



The Florida Metropolitan Planning Organization Advisory Council

*Commissioner Nick Maddox
Chair*

MPOAC Legislative Newsletter 01/16/2021

Overview

Greetings, and good evening readers! Your newsletter is arriving about 12 hours early because your writer has a number of things to accomplish tomorrow morning. It is your same newsletter and as always, it goes great with a cup of coffee. We have completed the first week of pre-session committees and it was not a particularly eventful week in the Florida capitol. Perhaps this is because in contrast to national events virtually nothing in Tallahassee this week could capture the attention of the nation or Floridians. If there is anything that stands out from this pre-session week, it is that the budget for the coming year is not going to be fun to build due to the expected reduction in state funds. Hard reductions will have to be made.

We are a transportation newsletter so let's look at all things transportation. Leading off, the Florida Department of Transportation (FDOT) presented to the Senate Transportation Committee. The presentation went well and the Senators asked questions which demonstrated that they understand the issues facing the department and our transportation system. One of the more interesting moments for me was when Senator Perry began asking about the impacts of electric vehicles on the revenues used to pay for our transportation system. In case you have not had your cup of coffee yet, every gallon of gas purchased has a fee on it that goes to the transportation trust fund. That money pays for our transportation system. Since electric vehicles don't use gasoline, they don't pay this fee. Effectively, electric vehicles are using our transportation for free while other drivers pay for the system. The big moment came when the Chair, Senator Harrell announced that a presentation on this topic would be held at a future committee meeting. This is good news and hopefully will produce legislation that balances how we pay for our transportation system. For those of you who attended the January 2020 MPOAC meetings, you may recall we had a presentation on the adoption of electric, automated and alternatively fueled vehicles. The presentation addressed the financial impacts expected. Here is a link to the presentation power points if you are interested:

https://www.mpoac.org/download/2020_meetings/january_30_2020_meeting_documents/AV-AFV-Analysis.pdf

Also in this presentation was a status update on M-CORES. If you wish to watch the discussion please visit this video link: https://flsenate.gov/media/videoplayer?EventID=1_3wpkrmbb-202101121530&Redirect=true

The rest of the presentation addressed the current FDOT budget and here is a quick summary:

- Total transportation budget - \$10.3B
- Of that - \$2.2B for highway construction, 832.5M for resurfacing, \$126M for seaports, \$436 for bridge construction and \$401M for aviation.
- Federal funds account for 25% of the budget, tolls are 18% and state funds are 51%, the rest is spread out in various revenues.

- The recently passed federal relief funds are expected to bring an additional \$473M to Florida. \$66M is required to be used in Florida's urban areas with populations over 200K.

As you read the last section of the newsletter you will see some new bills. There is one bill that appeared in last Saturday's newsletter and it should be mentioned to you. SB 62 – Regional Planning Commissions is of importance to the MPO community. There is a small provision in an otherwise long bill that prohibits a Regional Planning Council (RPC) from staffing or hosting an MPO. This proviso can be found in the bill starting on line 1312. This section is a problem for five (5) of our Florida MPOs who are staffed and hosted by RPCs. I ask that you encourage your members to oppose either this bill or at the very least this provision. We may be able to have the bill re-worded and create a piece of legislation that does some very good things. The existing statutes for RPCs require the RPCs to undertake certain activities. Some of these planning activities are no longer required by statute and when those changes were made to the overall statutes, the RPC portion of Florida statutes was not cleaned up. The bill goes much further and seems to effectively end RPCs. Even though RPCs may still exist the bill would strip away the planning work and reasons for RPCs to exist. The bill is being heard in it's first committee stop on the 26th at 3:30PM in Community Affairs.

The schedule of pre-session committee weeks is shown below along with key dates for the 2020 Florida Legislative Session. All new bills and any updates to bills shown below are in **RED** so you can quickly distinguish between updates and old news. 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 and changes to existing bills.

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

Important Dates for the 2021 Legislative Session

- August 1, 2020 - Deadline for filing claim bills (Rule 4.81(2))
- January 29, 2021 5:00 p.m. - Deadline for submitting requests for drafts of general bills and joint resolutions, including requests for companion bills
- February 26, 2021 5:00 p.m. - Deadline for approving final drafts of general bills and joint resolutions, including companion bills
- March 2, 2021 - Regular Session convenes (Article III, section 3(b), State Constitution) 12:00 noon, deadline for filing bills for introduction (Rule 3.7(1))
- April 17, 2021 - Motion to reconsider made and considered the same day (Rule 6.4.(4)) All bills are immediately certified (Rule 6.8)
- April 20, 2021 50th day – last day for regularly scheduled committee meetings (Rule 2.9(2))
- April 30, 2021 60th day – last day of Regular Session (Article III, section 3(d), State Constitution)

Committee Meeting schedule prior to the official Legislative Session beginning on March 2nd

January 2021 — Week of the 11th
 January 2021 — Week of the 25th
 February 2021 — Week of the 1st
 February 2021 — Week of the 8th
 February 2021 — Week of the 15th

