



Please be advised that the River to Sea Transportation Planning Organization (TPO) **LEGISLATIVE ISSUES SUBCOMMITTEE** will be meeting on:

DATE: Wednesday, October 7, 2015
TIME: 9:00 a.m.
PLACE: River to Sea TPO Executive Conference Room
2570 W. International Speedway Blvd., Suite 100
Daytona Beach, Florida 32114

AGENDA

I. CALL TO ORDER

II. PUBLIC COMMENT/PARTICIPATION

III. BUSINESSS

A. DISCUSSION OF RIVER TO SEA TPO LEGISLATIVE ISSUES PLATFORM FOR THE 2016 LEGISLATIVE SESSION

Each year the River to Sea TPO approves a list of priorities that the organization will support during the upcoming legislative session (recommendations are developed by the Legislative Issues Subcommittee). Enclosed are the TPO's 2015 Legislative Priorities, the 2015 CFMPOA Legislative Priorities and the MPOAC Positions for 2015.

V. STAFF COMMENTS

VI. LEGISLATIVE ISSUES SUBCOMMITTEE MEMBER COMMENTS

VII. ADJOURNMENT

Legislative Issues Subcommittee Members:

Council Member Pat Patterson, Volusia County
Council Member Billie Wheeler, Daytona Beach Shores
Vice Mayor Leigh Matusick, DeLand
Commissioner Marshall Shupe, Flagler Beach

Beverly Beach
Bunnell
Daytona Beach
Daytona Beach Shores

DeBary
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Deltona
Edgewater

Flagler Beach
Flagler County
Holly Hill
Lake Helen

New Smyrna Beach
Oak Hill
Orange City
Ormond Beach

Palm Coast
Pierson
Ponce Inlet
Port Orange

South Daytona
Volusia County

Note: Individuals covered by the Americans with Disabilities Act of 1990 in need of accommodations for this public meeting should contact the River to Sea TPO office, 2570 W. International Speedway Blvd., Suite 100, Daytona Beach, Florida 32114-8145; (386) 226-0422, extension 20416 at least five (5) working days prior to the meeting date.

Note: If any person decides to appeal a decision made by this board with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made.

2015 Legislative Positions

Adopted October 22, 2014



Transportation Priorities

FUNDING *

1. The River to Sea TPO supports legislation that preserves transportation funding and provides greater flexibility of funding options at the state and local level that support the transportation system.

Transportation revenue is collected to support the preservation and development of a safe and efficient transportation system that is responsive to a variety of user demands including freight mobility, bicycle and pedestrian safety, accessibility and public transit among others. Actions that protect these programs include:

- Ensuring the State Transportation Trust Fund and the Transportation Disadvantaged Trust Fund are used as intended and are not diverted to other, non-transportation uses.
- Implementing the key recommendations from the Transportation Revenue Study completed in 2012 by the Florida Metropolitan Planning Organization Advisory Council (MPOAC) to include indexing local option fuel taxes and authorizing the use of a Local Option Rental Car Surcharge.

2. The River to Sea TPO supports legislation that protects existing transportation programs from negative financial impacts that may arise from the passage of the Florida Water and Land Conservation Initiative.

Upon approval, the Florida Water and Land Conservation Initiative (Amendment 1 on the November 4, 2014 ballot), would dedicate 33 percent of net revenues (an estimated \$648 million in FY 2015-16) from the existing excise tax on documents to the Land Acquisition Trust Fund. The funds will be used to acquire and improve conservation easements and other land, water, geological and historical sites, including recreational trails and parks. If approved, this diversion of revenues from the existing excise tax on documents could result in a substantial reduction in funds currently dedicated to the Transportation Regional Incentive Program, the Strategic Intermodal System, the New Starts Transit Program, the Florida Rail Enterprise and the Small County Outreach Program. This position seeks to protect those existing transportation programs in a manner consistent with MPO plans and programs.

**These funding priorities are also identified as statewide priorities by the MPOAC*

SAFETY

3. The River to Sea TPO supports legislation that improves pedestrian safety.

Florida consistently ranks at or near the top of the nation in pedestrian injuries and fatalities. Increasing safety and reducing these rates will require education, engineering and law enforcement efforts. The River to Sea TPO supports enhanced funding for educational programs that show positive results, strengthening of existing pedestrian safety laws and performance driven funding for projects that address unsafe conditions.

Detailed talking points for each of these positions are included in this package.

