



The Florida Metropolitan Planning Organization Advisory Council

Mayor Susan Haynie
Chairperson

Staff Directors' Advisory Committee

Date: Thursday, July 24, 2014

Time: 12:00 Noon – 3:00 p.m.

Location: Sanibel Harbour Marriott Resort
17260 Harbour Pointe Drive, Fort Myers, Florida 33908
Caloosa Ballroom

Peter Buchwald, Chair, Presiding

-
1. **Call to Order**
 2. **Approval of Minutes: April 24, 2014**
 3. **Public Comments**
 4. **Executive Director's Report**
 5. **Agency Reports**
 - A. **Florida Department of Transportation**
 - B. **Federal Highway Administration**
 6. **Fuel Tax Sustainability**
 7. **Transportation for America**
 8. **Lee County Complete Streets Initiative TIGER Grant**
 9. **Communications**
 10. **Member Comments**
 11. **Adjourn**

Howard Glassman, Executive Director

605 Suwannee Street, MS 28B · Tallahassee, Florida 32399-0450

1-866-374-3368 x 4037 or 850-414-4037 · Fax 850-414-4895

www.mpoac.org

Any person who desires or decides to appeal any decision made by this Council with respect to any matter considered at this meeting will need a record of the proceedings. For such purposes, such person may need to ensure that a verbatim record of the proceedings is made which record includes testimony and evidence upon which appeal is to be based.

The needs of hearing or visually impaired persons shall be met by contacting the Council sponsoring such meeting at least 48 hours prior to the meeting. Please contact Brigitte Messina at (850) 414-4037 or by email to brigitte.messina@mpoac.org.



The Florida Metropolitan Planning Organization Advisory Council

Mayor Susan Haynie
Chairperson

Governing Board

Date: Thursday, July 24, 2014
Time: 3:30 p.m. – 6:00 p.m.
Location: Sanibel Harbour Marriott Resort
17260 Harbour Pointe Drive, Fort Myers, FL 33908
Caloosa Ballroom

Mayor Susan Haynie, Chairperson, Presiding

-
1. Call to Order and Pledge of Allegiance
 2. Approval of Minutes: April 24, 2014
 3. Public Comments
 4. Executive Director's Report
 5. Agency Reports
 - A. Florida Department of Transportation
 - B. Federal Highway Administration
 6. Fuel Tax Sustainability
 7. Transportation for America
 8. Lee County Complete Streets Initiative TIGER Grant
 9. Communications
 10. Member Comments
 11. Adjourn

Any person who desires or decides to appeal any decision made by this Council with respect to any matter considered at this meeting will need a record of the proceedings. For such purposes, such person may need to ensure that a verbatim record of the proceedings is made which record includes testimony and evidence upon which appeal is to be based.

The needs of hearing or visually impaired persons shall be met by contacting the Council sponsoring such meeting at least 48 hours prior to the meeting. Please contact Brigitte Messina at (850) 414-4037 or by email to brigitte.messina@mpoac.org.

Draft Minutes of the Florida MPO Advisory Council
Joint Meeting of Governing Board & Staff Directors' Advisory Committee
April 24, 2014

Governing Board Members in Attendance:

Mayor Susan Haynie, Palm Beach MPO, Vice-Chair
Mayor Walter T. Kelley, Bay County TPO
Councilmember Delores Madison, Capital Region TPA
Commissioner James Herston, Charlotte County-Punta Gorda MPO
Councilman Sam Saad, III, Collier MPO
Commissioner Gene Valentino, Florida-Alabama TPO
Commissioner Robert Hutchinson, Gainesville MTPO
Councilmember Lara Bradburn, Hernando County MPO
Mayor Susan Adams, Indian River County MPO
Mayor Pro-Tem Ray Goodgame, Lake-Sumter MPO
Councilman Jim Burch, Lee County MPO
Councilman Dick Rynearson, Okaloosa-Walton TPO
Commissioner Nat Birdsong, Polk TPO
Councilman Jim Bennett, Sarasota/Manatee MPO
Mayor Kathy Meehan, Space Coast TPO
Councilman Wengay Newton, Sr., Pinellas County MPO

Staff Directors

Mary Bo Robinson, Florida-Alabama, Okaloosa-Walton and Bay County TPOs
Peter Buchwald, Vice-Chair, St. Lucie TPO
Greg Stuart, Broward MPO
Harry Reed, Capital Region TPA
Bob Herrington, Charlotte County-Punta Gorda MPO
Lucie Ayer, Collier MPO
Michael Escalante, Gainesville MTPO
Ray Chiaramonte, Hillsborough County MPO
Phil Matson, Indian River County MPO
T.J. Fish, Lake-Sumter MPO
Donald Scott, Lee County MPO
Gary Huttman, METROPLAN Orlando
Greg Slay, Ocala-Marion County TPO
Nick Uhren, Palm Beach MPO
Sarah Ward, Pinellas County MPO
Ryan Kordek, Polk TPO
Michael Howe, Sarasota/Manatee MPO

Others in Attendance:

Howard Glassman, MPOAC Executive Director
Paul Gougelman, MPOAC General Counsel
Jeff Kramer, USF/CUTR
Karen Seggerman, USF/CUTR

David Hawk, FHWA
Karen Brunelle, FHWA
Lee Ann Jacobs, FHWA
Carl Mikyska, FHWA
Stacie Blizzard, FHWA
Shakira Crandol, FHWA
Carey Shepherd, FHWA
Bob Romig, FDOT
Jim Wood, FDOT
Yvonne, Arens, FDOT
Ed Lee, FDOT
Regina Colson, FDOT Policy Planning
Sean Santalla, FDOT, Policy Planning
Jennifer Hibbert, Federal Transit Administration (FTA)
Keith Malton, FTA
Elizabeth Paris Orr, FTA
Joanna Turnek, National Association of Regional Councils (NARC)
Erich Zimmerman, NARC
Lindsey Riley, NARC
Mayor Rocky Randals, Space Coast TPO
Debbie Chiaramonte, Hillsborough County MPO
Sheri Coven, Florida Regional Councils Association (FRCA)
Heather Murphy, Safe Routes to School National Partnership-FL
Hal Beardall, FCRC Consensus Center
John Kaliski, Cambridge Systematics
Wiley Page, Atkins
Dick Glaze, Glaze Associates
Mike Neidhart, Gannett Fleming
Richard Dreyer, Tindale-Oliver & Associates
W. Dale Allen, FL Greenways & Trails Foundation
Mark Reichert, Florida Transportation Commission
Samantha Browne, DEP/OGT
Darrell Drummond, President, Council on Aging of St. Lucie

1. Call to Order

Mayor Susan Haynie, Palm Beach MPO, Vice-Chair called the meeting to order at 12:00 p.m. The Chair welcomed those in attendance. All stood for the Pledge of Allegiance. She stated that she was filling in as Chair for Mayor Kaplan whose wife is ill and offered condolences to Brigitte Messina on the loss of her husband.

Madame Chair presented Mary Bo Robinson with a plaque in recognition of her service as Chair of the Staff Directors' Advisory Committee. She also stated that a similar plaque would be presented to Mayor Kaplan, likely at a the Broward MPO Meeting due to that fact that he will be unable to attend the July MPOAC meeting as well.

Madame Chair proposed a change in the agenda to move Item 9 after Item 6 and to remove Item 8 due to speaker schedules. A motion was made by Councilman Jim Burch, Lee County MPO to approve the agenda changes and seconded by Commissioner Gene Valentino, Florida-Alabama TPO. The motion carried unanimously.

2. Approval of Minutes

Mayor Rocky Randals, Space Coast TPO made a motion to approve the minutes of the January 23, 2014 meetings. Councilman Jim Burch, Lee County MPO, seconded the motion. The motion was approved unanimously.

3. Public Comments

No public comments were made.

4. Executive Director's Report

Mr. Howard Glassman, MPOAC Executive Director, provided a status report on the MPOAC budget referring to Attachment 1 of the MPOAC agenda package under the Executive Director's Report. He noted that approximately 69% of the budget has been spent through the 3rd quarter. He also noted that the MPOAC, once only a member, is now an ex officio member on the Florida Public Transportation Association (FPTA) Board. The FPTA is a transit association whose mission is "to continuously support improved public transportation in Florida through advocacy, innovation, education, and partnerships."

He then presented the draft FY 2014/2015-2015/2016 MPOAC Unified Planning Work Program (UPWP) referring to Attachment 2 of the MPOAC agenda package under the Executive Director's Report. He highlighted items of particular interest including the work of the newly-created Freight Committee and work related to the federal Moving Ahead for Progress in the 21st Century Act (MAP-21).

Commissioner Gene Valentino, Florida-Alabama TPO moved to approve the UPWP as presented, and Councilman Jim Burch, Lee County MPO, seconded. The motion passed unanimously.

Mr. Glassman presented the Legal Services Agreement for General Counsel Paul R. Gougelman (FY 2014-2015) referring to Attachment 3 of the MPOAC Agenda Package under the Executive Director's Report. He explained some of the activities of the General Counsel including responding to questions from individual MPOs. Mr. Gougelman expressed his appreciation for the opportunity to work with everyone. In response to a question regarding how Mr. Gougelman is paid, it was stressed that MPOs should work through Mr. Glassman if they have questions for the General Counsel for budget control purposes.

Councilman Sam Saad, III, Collier MPO, moved to approve the Legal Services Agreement and Mayor Kathy Meehan, Space Coast TPO, seconded. The motion passed unanimously.

Mr. Glassman presented the Revised Metropolitan Planning (PL) Funds Distribution formula, Item 4 under the Executive Director's Report (distributed to members at the meeting). He noted that the Policy Committee that met on April 4th in Jacksonville made the recommendation that was currently before

the MPOAC Governing Board for consideration. The formula under consideration was simplified from the current formula by removing the regional allocation and combining it with the population allocation in the current formula. FDOT confirmed that the populations used in the allocations were obtained from the University of Florida's Bureau of Economic and Business Research (BEBR) in response to a question. It was also noted that funds for the newly formed MPO would be taken from the PL reserves and not the PL funding allocation that would go to the existing MPOs.

Councilman Sam Saad, II, Collier MPO, moved to approve the Revised Metropolitan Planning (PL) Funds Distribution formula with the understanding that the population numbers would be verified and Councilman Delores Madison, Capital Region TPA, seconded. The motion passed unanimously.

Mr. Glassman then presented the State Legislative Status Report, Item 5 under the Executive Director's Report. He referred members to the handout – MPOAC Summary of State Legislation. Members expressed frustration at the lack of money for infrastructure, particularly as it relates to existing revenue streams (the tag fee) being eliminated which potentially could be allocated to the Highway Trust Fund. Members also questioned the status of bills related to rail safety, the use of wireless communication devices while driving, and preventing buses from blocking traffic.

Mr. Glassman then explained the handout – MPOAC Draft Federal MAP-21 Reauthorization Principles – which was developed based on MPOAC policy positions. These principles can be used by members when speaking to legislative delegations and other local or statewide organizations regarding federal reauthorization proposals.

He announced that the next MPOAC Institute Weekend will be May 30-June 1 in Tampa.

Mr. Paul Gougelman, MPOAC General Counsel, discussed the repeal of MPOAC Administrative Rules. He explained that the intent is to provide the MPOAC with flexibility by repealing the existing rules and replacing them with adopted bylaws, an action permissible for the MPOAC under state law. He stated that a draft of the bylaws will be sent to each MPO for review and comment. The MPOAC will then advertise the repeal of the rules followed by action by the MPOAC to adopt the new bylaws. The draft bylaws are expected to go out in about one month and action will likely be at the fall meeting.

Mr. Greg Stuart, Broward MPO, summarized the Freight Committee Meeting that occurred earlier in the day. Mr. Stuart stated that the fourth meeting of the committee included an historical presentation on the Panama Canal and a discussion of the potential activities of the Committee as a result of the rapid advancement of freight initiatives across the state resulting, in part, from ongoing changes to the Panama Canal. In response to a question, Mr. Stuart indicated that completion of the Panama Canal has been delayed for about 18 months due to some political issues.

5. Agency Reports

a. FDOT Agency Report

Mr. Jim Wood, FDOT, provided an update of Department efforts.

Mr. Wood thanked everyone for their participation at the Statewide FDOT/MPO/FHWA/FTA Meeting held in Jacksonville earlier in the month. Presentations from the meeting may be viewed at www.dot.state.fl.us/planning/policy/metrosupport (click on "Events"). He noted that discussions included the Florida Transportation Plan (FTP) and the Strategic Intermodal System (SIS) Strategic Plan updates that are being addressed in a combined process through both the Steering Committee and the public involvement process. The FTP will be completed first as the umbrella plan, with completion of the SIS Strategic Plan to follow. During the combined process, the vision component will be forward thinking and consider alternatives with common issues that feed into goals and objectives – the policy component of the plan. FDOT expects to hold a summit in the fall and Steering Committees will be convened in 2015 to focus on the policy component. He stressed that MPO participation and input is important to these efforts. The FTP is expected to be completed in mid/late 2015 and the SIS Strategic Plan is expected to be completed by late 2015.