Committee Meetings Next Pre-Session Week

Monday - January 25, 2021

Not Yet Scheduled

Tuesday - January 26, 2021

Not Yet Scheduled

Senate Community Affairs – 3:30 PM

Wednesday - January 27, 2021

Not Yet Scheduled

Thursday - January 28, 2021

Not Yet Scheduled

Friday - January 29, 2021

Not Yet Scheduled

Legislation of interest to the membership

This is a summary of transportation related bills filed and published on the legislature's website as of January 15, 2021. More bills will be filed during the 2021 session and as they are made available the newly filed transportation bills will be added to this list. The bills are listed in numerical order for your convenience. As the session progresses and the number of bills tracked in this newsletter grows, this ordering of bills will make it easier to follow the status of any particular bill you are tracking. All new bills and any updates to bills shown below are in **RED** so you can quickly distinguish between updates and old news.

HB 35: Legal Notices – (Fine; Co-Introducer: Grieco) – Provides for website publication of legal notices; provides criteria for such publication; authorizes fiscally constrained county to use publicly accessible website to publish legally required advertisements & public notices; requires government agency to provide specified notice to residents concerning alternative methods of receiving legal notices. Filed in the House. **Referred to Civil Justice and Property Rights Subcommittee; Judiciary Committee.**

HB 57: Transportation – (Andrade) – Revises provisions relating to motor vehicle sales tax, competitive solicitations, vehicles displaying flashing lights, annual cap on project contracts, airport restrictions, arbitration of contracts by & membership of State Arbitration Board, borrow pit operation, & performance standards for certain extraction locations. Filed in the House. **Referred to Tourism, Infrastructure and Energy Subcommittee; Ways and Means Committee; Infrastructure and Tourism Appropriations Subcommittee; Commerce Committee.**

HB 59: Growth Management – (McClain; Co-Introducer Sabatini) – Similar Bill SB 496 by Perry. Requires local governments to include property rights element in their comprehensive plans; provides statement of rights that local government may use; requires local government to adopt property rights element by specified date; prohibits local government's property rights element from conflicting with statutorily provided statement of rights; provides that certain property owners are not required to consent to development agreement changes; prohibits municipality from annexing specified areas; requires DOT to afford right of first refusal to

certain individuals; provides requirements & procedures for right of first refusal; authorizes certain developments of regional impact agreements to be amended. Filed in the House. Referred to Local Administration and Veterans Affairs Subcommittee; Civil Justice and Property Rights Subcommittee; State Affairs Committee.

SB 62: Regional Planning Councils – (Bradley) – Revising a requirement for the Executive Office of the Governor to review and consider certain reports, data, and analyses relating to the revision of the state comprehensive plan; eliminating the advisory role of regional planning councils in state comprehensive plan preparation and revision; repealing provisions relating to the Florida Regional Planning Council Act; authorizing local governments to recommend areas of critical state concern to the state land planning agency, etc. This bill would prohibit RPCs from staffing MPOs. Not yet referred to Committees. Referred to Community Affairs; Judiciary; Rules. On Committee agenda-- Community Affairs, 01/26/21, 3:30 pm, 37 Senate Building

HB 91: Use of Wireless Communications Devices While Driving – (Slosberg; Co-Introducer: Grieco) – Revises short title & legislative intent; prohibits operation of motor vehicle while holding or touching wireless communications device; provides exceptions; revises information that may be admissible as evidence in proceeding to determine whether violation has been committed; revises procedures for collection & reporting by DHSMV of information recorded on citation; conforms provisions relating to use of wireless communications devices in school & work zones. Filed in the House. Referred to Criminal Justice and Public Safety Subcommittee; Tourism, Infrastructure and Energy Subcommittee; Infrastructure and Tourism Appropriations Subcommittee; Judiciary Committee.

SB 138: Electric Vehicles – (Brandes) – Related Bill SB 140 by Brandes. Revising the Department of Transportation's goals relating to mobility; requiring the department to establish the Electric Vehicle Infrastructure Grant Program; providing for the distribution of grants to certain entities to install electric vehicle charging infrastructure; specifying that certain rules adopted by the Department of Agriculture and Consumer Services may not require specific methods of sale for electric vehicle charging equipment used in, and services provided in, this state, etc. APPROPRIATION: \$5,000,000. Referred to Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Appropriations.

SB 140: Fees/Electric Vehicles – (Brandes) – Related Bill SB 138 by Brandes. Creating additional fees for electric vehicles; creating a license tax and an additional fee for plug-in hybrid electric vehicles; requiring, on specified dates, the Department of Highway Safety and Motor Vehicles to increase the additional fees, subject to certain requirements; providing that certain vehicles are exempt from specified fees, etc. Referred to Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Appropriations.