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Additional Positions

The River to Sea TPO also supports legislation that:

- Regulates the use of hand-held electronic devices while driving as a primary offense and increases fines for using hand-held electronic devices while driving within school zones.
- Provides financial support for long-term maintenance of the state-wide interconnected trail system through sources other than local government.
- Restores funding for the Transportation Regional Incentive Program (TRIP) to promote regional planning and project development.
- Offers incentives for employers that reduce peak-hour demand by allowing off-peak commuting and telecommuting options to employees.
- Increases MPO/TPO involvement in growth management, mobility planning and visioning activities to promote a stronger linkage between land-use, transportation and economic development.
- Allows Strategic Intermodal System (SIS) funds to be used on roads and other transportation facilities not designated on the SIS if the improvement will relieve congestion on the SIS.
- Allows state funds to be used for improvements to county, or other local service, collector and distributor roads that provide alternative access to controlled access state facilities.
- Increases the percentage of the state transportation capacity program allocated to non-SIS highways and transit programs in order to improve mobility on regional and metropolitan area transportation facilities.
- Requires TPO concurrence for public-private partnership agreements related to the lease or sale of transportation facilities that are publicly owned and operated within metropolitan areas and any subsequent modifications to such agreements.
- Promotes interoperable and multi-modal smartcard technology that is compatible, universal and accessible for use by all other smartcard technology systems.
- Maintains gross vehicle weight limitation and restrictions by not raising the maximum weight limit above 80,000 pounds (exceptions should only be granted when authorized by state and local governments and adequate compensation is paid to mitigate the impact to state and local transportation facilities).
- Provides mandatory funding for driver education programs in high schools.
- Changes the Consultants' Competitive Negotiation Act (CCNA) to allow agencies to introduce a "best-value" option that considers cost as a factor when selecting a firm.

The River to Sea TPO will monitor legislation that:

- Authorizes counties to form a regional transportation finance authority for the purpose of financing, constructing, maintaining and operating transportation projects that are consistent with MPO plans.
- Promotes the continued development and expansion of bus and rail transit as well as efforts to accommodate the growing demand for alternative mobility vehicles (low-speed vehicles, electric vehicles and golf carts).
- Establishes reasonable limits on the amount of business damages awardable in an eminent domain action.
- Encourages continued intergovernmental coordination and support of shoreline stabilization efforts for SR A1A in Flagler County.
- Considers changes to the transportation analysis required for Developments of Regional Impacts (DRI).

Funding

The River to Sea TPO supports legislation that preserves transportation funding and provides greater flexibility of funding options that support the transportation system.

Background

State Transportation Trust Fund and the Transportation Disadvantaged Trust Fund

In addition to revenues generated by transportation-related surcharges that are directed outside the Transportation Trust Fund, millions of transportation dollars have been diverted each year from the Transportation Trust Fund for other purposes. Overall, such diversions and lost revenues degrade the state's infrastructure and impacts Central Florida's competitiveness for federal discretionary funding. Likewise, revenue impacts to the Transportation Disadvantaged Trust Fund will diminish transportation services provided to the most vulnerable citizens.

MPOAC Revenue Study

The Florida Metropolitan Planning Organization Advisory Council (MPOAC) completed a Transportation Revenue Study in 2012. The study found that transportation revenues were not keeping pace with increased costs over time and that an additional \$12.1 billion would be needed to match the level of transportation investment the state made in FY 1999-2000. Five of the recommended options for addressing transportation funding needs are supported by the River to Sea TPO:

- Implement a 2-cent fuel tax increase per year for five years (total increase of 10 cents),
- Index all fuel taxes not currently indexed
- Conduct a vehicle miles traveled (VMT) study
- Increase the local diesel tax by 5-cents
- Return motor vehicle license and registration and titling fee increases to the State Transportation Trust Fund (STTF)

Florida Water and Land Conservation Initiative.

The Florida Water and Land Conservation Initiative (Amendment 1 on the November 4, 2014 ballot), would dedicate 33 percent of net revenues (an estimated \$648 million in FY 2015-16) from the existing excise tax on documents to the Land Acquisition Trust Fund. These funds will be used to acquire and improve conservation easements and other land, water, geological and historical sites, including recreational trails and parks. If approved, this diversion of revenues could result in a substantial reduction in funds currently dedicated to the Transportation Regional Incentive Program, the Strategic Intermodal System, the New Starts Transit Program, the Florida Rail Enterprise and the Small County Outreach Program.

