

1 A bill to be entitled
2 An act relating to the Statewide Alternative
3 Transportation Authority; amending s. 20.23, F.S.;
4 adding an alternative transportation authority as part
5 of the operations of the Department of Transportation;
6 requiring the authority to be headed by an executive
7 director; requiring the headquarters of the authority
8 to be located in Leon County; requiring the
9 responsibility for expending certain funds to be
10 delegated by the department secretary to the executive
11 director of the authority, subject to certain
12 requirements; requiring the authority to operate
13 pursuant to specified provisions; exempting the
14 authority from certain departmental policies,
15 procedures, and standards, subject to the secretary
16 having the authority to apply any such policies,
17 procedures, and standards to the authority; amending
18 s. 201.15, F.S.; beginning in a specified timeframe,
19 revising annual allocations in the State
20 Transportation Trust Fund for the Transportation
21 Regional Incentive Program; specifying annual
22 allocations to the Tampa Bay Area Regional Transit
23 Authority and the Statewide Alternative Transportation
24 Authority for certain purposes; specifying
25 requirements for matching funds for the Tampa Bay Area

26 | Regional Transit Authority; amending s. 341.303, F.S.;
27 | deleting a provision authorizing the department,
28 | through the Florida Rail Enterprise, to use specified
29 | funds for certain purposes; creating s. 341.86, F.S.;
30 | creating within the department the Statewide
31 | Alternative Transportation Authority; defining the
32 | term "alternative transportation system"; specifying
33 | powers of the authority; providing that the authority
34 | is a single budget entity within the department;
35 | providing for the carryforward of unexpended funds;
36 | requiring the department, through the authority, to
37 | use specified funds in a county to fund the design and
38 | construction of an alternative transportation system
39 | for passengers based on a certain proposal by the
40 | county; specifying requirements for the use of the
41 | funds; requiring a county proposing the use of funds
42 | for an alternative transportation system to submit a
43 | request to the authority, subject to certain
44 | requirements; requiring local or private matching
45 | funds for certain distributions, subject to certain
46 | requirements; prohibiting certain funds distributed
47 | from being used to subsidize projects with existing
48 | funding commitments; amending s. 343.58, F.S.;
49 | conforming provisions to changes made by the act;
50 | providing an effective date.

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

Section 1. Paragraph (a) of subsection (4) of section 20.23, Florida Statutes, is amended, and paragraph (g) is added to that subsection, to read:

20.23 Department of Transportation.—There is created a Department of Transportation which shall be a decentralized agency.

(4) (a) The operations of the department shall be organized into seven districts, each headed by a district secretary, and a turnpike enterprise, ~~and~~ a rail enterprise, and an alternative transportation authority, each enterprise and the authority headed by an executive director. The district secretaries and the executive directors shall be registered professional engineers in accordance with ~~the provisions of~~ chapter 471 or the laws of another state, or, in lieu of professional engineer registration, a district secretary or executive director may hold an advanced degree in an appropriate related discipline, such as a Master of Business Administration. The headquarters of the districts shall be located in Polk, Columbia, Washington, Broward, Volusia, Miami-Dade, and Hillsborough Counties. The headquarters of the turnpike enterprise shall be located in Orange County. The headquarters of the rail enterprise and the alternative transportation authority shall be located in Leon

76 County. In order to provide for efficient operations and to
77 expedite the decisionmaking process, the department shall
78 provide for maximum decentralization to the districts.

79 (g)1. The responsibility for expending funds for the
80 design and construction of alternative transportation systems
81 shall be delegated by the secretary to the executive director of
82 the alternative transportation authority, who shall serve at the
83 pleasure of the secretary. The executive director shall report
84 directly to the secretary, and the authority shall operate
85 pursuant to s. 341.86.

86 2. To facilitate the most efficient administration of
87 funds for alternative transportation systems, the authority,
88 except as provided in s. 287.055, shall be exempt from
89 departmental policies, procedures, and standards, subject to the
90 secretary having the authority to apply any such policies,
91 procedures, and standards to the authority from time to time as
92 deemed appropriate.

