

An Act

ENROLLED HOUSE
BILL NO. 1365

By: Bush, Cornwell, Frix,
Humphrey and McDugle of the
House

and

Standridge and Silk of the
Senate

An Act relating to transportation; creating the Office of Mobility and Public Transit; transferring certain responsibilities and programs; specifying duties of the Office; authorizing implementation of certain programs; authorizing implementation of expansion of certain call center; authorizing joint development of certain plan; providing for certain plan requirements; transferring the Transit Division within the Department of Transportation, including oversight and management of Federal Transit Administration grants and resources and the State Management Plan, to the Office of Mobility and Public Transit; providing for assumption of responsibilities; defining term; providing for transfer of property; providing for transfer of functions, powers, duties and obligations; providing for transfer of all rules, regulations, acts, orders, contracts, determinations and decisions; transferring from the Aging Services Division within the Department of Human Services the oversight and management of Federal Transit Administration grants and resources to the Office of Mobility and Public Transit; providing for assumptions of responsibilities; defining term; providing for transfer of property; providing for transfer of functions, powers, duties and obligations; providing for transfer of all rules, regulations, acts, orders, contracts, determinations and decisions; providing for codification; providing an effective date; and declaring an emergency.

SUBJECT: Office of Mobility and Public Transit

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 322 of Title 69, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created the Office of Mobility and Public Transit within the Department of Transportation. All current Transit Division responsibilities, including oversight and management of Federal Transit Administration (FTA) grants and resources and the State Management Plan, are moved to the Office of Mobility and Public Transit. Notwithstanding this subsection, the Office of Mobility and Public Transit will not be responsible for oversight and management of FTA grants and resources received by transit agencies as a direct recipient of the FTA as that is not a current responsibility of the Transit Division. All Federal Transit Administration program implementations not currently managed by the Department of Transportation shall be moved to the Office of Mobility and Public Transit from other state agencies and other state programs. The Office of Mobility and Public Transit is charged with overseeing a network of public transit systems that receive adequate funding to ensure the mobility needs of all Oklahomans are met in a safe, affordable, reliable, consistent and coordinated fashion.

B. The Office of Mobility and Public Transit shall promulgate rules and procedures to:

1. Implement innovative pilot programs including, but not limited to, microtransit and autonomous vehicles in the following systems:

- a. EMBARK,
- b. Tulsa Transit,
- c. Little Dixie Transit, and
- d. other transit systems as determined by the Department of Transportation;

2. Implement expansion of the current Veterans' Ride Connect call center at Pelivan Transit to create a "one call/one click" statewide system for all citizens; and

3. Develop the Oklahoma Public Transit Policy Plan. The plan will be developed jointly by the Department of Transportation and the Oklahoma Transit Association.

- a. A copy of the plan shall be submitted to the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate by July 1, 2020.
- b. The plan shall:
 - (1) be all-inclusive of the public transit systems in the state,
 - (2) reflect the results of the 2018 Oklahoma Transit Needs Assessment conducted by the Small Urban and Rural Transit Center,
 - (3) include all stakeholder input,
 - (4) provide for future collaboration and coordination of an effective network of public transit systems across the state,
 - (5) provide for future collaboration and coordination among all public transit agencies and systems and all stakeholders with an interest in public transit, and
 - (6) provide for future collaboration and coordination among all state agencies with an interest in public transit including, but not limited to, the:
 - (a) Oklahoma Department of Commerce,
 - (b) Oklahoma Department of Rehabilitation Services,
 - (c) Oklahoma Department of Human Services,

- (d) Oklahoma Department of Mental Health and Substance Abuse Services,
- (e) Oklahoma Department of Veterans Affairs,
- (f) Oklahoma Association of Centers for Independent Living,
- (g) Oklahoma Health Care Authority,
- (h) Oklahoma Employment Security Commission,
- (i) Oklahoma State Department of Education,
- (j) Oklahoma Department of Environmental Quality, and
- (k) Oklahoma Department of Labor.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 323 of Title 69, unless there is created a duplication in numbering, reads as follows:

A. The Transit Division within the Department of Transportation, including oversight and management of Federal Transit Administration grants and resources and the State Management Plan, is transferred into the Office of Mobility and Public Transit. The Executive Director of the Department of Transportation shall assume all executive-level responsibilities for the Office of Mobility and Public Transit and shall function as and possess the powers of the director for the Office of Mobility and Public Transit. For the purposes of this section, the term "transferring agency" shall mean the Transit Division within the Department of Transportation, including oversight and management of Federal Transit Administration grants and resources and the State Management Plan. Any funds appropriated to, in the possession of or allocated to the transferring agency shall be deemed to be funds of the Office of Mobility and Public Transit.

B. Upon request of the Executive Director of the Department of Transportation, the personnel of the transferring agency shall deliver to the Office of Mobility and Public Transit all books, papers, records and property.

C. All functions, powers, duties and obligations previously assigned to the transferring agency are hereby transferred to the Office of Mobility and Public Transit.

D. All rules, regulations, acts, orders, contracts, determinations and decisions of the transferring agency pertaining to the functions and powers herein transferred and assigned to the Office of Mobility and Public Transit in force at the time of such transfer, assignment, assumption or devolution shall continue in force and effect as rules, regulations, acts, orders, contracts, determinations and decisions of the Office of Mobility and Public Transit until duly modified or abrogated by the appropriate body or until otherwise provided by law.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 324 of Title 69, unless there is created a duplication in numbering, reads as follows:

A. The Aging Services Division within the Department of Human Services shall transfer responsibilities regarding oversight and management of Federal Transit Administration grants and resources under 49 U.S.C., Section 5310 into the Office of Mobility and Public Transit. The Executive Director of the Department of Transportation shall assume all executive-level responsibilities for management and oversight of the Federal Transit Administration grants and resources. For the purposes of this section, the term "transferring agency" shall mean the Aging Services Division within the Department of Human Services. Any federal 49 U.S.C., Section 5310 funds or funds in the possession of or allocated to the transferring agency related to 49 U.S.C., Section 5310 transportation services shall be deemed to be funds of the Office of Mobility and Public Transit.

B. Upon request of the Executive Director of the Department of Transportation, the personnel of the transferring agency shall deliver to the Office of Mobility and Public Transit all books, papers, records and property related to Federal Transit Administration grants and resources.

C. All functions, powers, duties and obligations related to Federal Transit Administration grants and resources previously assigned to the transferring agency are hereby transferred to the Office of Mobility and Public Transit.

D. All rules, regulations, acts, orders, contracts, determinations and decisions of the transferring agency pertaining

to the functions and powers herein transferred and assigned to the Office of Mobility and Public Transit in force at the time of such transfer, assignment, assumption or devolution shall continue in force and effect as rules, regulations, acts, orders, contracts, determinations and decisions of the Office of Mobility and Public Transit until duly modified or abrogated by the appropriate body or until otherwise provided by law.

SECTION 4. This act shall become effective July 1, 2019.

SECTION 5. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 22nd day of April, 2019.

Presiding Officer of the House
of Representatives

Passed the Senate the 16th day of April, 2019.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____