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MEETING AGENDA

Please be advised that the **VOLUSIA TRANSPORTATION PLANNING ORGANIZATION** (VTPO) **LEGISLATIVE ISSUES SUBCOMMITTEE** will be meeting on:

DATE:	**Thursday, November 14, 2013**
TIME:	**3:00 p.m.**
PLACE:	Volusia TPO Executive Conference Room 2570 W. International Speedway Blvd., Suite 100 Daytona Beach, Florida 32114

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AGENDA

I. CALL TO ORDER

II. BUSINESS

A. DISCUSSION OF VOLUSIA TPO LEGISLATIVE ISSUES PLATFORM FOR 2014 LEGISLATIVE SESSION *(Contact: Lois Bollenback) (Enclosures, pages 2-8)*

Each year, the Volusia TPO Board 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 2013 Legislative Priorities and CFMPOA's 2013 Legislative Priorities.

III. STAFF COMMENTS

IV. MEMBER COMMENTS

V. ADJOURNMENT

Note: Individuals covered by the Americans with Disabilities Act of 1990 in need of accommodations for this public meeting should contact the Volusia 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.

2013 Legislative Session
Transportation Priorities

(Adopted January 11, 2013)

Safety

Ban Use of Hand-held Electronic Devices While Driving

Enact legislation to prohibit the use of hand-held electronic devices while driving.

Funding

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 each year 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 be avoided.

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.

Local Option Rental Car Surcharge

Authorize a $2.50/day local option rental car surcharge (implemented through a public referendum) with proceeds committed to regional transit projects.

Statewide Trail System

"Close the Gaps" in the Statewide Trail System

Seek inclusion of proviso language from the legislature for the Florida Department of Transportation and the Florida Department of Environmental Protection to work with the Florida Greenways and Trails Foundation and appropriate metropolitan planning organizations to "close the gaps" in the statewide trail system with a plan submitted to the legislature by December 30, 2013 and progress reports submitted each year for the next three years.

The CFMPOA will support legislation that:

- Returns all motor vehicle fees to the State Transportation Trust Fund.
- 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.
- 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:

- Proposes changes in Chapter 339.175, Florida Statutes pertaining to metropolitan planning organization Board composition and operations.
- Proposes creation of a Central Florida Regional Expressway Authority (CFREA).
- Seeks to alter or repeal Red Light Camera Enforcement legislation.

Contacts:

Lake-Sumter MPO	Mr. TJ Fish, Executive Director, (352) 315-0170
Polk TPO	Mr. Tom Deardorff, Director, (863) 534-6454
MetroPlan Orlando	Mr. Harold W. Barley, Executive Director, (407) 481-5672 x313
Ocala-Marion TPO	Mr. Greg Slay, Executive Director, (352) 629-8597
Space Coast TPO	Mr. Bob Kamm, Executive Director, (321) 690-6890
Volusia TPO	Ms. Lois Bollenback, Interim Executive Director, (386) 226-0422 x35
CFMPOA	Ms. Virginia Whittington, Director of Regional Partnerships, (407) 481-5672 x314

Positions for the 2013 Legislative Session

Adopted February 26, 2013

Transportation Priorities

FUNDING

The Volusia TPO *supports* legislation that restores transportation funding and improves local area funding options to support transportation programs.

This includes protecting the State Transportation Trust Fund and the Transportation Disadvantaged Trust Fund from being diverted to other, non-transportation uses. This position also considers the top recommendations from the Transportation Revenue Study completed in 2012 by the Florida Metropolitan Planning Organization Advisory Council (MPOAC) and a Local Option Rental Car Surcharge.

SAFETY

The Volusia TPO *supports* legislation that improves transportation safety.

This includes banning the use of hand-held electronic devices while driving, requiring child restraint systems that protect children as they grow and develop, and supports the strengthening of pedestrian safety laws and funding for educational programs that show positive results.