93 Section 2. Paragraph (a) of subsection (4) of section
94 201.15, Florida Statutes, is amended, and paragraph (b) of that
95 subsection is republished, to read:

96 201.15 Distribution of taxes collected.—All taxes
97 collected under this chapter are hereby pledged and shall be
98 first made available to make payments when due on bonds issued
99 pursuant to s. 215.618 or s. 215.619, or any other bonds
100 authorized to be issued on a parity basis with such bonds. Such

101 | pledge and availability for the payment of these bonds shall
102 | have priority over any requirement for the payment of service
103 | charges or costs of collection and enforcement under this
104 | section. All taxes collected under this chapter, except taxes
105 | distributed to the Land Acquisition Trust Fund pursuant to
106 | subsections (1) and (2), are subject to the service charge
107 | imposed in s. 215.20(1). Before distribution pursuant to this
108 | section, the Department of Revenue shall deduct amounts
109 | necessary to pay the costs of the collection and enforcement of
110 | the tax levied by this chapter. The costs and service charge may
111 | not be levied against any portion of taxes pledged to debt
112 | service on bonds to the extent that the costs and service charge
113 | are required to pay any amounts relating to the bonds. All of
114 | the costs of the collection and enforcement of the tax levied by
115 | this chapter and the service charge shall be available and
116 | transferred to the extent necessary to pay debt service and any
117 | other amounts payable with respect to bonds authorized before
118 | January 1, 2017, secured by revenues distributed pursuant to
119 | this section. All taxes remaining after deduction of costs shall
120 | be distributed as follows:

121 | (4) After the required distributions to the Land
122 | Acquisition Trust Fund pursuant to subsections (1) and (2) and
123 | deduction of the service charge imposed pursuant to s.
124 | 215.20(1), the remainder shall be distributed as follows:

125 | (a) The lesser of 24.18442 percent of the remainder or

126 \$541.75 million in each fiscal year shall be paid into the State
 127 Treasury to the credit of the State Transportation Trust Fund.
 128 Of such funds, \$75 million for each fiscal year shall be
 129 transferred to the General Revenue Fund. Notwithstanding any
 130 other law, the remaining amount credited to the State
 131 Transportation Trust Fund shall be used for:

132 1. Capital funding for the New Starts Transit Program,
 133 authorized by Title 49, U.S.C. s. 5309 and specified in s.
 134 341.051, in the amount of 10 percent of the funds;

135 2. The Small County Outreach Program specified in s.
 136 339.2818, in the amount of 10 percent of the funds;

137 3. The Strategic Intermodal System specified in ss.
 138 339.61, 339.62, 339.63, and 339.64, in the amount of 75 percent
 139 of the funds after deduction of the payments required pursuant
 140 to subparagraphs 1. and 2.; and

141 4. The Transportation Regional Incentive Program specified
 142 in s. 339.2819, in the amount of 25 percent of the funds after
 143 deduction of the payments required pursuant to subparagraphs 1.
 144 and 2. Beginning in the 2021-2022 fiscal year, the first \$60
 145 million of the funds allocated pursuant to this subparagraph
 146 must ~~shall~~ be allocated annually for alternative transportation
 147 systems, as defined in s. 341.86, as follows:

148 a. Twenty-five million dollars on a matching basis to the
 149 Tampa Bay Area Regional Transit Authority for the design and
 150 construction of an alternative transportation system, as defined

151 in s. 341.86. One dollar in local or private matching funds must
 152 be provided for each dollar distributed under this sub-
 153 subparagraph. Federal funds may not be substituted for the local
 154 or private matching funds.

155 b. Thirty-five million dollars to the Statewide
 156 Alternative Transportation Authority ~~to the Florida Rail~~
 157 ~~Enterprise~~ for the purposes established in s. 341.86 ~~s.~~
 158 ~~341.303(5).~~

159 (b) The lesser of 0.1456 percent of the remainder or \$3.25
 160 million in each fiscal year shall be paid into the State
 161 Treasury to the credit of the Grants and Donations Trust Fund in
 162 the Department of Economic Opportunity to fund technical
 163 assistance to local governments.

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 165 Moneys distributed pursuant to paragraphs (a) and (b) may not be
 166 pledged for debt service unless such pledge is approved by
 167 referendum of the voters.

168 Section 3. Subsection (5) of section 341.303, Florida
 169 Statutes, is amended to read:

170 341.303 Funding authorization and appropriations;
 171 eligibility and participation.—

172 ~~(5) FUND PARTICIPATION; FLORIDA RAIL ENTERPRISE.—The~~
 173 ~~department, through the Florida Rail Enterprise, is authorized~~
 174 ~~to use funds provided pursuant to s. 201.15(4)(a)4. to fund:~~

175 ~~(a) Up to 50 percent of the nonfederal share of the costs~~

176 ~~of any eligible passenger rail capital improvement project.~~

177 ~~(b) Up to 100 percent of planning and development costs~~
178 ~~related to the provision of a passenger rail system, including,~~
179 ~~but not limited to, preliminary engineering, revenue studies,~~
180 ~~environmental impact studies, financial advisory services,~~
181 ~~engineering design, and other appropriate professional services.~~

