



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

DATE: Tuesday, October 10, 2017
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 REGARDING THE TPO'S LEGISLATIVE POSITIONS FOR 2018**

Each year the River to Sea TPO develops a list of priorities that the organization will support during the upcoming legislative session (recommendations are developed by the Legislative Issues Subcommittee).

- IV. STAFF COMMENTS**
- V. LEGISLATIVE ISSUES SUBCOMMITTEE MEMBER COMMENTS**
- VI. ADJOURNMENT**

Legislative Issues Subcommittee Members:

Volusia County Council Vice Chair, Deb Denys, Volusia County Council Member Pat Patterson, Deltona Vice Mayor Chris Nabicht, Flagler Beach Commissioner Marshall Shupe

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.

Beverly Beach	DeBary	Flagler Beach	New Smyrna Beach	Palm Coast	South Daytona
Bunnell	DeLand	Flagler County	Oak Hill	Pierson	Volusia County
Daytona Beach	Deltona	Holly Hill	Orange City	Ponce Inlet	
Daytona Beach Shores	Edgewater	Lake Helen	Ormond Beach	Port Orange	

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.

Note: The River to Sea TPO does not discriminate in any of its programs or services. To learn more about our commitment to nondiscrimination and diversity, visit our Title VI page at www.r2ctpo.org or contact our Title VI/Nondiscrimination Coordinator, Pamela Blankenship, at 386-226-0422, extension 20416, or pblankenship@r2ctpo.org.



2018 State Legislative Agenda

	Requested	Total Cost
<ul style="list-style-type: none"> <p>High Tech Economic Development Infrastructure Funding Request <i>Support</i> public infrastructure improvements to attract high tech companies with high paying jobs.</p> 	\$10,000,000	\$10,000,000
<ul style="list-style-type: none"> <p>Indian River/Mosquito Lagoon Water Quality Funding Request <i>Support</i> design of sanitary sewer collection system for elimination of onsite septic systems.</p> 	\$ 200,000	\$ 400,000
<ul style="list-style-type: none"> <p>Transportation Economic Development Funding Request <i>Support</i> Williamson Boulevard 4-Laning Project.</p> 	\$8,000,000	\$10,279,000
<ul style="list-style-type: none"> <p>Home Rule Authority <i>Oppose</i> removal of home rule authority, e.g., removing charter government authority for selection of charter officers.</p> 		
<ul style="list-style-type: none"> <p>Customary Right of Use Related to Beaches <i>Oppose</i> preempting counties from adopting or enforcing common law customary use of property.</p> 		
<ul style="list-style-type: none"> <p>Consultants' Competitive Negotiation Act <i>Support</i> increasing continuing contract limits.</p> 		
<ul style="list-style-type: none"> <p>Local Control of Septic Tank Distances in Vulnerable Areas <i>Support</i> local government authority to regulate location and functionality of new septic systems in critical areas where water quality is concern.</p> 		
<ul style="list-style-type: none"> <p>Water Quality Improvements <i>Support</i> additional funding to improve surface and ground water quality.</p> 		
<ul style="list-style-type: none"> <p>Fracking <i>Oppose</i> high pressure well stimulation, commonly known as hydraulic fracturing or fracking, and the preemption of local control thereof.</p> 		
<ul style="list-style-type: none"> <p>Additional Transportation Funding Options <i>Support</i> allowing local governments to implement sustainable transportation funding by endorsing revenue options defined in Florida MPO Advisory Council Transportation Revenue Study.</p> 		
<ul style="list-style-type: none"> <p>Certificate of Public Convenience and Necessity <i>Oppose</i> dilution of county authority relating to issuance of COPCN for emergency medical service providers.</p> 		
<ul style="list-style-type: none"> <p>Cancer presumption <i>Oppose</i> creation of presumption for firefighters, paramedics, and/or law enforcement officers that cancer is incurred in the line of duty.</p> 		
<ul style="list-style-type: none"> <p>Worker's Compensation <i>Support</i> increase in attorney fees allowable for workers' compensation claims.</p> 		
<ul style="list-style-type: none"> <p>Unfunded Mandates <i>Oppose</i> codifying state budget shortfalls through cost shifts to local governments.</p> 		
<ul style="list-style-type: none"> <p>Florida Association of Counties <i>Support</i> the Florida Association of Counties (FAC) Legislative Program, absent conflicts.</p> 		



*Mayor Susan Haynie
Chair*

Legislative Update for the week ending 09/15/2017

Overview

Greetings and welcome to the first MPOAC legislative update for the 2018 Florida legislative session. While the session officially begins January 9th, 2018, many activities are already taking place which will lead us into the session. This week the House and Senate Committees were to meet until an uninvited guest by the name of Irma came through Florida and made a mess of things. Committee meetings for this week were wisely cancelled. There will be committee meetings in the next few months and bills are being filed for the upcoming session.