Benefit

Efficient transportation systems are necessary to support a strong economy. Inadequate funding to support capital projects as well as operations and maintenance will lead to increased congestion and degradation of vital infrastructure. Increased traffic congestion has negative economic and environmental impacts. Transportation infrastructure projects are also important in supporting the economy at the federal, state and local level through the creation of jobs.

Safety

The River to Sea TPO supports legislation that improves transportation safety.

Background

Pedestrian Safety Laws

Florida's Pedestrian & Bicycle initiative, "Alert Today, Alive Tomorrow – Safety Doesn't Happen by Accident", ranks Volusia County in the top 10 among Florida's Bicycle/Pedestrian High Crash Areas and will remain a high priority in 2015. Though not in the top 10, Flagler County has also recorded bicycle and pedestrian crashes, which will improve through proactive efforts involving education, engineering and enforcement.

The Florida Department of Highway Safety and Motor Vehicles reports that 48% of pedestrians were killed when crossing the road, but not at an intersection. Just over 13% of pedestrians were killed when crossing the road at an intersection. Florida DOT Secretary Ananth Prasad intends to drive down bicycle/pedestrian fatalities and injuries stating in a press release, "Pedestrian safety is my highest priority. *Alert Today Alive Tomorrow* is the educational message we are sharing with the public, in addition to the engineering, enforcement and emergency response that will make our state safer for drivers and pedestrians."

Currently, Florida Statute 316.130 pertaining to pedestrians and traffic regulations states:

- (b) The *driver of a vehicle at any crosswalk where signage so indicates shall stop and remain stopped to allow a pedestrian to cross a roadway* when the pedestrian is in the crosswalk or steps into the crosswalk and is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.
- (c) *When traffic control signals are not in place or in operation and there is no signage indicating otherwise, the driver of a vehicle shall yield the right-of-way*, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

The River to Sea TPO supports strengthening Chapter 316.130 F.S. as follows:

- (b) The *driver of a vehicle at any crosswalk where signage so indicates shall stop and remain stopped to allow a pedestrian to cross a roadway* when the pedestrian is in the crosswalk or steps into the crosswalk and is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.
- (c) Omit entirely

Benefit

Pedestrian safety is critical for the residents of our area, for children and families that choose to walk to school and the thousands of visitors who choose to vacation here. Investments in pedestrian safety improve quality of life, support economic development and yield savings in medical costs. Legislative actions that improve pedestrian safety support initiatives in the State of Florida as well as the national emphasis on safety improvements outlined in Moving Ahead for Progress in the 21st Century (MAP-21).



ADOPTED

January 16, 2015

2015 Legislative Session Transportation Priorities

Safety

Bicycle and Pedestrian Safety

Support legislation that increases funding to improve bicycle and pedestrian safety awareness programs, facility improvements, and seeks to reduce bicycle and pedestrian injuries and fatalities statewide. Building on the announcement of the “Complete Streets Policy” adopted by FDOT, the Central Florida MPO Alliance supports legislations that addresses Florida’s ranking on the “Dangerous by Design” report which consistently ranks Florida at or near the top in the nation in cyclist and pedestrian injuries and fatalities.

Strengthen Ban on Use of Hand-held Electronic Devices While Driving

Support legislation that reduces distracted driving by regulating as a primary offense the use of electronic wireless communications devices and other similar distracting devices while operating a motor vehicle.

The 2013 Florida legislature enacted the “Florida Ban on Texting While Driving Law.” The law prohibits operation of a moving vehicle while manually typing, sending, or reading interpersonal communication (texting, emailing, instant messaging, etc.) using a wireless communication device, with certain exceptions. The law provides for enforcement of the ban as a secondary offense. This legislation seeks to strengthen the enforcement to make it a primary offense to use hand-held electronic devices while driving.

Funding

Continue Direction of State Transportation Dollars to the Central Florida Coast-to-Coast Trail Project

The Central Florida Coast-to-Coast Trail (from Titusville to St. Petersburg) is approximately 75% constructed with multiple gap segments advancing to the next phase of development. Last session, the legislature and governor directed a minimum of \$15.5 million in FY 2014-15 to the development of the Coast to Coast Trail. By providing another infusion of state dollars completion of the trail can be expedited.

Support Allocation of a Portion of Funds Generated Through Amendment One to Recreational Trail Development and Maintenance

The development of the Coast-to-Coast Connector, Heart of Florida Loop and River-to-Sea Trail and other trails of statewide significance will provide an international attraction for ecotourism. Currently, the maintenance of these facilities falls primarily to local governments. Dedicating a portion of the funds

generated from Amendment 1 to trail development and maintenance will allow local agencies to expand and sustain these vital regional assets.

