

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 Appropriations Committee on Transportation, Tourism, and Economic Development

BILL: CS/SB 1532

INTRODUCER: Transportation Committee and Senator Burgess and others

SUBJECT: Regional Transportation Planning

DATE: April 11, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Price	Vickers	TR	Fav/CS
2.	Nortelus	Jerrett	ATD	Pre-meeting
3.			FP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1532 provides legislative findings and intent to explore the dissolution or transfer of the governance, staff, operations, funding, and facilities of the Hillsborough Area Regional Transit Authority with the goal of enhancing regional transit service and connectivity in the Tampa Bay Area.

The bill directs the Florida Department of Transportation (FDOT), or its consultant, to conduct a study of the potential dissolution of the Hillsborough Area Regional Transit Authority. The study must address all aspects of the winding down of the affairs of the Hillsborough Area Regional Transit Authority, including the following:

- The dissolution of the governance structure, including governing board membership, powers, and responsibilities.
- The drawdown or transfer of staff.
- The transfer of financial assets and obligations, as well as the transfer of responsibilities and administered programs and of facilities and operations.
- Impacts to federal or state grants or funds.
- Any legal or financial impediments to or limitations on such dissolution.
- The advantages and disadvantages of dissolution or transfer.
- Any other matters deemed necessary or appropriate by the Florida Department of Transportation.

The bill requires the FDOT to submit a report by January 1, 2024, detailing the results of the study to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The FDOT is expected to incur unknown costs associated with the study, which costs are expected to be absorbed within existing resources.

The bill takes effect July 1, 2023.

II. Present Situation:

Hillsborough Area Regional Transit Authority

The Hillsborough Transit Authority, operating and also known as HART, was created as a body politic and corporate under Chapter 163, Part V, ss. 163.567, et. seq, F.S., in October of 1979.¹ HART was chartered for the purpose of providing mass transit service to its two original charter members, the City of Tampa and Hillsborough County. Thereafter, the HART could admit to membership any county or municipality contiguous to one of its members upon application and after approval by a majority vote of the Board of Directors. The City of Temple Terrace was subsequently added to HART's membership.

Currently, HART is governed by a 14-member Board of Directors, as follows:²

- Seven Hillsborough County Commissioners;
- Four City of Tampa members, including either the mayor or a city council member;
- One City of Temple Terrace member, either the mayor or a city council member; and the
- Two members appointed by the Governor.³

The HART's current service area covers approximately 1,000 square miles with a fleet of almost 200 buses,⁴ and also provides other services, such as HARTFLEX, which provides paratransit service;⁵ the free-fare TECO Line Streetcar System,⁶ and other alternative transportation

¹ Sections 163.565-163.572, F.S., the Regional Transportation Authority Law, authorize the creation of regional transportation authorities by any two or more contiguous counties, cities, or other political subdivisions, who are authorized to convene a charter committee for the purpose of developing a charter under which a regional transportation authority may be constituted, composed, and operated. However, no county, municipality, or other political subdivision may be a member of more than one regional transportation authority. The law provides for a charter committee to be formed consisting of representatives of the affected local governments (by population formula) to develop a charter defining the powers and duties of the transportation authority and submit the charter to the Department of State. Once the charter is filed, the Governor must appoint two members to the board of directors of the transportation authority. The remaining membership of the board consists of representatives of the local governments. A transportation authority is authorized to incur debt, to levy ad valorem taxes (up to 3 mills, with county commission approval and by a majority of voters in the affected area), and has limited eminent domain powers.

² HART is an independent special district.

³ See hillsboroughcounty.org, [Hillsborough County - HART](#) (last visited March 15, 2023). The members serve three-year terms.

⁴ See gohart.org, [Bus Services | HART \(gohart.org\)](#) (last visited March 15, 2023).

⁵ See gohart.org, [Van Service | HART \(gohart.org\)](#) (last visited March 15, 2023).

⁶ See gohart.org, [TECO Line Streetcar System | HART \(gohart.org\)](#) (last visited March 15, 2023).

services.⁷ Concerns surrounding the HART's leadership and staffing have recently been reported.⁸

Prior Study on Potential Merger

In 2012, the Legislature passed HB 599 requiring the Pinellas Suncoast Transit Authority and HART to conduct a study regarding increasing efficiencies through a possible merger. The initial study conducted in 2012 found that merging the two agencies could save an estimated \$2.4 million. A more detailed study conducted by KPMG, an accounting firm, in 2014 decreased that number to \$339,000 due to costs associated with severance pay for the laid-off workers and increased pay for the remaining employees. The study also noted that cutting positions could lead to service reductions and the end of on-going projects across the service areas.⁹

III. Effect of Proposed Changes:

The bill creates an undesignated section of Florida law providing legislative findings and intent to explore the dissolution or transfer of the governance, staff, operations, funding, and facilities of HART with the goal of enhancing regional transit service and connectivity in the Tampa Bay Area.

The bill directs the Florida Department of Transportation (FDOT), or its consultant, to conduct a study of the potential dissolution of the HART. The study must address all aspects of the winding down of the affairs of the HART, including the following:

- The dissolution of the governance structure, including governing board membership, powers, and responsibilities;
- The dissolution of the governance structure, including governing board membership, powers, and responsibilities;
- The drawdown or transfer of staff;
- The transfer of financial assets and obligations, as well as the transfer of responsibilities and administered programs and of facilities and operations;
- Impacts to federal or state grants or funds;
- Any legal or financial impediments to or limitations on such dissolution;
- The advantages and disadvantages of dissolution or transfer; and
- Any other matters deemed necessary or appropriate by the FDOT.

The bill requires the FDOT to submit a report by January 1, 2024, detailing the results of the study to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The bill takes effect July 1, 2023.

⁷ See gohart.org, [Alternative Transportation | HART \(gohart.org\)](https://gohart.org) (last visited March 15, 2023).

⁸ See, e.g., cltamps.com, ['Staff feels demoralized': HART board members never saw a year-old peer review raising concerns over management | Tampa Bay News | Tampa | Creative Loafing Tampa Bay \(cltampa.com\)](https://cltamps.com); transittalent.com, [Pledging truth and transparency, staff say HART CEO fostered fear and secrecy \(transittalent.com\)](https://transittalent.com); and tampabay.com, [Investigation into HART CEO to continue, results to be public \(tampabay.com\)](https://tampabay.com) (last visited March 15, 2023).

⁹ See tampabay.com, [REPORT FINDS FEW SAVINGS IN MERGER OF HART, PSTA \(tampabay.com\)](https://tampabay.com) (last visited March 15, 2023).

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The FDOT is expected to incur unknown costs associated with the study, which costs are expected to be absorbed within existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates an undesignated section of Florida law.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Transportation on March 20, 2023:

The committee substitute removes the Pinellas Suncoast Transit Authority (PSTA) from the underlying bill, leaving only HART subject to the bill's provisions, and revises the list of items to be addressed by the FDOT's study.

- B. **Amendments:**

None.