Below are the dates of events for the 2018 legislative session, and included in this legislative update is a listing of bills filed thus far in the session. Updates will occur on an as needed basis until the official start of the 2018 legislative session, then your MPOAC updates will be issued weekly.

A few bills have been filed, many more will be filed over the coming months. Your MPOAC Legislative Update will keep you apprised of newly filed bills.

Grab a cup of coffee and enjoy the MPOAC Legislative Update.

Important Dates for the 2018 Legislative Session

- August 01, 2017 – Deadline for filing claim bills
- November 17, 2017 - Deadline for submitting requests for drafts of general bills and joint resolutions, including requests for companion bills
- January 5, 2018 – Deadline for approving final drafts of general bills and joint resolutions, including companion bills
- January 9, 2018 - Regular Session convenes, deadline for filing bills for introduction
- February 24, 2018 - All bills are immediately certified, motion to reconsider made and considered the same day
- February 27, 2018 - 50th day, last day for regularly scheduled committee meetings
- March 9, 2018 - 60th day, last day of Regular Session

**Committee Meeting schedule prior to the official
Legislative Session beginning on January 9th**

October 2017 - Week of the 9th
October 2017 - Week of the 23rd
November 2017 - Week of the 6th
November 2017 - Week of the 13th
December 2017 - Week of the 4th

Legislation of interest to the membership

This is a summary of bills filed and published on the legislature's website as of September 15, 2017. More bills will be filed during the 2018 session and as they are made available the newly filed bills will be added to this list. The bills are listed in numerical order for your convenience. As the session and bills progress, this ordering of bills will make it easier to follow the status of any particular bill you are tracking.

SB 72: Use of Wireless Communications Devices While Driving – (Garcia – Co-Introducers: Rodriguez; Mayfield) - Revising the legislative intent relating to the authorization of law enforcement officers to stop motor vehicles and issue citations to persons who are texting while driving; requiring deposit of fines into the Emergency Medical Services Trust Fund, etc. Referred to Communications, Energy, and Public Utilities; Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Appropriations.

SB 90: Use of Wireless Communications Devices While Driving – (Perry) – Identical to SB 72. Referred to Communications, Energy, and Public Utilities; Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Appropriations

SB 116: Operation of Vehicles – (Baxley – Co-Introducers: Passidomo) - Requiring drivers to vacate lanes closest to, or reduce speed and pass, vulnerable road users, authorized emergency, sanitation, and utility service vehicles or workers, and wrecker operators under certain circumstances, subject to certain requirements, etc. Referred to Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Appropriations.

HB 117: Operation of Vehicles – (Stone) - Companion Bill to SB 116. Referred to Transportation and Infrastructure Subcommittee; Government Accountability Committee.

HB 121: Texting While Driving – (Slosberg; Stark) – Similar to SB 72 and SB 90. Revises short title & legislative intent; revises penalties for violations of provisions re: texting while driving; provides enhanced penalties for violations committed in school zones & crossings; requires law enforcement agencies to adopt policies prohibiting racial profiling in enforcement; removes requirement that enforcement be accomplished as secondary action. Referred to Transportation and Infrastructure Subcommittee; Judiciary Committee; Government Accountability Committee.

SB 206: Highway Memorial Markers – (Perry) – Requiring the Department of Transportation to establish a process, including the adoption of any forms deemed necessary by the department, for submitting applications for installation of a memorial marker; authorizing the department to

install a certain sign at no charge to an applicant; authorizing an applicant to request an emblem of belief not specifically approved by the United States Department of Veterans Affairs National Cemetery Administration for incorporation in a memorial marker, subject to certain requirements, etc. Referred to Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Appropriations.