Enhance and Protect the State Transportation Trust Fund and Transportation Disadvantaged Trust Fund

In addition to revenues generated by transportation-related surcharges already directed outside the Transportation Trust Fund, millions of transportation dollars have been diverted from the Transportation Trust Fund for other purposes. Overall, such diversions and lost revenues degrade the state's infrastructure and impact Central Florida's competitiveness for federal discretionary funding. Likewise, negative impacts to the Transportation Disadvantaged Trust Fund should also be discouraged.

Amend Charter County and Regional Transportation System Surtax to Make Eligible to all Counties with an MPO

The current legislation allows a surtax to be taken before voters as a referendum to fund transportation projects through an up to one percent consumption tax. The law has evolved through the last 25 years to now be eligible to all charter counties, as well as to any non-charter county that is part of a Regional Transportation Authority. The transportation surtax is an appropriate referendum option for urban counties and therefore should be extended to all counties served by a metropolitan planning organization in order to provide funding for cost-feasible transportation plans.

The CFMPOA will support legislation that:

- Restores funding for the Transportation Regional Incentive Program (TRIP) to promote regional planning and project development.
- Authorizes a local option rental car surcharge (implemented through a public referendum) with proceeds committed to regional transportation projects.
- Preserves transportation funding and provides greater flexibility of funding options at the state and local level that support the transportation system.
- Allows up to a one-cent municipal option sales tax for cities with population in excess of 150,000 (or the largest municipality in a county).
- Allows for indexing of local option fuel taxes to CPI, consistent with indexing allowed for state fuel taxes.
- Allows Strategic Intermodal System (SIS) funds to be used on roads and other transportation facilities not designated on the SIS if the improvements will relieve congestion on the SIS.
- Preserves the existing coordinated system for paratransit service.

- Advances Florida’s Comprehensive, Statewide Rail System Plan.
- Continues investments in Space Transportation Infrastructure.
- Prohibits additional increases in federal truck weight limits in the State of Florida.

The CFMPOA will monitor legislation that:

- Seeks to alter or repeal Red Light Camera Enforcement legislation.
- Legislation on Developments of Regional Impact (DRIs)

Contacts:

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Space Coast TPO	Mr. Bob Kamm, Executive Director, (321) 690-6890
River to Sea TPO	Ms. Lois Bollenback, Executive Director, (386) 226-0422 ext. 20419
CFMPOA	Ms. Virginia Whittington, Director of Regional Partnerships, (407) 481-5672 x314



2015

Florida
Metropolitan Planning
Organization
Advisory Council

Legislative Priorities and
Policy Positions



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MPOAC

The Florida Metropolitan Planning Organization Advisory Council (MPOAC) represents the collective interests of Florida's 27 MPOs, and assists the MPOs in carrying out the urbanized area transportation planning process by serving as the principal forum for collective policy discussion. The MPOAC was created by the Florida Legislature pursuant to Section 339.175, Florida Statutes, to augment and not supplant the role of the individual MPOs in the cooperative transportation planning process.

PRIORITY POLICY POSITIONS

The MPOAC Supports State Legislation that:

1. Implements the recommendations from the MPOAC transportation revenue study and other options for expanding transportation revenue sources.

In 2012, the MPOAC completed a two-year study to address the ever widening gap between the cost of needed transportation infrastructure along with declining and unsustainable revenue sources. The study identified a \$74 billion funding shortfall in MPO areas over the next 20 years. It also proposed 14 policy recommendations that are intended to restore the purchasing power of Florida's transportation dollar to the year 2000 and to move Florida toward a Mileage Based User Fee in lieu of the traditional fuel tax.

Key Recommendations:

- Redirect \$100 million annually to the State Transportation Trust Fund from General Revenue as was passed by the Florida House of Representatives during the 2014 legislative session in HB 5601.
- Direct the Florida Department of Transportation to develop a plan and conduct one or more pilot tests to move Florida toward a Mileage Based User Fee, which protects individual privacy, in lieu of the traditional fuel tax.
- Expand the Charter County and Regional Transportation System Surtax to allow municipalities over 150,000 in population (or the largest municipality in a county) and all counties located in MPO areas to enact up to a one cent local option surtax by referendum.
- Index local option fuel taxes to the consumer price index in a manner similar to the current indexing of state fuel taxes.

2. Restores funding for the Transportation Regional Incentive Program in order to promote regional planning and project development.