In regard to the Future Corridor study areas, stakeholder participation is ongoing in the Tampa-to-Northeast Florida corridor. There is strong support for short-to mid-term improvements to I-75 as well as to an I-75 reliever corridor. The improvements in progress include improvements to interchange at I-75 and the Turnpike; managed lanes on I-75; and, Suncoast II. These actions will set the stage for longer term projects connecting to Gainesville and northeast Florida. The Tampa Bay-Central Florida Study area work is focusing on a Pilot Study Area between Orlando and Brevard Counties. Technical discussions have occurred and the East Central Florida Task Force process is underway. Progress may be followed at www.ecfcorridor taskforce.org.

Mr. Wood addressed legislation under consideration including the broad FDOT Package (HB 7175 and SB 696) a Toll by Plate bill (HB 7007) and a bill that would fund the completion of the Coast to Coast Connector worth \$15.5 Million (SB 2514 and SB 218). He noted that 26 MPO Reaffirmation Plans have been approved and that the plan for the new MPO is still under development (Highlands (Sebring/Avon Park), Hardee, DeSoto, Hendry, Glades, and Okeechobee). Finally, he noted the FDOT's continuing work regarding automated vehicles and the working groups that have been formed including Policy, Modal Applications, and Technology/Infrastructure. A second summit will be held December 15-16 in Orlando (The first was held in November 2013, with more information available at <http://www.dot.state.fl.us/agencyresources/meetings/automatedvehicles.shtm>).

Members voiced concerns and comments regarding the need to preserve right-of-way for the corridor from the Suncoast Parkway to Gainesville, as well as for considering conservation issues. In addition, it was noted that if a bypass is considered, there is a need to consider plans for the community as traffic is drawn away from it.

b. FHWA Agency Report

Ms. Karen Brunelle, Director, Federal Highway Administration (FHWA) Office of Project Development introduced David Hawk, FHWA Division Chief Operating Officer. He mentioned the ongoing MAP-21 rulemaking that FHWA considers transformational and urged members to look at the rules and to make comments. He also mentioned USDOT and FHWA efforts to accelerate innovation in planning practices

including the Strategic Highway Research Program (SHRP II) conducted jointly with the American Association of State Highway Officials (AASHTO) that has resulted in several useful tools and products and the Everyday Counts Initiative.

Ms. Brunelle recognized local staff in attendance including Lee Ann Jacobs, Carl Mikyska, Stacie Blizzard, Shakira Crandol, and Carey Shepherd. She noted that the Safety Performance Rulemaking issued on March 11th has a closing date of June 9th and that the Highway Performance Rulemaking was issued March 28th and has a closing date of May 27th. She also noted that there is a Highway Trust Fund Ticker tracking current spending and revenue trends - <http://www.dot.gov/highway-trust-fund-ticker> and that Transportation Investment Generating Economic Recovery (TIGER) program grant applications are due on April 28th.

Ms. Brunelle announced that the FHWA office in Orlando is now operational. She then drew attention to a letter from FHWA an FTA regarding planning emphasis areas for Federal FY-2015, which includes:

- MAP-21 Implementation: Transition to performance based planning and programming;
- Models of Regional Cooperation: Promote cooperation and coordination across MPO boundaries and across State boundaries, where appropriate, to ensure a regional approach to transportation planning; and
- Ladders of Opportunity: Access to essential services – as part of the transportation planning process, identify connectivity gaps in access to essential services.

MPOs are encouraged to consider these emphasis areas while conducting their planning and programming activities.

c. FTA Report

Ms. Jennifer Hibbert, Director, Office of Planning and Program Development for the Federal Transit Administration (FTA) Region 4 office in Atlanta provided updates regarding FTA activities. She introduced two community planners with the Region 4 Office, Paris Orr and Keith Melton. She also noted that there is a new regional counsel, Micah Miller, and that Myra Emmings and Tom Thompson are both retiring.

Ms. Hibbert expressed appreciation to FDOT for the opportunity to address the MPOs at the Statewide Meeting held in Jacksonville earlier in the month. She then discussed the FY 2014 budget and appropriation that was released on March 10, 2014, noting mostly even funding with no staff cuts or sequestration as in the previous year. She mentioned that Secretary Anthony Foxx presented at the Transportation Research Board (TRB) Annual Conference, outlining agency priorities including:

- Safety - new office of transportation safety and operations (TSO), rulemakings, etc. sustainable and predictable funding source.
- Policy efficiencies – New process to streamline NEPA documents
- National transportation plan

- Ladders of opportunity – the need for making meaningful connections between housing, educations, workforce development, and economic development and make those a reality in our own communities.

Ms. Hibbert mentioned that FTA is currently identifying lapsing funds and noted that there is now a specific deadline (June 30th) for all grants to be into the system in order for proper transfer into the new grants management system (Transit Awards and Management System or TRAMS). She mentioned the FTA TIGER VI program and wanted to ensure that everyone was familiar with the program. She noted that the Low or No Emission Vehicle Deployment (LoNo) Program would be taking the place of FTA's Clean Fuels program. FTA is also updating their Circulars per MAP-21 and completed the 5307 Urbanized Area program Circular on January 16, 2014. Next, the 5310 Elderly and Disabled Transportation Program and 5311 Rural Transportation Program Circulars will be released. The 5337 State of Good Repair Program and 5339 Bus and Bus Facilities Program Circulars will follow.

6. National Association of Regional Councils

Ms. Joanna Turner began by introducing herself as the new Executive Director of the National Association of Regional Councils (NARC) and thanking the members for their support. She stated that partnerships and advocacy are two areas of emphasis for NARC. She then discussed proposed national legislation by the White House, noting such things as an expansion of the TIGER program, enhanced environmental streamlining, and MPO reform. She stated that NARC is working to ensure that the threshold for requiring an MPO process (currently urbanized areas with 50,000 in population or more) will not change. She provided her cell phone number so members could contact her with further questions (202) 239-9201.

Mr. Erich Zimmermann, Director of Transportation Programs for NARC, introduced himself and presented an update on NARC activities, reauthorization of MAP-21, and other transportation-related work underway by NARC, referring to Attachment 1 of the MPOAC Agenda Package under National Association of Regional Councils. He stated that it is estimated that it will take an additional \$100 billion in revenues to cover a 6-year federal transportation bill. Mr. Zimmermann then noted that the Planning Emphasis Areas Letter (discussed earlier in the meeting by FHWA) will be available as part of the "Transportation Thursdays" publication produced by NARC. He mentioned that members could subscribe to "Transportation Thursdays" by contacting either himself at erich@narc.org or Lindsey Riley at lindsey@narc.org.

Members requested that Mr. Zimmermann clarify his statement about the necessity for \$100 billion over 6 years for a new federal transportation bill. He responded by stating that the current shortfall in the Highway Trust Fund is around \$16 billion per year and that, over 6 years, it becomes about \$100 billion. Mr. Zimmermann noted that there would be a teleconference on May 28, 2014 to discuss federal transportation legislation. Members asked about increasing the gas tax vs. a corporate tax. Mr. Zimmermann stated that the flattening of the taxes will change how revenue is brought in making it possible to use some of that money for the Highway Trust Fund - one of several funding proposals that are currently being considered.

7. Florida Greenways and Trails Priority System (previously Item 9)

Mr. Dale Allen, President of Florida Greenways & Trails Foundation, Inc. presented the Florida Greenways & Trails Priority System. He began by describing that the Close the Gaps Initiative will be starting with the Coast-to-Coast connector which is a 275-mile multi-use trail with only 7 major gaps. He stated that MPOs play a critical role in supporting transportation efficiency and safety, noting that Florida is statistically an unsafe place to ride a bike. Mr. Allen noted that 70% of the gaps in the Coast-to-Coast connector can be closed by building trails on abandoned rail corridors. He stated that most big gaps are county boundaries and there needs to be a regional mindset and coordination efforts to close these gaps. Trails that are shorter than 30 miles are considered one day trails, trails that are between 30-100 miles are considered weekend trails, and those that are 100-200 miles are considered destinations and attract national and international tourism. Mr. Allen noted there would be significant public health benefits as well as tourism-related economic benefits with the completion of the Close the Gaps Initiative. He then discussed the Northeast Coast Connector and the Southwest Coast connector and noted that these two trails could join with the Coast to Coast connector, making a complete trail from the Georgia boundary to Naples. Mr. Allen noted various funding sources for completing this project and mentioned that building public awareness is an important next step in moving forward with these projects.

Members thanked Mr. Allen for his presentation, discussing some of the economic benefits already being seen because of existing trail systems. Members noted that trails should be planned in an aesthetically-pleasing way. Members also suggested there is a need to look further into the future and consider an annual, international statewide trail race to encourage tourism. Mr. Allen then noted that local governments would be responsible for funding safety and monitoring once the trails are completed. Members asked if Florida MPOs are currently represented on the board. Mr. Allen responded by stating that the MPOs are not members of the board and that the Greenways and Trails Foundation is supported through private funding with a volunteer board. He stated that the Office of Greenways and Trails (OGT) is responsible for the maps developed for the Close the Gaps Initiative.

A motion was made by Councilmember Lara Bradburn, Hernando County MPO, that the MPOAC chairperson send a letter acknowledging the legislators, including Senator Andy Gardiner, who made the Coast to Coast funding available. Councilman Sam Saad, III, Collier MPO, seconded the motion. The motion was approved unanimously.

8. FDOT Freight Mobility and Trade Plan Investment Element & State Freight Network (previously Item 7)

Mr. Ed Lee, Administrator for Rail/Motor Carrier Planning & Safety at FDOT, presented the FDOT Freight Mobility and Trade Investment Element & State Freight Network, referring to Attachment 1 of the MPOAC Agenda under FDOT Freight Mobility and Trade Plan Investment Element & State Freight Network and Attachments 2 and 3 (distributed).

The Freight Mobility and Trade Plan is being developed in two phases, each with their own purposes. The Policy Element establishes a policy framework for the network, identifies responsibilities for implementation of various portions of the network, and meets requirements of Florida 2012 House Bill

599 (\$339.044(33)FS). FDOT approved the Policy Element on June 19, 2013 and then delivered it to the Florida Legislature.

The Investment Element builds on the Policy Element and is specifically intended to identify freight needs across the state, identify criteria for state investments in freight, prioritize freight investments across modes, and meet requirements of federal law

Mr. Lee noted that FDOT has been working on the Investment Element for the past year, which included two Business Forums and the 2nd Annual Freight Leadership Forum. To facilitate private and public sector involvement in the development of the Policy Element, FDOT conducted 10 events of direct engagement across the state including 6 Regional Listening Sessions, the 1st Freight Leadership Forum and 3 Business Forums. "Business Forum II: Plan Review" was held April 2, 2014 in Orlando, and allowed stakeholders a chance to comment on the draft Investment Element and review all identified freight needs.

Members asked Mr. Lee if there were projects to mitigate potential impacts from the movement of freight. Mr. Lee stated that there is a potential for projects that could mitigate those impacts as long as it supported the goals and objectives of the Policy Element. Members also asked if this effort was in response to FDOT's National Freight Network. Mr. Lee responded by stating that this effort is supportive of the national network, but that the Department's focus is on Florida's freight network.

9. Pedestrian Safety Through Environmental Design (previously Item 8)

This presentation was postponed to a later meeting.

10. TRAC & Rides in Florida

Mr. Carey Shepherd, FHWA Civil Rights Program Coordinator for the Florida Division Office, presented the TRAC & Rides Program, referring to Attachment 1 of the MPOAC Agenda under TRAC & Ride Systems in Florida.

Mr. Shepherd presented a PowerPoint beginning with the history of TRAC & Rides in Florida. He described the Special Outreach Advisory Group (SOAG) and noted current activities and achievements of TRAC & Rides in Florida. He concluded the presentation with an assessment of the program and an outline of TRAC & Ride Systems activities in 2014, noting that there have been 3 waves of TRAC & Rides marketing, 3 construction career days, and various presentations to minority institutions of higher education. He noted that there are currently no performance measures or follow up mechanisms to evaluate the effectiveness of the program and that the funding is running out. He stated that if these programs could be put into some of these schools there could be a younger, more diverse group of people working in transportation.