RECREATIONAL TRAILS

The Volusia TPO *supports* legislation that supports and advances the development of non-motorized forms of transportation.

This includes efforts to "close the gaps" on the statewide trails system and to maintain dedicated funding for the recreational trails program.

MULTIMODAL TRANSPORTATION OPTIONS

The Volusia TPO *supports* legislation that promotes the continued development and expansion of bus and rail transit as well as alternative mobility vehicles.

This includes efforts to advance the statewide rail plan, to support the development of local rail projects and to support the efficient operations of existing transit service. It also supports and promotes efforts to accommodate and/or integrate Neighborhood Electric Vehicles (NEV), Low-Speed Vehicles (LSV), Golf Carts and other forms of low-impact mobility.

Bills Introduced

SB 158/HB 75 – An act related to highway safety; prohibiting stopping a bus in a manner that impedes traffic while the bus is loading or unloading passengers; providing an exception; providing an effective date. ***OPPOSED***

SB 52/HB 13 – An act related to texting while driving. SB 52 makes texting while driving a secondary offense with a first time fine of $60.00. ***SUPPORT***

Additional Positions

The Volusia TPO also ***supports*** legislation that:

- 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 must be 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 Volusia TPO ***opposes*** legislation that:

- Would restrict buses from operating efficiently by requiring that they "not impede or block traffic on the roadway, if another reasonable means is available."

The Volusia TPO will monitor legislation that:

- Establishes reasonable limits on the amount of business damages awardable in an eminent domain action, authorizes an optional appraisal process using an impartial court-appointed panel of experts, and allows eminent domain actions to be tried by a three member commission in lieu of a jury.
- Encourages intergovernmental coordination and support of shoreline stabilization efforts for SR A1A in Flagler County.

Contact: Lois Bollenback, Interim Executive Director
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Funding

The Volusia TPO *supports* legislation that that restores transportation funding and improves local area options to support transportation programs.

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) and the University of South Florida Center for Urban Transportation Research (CUTR) 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. Six options were recommended for addressing transportation funding needs:

- Implement a 2-cent fuel tax increase per year for five years (total increase of 10 cents), indexed for inflation
- Index all fuel taxes not currently indexed
- Allow up to a 1-cent municipal optional sales tax (cities > 100,000 population)
- 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)

Local Option Rental Car Surcharge
Prior legislative sessions have considered authorizing a local option rental car surcharge (implemented through a public referendum). This allows flexibility for local governments to address transportation needs that may exist. This item was also identified through the MPOAC Revenue Study including a $2.50/day surcharge with proceeds to fund transportation projects.

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 Volusia TPO *supports* legislation that improves transportation safety.

Background

Hand-held Devices
Texting while driving has resulted in numerous injuries and fatalities. Laws prohibiting such behavior have support from law enforcement groups, medical authorities and the general public. As many as 39 states have enacted bans on driving and texting, however, Florida has not passed such a law.

Child Restraints
Currently, Florida law requires children to be secured in child safety seats until age 4, at which time a seat belt can be used. Many children, between 4 to 7 years of age are not tall enough for the seat belt to cover the pelvic bone and ribcage and are not able to be safely secured without a booster seat. Instead, the seat belt tends to cover soft tissue, such as the neck and abdomen, which can lead to more severe injuries in the event of a car crash. Forty eight (48) states currently have laws requiring use of booster seats. Although encouraged, a belt positioning booster seat is not required in Florida. The American Academy of Pediatrics advises that most children will need to ride in a booster seat until they are 4'9" tall and between 8 and 12 years old. According to NHTSA, in 2009, car crashes were the #1 cause of death for children ages 3 to 14.