182 ~~(c) The high-speed rail system.~~

183 ~~(d) Projects necessary to identify or address anticipated~~
184 ~~impacts of increased freight rail traffic resulting from the~~
185 ~~implementation of passenger rail systems as provided in s.~~
186 ~~341.302(3)(b).~~

187 Section 4. Section 341.86, Florida Statutes, is created to
188 read:

189 341.86 STATEWIDE ALTERNATIVE TRANSPORTATION AUTHORITY.—

190 (1) There is created within the department the Statewide
191 Alternative Transportation Authority.

192 (2) For purposes of this section, the term "alternative
193 transportation system" means a system of infrastructure,
194 appurtenances, and technology designed to move the greatest
195 number of people in the least amount of time. The term includes,
196 but is not limited to, autonomous vehicles as defined in s.
197 316.003 and transportation network companies as defined in s.
198 627.748. The term does not include other traditional uses of a
199 roadway system for conveyance.

200 (3) In addition to the powers granted to the department,

201 the authority may exercise all powers granted to it under this
202 section. These powers are in addition and supplemental to the
203 existing powers of the department. Powers of the authority
204 include, but are not limited to:

205 (a) Evaluating, financing, and overseeing proposals for
206 alternative transportation systems in this state.

207 (b) Expending funds to publicize and promote alternative
208 transportation systems and to contract with entities to
209 accomplish these purposes.

210 (c) Soliciting proposals in accordance with chapter 287
211 for the design and construction of alternative transportation
212 systems and contracting with entities to expend funds to
213 accomplish this purpose.

214 (4) (a) The authority shall be a single budget entity and
215 shall develop a budget pursuant to chapter 216. The authority's
216 budget shall be submitted to the Legislature with the
217 department's budget. All alternative transportation funding by
218 the department must be included in this budget entity.

219 (b) Notwithstanding the provisions of s. 216.301 to the
220 contrary and in accordance with s. 216.351, the Executive Office
221 of the Governor shall, on July 1 of each year, certify forward
222 all unexpended funds appropriated or provided for the authority.
223 Of the unexpended funds certified forward, any unencumbered
224 amounts shall be carried forward. Such funds carried forward may
225 not exceed 5 percent of the original approved operating budget

226 of the authority pursuant to s. 216.181(1). Funds carried
227 forward pursuant to this subsection may be used for the purposes
228 specified in this section. Any certified-forward funds remaining
229 undisbursed on September 30 of each year shall be carried
230 forward.

231 (5) The department, through the authority, shall use funds
232 provided pursuant to s. 201.15(4)(a)4.b. in a county to fund the
233 design and construction of an alternative transportation system
234 for passengers based on a county proposal that the authority
235 approves as being consistent with the requirements of this
236 section.

237 (6) Of the \$35 million allocated under s.
238 201.15(4)(a)4.b., the authority must use \$25 million for an
239 alternative transportation system in a county as defined in s.
240 125.011(1). The authority must use the remainder for such a
241 system in any other county or counties in the state.

242 (7) A county proposing the use of funds for an alternative
243 transportation system must submit a request to the authority
244 which must include a detailed project and financial plan. The
245 funding request must specify the duration of the project and the
246 total amount sought by state fiscal year.

247 (8) One dollar in local or private matching funds must be
248 provided for each dollar distributed under this section. Federal
249 funds may not be substituted for the local or private matching
250 funds.

251 (9) Funds distributed under this section may not be used
 252 to subsidize projects with existing funding commitments as of
 253 July 1, 2018.

254 Section 5. Paragraph (b) of subsection (4) of section
 255 343.58, Florida Statutes, is amended to read:

256 343.58 County funding for the South Florida Regional
 257 Transportation Authority.—

258 (4) Notwithstanding any other provision of law to the
 259 contrary and effective July 1, 2010, until as provided in
 260 paragraph (d), the department shall transfer annually from the
 261 State Transportation Trust Fund to the South Florida Regional
 262 Transportation Authority the amounts specified in subparagraph
 263 (a)1. or subparagraph (a)2.

264 (b) Funding required by this subsection may not be
 265 provided from the funds dedicated to the Statewide Alternative
 266 Transportation Authority ~~Florida Rail Enterprise~~ pursuant to s.
 267 201.15(4)(a)4.b. ~~s. 201.15(4)(a)4.~~

268 Section 6. This act shall take effect July 1, 2018.