Members asked if this program was strictly reserved for women or were young men targeted as well. Mr. Shepherd mentioned that young men are also included in this program, but that the focus was on women because of their historically reduced participation in the transportation industry. Members were

a little unsure that MPOs were the appropriate entity for this program. Mr. Shepherd noted that access to information, including what exactly an MPO is and what they do, is one of the most important factors in environmental preservation.

Councilman Jim Burch, Lee County MPO, made a motion to request that FDOT continue to fund the TRAC & Rides Program for the amount of \$7,000. Councilmember Lara Bradburn, Hernando County MPO, seconded the motion. The motion was approved unanimously.

11. Communications

Mr. Howard Glassman noted the communications for the quarter were included in the agenda packet - a letter from Mayor Richard J. Kaplan, MPOAC Chair written to Senate President Don Gaetz and House Speaker Will Weatherford regarding Traffic Infraction Detector legislation, dated March 7, 2014.

12. Member Comments

Ray Chiamonte, Hillsborough County MPO, stated that he enjoyed the presentation at the national American Public Transportation Association (APTA) conference on the millennial generation to better plan transportation systems for the next generation. Councilman Wengay "Newt" Newton, Sr., Pinellas County MPO, clarified that we are the Department of Transportation not the "Department of Roads" highlighting the responsibility to plan for all modes of transportation.

The next meeting will be July 24, 2014 at the Sanibel Harbor Marriott Resort in Fort Myers.

The meeting was adjourned at 3:22 pm.

**Item Number 3
Public Comments**

DISCUSSION:

Comments or recommendations by the public.

REQUESTED ACTION:

As may be desired.

ATTACHMENTS:

None.

Item Number 4
Executive Director's Report

DISCUSSION:

Mr. Howard Glassman, MPOAC Executive Director will be presenting the following items:

1. 4th Quarter Budget Report (April 1 – June 30, 2014)
2. 2014 State legislative wrap-up
3. Policy and Technical Subcommittee Meeting - August 20, 2014 in Port St. Lucie
 - a. 2015 State Legislative Policies
 - b. MPOAC comments on federal notice of proposed rulemaking for metropolitan planning
4. Approved MPOAC Unified Planning Work Program & future amendment
5. Repeal of MPOAC Administrative Rules & adoption of Bylaws - Paul Gougelman, General Counsel
6. Freight Committee Report - Greg Stuart, Committee Chair - Broward MPO

REQUESTED ACTION:

As may be desired.

ATTACHMENTS:

1. MPOAC Quarterly Budget Report.
2. 2014 State Legislative Summary dated May 27, 2014.

Florida Metropolitan Planning Organization Advisory Council
FY 2013/2014 Budget
July 1, 2013 to June 30, 2014

Category	Annual Allocation	1st Qtr Expenditures 7/1/13-9/30/13	2nd Qtr Expenditures 10/1/13-12/31/13	3rd Qtr Expenditures 1/1/14-3/31/14	4th Quarter Expenditures 4/1/14-6/30/14	Expenditures to Date	Remaining Balance
Salaries/Benefits	\$ 200,000	\$ 45,727	\$ 51,447	\$ 52,806	\$ 50,020	\$ 200,000	\$ -
Expense	\$ 65,000						
Travel	\$ 30,000	\$ 5,501	\$ 6,700	\$ 4,906	\$ 6,026	\$ 23,133	\$ 6,867
Meetings	\$ 20,000	\$ 5,979	\$ 5,749	\$ 6,062	\$ 1,000	\$ 18,790	\$ 1,210
Administrative	\$ 13,080	\$ 622	\$ 5,199	\$ 3,421	\$ 1,352	\$ 10,594	\$ 2,486
Membership Dues *	\$ 1,920	\$ -	\$ -	\$ -	\$ 1,920	\$ 1,920	\$ -
Contracted Services	\$ 18,000						
General Counsel	\$ 18,000	\$ 4,826	\$ 3,572	\$ 3,114	\$ 6,488	\$ 18,000	\$ -
Transp.Planning	\$ 165,000						
Univ. South FL (CUTR)	\$ 80,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 80,000	\$ -
MPOAC Institute	\$ 85,000	\$ 5,950	\$ 11,050	\$ 38,250	\$ 29,750	\$ 85,000	\$ -
Total Federal Funds	\$ 448,000	\$ 88,605	\$ 103,717	\$ 128,559	\$ 116,556	\$ 437,437	\$ 10,563
Advocacy Activities Local Funds	\$ 7,500	\$ 850	\$ 1,600	\$ 2,700	\$ 2,350	\$ 7,500	\$ -
Total Budget	\$ 455,500	\$ 89,455	\$ 105,317	\$ 131,259	\$ 118,906	\$ 444,937	\$ 10,563

* FBT, FPTA, ITSFL

**Florida Metropolitan Planning
Organization Advisory Council**



2014 Summary of State Legislation

May 27, 2014

Table of Contents

An Act Relating to the Department of Transportation (HB 7175)	Page
Mid-Bay Bridge Authority monitoring	1
Strategic airport investments	1
Lease-purchase agreements	1
State park access roads	2
Concession agreements	2
Conveyance of property	3
Electronic toll and video billing	4
Lease of wireless communication facilities	5
MPO membership	6
Parking meter revenue study	7
An Act Relating to Transportation (HB 7005)	
Intermodal Logistics Center Infrastructure Support Program	9
Automated license plate recognition system	9
Driving speeds	9
Bus stopping and loading	10
Sanitation or utility service vehicles	10
Vehicles equipped with autonomous technology	10
Port district roads	11
Ignition interlock device use study	11
Traffic signal or traffic control devices	12

An Act Relating to Bicycle and Pedestrian Ways (SB 2514)

Interconnected multiuse trails funding 12

An Act Relating to the Rental Car Surcharge (HB 343)

Car-sharing service alternative surcharge 13

2014 Summary of State Transportation Legislation

An Act Relating to the Department of Transportation (HB 7175)

Section 2 (s. 20.23, F.S.)

- **Provides for the Florida Transportation Commission (FTC) to monitor certain aspects of the Mid-Bay Bridge Authority and repeals provisions for the Florida Statewide Passenger Rail Commission.**
 - “The commission shall ... Monitor the efficiency, productivity, and management of the authorities created under chapters 348 and 349, including any authority formed using part I of chapter 328; the Mid-Bay Bridge Authority re-created pursuant to chapter 2000-411, Laws of Florida; and any authority formed under chapter 343. The commission shall also conduct periodic reviews of each authority's operations and budget, acquisition of property, management of revenue and bond proceeds, and compliance with applicable laws and generally accepted accounting principles.”

Section 5 (s. 332.075, F.S.)

- **Authorizes the Florida Department of Transportation to fund strategic airport investments and provides criteria for such funding.**
 - “The department may fund strategic airport investment projects at up to 100 percent of the project's cost if:
 - a) Important access and on-airport capacity improvements are provided;
 - b) Capital improvements that strategically position the state to maximize opportunities in international trade, logistics, and the aviation industry are provided;
 - c) Goals of an integrated intermodal transportation system for the state are achieved; and
 - d) Feasibility and availability of matching funds through federal, local, or private partners are demonstrated.

Section 6 (s. 334.044, F.S.)

- **Prohibits the Department of Transportation from entering into a lease-purchase agreement with an expressway authority, a regional transportation authority or other entity, but provides that certain lease-purchase agreements are not invalidated by this change in statute. Provides an exception from a requirement in law to purchase all plant materials from Florida commercial nursery stock.**
 - “Notwithstanding any other provision of law, the department may not enter into a lease-purchase agreement with an expressway authority, regional transportation

authority, or other entity. This paragraph does not invalidate a lease-purchase agreement authorized under chapter 348 or chapter 2000-411, Laws of Florida, existing as of July 1, 2013, and does not limit the department's authority under s. 334.30.”

- “To the greatest extent practical, at least 50 percent of the funds allocated under this subsection shall be allocated for large plant materials and the remaining funds for other plant materials. Except as prohibited by applicable federal law or regulation, all plant materials shall be purchased from Florida commercial nursery stock in this state on a uniform competitive bid basis.”

Section 7 (s. 335.06, F.S.)

Note: legislative language to the same effect is contained in Section 4 of SB 218, also passed by the 2014 Florida Legislature

- **Provides for improvement and maintenance of certain roads that provide access to the state park system.**
 - “Any road that provides access to property within the state park system shall be maintained by the department if the road is a part of the State Highway System and may be improved and maintained by the department if the road is part of a county road system or city street system. If the department does not maintain a county or city road that provides access to the state park system, the road shall be maintained by the appropriate county or municipality.”

Section 8 (s. 335.065, F.S.)

- **Authorizes the Department of Transportation to enter into concession agreements on multiuse trails and related facilities for commercial sponsorship displays and provides for the use of agreement revenues. Also provides that all such agreements are subject to applicable federal laws.**
 - “The department, in cooperation with the Department of Environmental Protection, shall establish a statewide integrated system of bicycle and pedestrian ways in such a manner as to take full advantage of any such ways which are maintained by any governmental entity. The department may enter into a concession agreement with a not-for-profit entity or private sector business or entity for commercial sponsorship displays on multiuse trails and related facilities and use any concession agreement revenues for the maintenance of the multiuse trails and related facilities. Commercial sponsorship displays are subject to the requirements of the Highway Beautification Act of 1965 and all federal laws and agreements, when applicable.”

Section 12 (s. 337.25, F.S.)

- **Authorizes the Department of Transportation to contract for auction services for the conveyance of property. Revises provisions for the disposition of property by Florida Department of Transportation.**
 - “The department may contract pursuant to s. 287.055 for auction services used in the conveyance of real or personal property or the conveyance of leasehold interests under subsections (4) and (5). The contract may allow for the contractor to retain a portion of the proceeds as compensation for the contractor's services.”
 - “The department may convey, in the name of the state, any land, building, or other property, real or personal, which was acquired under subsection (1) and which the department has determined is not needed for the construction, operation, and maintenance of a transportation facility”.
 - “When such a determination has been made, property may be disposed of through negotiations, sealed competitive bids, auctions, or any other means the department deems to be in its best interest, with due advertisement for property valued by the department at greater than \$10,000. A sale may not occur at a price less than the department's current estimate of value, except as provided in paragraphs (a)-(d). The department may afford a right of first refusal to the local government or other political subdivision in the jurisdiction in which the parcel is situated, except in a conveyance transacted under paragraph (a), paragraph (c), or paragraph (e).”
 - a) “If the property has been donated to the state for transportation purposes and a transportation facility has not been constructed for at least 5 years, plans have not been prepared for the construction of such facility, and the property is not located in a transportation corridor, the governmental entity may authorize reconveyance of the donated property for no consideration to the original donor or the donor's heirs, successors, assigns, or representatives.”
 - b) “If the property is to be used for a public purpose, the property may be conveyed without consideration to a governmental entity.”
 - c) “If the property was originally acquired specifically to provide replacement housing for persons displaced by transportation projects, the department may negotiate for the sale of such property as replacement housing. As compensation, the state shall receive at least its investment in such property or the department's current estimate of value, whichever is lower. It is expressly intended that this benefit be extended only to persons actually displaced by the project. Dispositions to any other person must be for at least the department's current estimate of value.”
 - d) “If the department determines that the property requires significant costs to be incurred or that continued ownership of the property exposes the department to significant liability risks, the department may use the projected maintenance costs over the next 10 years to offset the property's

value in establishing a value for disposal of the property, even if that value is zero”

- e) “If, at the discretion of the department, a sale to a person other than an abutting property owner would be inequitable, the property may be sold to the abutting owner for the department's current estimate of value.”
- o “The department may convey a leasehold interest for commercial or other purposes, in the name of the state, to any land, building, or other property, real or personal, which was acquired under subsection (1). However, a lease may not be entered into at a price less than the department's current estimate of value. The department's estimate of value shall be prepared in accordance with department procedures, guidelines, and rules for valuation of real property, the cost of which shall be paid by the party seeking the lease of the property.”
 - a) “A lease may be accomplished through negotiations, sealed competitive bids, auction, or any other means the department deems to be in its best interest.”
 - b) “If, at the discretion of the department, a lease to a person other than an abutting property owner or tenant with a leasehold interest in the abutting property would be inequitable, the property may be leased to the abutting owner or tenant for at least the department's current estimate of value.”
 - c) “A lease signed pursuant to paragraph (a) may not be for more than 5 years; however, the department may renegotiate or extend such a lease for an additional 5 years as the department deems appropriate.”
 - d) “Each lease shall provide that, unless otherwise directed by the lessor, any improvements made to the property during the lease shall be removed at the lessee's expense.”
 - e) “If property is to be used for a public purpose, the property may be leased without consideration to a governmental entity. A lease for a public purpose is exempt from the term limits in paragraph (c).”