2018 Legislative Priorities and Positions

Top priorities:

- Increase funding to improve bicycle and pedestrian safety awareness programs and bicycle and pedestrian facility improvements.
- Advocate for changes in legislation that makes texting while driving and/or distracted driving a primary offense.
- Seek funding for implementation of quiet safety zones along the SunRail corridor, Phase II South.
- Seek flexibility in the use of local option discretion taxes such as Charter County & Regional Transportation System Surtax and the Local Government Infrastructure Surtax.

We support legislation that:

- Provides funding for implementation of wrong-way driving detection equipment on limited access facilities where not currently in use.
- Further allows for testing and implementation of Autonomous Vehicle technology, including funding for infrastructure improvements that may be needed.
- Includes vulnerable road users (cyclists) in current Move Over Law (316.126 F.S.).
- Removes provision requiring FDOT Secretary approval of Central Florida Expressway Authority projects in Lake County.
- Authorizes a local option rental car surcharge (up to \$3.00; implemented through a public referendum) with proceeds committed to regional transportation projects.
- Preserves the State Transportation Trust Fund and funding for paratransit (ACCESS LYNX) service.
- Restores Transportation Regional Incentive Program (TRIP) funding to 2007 levels in order to promote regional planning and project development.
- Authorizes an exception to F.S. 934.50 to allow for the use of drone technology for traffic incident management and/or emergency response.

Oppose legislation that:

- Moves to rescind the legislation that authorized the use red light cameras.
- Negatively impacts funding for regional Shared Use Non-motorized (SUN) Trail projects.

Monitor:

- Constitutional Amendment requiring super majority vote of legislature to increase taxes and fees.

DRAFT



2018 SPACE COAST TPO LEGISLATIVE PRIORITIES

- **Support Brevard County Road Project Priorities**
 - **St. Johns Heritage Parkway System** - Continue local/state partnerships to construct all segments of the parkway from the south I-95 Interchange to Ellis Road.
 - **Ellis Road Improvements** - Secure funding for construction widening of Ellis Road to four lanes. Strategic Intermodal System designation granted in 2016.
 - **A1A Corridor** - Implement improvements to the A1A corridor from Pineda Causeway to Port Canaveral as recommended in the FDOT feasibility study.
 - **SR 528** - Continue design of widening SR 528 that expands multimodal options, bicycle/pedestrian/recreation features and accommodations for increased freight.
- **Fund regional trails, including the Space Coast Loop** - Consider allocating additional state transportation trust funds for regional multi-purpose trails. Only \$25 million per year is available to construct the 55-mile Space Coast Loop that is the eastern end of the Coast-to-Coast Trail and the southern end of the five-county St. Johns River to Sea Loop. Eight other trail systems are competing for the funds.
- **Expand Passenger and Freight Rail Capacity in Brevard County** - Continue FDOT and private sector investment in quiet zones, freight capacity and one or more passenger rail stops in Brevard County.
- **Expand Port Canaveral's Passenger and Freight Capacity** - Invest in strategic port projects to expand passenger and cargo facility development and support intermodal connections to the port.
- **Invest in Space Transportation Infrastructure** - Continue to prioritize and fund spaceport projects in the FDOT Strategic Intermodal System five year work program to include the replacement of the NASA Causeway Bridges over the Indian River. Incorporate spaceports into all long-range transportation plans and programs with specific policies and procedures for spaceport development.

For additional information contact:

Bob Kamm, Director

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321-690-6890 www.spacecoasttpo.com

2017 Legislative Positions

Adopted November 23, 2016



***River to Sea TPO Chairman:
Marshall Shupe, City of Flagler Beach***



Contact: Lois Bollenback, Executive Director

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#1 -- 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 \$17 million in 2011 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 States 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 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.

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

#2 -- Transportation Priority -- Safety

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

Background

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.

Pedestrian Safety Laws

Florida's Pedestrian & Bicycle initiative, "Alert Today, Alive Tomorrow – Safety Doesn't Happen by Accident", ranked Volusia County in the top 10 among Florida's Bicycle/Pedestrian High Crash Areas. Florida DOT is using this 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.

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. Currently, Florida Statute 316.130 (7) 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 residents, for transit riders, for children and families that choose to walk to school and for the thousands of visitors who choose to vacation here. Investments in pedestrian safety improve quality of life and support economic development. Legislative actions that improve pedestrian safety support 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.

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.
- 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).