

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Community Affairs Committee

BILL: SB 2470

INTRODUCER: Senator Thrasher

SUBJECT: Northeast Florida Regional Transportation

DATE: April 7, 2010

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Eichin</u>	<u>Meyer</u>	<u>TR</u>	Favorable
2.	<u>Howes</u>	<u>Yeatman</u>	<u>CA</u>	Favorable
3.	_____	_____	<u>TA</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill creates the Northeast Florida Regional Transportation Study Commission comprising representatives of Baker, Clay, Duval, Flagler, Nassau, Putnam, and St. Johns Counties to make specific legislative recommendations relating to regional transportation. Such recommendations may include an implementation plan for the establishment of a regional transportation authority and draft legislation.

This bill creates an undesignated section of Florida Statutes.

II. Present Situation:

There are currently five Florida regional transportation authorities (RTAs) created pursuant to ch. 343, F.S.:

- the South Florida Regional Transportation Authority;
- the Central Florida Regional Transportation Authority;
- the Tampa Bay Commuter Transit Authority;
- the Northwest Florida Regional Transportation Corridor Authority; and
- the Tampa Bay Area Regional Transportation Authority.

These authorities have various membership structures, powers and duties. All have some form of bond financing authority to allow for the implementation of their individual transportation missions.

Created under ch. 349, F.S., the Jacksonville Transportation Authority (JTA) provides regional transit services and roadway infrastructure in Northeast Florida as an independent special district

whose functions and operations closely resemble those of the five RTAs created under ch. 343, F.S.

During the 2009 Florida legislative session, HB 1213 was enacted, updating ch. 349, F.S., and instructing the Florida Department of Transportation (FDOT) to direct the JTA to conduct a study recommending a framework for an RTA in Northeast Florida.

The RTA Study boundaries included Baker, Clay, Duval, Flagler, Nassau, Putnam and St. Johns counties. A Study Advisory Panel (comprising 50 private citizens and elected officials from the counties and municipalities in the region) was formed to advise the JTA and FDOT during the course of the study. The advisory panel, as well as members of the public, met six times between September 2009 and January 2010.¹ The Northeast Florida Regional Transportation Agency Study was presented to the President of the Florida Senate and to the Speaker of the House of Representatives on February 1, 2010.

The study identified a number of key findings and themes related to the need for an RTA in Northeast Florida, including:²

- Northeast Florida is the only major Region in the state without an RTA, putting it at a competitive disadvantage.
- The Northeast Florida region can be ahead of the “crisis” mode that has typified RTA development in other parts of the State.
- The Northeast Florida region is a multi-modal transportation gateway connecting Florida with the rest of the nation.
- Transportation planning and implementation of major facilities is best undertaken in a regional context.
- Development and implementation of transportation projects of regional significance are the key needs in this Region.

The study made the following recommendations:

Powers and Duties

...(A) Northeast Florida RTA would be expected to have powers and duties similar to those held by TBARTA³ and codified in Section 343.90, F.S., et seq. In addition it could be beneficial to have a mechanism for other contiguous counties to opt-in to the RTA and powers and duties to ensure equity in funding for the Region.

Governance Structure

The RTA should operate under the direction of a governing board with representation from each county comprising the RTA, along with additional gubernatorial appointees, structured so no county holds a majority of the seats. In addition, there should be a

¹ Northeast Florida Regional Transportation Agency Study: Executive Summary, February 2010, <http://www.jtafla.com/pdf/RTA/RTA%20Study%20Executive%20Summary%20012110.pdf>

² *Id.*

³ The Tampa Bay Area Regional Transportation Authority (TBARTA) was created by the Florida Legislature in 2007 to develop and implement a Regional Transportation Master Plan for the seven-county West Central Florida region consisting of Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas and Sarasota Counties. TBARTA activities to date have focused on developing a regional transit plan and no dedicated revenue source to fund those plans has been established,

mechanism for counties to join the RTA after its initial formation, with automatic board representation.

Funding

Revenue generating projects, farebox collections and public-private partnerships should be included as sources for funding projects. Other innovative funding mechanisms should be investigated as potential sources of funding.