Section 14 (s. 338.161, F.S.)

- **Revises provisions authorizing the Florida Department of Transportation to use its electronic toll collection and video billing systems to collect certain charges for an owner of a transportation facility.**
 - o “If the department finds that it can increase nontoll revenues or add convenience or other value for its customers, and if a public or private transportation facility owner agrees that its facility will become interoperable with the department's electronic toll collection and video billing systems, the department may enter into an agreement with the owner of such facility under which the department uses its electronic toll collection and video billing systems to collect and enforce for the owner tolls, fares, administrative fees, and other applicable charges due in connection with use of the owner's facility...”

Section 16 (Creates s. 339.041, F.S.)

Note: legislative language to the same effect is contained in Section 4 of SB 218, also passed by the 2014 Florida Legislature

- **Provides legislative intent to increase funding for capital expenditures for the transportation system from revenues generated through leases for wireless communication facilities on Florida Department of Transportation property. Authorizes the Florida Department of Transportation to enter into agreements with investors to purchase the revenue streams from department leases of wireless communication facilities on such property pursuant to an invitation to negotiate. Prohibits the Florida Department of Transportation from pledging state credit, the general revenues or the taxing power of the state to support such agreements. Allows the Florida Department of Transportation to make certain covenants related to such agreements. Provides for the appropriation and payment of moneys received from such agreements to investors and requires the proceeds from such leases to be used for certain fixed capital expenditures.**
 - “The Legislature finds that efforts to increase funding for capital expenditures for the transportation system are necessary for the protection of the public safety and general welfare and for the preservation of transportation facilities in this state. It is, therefore, the intent of the Legislature to:
 - a) Create a mechanism for factoring future revenues received by the department from leases for wireless communication facilities on department property on a nonrecourse basis;
 - b) Fund fixed capital expenditures for the statewide transportation system from proceeds generated through this mechanism; and
 - c) Maximize revenues from factoring by ensuring that such revenues are exempt from income taxation under federal law in order to increase funds available for capital expenditures.”
 - “The department may solicit investors willing to enter into agreements to purchase the revenue stream from one or more existing department leases for wireless communication facilities on property owned or controlled by the department through the issuance of an invitation to negotiate. Such agreements shall be structured as tax-exempt financings for federal income tax purposes in order to result in the largest possible payout.”
 - “The department may not pledge the credit, the general revenues, or the taxing power of the state or of any political subdivision of the state. The obligations of the department and investors under the agreement do not constitute a general obligation of the state or a pledge of the full faith and credit or taxing power of the state. The agreement is payable from and secured solely by payments received from department leases for wireless communication facilities on property owned or controlled by the department, and the state or any state agency does not have any liability beyond such payments.”

- “The department may make any covenant or representation necessary or desirable in connection with the agreement, including a commitment by the department to take whatever actions are necessary on behalf of investors to enforce the department's rights to payments on property leased for wireless communications facilities. However, the department may not guarantee that revenues actually received in a future year will be those anticipated in its leases for wireless communication facilities. The department may agree to use its best efforts to ensure that anticipated future-year revenues are protected. Any risk that actual revenues received from department leases for wireless communications facilities will be lower than anticipated shall be borne exclusively by investors.”
- “Subject to annual appropriation, the investors shall collect the lease payments on a schedule and in a manner established in the agreements entered into pursuant to this section between the department and the investors. The agreements may provide for lease payments to be made directly to investors by lessees if the lease agreements entered into by the department and the lessees pursuant to s. 365.172(12)(f) allow direct payment.”
- “Proceeds received by the department from leases for wireless communication facilities shall be deposited in the State Transportation Trust Fund created under s. 206.46 and used for fixed capital expenditures for the statewide transportation system.”

Section 17 (s. 339.175, F.S.)

- **Revises membership and governance requirements of Metropolitan Planning Organizations including increasing the maximum voting membership to 25, clarifying the proportional representation of County Commissioners on an MPO, permitting voting representation by a group of general-purpose local governments through an entity created by and MPO for that purpose, and permitting voting membership for modal authorities or other transportation agencies not under the jurisdiction of a general-purpose local government represented on the MPO. Also, revises the powers and duties of the Metropolitan Planning Organization Advisory Council to establish bylaws by action of its governing board or by rule pursuant to ss. 120.536(1) and 120.54.**
 - “The voting membership of an M.P.O. shall consist of at least 5 but not more than 25 apportioned members, with the exact number determined on an equitable geographic-population ratio basis, based on an agreement among the affected units of general-purpose local government and the Governor, as required by federal regulations. In accordance with 23 U.S.C. s. 134, the Governor may also allow M.P.O. members who represent municipalities to alternate with representatives from other municipalities within the metropolitan planning area which do not have members on the M.P.O. With the exception of instances in which all of the county commissioners in a single-county M.P.O. are members of the M.P.O. governing board, county commissioners shall compose at least one-third of the M.P.O. governing board membership. A multicounty M.P.O. may satisfy this requirement by any combination of county commissioners from each

of the counties constituting the M.P.O. Voting members shall be elected officials of general-purpose local governments, one of whom may represent a group of general-purpose local governments through an entity created by an M.P.O. for that purpose...

- “In metropolitan areas in which authorities or other agencies have been or may be created by law to perform transportation functions and are or will be performing transportation functions that are not under the jurisdiction of a general-purpose local government represented on the M.P.O., such authorities or other agencies may be provided voting membership on the M.P.O. In all other M.P.O.'s in which transportation authorities or agencies are to be represented by elected officials from general-purpose local governments, the M.P.O. shall establish a process by which the collective interests of such authorities or other agencies are expressed and conveyed.”
- “Each M.P.O. shall review the composition of its membership in conjunction with the decennial census, as prepared by the United States Department of Commerce, Bureau of the Census, and with the agreement of the Governor and the affected general-purpose local government units that constitute the existing M.P.O., reapportion the membership as necessary to comply with subsection (3)...”
- “The powers and duties of the Metropolitan Planning Organization Advisory Council are to ... Establish bylaws by action of its governing board providing procedural rules to guide its proceedings and consideration of matters before the council, or, alternatively, adopt rules pursuant to ss. 120.536(1) and 120.54 to implement provisions of law conferring powers or duties upon it.”

Section 47 (no statute number specified)

- **Directs the Florida Transportation Commission to study the potential for state revenue from parking meters and other parking time-limit devices and authorizes the Commission to retain experts for this purpose while requiring the Florida Department of Transportation to pay for the experts. Requires certain information from municipalities and counties be provided for the purposes of the study and for certain information to be considered in the study. Requires that the Florida Transportation Commission produce a written report outlining the findings of the study. Provides for the removal of parking meters and parking time-limit devices if a municipality or county does not provide information requested as part of the study and stipulates that municipalities and counties shall be required to pay the cost of such removal. Provides for a moratorium on new parking meters or other parking time-limit devices on the state right-of-way pending the completion of the study.**
 - “The Florida Transportation Commission shall conduct a study of the potential for the state to obtain revenue from any parking meters or other parking time-limit devices that regulate designated parking spaces located within or along the right-of-way limits of a state road. The commission may retain such experts as are reasonably necessary to complete the study, and the department shall pay the

expenses of such experts. On or before August 31, 2014, each municipality and county that receives revenue from any parking meters or other parking time-limit devices that regulate designated parking spaces located within or along the right-of-way limits of a state road shall provide the commission a written inventory of the location of each such meter or device and the total revenue collected from such locations during the last 3 fiscal years. Each municipality and county shall at the same time inform the commission of any pledge or commitment by the municipality or county of such revenues to the payment of debt service on any bonds or other debt issued by the municipality or county. The commission shall consider the information provided by the municipalities and counties, together with such other matters as it deems appropriate, and shall develop policy recommendations regarding the manner and extent that revenues generated by regulating parking within the right-of-way limits of a state road may be allocated between the department and municipalities and counties. The commission shall develop specific recommendations concerning the allocation of revenues generated by meters or devices regulating such parking that were installed before July 1, 2014, and the allocation of revenues that may be generated by meters or devices installed thereafter. The commission shall complete the study and provide a written report of its findings and conclusions to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of each of the appropriations committees of the Legislature by October 31, 2014.”

- “If, by August 31, 2014, a municipality or county does not provide the information requested by the commission, the department is authorized to remove the parking meters or parking time-limit devices that regulate designated parking spaces located within or along the right-of-way limits of a state road, and all costs incurred in connection with the removal shall be assessed against and collected from the municipality or county.”
- “The Legislature finds that preservation of the status quo pending the commission's study and the Legislature's review of the commission's report is appropriate and desirable. From July 1, 2014, through July 1, 2015, no county or municipality shall install any parking meters or other parking time-limit devices that regulate designated parking spaces located within or along the right-of-way limits of a state road. This subsection does not prohibit the replacement of meters or similar devices installed before July 1, 2014, with new devices that regulate the same designated parking spaces.”

An Act Relating to Transportation (HB 7005)

Section 2 (s. 311.101, F.S.)

- **Revises the amount of funds to be made available annually from the State Transportation Trust Fund for the Intermodal Logistics Center Infrastructure Support Program.**
 - “Beginning in fiscal year 2014-2015, at least \$5 million per year shall be made available from the State Transportation Trust Fund for the program. The Department of Transportation shall include projects proposed to be funded under this section in the tentative work program ...”

Section 4 (creates s. 316.0778, F.S.)

- **Defines the term "automated license plate recognition system" and requires the Department of State to consult with the Department of Law Enforcement in establishing a retention schedule for records generated by the use of an automated license plate recognition system.**
 - “As used in this section, the term "automated license plate recognition system" means a system of one or more mobile or fixed high-speed cameras combined with computer algorithms to convert images of license plates into computer-readable data.”
 - In consultation with the Department of Law Enforcement, the Department of State shall establish a retention schedule for records containing images and data generated through the use of an automated license plate recognition system. The retention schedule must establish a maximum period that the records may be retained.”

Section 5 (s. 316.081, F.S.)

- **Revises a provision that prohibits a driver from operating a motor vehicle slower than a specified speed in the furthestmost left-hand lane of certain roads, streets, or highways.**
 - “On a road, street, or highway having two or more lanes allowing movement in the same direction, a driver may not continue to operate a motor vehicle ~~at any speed which is more than 10 miles per hour slower than the posted speed limit~~ in the furthestmost left-hand lane if the driver knows or reasonably should know that he or she is being overtaken in that lane from the rear by a motor vehicle traveling at a higher rate of speed. This subsection does not apply to drivers operating a vehicle that is overtaking another vehicle proceeding in the same direction, or is preparing for a left turn at an intersection.”

Section 6 (creates s. 316.0817, F.S.)

- **Prohibits a bus from stopping to load or unload passengers in a manner that impedes, blocks, or otherwise restricts the progression of traffic if there is another reasonable means for the bus to stop parallel to the travel lane and safely load and unload passengers. Provides an exception for school buses.**
 - “Notwithstanding any other law, a bus may not stop to load or unload passengers in a manner that impedes, blocks, or otherwise restricts the progression of traffic on the main-traveled portion of a roadway if there is another reasonable means for the bus to stop parallel to the travel lane and safely load and unload passengers. As used in this section, the term "reasonable means" means sufficient unobstructed pavement or a designated turn lane that is sufficient in length to allow the safe loading and unloading of passengers parallel to the travel lane.”
 - “This section does not apply to a school bus.”

Section 7 (s. 316.126, F.S.)

- **Requires a driver to change lanes when approaching a sanitation or utility service vehicle performing a service-related task on the roadside.**
 - “If an authorized emergency vehicle displaying any visual signals is parked on the roadside, a sanitation vehicle is performing a task related to the provision of sanitation services on the roadside, a utility service vehicle is performing a task related to the provision of utility services on the roadside, or a wrecker displaying amber rotating or flashing lights is performing a recovery or loading on the roadside, the driver of every other vehicle, as soon as it is safe ... Shall vacate the lane closest to the emergency vehicle, sanitation vehicle, utility service vehicle, or wrecker when driving on an interstate highway or other highway with two or more lanes traveling in the direction of the emergency vehicle, sanitation vehicle, utility service vehicle, or wrecker, except when otherwise directed by a law enforcement officer. If such movement cannot be safely accomplished, the driver shall reduce speed ...”
 - “This section does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.”

Section 15 (s. 316.86, F.S.)