Pedestrian Safety Laws
According to the 2009 Transportation for America Dangerous by Design Report, the Deltona-Daytona Beach-Ormond Beach area is ranked as the 14th most dangerous Metropolitan Area in Florida for pedestrians. Also, in 2009, the Florida Department of Highway Safety and Motor Vehicles reported 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 has identified a Bicycle/Pedestrian focused initiative intended, in part, to drive down bicycle/pedestrian fatalities and serious injuries by reminding motorists and pedestrians of pedestrian laws in the top ten counties for bicycle/pedestrian crashes in 2012, of which Volusia is included. In a recent press release, FDOT Secretary Prasad said, "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."

Benefit

Reasonable safety investments yield savings in medical costs in addition to the clear social benefit. Booster seats, as an example, cost approximately $30, but can save taxpayers over $1,000 in medical costs over four years of use. The topics identified above support initiatives in the State of Florida as well as the national emphasis on safety improvements outlined in transportation legislation such as Moving Ahead for Progress in the 21st Century (MAP-21).

Recreational Trails

The Volusia TPO *supports* legislation that supports and advances the development of non-motorized forms of transportation.

Background

Recreational Trails Program (RTP) and Closing the Gaps

The Recreational Trails Program (RTP) was created by the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) and reauthorized in subsequent legislation. The RTP is included in the Moving Ahead for Progress in the 21st Century Act (MAP-21), the transportation reauthorization bill signed by the President on July 6, 2012. However, MAP-21 included the removal of dedicated funding for several programs, including Safe Routes to School, Recreational Trails, and the Transportation Enhancements program. Under MAP-21, these programs are funded through the Transportation Alternatives Program (TAP) with a portion of the funding available to the state as well as to MPOs. TAP funding allows local priorities to be pursued, however, annual funding allocations are limited ($432,781 in fiscal year 2013). The Volusia TPO is working with the Central Florida MPO Alliance to identify opportunities to fund regional trails and to support continued development of the Priority Land Trails identified Florida Greenways and Trail System Plan including the Cross Florida Trail and the St. Johns River to Sea Loop Trail.

Benefit

The Recreational Trails Program (RTP) provides a foundation for state trail programs across the country. It leverages hundreds of millions of dollars for additional support from other sources for trails. Recreational trails and other motorized and non-motorized transportation programs are important to the Volusia TPO to encourage improvements to the health of our community, to encourage efforts to promote eco-tourism and to support policies that encourage the development of a true multi-modal transportation network. In addition, by working with our regional partners, the Volusia TPO supports the FDOT in developing a statewide trail plan.

MULTIMODAL TRANSPORTATION OPTIONS

The Volusia TPO *supports* legislation that promotes the continued development and expansion of bus and rail transit as well as alternative mobility vehicles.

Background

Mass Transit System Support

Many urban and interregional highway corridors are projected to be congested during peak periods by the year 2035, even after planned capacity improvements are made. In addition, the long-term impact of rising costs to build and maintain infrastructure and reduced revenue projections will result in an increasing backlog of transportation needs. Rail and bus transit offers opportunities to move people and goods efficiently and in a more sustainable manner. The Volusia TPO has, through its long range plan, supported the development of SunRail, a commuter rail service expected to begin operations in 2014 as well as passenger rail service along the east coast. The TPO is also pursuing plans for enhanced cross county service and local area circulators to support growth and development plans for the future. These pursuits are consistent with the vision outlined in the 2009 Florida Rail System Plan to develop a "a safe, secure, and efficient passenger and freight rail system providing mobility, improving quality of life and promoting economic opportunities and environmental sustainability for Florida."

The Volusia TPO has also included a robust transit expansion plan as part of the 2035 Long Range Transportation Plan (LRTP).

Low-speed Electric Vehicles

Florida laws currently recognize the operation of Low-Speed Vehicles (LSV) and Golf Carts (F.S. 316.2122 and 316.212 respectively) on public roadways under limited conditions. The integration of these forms of transportation promotes sustainability and can improve the efficiency of our transportation system by providing low impact alternatives to an automobile.

Benefit

Promoting alternative forms of mobility reduces the negative impacts of transportation on our environment. These options are efficient, clean, safe and support efforts to promote sustainability in our communities.