Coordination of Work Plans and Local Comprehensive Plans

The RTA project work plan, the Long Range Transportation Plan, local government comprehensive plans, the Northeast Florida Regional Council Strategic Regional Policy Plan and the Florida Transportation Plan should be consistent. The RTA should work with FDOT to ensure coordination with federal and state highway and transit funding and potential regional projects (e.g. regional commuter rail and intercity passenger rail).

The study also recommended the Legislature form a Regional Transportation Study Commission (RTC) to...

...finalize the analysis begun by this report, and to prepare draft legislation for the formation of an RTA. It is recommended that the commission be a twenty-member body, consisting of two appointees selected by each of the six county commissions in the Region and four from the Jacksonville City Council, the JTA Chairman (who shall serve as chair of the commission), the FDOT District Two Secretary, the chair of the North Florida Transportation Planning Organization, and the NEFRC⁴ Chairman (the latter three serving as non-voting ex-officio members). Funding and staffing of the commission will be provided by JTA, through its federal planning funds and revenues from advertising and interest payments. The Chair of the commission may create various subcommittees to conduct portions of its work.

It is recommended the RTC provide the following to the Florida Legislature: a Transportation Plan; an Implementation Plan, which may include the formation of a regional transportation authority or other implementation approaches to providing a regional multimodal transportation network; and draft legislation for the purposes of carrying out the foregoing, if necessary. It is recommended the RTC conclude its work by December 31, 2012, delivering a final report including the foregoing elements to the Florida Legislature.⁵

III. Effect of Proposed Changes:

In response to recommendations made in a report mandated by the 2009 Legislature, the bill creates the Northeast Florida Regional Transportation Study Commission (NFRTSC or commission) to make specific legislative recommendations for a regional transportation elements plan. The recommendations must describe the characteristics defining regionally-significant transportation elements, and include an implementation process for undertaking a regional

⁴ The Northeast Florida Regional Council is a regional planning council formed under ch. 163, F.S., serving Baker, Clay, Duval, Flagler, Putnam, Nassau, and St. Johns Counties.

⁵ *Id.*

transportation plan. Along with any other recommendations the NFRTSC deems appropriate, the commission is authorized to include in its recommendations, the establishment of a regional transportation authority and draft legislation consistent with the bill.

The NFRTSC would comprise representatives of the following counties, appointed by their respective Boards of County Commissioners:

- Baker (two voting members)
- Clay (two voting members)
- Duval (four voting members)
- Flagler (two voting members)
- Nassau (two voting members)
- Putnam (two voting members)
- St. Johns Counties (two voting members)

The following individuals would also serve on the commission *ex officio*:

- The chair of the Jacksonville Transportation Authority (JTA) who shall chair the commission.
- The FDOT District Two Secretary (non-voting)
- The chair of the Northeast Florida Regional Council (non-voting)
- The chair of the North Florida Transportation Planning Organization (non-voting)

Members serve without compensation, but may be reimbursed for expenses under s. 112.061, F.S. Terms of membership run until the work of the commission is complete. However, appointed members may be removed or suspended by their appointing body for cause, including non-attendance.

The chair of the commission may form committees whose members may also include representatives of airports, seaports, rail, or other transportation industries who are not otherwise members of the NFRTSC.

Meetings of the commission must be held monthly in one or more central locations. However, at least one meeting must be held in each of the represented counties. Meetings must provide for public comments and all minutes, reports, and recommendations must be made publically available.

The staff of the JTA will provide information, administrative support, assistance, and facilities to the commission subject to the appropriation of funding by the JTA and other funds the commission may receive.

A county's membership and participation would not constitute the county's consent to be included within the jurisdiction of a regional transportation authority.

The act takes effect July 1, 2010, and expires upon delivery of the commission's final report to the Governor, President of the Senate, and the Speaker of the House of Representatives which shall be no later than December 31, 2012.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Primary funding for the commission will come from JTA and is subject to approval by the board of JTA. Other local funding for the commission could be provided at the option of the local governments in the affected counties. JTA estimates the total cost for the commission and study will be approximately \$1.5 million.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