- **Revises provisions relating to the operation of vehicles equipped with autonomous technology on state roads for testing purposes and authorizes certain research organizations to operate such vehicles.**
 - “Vehicles equipped with autonomous technology may be operated on roads in this state by employees, contractors, or other persons designated by manufacturers of autonomous technology, or by research organizations associated with accredited

educational institutions, for the purpose of testing the technology. For testing purposes, a human operator shall be present in the autonomous vehicle such that he or she has the ability to monitor the vehicle's performance and intervene, if necessary, unless the vehicle is being tested or demonstrated on a closed course. Before the start of testing in this state, the entity performing the testing must submit to the department an instrument of insurance, surety bond, or proof of self-insurance acceptable to the department in the amount of \$5 million.”

Section 25 (s. 320.525, F.S.)

- **Providing that certain public roads may be designated as port district roads and requires the Department of Transportation to designate such roads with appropriate signage.**
 - “Port vehicles and equipment shall be exempt from the provisions of this chapter which require the registration of motor vehicles, the payment of license taxes, and the display of license plates when operated or used within the port facility of any deepwater port of this state . . . , for the purpose of transporting cargo, containers, or other equipment . . . On public roads connecting port facilities of a single deepwater port . . . which are designated as port district roads for the purpose of transporting cargo, containers, and other equipment. The Department of Transportation shall designate port district roads with appropriate signage.”

Section 47 (no statute number specified)

- **Directs the Office of Program Policy Analysis and Government Accountability to conduct and submit to the Governor and the Legislature a study on the effectiveness of ignition interlock device use.**
 - “By January 1, 2015, the Office of Program Policy Analysis and Government Accountability shall conduct and submit a study on the effectiveness of ignition interlock device use as an alternative to driver license suspension. The study shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives and shall address the following:
 - 1) The effect ignition interlock device use as an alternative to a driver license suspension will have on the DUI recidivism rate while the driver is using the ignition interlock device.
 - 2) The cost of ignition interlock device use compared to the cost associated with a subsequent violation, or suspected violation, of s. 316.193, Florida Statutes, including, but not limited to, a violation involving property damage, bodily injury, and death.
 - 3) In addition to existing penalties, a provision that provides for credit on a day-for-day basis for ignition interlock device use, as an alternative to a driver license suspension, toward any mandatory ignition interlock device use ordered by the court.

- 4) The effectiveness of mandatory ignition interlock device use for all violations of s. 316.193, Florida Statutes.”

Section 49 (no statute number specified)

- **Requires a county or municipality to respond to a request by a county or municipality to which it provides, by agreement, traffic signal or traffic control device services regarding the evaluation, installation, operation, or maintenance of such traffic signals or other traffic control devices within a specified timeframe.**
 - “To ensure the safe and efficient operation of this state's roadways, a county or municipality must respond to a request by a county or municipality to which it provides, by agreement, traffic signal or traffic control device services within 60 days after receiving such a request regarding the evaluation, installation, operation, or maintenance of such traffic signals or other traffic control devices.”

An Act Relating to Bicycle and Pedestrian Ways (SB 2514)

Section 1 (s. 335.065, F.S.)

Note: legislative language to the same effect is contained in Section 4 of SB 218, also passed by the 2014 Florida Legislature

- **Authorizes the Florida Department of Transportation to use appropriated funds for the establishment of a statewide system of interconnected multiuse trails. Prioritizes projects for funding and requires funded projects to be included in the Florida Department of Transportation’s Adopted Work Program. Provides that the project must be operated and maintained by an entity other than the Florida Department of Transportation and that the Florida Department of Transportation is not responsible for or obligated to provide funds for the operation and maintenance of any such project once completed.**
 - “The department may use appropriated funds to support the establishment of a statewide system of interconnected multiuse trails and to pay the cost of planning, land acquisition, design, and construction of such trails and related facilities. The department shall give funding priority to projects that:
 - a) Are identified by the Florida Greenways and Trails Council as a priority within the Florida Greenways and Trails System ...
 - b) Support the transportation needs of bicyclists and pedestrians.
 - c) Have national, statewide, or regional importance.
 - d) Facilitate an interconnected system of trails by completing gaps between existing trails.”
 - “A project funded ... shall:
 - a) Be included in the department’s work program ...

- b) Be operated and maintained by an entity other than the department upon completion of construction. The department is not obligated to provide funds for the operation and maintenance of the project.”

An Act Relating to Rental Car Surcharges (HB 343)

Section 1 (s. 212.0606, F.S.)

- **Provides an alternative surcharge for use of a motor vehicle pursuant to an agreement with a car-sharing service for less than a specified number of consecutive hours. Defines the term "car-sharing service" and provides for applicability.**
 - “A member of a car-sharing service who uses a motor vehicle ... for less than 24 hours pursuant to an agreement with the car-sharing service shall pay a surcharge of \$1 per usage. A member of a car-sharing service who uses the same motor vehicle for 24 hours or more shall pay a surcharge of \$2 per day or any part of a day ... For purposes of this subsection, the term "car-sharing service" means a membership-based organization or business, or division thereof, which requires the payment of an application or membership fee and provides member access to motor vehicles:
 - a) Only at locations that are not staffed by car-sharing service personnel employed solely for the purpose of interacting with car-sharing service members;
 - b) Twenty-four hours per day, 7 days per week;
 - c) Only through automated means, including, but not limited to, smartphone applications or electronic membership cards;
 - d) On an hourly basis or for a shorter increment of time;
 - e) Without a separate fee for refueling the motor vehicle;
 - f) Without a separate fee for minimum financial responsibility liability insurance; and
 - g) Owned or controlled by the car-sharing service or its affiliates.”
 - “The surcharge imposed under this subsection does not apply to the lease, rental, or use of a motor vehicle from a location owned, operated, or leased by or for the benefit of an airport or airport authority.”

Item Number 5A
Florida Department of Transportation Report

DISCUSSION:

Mr. Jim Wood, Director, FDOT Office of Policy Planning will be presenting:

1. Statewide Planning Issues
2. MAP-21 Planning Notice of Proposed Rulemaking
3. Quiet Zone Grant Program
4. Other Issues and Calendar Items
 - Florida Data Symposium, September 25 & 26 in Orlando
 - Florida Automated Vehicle Summit, December 15 & 16 in Orlando

REQUESTED ACTION:

As may be desired.

ATTACHMENTS:

None.

Item Number 5B
Federal Highway Administration Report

DISCUSSION:

Ms. Karen Brunelle, Director, Office of Project Development at the FHWA Florida Division Office will be presenting the following:

1. MAP-21 update
2. Planning Finding – Statewide Meeting
3. Acting Team Leader
4. PL Formula Change Approved

REQUESTED ACTION:

As may be desired.

ATTACHMENT:

1. Letter from FHWA Division Administrator James Christian to FDOT Secretary Ananth Prasad regarding approval of state's PL distribution formula, dated June 13, 2014.



U.S. Department
of Transportation
**Federal Highway
Administration**

Florida Division

June 13, 2014

545 John Knox Road, Suite 200
Tallahassee, Florida 32303
Phone: (850) 553-2200
Fax: (850) 942-9691 / 942-8308
www.fhwa.dot.gov/fldiv

In Reply Refer To:
HDA-FL

Mr. Ananth Prasad
Secretary
Florida Department of Transportation
605 Suwannee Street
Tallahassee, FL 32399-0450

Dear Secretary Prasad:

We are in receipt of the Department's June 4, 2014 request to approve Florida's revised formula for distributing metropolitan planning funds. We acknowledge the Department's efforts to consult with the Metropolitan Planning Organization Advisory Council (MPOAC) about the needed changes to the formula to ensure the funds are distributed in the most efficient and effective manner to carry out the requirements of 23 U.S.C. 134 and other applicable requirements of Federal Law. The formula revision is being requested to reflect the following items, as recommended by the MPOAC Policy and Technical Committee on April 4, 2014 and approved by the MPOAC on April 24, 2014.

We hereby approve the revised PL formula to provide the following:

- The MPOAC with a base amount of \$332,626 (with no inflation adjustment), but not to exceed the approved operating budget; an additional \$55,000 for consultant fees; \$85,000 for the MPOAC Institute; and \$134,826 to pay the annual dues to the Association of Metropolitan Planning Organizations (AMPO) and National Association of Regional Councils (NARC) for each of the Metropolitan Planning Organizations (MPOs) and the MPOAC. The dues for AMPO and NARC would be used to support non-lobbying transportation activities (remains unchanged);
- The base amount of \$350,000 for each of the MPOs remains unchanged;
- The remaining funds to be distributed among the MPOs on a proportionate basis of the population of the urbanized area relative to the total urbanized area population in the state remains unchanged; and
- MPOs that merge retain base allocation; \$350,000 one-time allocation for MPOs extending boundaries to include new urbanized areas; provisions related to excess PL funds remains unchanged.

The \$600,000 minimum allocation of the total statewide base amount that was to be used for regional planning has been deleted from the formula. All other provisions remain the same.

If you have questions or need more information, please contact Ms. Lee Ann Jacobs at (850) 553-2219.

Sincerely,

A handwritten signature in black ink that reads "Lee Ann Jacobs". The signature is written in a cursive, flowing style.

FOR: James Christian, P.E.
Division Administrator

cc: Mr. Robert Romig, FDOT (MS-57)
Mr. Jim Wood, FDOT (MS-28)
Ms. Lisa Saliba, FDOT (MS-21)
Mr. Howard Glassman, FDOT (MS-28B)
Ms. Yvonne Arens FDOT (MS-28)

Item Number 6
Fuel Tax Sustainability

DISCUSSION:

Mr. Mark Reichert, Assistant Executive Director of the Florida Transportation Commission will be in attendance for a presentation on fuel tax sustainability.

The fuel tax, Florida's primary source of transportation funding, has served its purpose well since 1921. For decades this consumption based tax has provided a steady stream of revenue for funding the state's transportation needs. However, economic pressures associated with the recession that began in 2006 resulted in a seismic shift in both driving habits and fuel economy standards that have rendered the fuel tax as an unsustainable primary source of funding for our transportation system.

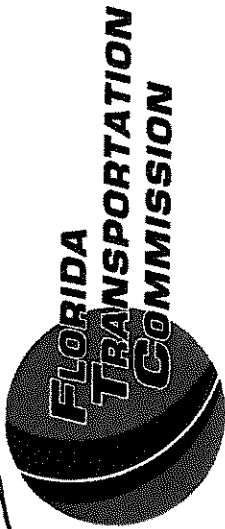
We must begin the process of identifying viable alternative funding sources to replace or supplement the fuel tax before diminishing fuel tax receipts reaches a crisis level. Transportation funding shortfalls will grow more acute in the coming years as improved vehicle fuel efficiency and more alternative fueled vehicles reduce federal, state, and local fuel tax receipts by billions of dollars.

REQUESTED ACTION:

As may be desired.

ATTACHMENT:

