

# 2019 Legislative Positions

*Adopted by River to Sea TPO Board 11-28-2018*



***River to Sea TPO Chairperson:  
Lita Handy-Peters, City of DeBary Vice-Mayor***



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“On behalf of the River to Sea Transportation Planning Organization, I want to thank you for the work you do for the State of Florida and as a representative of our planning area. As the pace of growth and development continues to increase throughout the state, we recognize the importance of maintaining an efficient and resilient transportation system that supports Florida’s economy and provides safe travel for residents and visitors alike. We look forward to working with you to tackle challenging transportation issues and to provide the support you may need during the 2019 Legislative Session.”

*River to Sea TPO Chairperson, Lita Handy-Peters*

# 2019 Legislative Positions

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- **Preserve the existing MPO structure**
- **Maintain transportation funding & increase funding flexibility**
- **Improve transportation safety by discouraging texting while driving & improving pedestrian safety**

Thank you for considering the legislative positions established by the River to Sea TPO. As these positions were developed, consideration was given to the positions established by organizations throughout the state of Florida including the Florida Association of Counties (FAC), the Florida League of Cities (FLC), Florida Public Transit Association (FPTA) and the Metropolitan Planning Organization Advisory Council (MPOAC). We value our relationship with these organizations and appreciate the support and leadership they provide.

*River to Sea TPO Legislative Issues Subcommittee*

## Transportation Priority -- Preservation of MPOs

### The River to Sea TPO opposes legislation that attempts to impose restrictions on Metropolitan Planning Organizations.

#### Background

Metropolitan Planning Organizations (MPO) play a key role in ensuring local input in transportation decision-making. Core activities of an MPO include communication, collaboration and continuous planning to ensure the provision of a safe and efficient transportation system. The contribution of local knowledge and understanding brought by members of an MPO helps to better address matters of transportation safety, public engagement, economic development, transportation disadvantaged populations, resiliency, and congestion management.

During the last legislative session bills were filed that sought to reduce the number of voting members on MPO Boards, remove the ability to have a weighted vote, and place term limits on board members. These restrictions would have a negative and disruptive impact on the River to Sea TPO Board's current structure and processes and would result in an unnecessary expense to the organization.

**MPO Membership** - The River to Sea TPO Board currently consists of 19 voting members representing the diverse interests of our planning area which spans two counties and includes 20 municipalities. When the TPO's planning area was expanded in 2013, members of the board took a strong position that supported the inclusion of all local governments that are impacted by the decision-making of the organization. Limiting the voting membership is contrary to that position.

**Weighted Voting** - Since the River to Sea TPO planning area represents local governments with varying population sizes, the TPO currently utilizes a weighted vote process where votes are allocated to each voting member based on their respective municipality's population. Additionally, a small city alliance, consisting of the smallest municipalities within the planning area, was formed with one vote allocated based on the cumulative population of the small cities. Eliminating the option for a weighted vote would diminish the proportionate voting representation provided by the largest cities while elevating the influence of much smaller governments.

**Term Limits** - The River to Sea TPO Board members currently serve at the will of the member local governments, thereby providing each local government the discretion of how they are represented on the TPO Board. Imposing term limits specific to the TPO Board undermines this authority of the local government. Additionally, placing term limits on board members will lead to a loss of institutional knowledge, experience, expertise, and continuity that are crucial to effective policy making.

#### Benefit

The River to Sea TPO functions well within the current rules established for membership. The board operates collaboratively and effectively and maintains a strong relationship with local advocacy groups, chambers of commerce and citizen groups. There would be no gain from legislation that disrupts our current membership or operating practices.

## Transportation Priority -- Funding

The River to Sea TPO supports legislation that *preserves transportation funding and provides greater flexibility of funding* to support the safety, efficiency and preservation of the transportation system.

### Background

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

- **Consider Funding Options that Stabilize Local and State Transportation Funding**

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. Subsequent analysis of fuel taxes by the Florida Transportation Commission also found the current structure to be unsustainable. The River to Sea TPO supports efforts to index city/county fuel taxes and to further evaluate options that would provide a more sustainable revenue source for transportation.

- **Increasing and Stabilizing Funding Levels for the Transportation Regional Incentive Program (TRIP)**

TRIP funding promotes regional transportation planning and project development and has been used to fund important infrastructure improvements. The program is funded primarily through Documentary Stamp proceeds and the allocations have varied significantly in recent years from a low of \$11 million in 2016 to approximately \$157 million in 2014. The R2CTPO supports stable and consistent funding through TRIP.

- **Protecting the State Transportation Trust Fund and the Transportation Disadvantaged Trust Fund**

In prior years, revenues generated by transportation-related surcharges have been directed outside the Transportation Trust Fund for other purposes. Overall, such diversions degrade the state's infrastructure and impacts overall competitiveness for federal discretionary funding. Likewise, revenue impacts to the Transportation Disadvantaged Trust Fund diminish transportation services provided to the most vulnerable citizens. The R2CTPO supports the use of transportation funding for transportation purposes.

- **Identify Resources for the Maintenance and Preservation the State SUN Trail System**

During the 2015 legislative session, the Florida Shared-Use Non-motorized Trail (SUN Trail) network was established. The River to Sea TPO supports this program and is currently developing projects that will help to complete the Coast to Coast Trail as well as the St. Johns River to Sea Loop Trail. We recognize, however, that preservation of transportation infrastructure is a key requirement of the program and the River to Sea TPO supports efforts to plan for and direct funding to ensure these statewide assets are maintained over time.

### 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 Priority -- Safety

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

## Background

These items are intended to support safety initiatives in the State of Florida as well as the national emphasis on safety improvements outlined in the Fixing America's Surface Transportation (FAST) Act.

### **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.

The 2016 Dangerous by Design report listed the Deltona-Daytona Beach-Ormond Beach Metropolitan Area as the fifth most dangerous area in the nation. Florida DOT is using the Alert Today, Alive Tomorrow program along with changes in design standards to drive down pedestrian fatalities and injuries throughout the state. Though not in the top 10, Flagler County has also recorded bicycle and pedestrian crashes, which may be addressed through proactive efforts involving evaluation, education, engineering and enforcement.

### **Texting While Driving**

Recent crash analyses completed by the River to Sea TPO shows that crashes resulting from distracted driving occur at a rate almost five (5) times as frequent as other crash types. While further research is needed to determine the role of handheld devices in these crashes, other industry research has linked these devices to increases in vehicle crashes.

In 2013, the 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 be ticketed.

The River to Sea TPO supports legislation that would increase the penalty, making it a primary offense. Additionally, the River to Sea TPO supports expanding the law to include all uses of handheld electronic devices while driving. This would strengthen the enforcement mechanism for the texting while driving ban by making it a primary offense to use handheld electronic wireless devices while driving.

## Benefit

Transportation safety is critical for residents and for the thousands of visitors who choose to vacation here. Changes in Florida law along with other crash reduction efforts improve quality of life and support economic development.

## Additional Positions

### The River to Sea TPO also supports legislation that:

- 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.
- Proposes to establish Tax Increment Financing (TIF) districts associated with expressway or passenger rail corridors for the purposes of financing the debt issued to pay for the project.
- 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).