The purpose of the Transportation Regional Incentive Program (TRIP) is to encourage regional planning by providing state matching funds (up to 50% of total project costs) for improvements to regionally significant transportation facilities identified and prioritized by regional partners. TRIP is funded through documentary stamp tax proceeds which have declined substantially over the past several years as a result of the economic decline in Florida's housing and land development industry. Funds available for TRIP have been further reduced as the first \$60 million of funds that would otherwise be allocated to TRIP are instead allocated to the Florida Rail Enterprise.

3. Protects existing transportation programs from negative financial impacts that may arise from the passage of the 2014 Florida Water and Land Conservation Initiative and directs funds intended for recreational trails in a manner consistent with MPO plans and programs; and expands funding eligibility to include maintenance activities.

The Florida Water and Land Conservation Initiative (Amendment 1 on the November 4, 2014 ballot), upon legislative action, would dedicate 33 percent of net revenues (an estimated \$648 million in FY 2015-16, growing to \$1.268 billion in FY 2034-35) from the existing excise tax on documents to the Land Acquisition Trust Fund. The funds will be used to acquire and improve conservation easements and other land, water, geological and historical sites, including recreational trails and parks. This diversion of revenues from the existing excise tax on documents could result in a substantial reduction in funds currently dedicated to the Transportation Regional Incentive Program, the Strategic Intermodal System, the New Starts Transit Program, the Florida Rail Enterprise and the Small County Outreach Program. This proposal seeks to protect those existing transportation programs in a manner consistent with MPO plans and programs and expand funding eligibility to include trail maintenance.

4. **Reduces distracted driving by regulating as a *primary* offense the use of electronic wireless communications devices and other similar distracting devices while operating a moving motor vehicle.**

The 2013 Florida legislature enacted the “Florida Ban on Texting While Driving Law.” The law prohibits operation of a moving motor vehicle while manually typing, sending or reading interpersonal communication (texting, e-mailing, instant messaging, etc.) using a wireless communications device, with certain exceptions. The law provides for enforcement of the ban as a secondary offense, meaning a driver would have to be pulled over for some other violation to get a ticket for violating the ban on texting. The 2014 Florida Legislature underscored the severity of distracted driving by considering a bill that would have substantially increased the penalty for distracted driving resulting in a fatality. This legislative proposal would seek to strengthen the enforcement mechanism for the texting while driving ban by making it a primary offense.

ADDITIONAL POLICY POSITIONS

The MPOAC Supports State Legislation that:

5. **Allows Strategic Intermodal System (SIS) funds to be used on roads and other transportation facilities not designated on the SIS if the improvement will enhance mobility or support freight transportation on the SIS.**

Current state law does not permit SIS funds to be spent on roads or other transportation facilities that are not part of the SIS, even if proposed improvements would directly benefit users of SIS facilities by enhancing mobility options or supporting freight movement in a SIS corridor. This legislative proposal would broaden the State’s ability to improve passenger and freight mobility on SIS corridors by making eligible the expenditure of SIS funds on non SIS roads and other transportation facilities where the benefit to users of SIS facilities can be demonstrated.

6. **Promotes interoperable and multi-modal fare-payment technologies that must be compatible, universal and accessible for use by all other technology systems.**

Ideally, Florida’s citizens would be able to use a single fare-payment technology to drive on a toll road, ride a transit vehicle, park a car, cross a toll bridge or use any other transportation facility or service anywhere in the state, regardless of the owner or operator of the system. However, a variety of technological and institutional barriers stand in the way of implementing universal, multi-modal fare-payment technologies. This proposal would provide support for a wide range of legislative initiatives intended to remove those barriers.

7. **Authorizes a county, or two or more contiguous counties, to form a regional transportation finance authority for the purpose of financing, constructing, maintaining, and operating transportation projects that are coordinated with MPO plans and programs.**

The 2013 Florida Legislature introduced legislation titled the “Florida Regional Transportation Finance Authority Act” that was contained in SB 1132. In 2014, the Florida Legislature considered SB 1052 which was a similar bill for a specific region of the state that would create the Northwest Florida Regional Transportation Finance Authority. Both legislative proposals would have established the governance and powers and duties of the authority and named FDOT as the agent of each authority for the purpose of performing all phases of a project, including constructing improvements and extensions to the system, and for the purpose of operating and maintaining the system. This proposal would authorize the creation of Regional Transportation Finance Authorities, subject to approval by the Legislature and the county commission of each county that will be part of the authority, and specify that there be only one authority created and operating within the area served by the authority.

Florida Metropolitan Planning Organization Advisory Council



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