1. The Fuel Tax: An Unsustainable Transportation Revenue Source. Florida Transportation Commission, July 24, 2014.



The Fuel Tax: An Unsustainable Transportation Revenue Source

**MPOAC Governing Board and
Staff Directors Meetings**

July 24, 2014

By Mark Reichert

Florida Transportation Commission





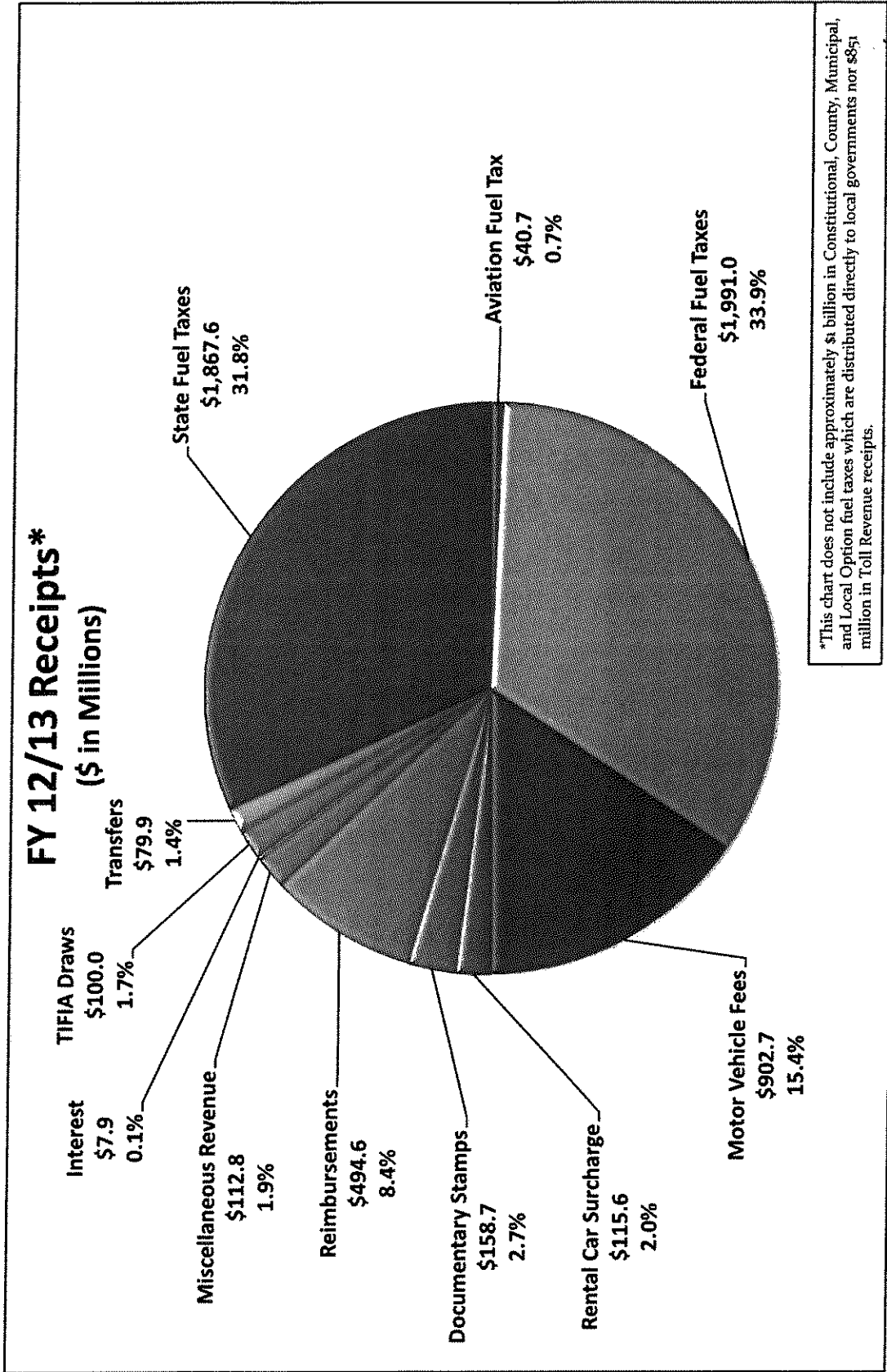
TODAY'S OBJECTIVE

- **Overview of transportation funding in Florida**
- **What's staring us in the face**
- **Become an advocate**



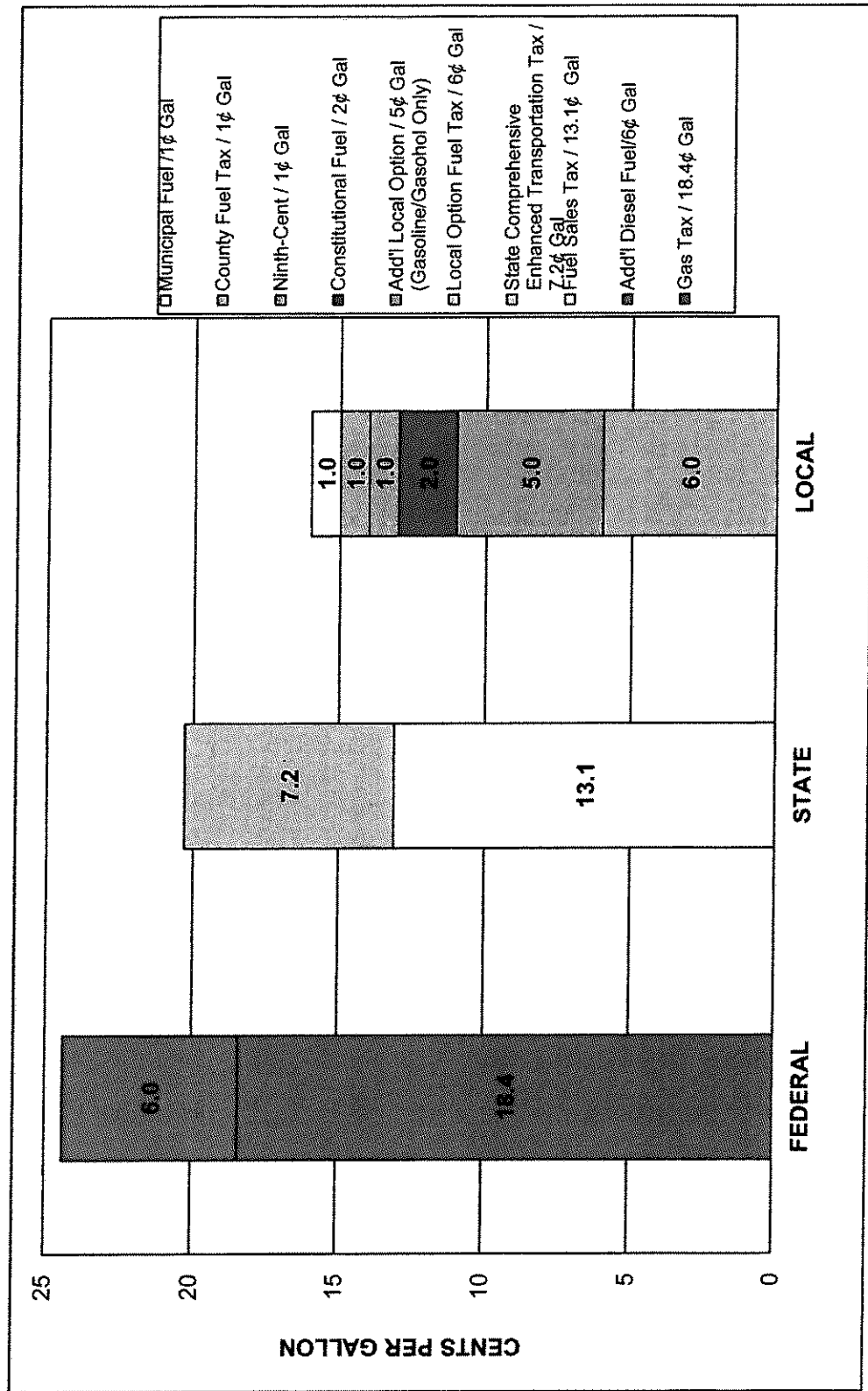
State Transportation Trust Fund Receipts

by Category



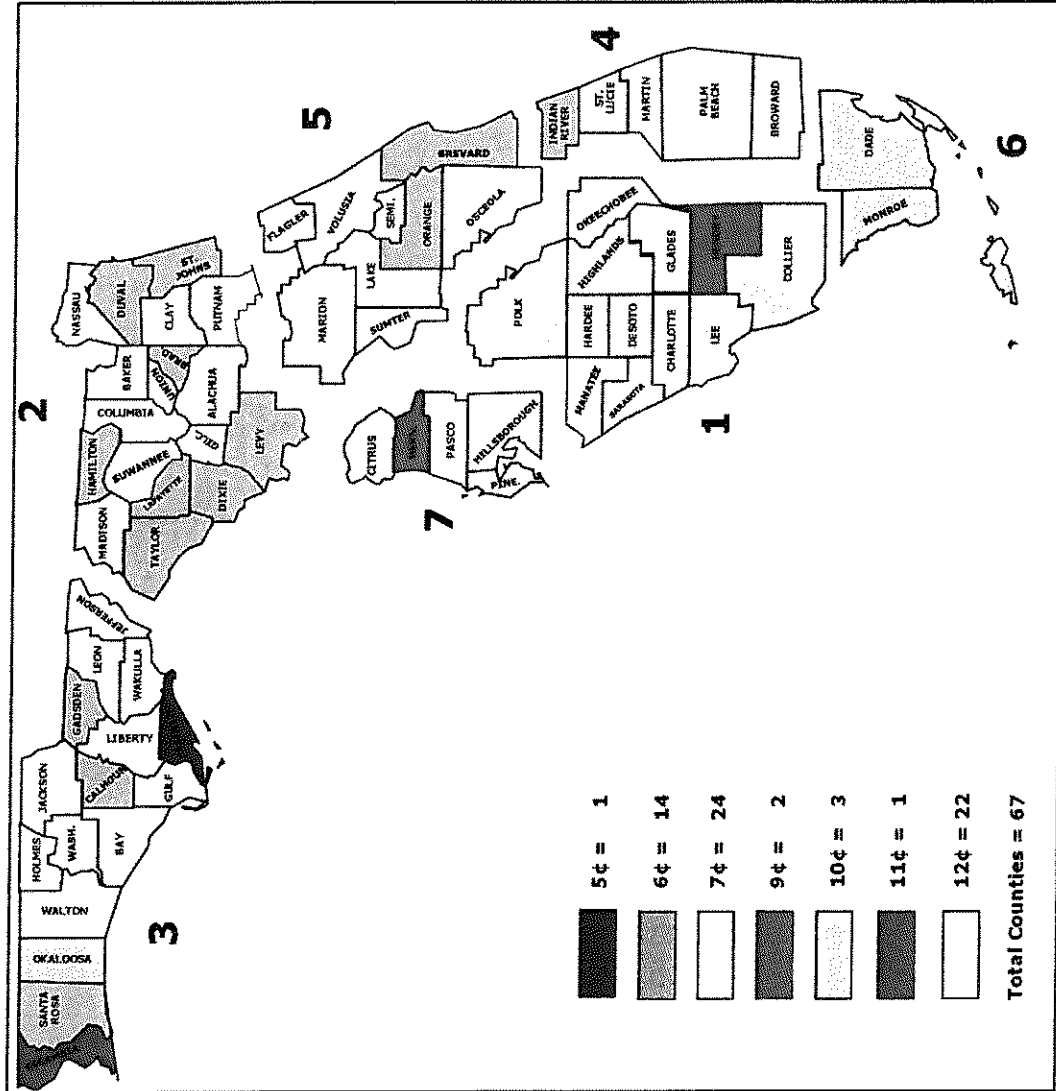
CALENDAR YEAR 2014 FUEL TAX RATES

(cents per gallon)