HB 139: Electronic Transactions for Title Certificates and Registrations – (Fernandez-Barquin) – Authorizes tax collectors to accept applications for motor vehicle & vessel certificates of title by electronic or telephonic means, to collect electronic mail addresses for use as method of notification, & to contract with vendors to provide electronic & telephonic transactions; provides that electronic signature that meets certain requirements satisfies signature required for application for certificate of title; specifies tax collection systems for which certain fees may be used for integration with Florida Real Time Vehicle Information System; requires DHSMV to provide tax collectors & approved vendors with certain data access & interface functionality; specifies authorized uses; requires DHSMV to ensure approved vendors protect customer privacy & data collection. Filed in the House.

HB 205: Requirements for Establishing or Increasing Tolls – (Borrero) – Requires increase of current toll or development of new toll collection facility in county with certain population to be approved by board of county commissioners. After July 01, 2022 a toll increase or new toll in a county of over 1 million population will require a two-thirds vote of board of county commissioners at a regularly scheduled meeting. Filed in the House.

HB 229: Hazardous Walking Conditions for K-12 Students – (Salzman) – Requires DOT to develop & adopt standards & criteria to identify hazardous walking conditions; Revises provisions relating to the transportation of students subjected to hazardous walking conditions & funding for such students. Filed in the House.

SB 278: Traffic Offenses – (Baxley) - Creating the “Vulnerable Road User Act”; providing criminal penalties for a person who commits a moving violation that causes serious bodily injury to, or causes the death of, a vulnerable road user; requiring that the person who commits the moving violation pay a specified fine, serve a minimum period of house arrest, and attend a driver improvement course; requiring that the court revoke the person’s driver license for a minimum specified period, etc. Filed in the Senate. Referred to Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Appropriations. Now in Transportation.

SB 342: Vehicle and Vessel Registration – (Diaz) – Requiring tax collectors to determine service charges collected by privately owned license plate agents for motor vehicle titles; requiring that additional service charges be itemized and disclosed to the person paying them; requiring a license plate agent to enter into a contract with the tax collector for a certain purpose; requiring tax collectors and approved license plate agents to enter into a memorandum of understanding with the department for a certain purpose, etc. Filed in the Senate. Referred to Transportation; Finance and Tax; Rules.

SB 376: Jacksonville Transportation Authority Leases – (Gibson) – Related Bill HB 6015 by Duggan. Removing a limitation on the term of a lease into which the authority may enter, etc. Filed in the Senate. Referred to Transportation; Community Affairs; Rules.

SB 422: Tampa Bay Area Regional Transit Authority – (Rouson) – Renaming the Tampa Bay Area Regional Transit Authority Metropolitan Planning Organization Chairs Coordinating Committee as the Chairs Coordinating Committee; providing that a mayor’s designated alternate may be a member of the governing board of the authority; revising a provision requiring the authority to present the regional transit development plan and updates to specified entities, etc. Filed in the Senate.

SB 496: Growth Management – (Perry) - Similar to HB 59 by McClain. Specifying requirements for certain comprehensive plans effective, rather than adopted, after a specified date and for associated land development regulations; requiring local governments to include a property rights element in their comprehensive plans; prohibiting a local government’s property rights element from conflicting with the statement of rights contained in the act; providing that the consent of certain property owners is not required for development agreement changes under certain circumstances; requiring the Department of Transportation to afford a right of first refusal to certain individuals under specified circumstances, etc. Filed in the Senate.

SB 514: Resiliency – (Rodrigues) - Establishing the Statewide Office of Resiliency within the Executive Office of the Governor; creating the Statewide Sea-Level Rise Task Force adjunct to the office; authorizing the Department of Environmental Protection to contract for specified services, upon request of the task force; requiring the Environmental Regulation Commission to take certain action on the task force’s recommendations, etc. APPROPRIATION: \$500,000. Filed in the Senate.

SB 566: Motor Vehicle Rentals – (Perry) - Specifying the applicable sales tax rate on motor vehicle leases and rentals by motor vehicle rental companies and peer-to-peer car-sharing programs; specifying the applicable rental car surcharge on motor vehicle leases and rentals by motor vehicle rental companies and peer-to-peer car-sharing programs; specifying insurance requirements for shared vehicle owners and shared vehicle drivers under peer-to-peer car-sharing programs; providing an exemption from vicarious liability for peer-to-peer car-sharing programs and shared vehicle owners, etc. Filed in the Senate.

HB 6009: Traffic Infraction Detectors – (Sabatini; Co-Introducers: Borrero; D. Smith) - Repeals provisions relating to Mark Wandall Traffic Safety Program & authorization to use traffic infraction detectors; repeals provisions relating to distribution of penalties, transitional implementation, & placement & installation; conforms cross-references & provisions to changes made by act. Filed in the House. Referred to Tourism, Infrastructure and Energy Subcommittee; Appropriations Committee; Commerce Committee.

HB 6015: Jacksonville Transportation Authority Leases – (Duggan) – Related Bill SB 376 by Gibson. Removes limitation on term of lease into which authority may enter. Filed in the House.