, and improvements and extensions
475 thereto, in the authority's regional transit development ~~master~~

476 plan. In such event, the authority shall provide the department
477 with complete copies of all documents, agreements, resolutions,
478 contracts, and instruments relating thereto; shall request the
479 department to do such construction work, including the planning,
480 surveying, and actual construction of the completion,
481 extensions, and improvements to the system; and shall transfer
482 to the credit of an account of the department in the treasury of
483 the state the necessary funds therefor. The department shall
484 proceed with such construction and use the funds for such
485 purpose in the same manner that it is now authorized to use the
486 funds otherwise provided by law for its use in construction of
487 commuter rail systems, transit systems, ferry systems, roads,
488 bridges, and related transportation facilities.

489 Section 8. Subsections (1) and (3) of section 343.95,
490 Florida Statutes, are amended to read:

491 343.95 Acquisition of lands and property.—

492 (1) For the purposes of this part, the authority may
493 acquire private or public property and property rights,
494 including rights of access, air, view, and light, by gift,
495 devise, purchase, or condemnation by eminent domain proceedings,
496 as the authority may deem necessary for any purpose of this
497 part, including, but not limited to, any lands reasonably
498 necessary for securing applicable permits, areas necessary for
499 management of access, borrow pits, drainage ditches, water
500 retention areas, rest areas, replacement access for landowners

501 whose access is impaired due to the construction of a facility,
502 and replacement rights-of-way for relocated rail and utility
503 facilities; for existing, proposed, or anticipated
504 transportation facilities within the ~~seven-county Tampa Bay~~
505 region designated ~~identified~~ by the authority; or for the
506 purposes of screening, relocation, removal, or disposal of
507 junkyards and scrap metal processing facilities. The authority
508 may condemn any material and property necessary for such
509 purposes.

510 (3) When the authority acquires property for a
511 transportation facility within the designated ~~seven-county Tampa~~
512 ~~Bay~~ region, the authority is not subject to any liability
513 imposed by chapter 376 or chapter 403 for preexisting soil or
514 groundwater contamination due solely to its ownership. This
515 subsection does not affect the rights or liabilities of any past
516 or future owners of the acquired property, nor does it affect
517 the liability of any governmental entity for the results of its
518 actions which create or exacerbate a pollution source. The
519 authority and the Department of Environmental Protection may
520 enter into interagency agreements for the performance, funding,
521 and reimbursement of the investigative and remedial acts
522 necessary for property acquired by the authority.

523 Section 9. Subsections (1) and (3) of section 343.975,
524 Florida Statutes, are amended to read:

525 343.975 Complete and additional statutory authority.—

526 (1) The powers conferred by this part are supplemental to
527 the existing powers of the board and the department. This part
528 does not repeal any of the provisions of any other law, general,
529 special, or local, but supplements such other laws in the
530 exercise of the powers provided in this part and provides a
531 complete method for the exercise of the powers granted in this
532 part. The projects planned and constructed by the Tampa Bay Area
533 Regional Transit ~~Transportation~~ Authority shall comply with all
534 applicable federal, state, and local laws. The extension and
535 improvement of the system, and the issuance of bonds hereunder
536 to finance all or part of the cost thereof, may be accomplished
537 upon compliance with the provisions of this part without regard
538 to or necessity for compliance with the provisions, limitations,
539 or restrictions contained in any other general, special, or
540 local law, including, but not limited to, s. 215.821. An
541 approval of any bonds issued under this part by the qualified
542 electors or qualified electors who are freeholders in the state
543 or in any other political subdivision of the state is not
544 required for the issuance of such bonds pursuant to this part.

545 (3) This part does not preclude the department from
546 acquiring, holding, constructing, improving, maintaining,
547 operating, or owning tolled or nontolled facilities funded and
548 constructed from nonauthority sources that are part of the State
549 Highway System within the geographical boundaries of the Tampa
550 Bay Area Regional Transit ~~Transportation~~ Authority.

HB 1243

2017

551 Section 10. Section 343.976, Florida Statutes, is amended
552 to read:

553 343.976 Effect on local government action.—This act does
554 not prohibit any local government that is a member of the Tampa
555 Bay Area Regional Transit ~~Transportation~~ Authority from
556 participating in or creating any other transit authority,
557 regional transportation authority, or expressway authority.

558 Section 11. This act shall take effect July 1, 2017.