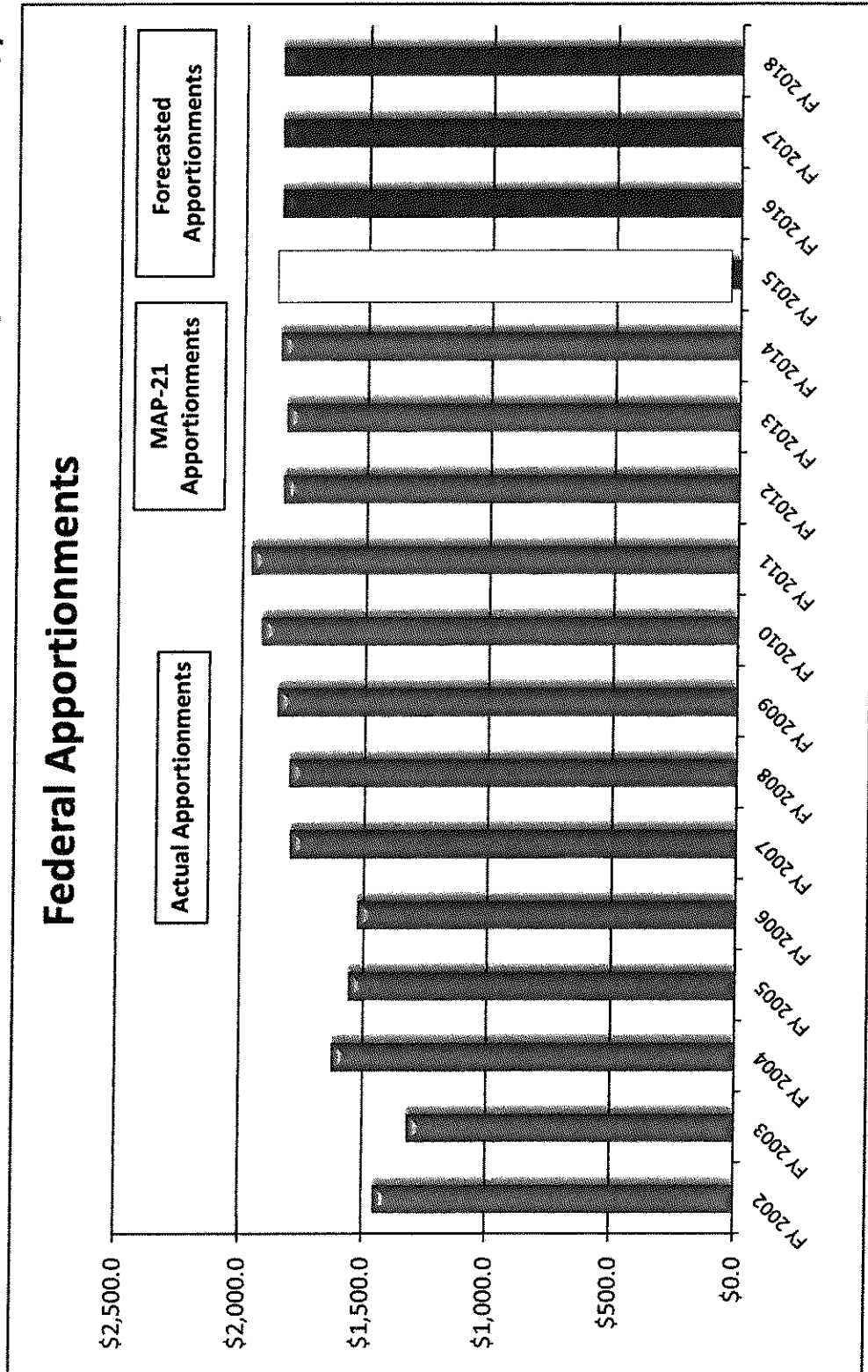
Locality Imposed Fuel Taxes

Fuel Tax Rates as of January 1, 2014



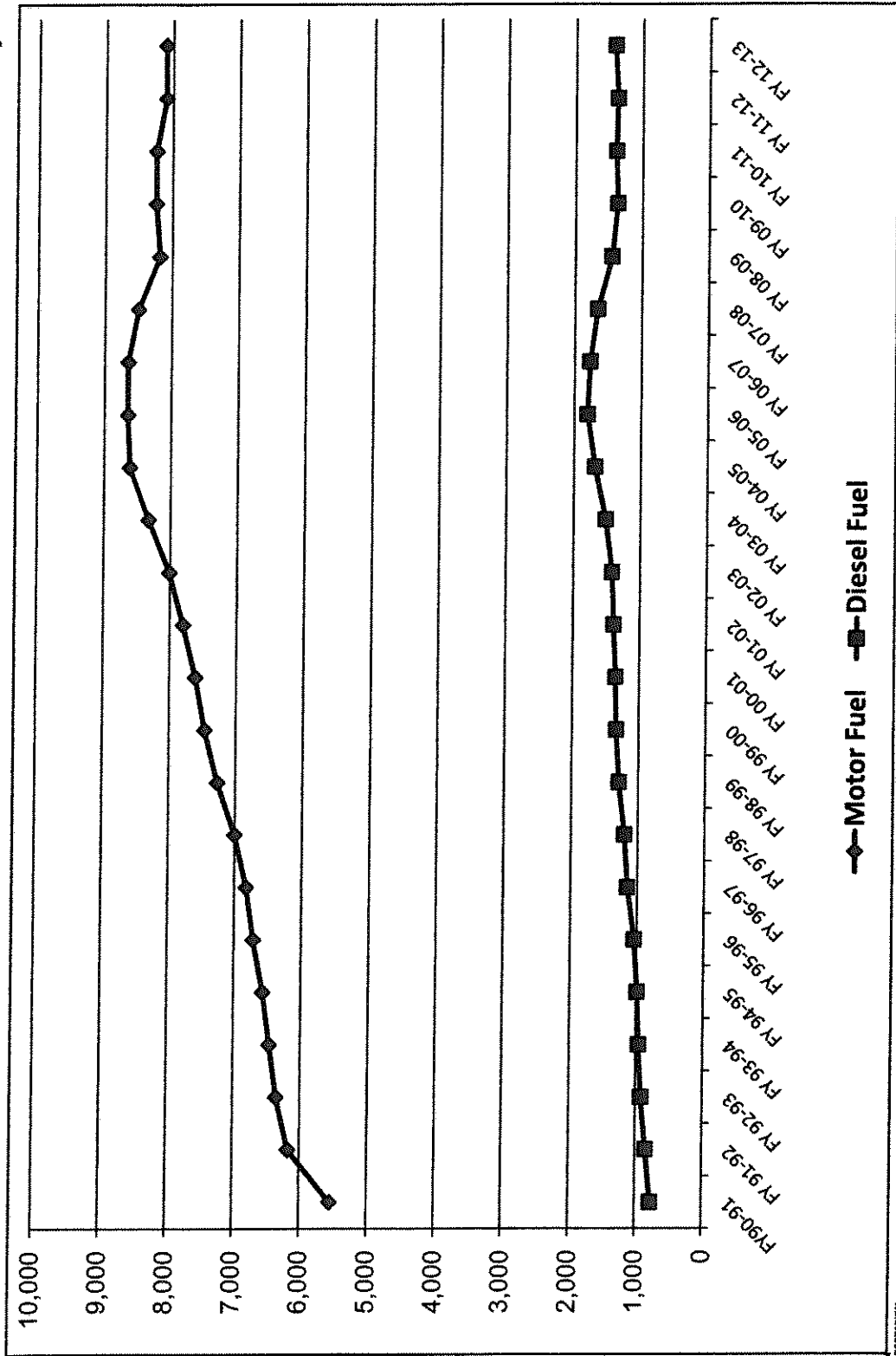
Federal Aid Transportation Apportionments.

Actual and Forecasted (in Millions of \$)



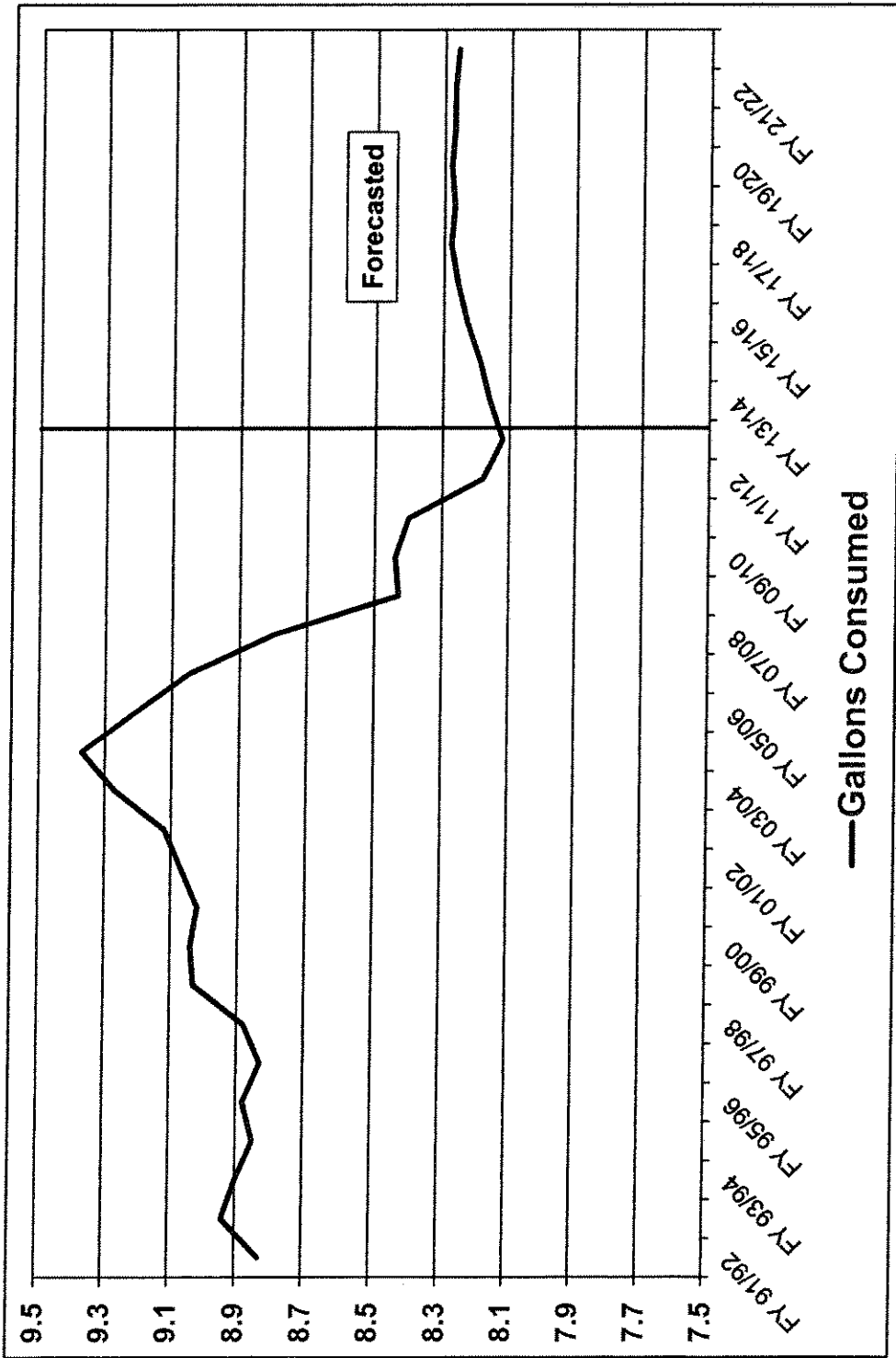
Fuel Consumption in Florida

(in Millions of Gallons)



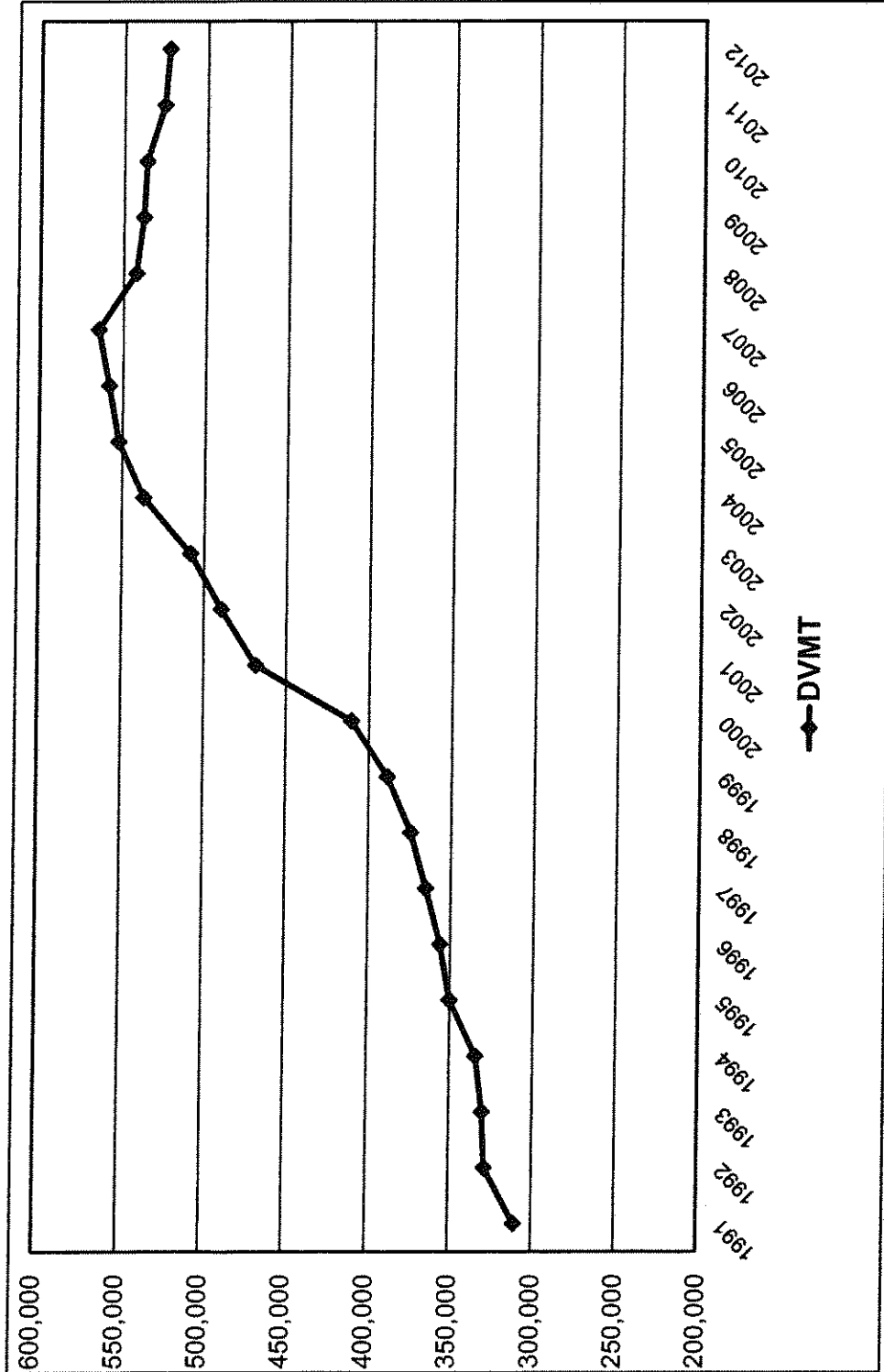
Per Capita Weekly Fuel Consumption

in Florida



Daily Vehicle Miles Traveled in Florida

(in Thousands of Miles on all Public Roads)



Driving Efficiency: Cutting Costs for Families at the Pump and Slashing Dependence on Oil

OBAMA ADMINISTRATION Fuel Economy Standards

In the year 2025

The fleet-wide average will be

54.5 MPG



Consumers will have saved
\$1.7 TRILLION
at the pump over the
life of the program.



A family that purchases a new
vehicle in 2025 will save

\$8,200

in fuel costs when compared with
a similar vehicle in 2010.

Over the life of the program, the standards will:

Save **12** billion
barrels
of oil.

Eliminate **6** billion
metric
tons
of carbon dioxide pollution.

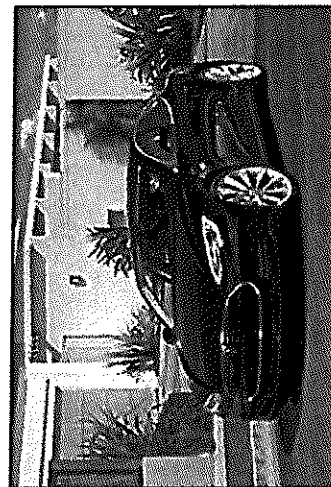
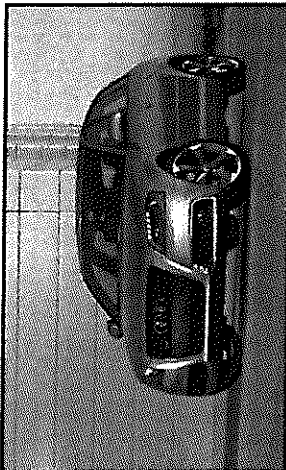
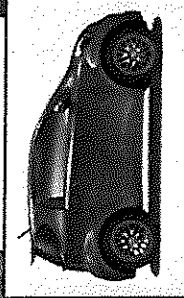
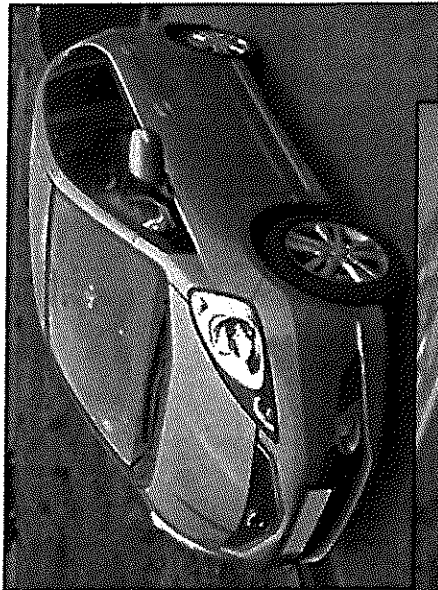
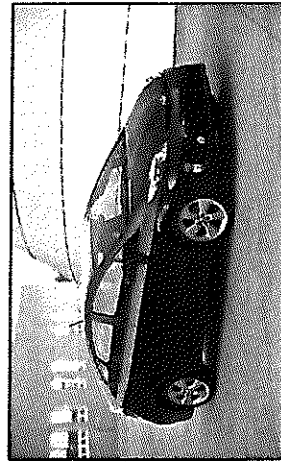
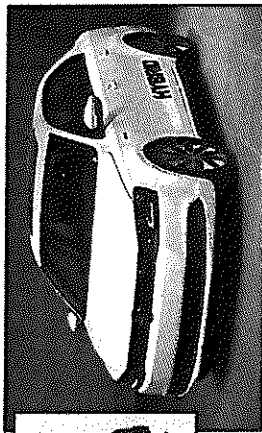
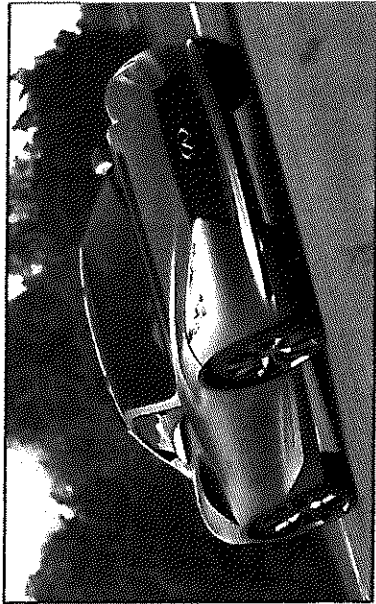
This program, together with standards already put into place by this
administration for Model Years 2011-2016, will result in significant
cost savings for consumers at the pump, dramatically reduce oil
consumption, cut pollution and create jobs.

Smartphone
QR Code

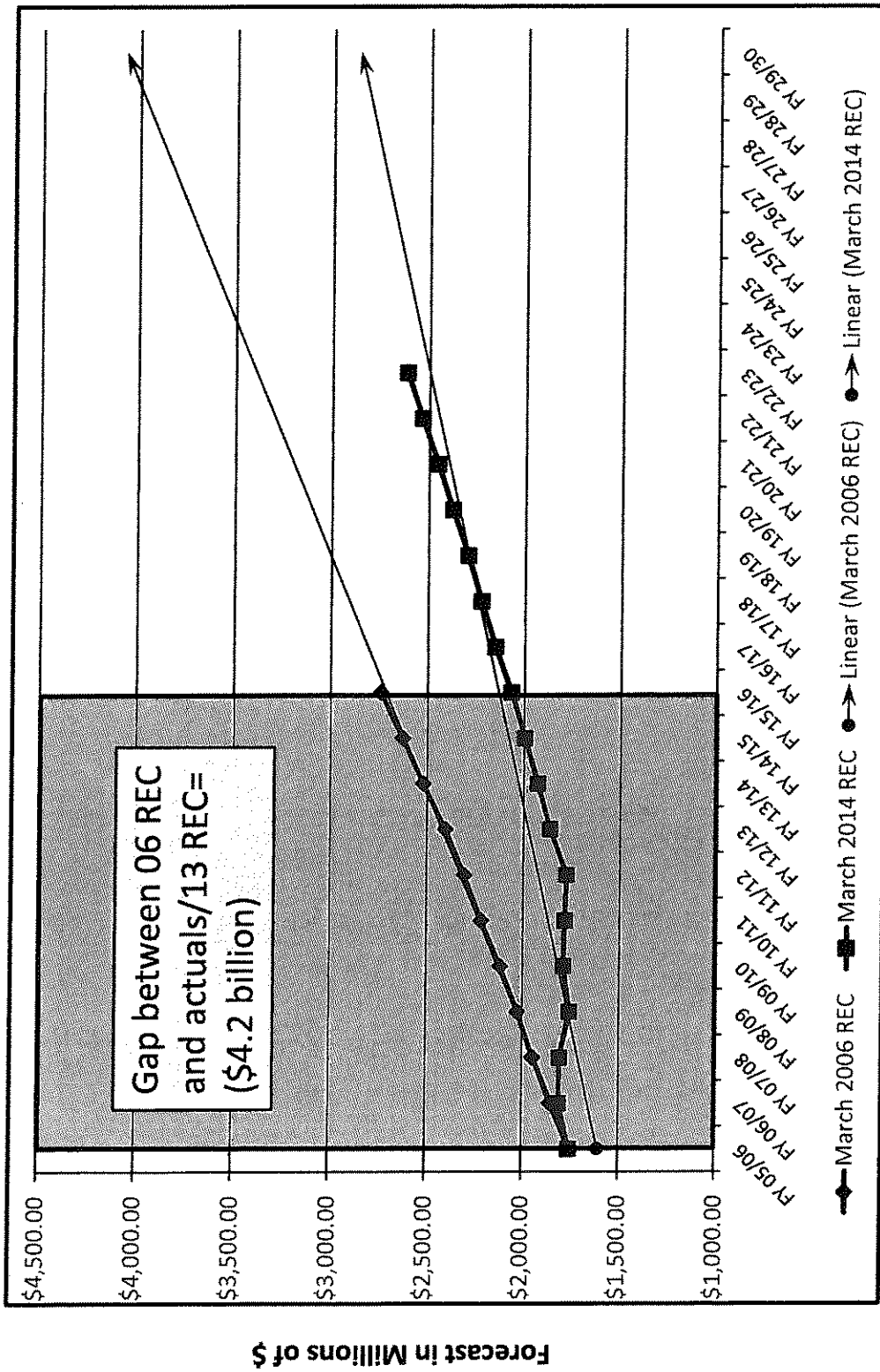


WHITEHOUSE.GOV

Super High Mileage Vehicles



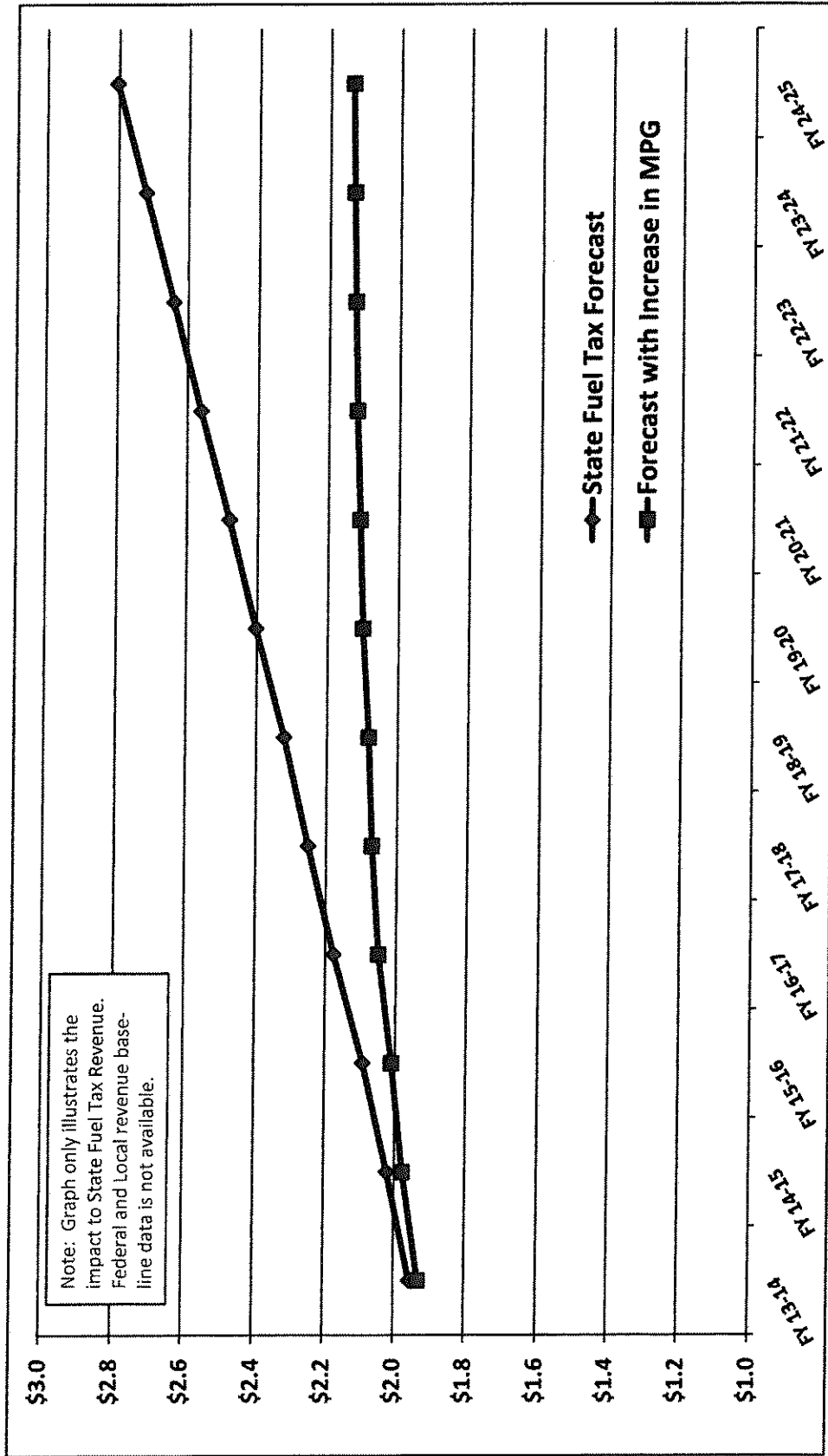
REC Fuel Tax Revenue Forecast



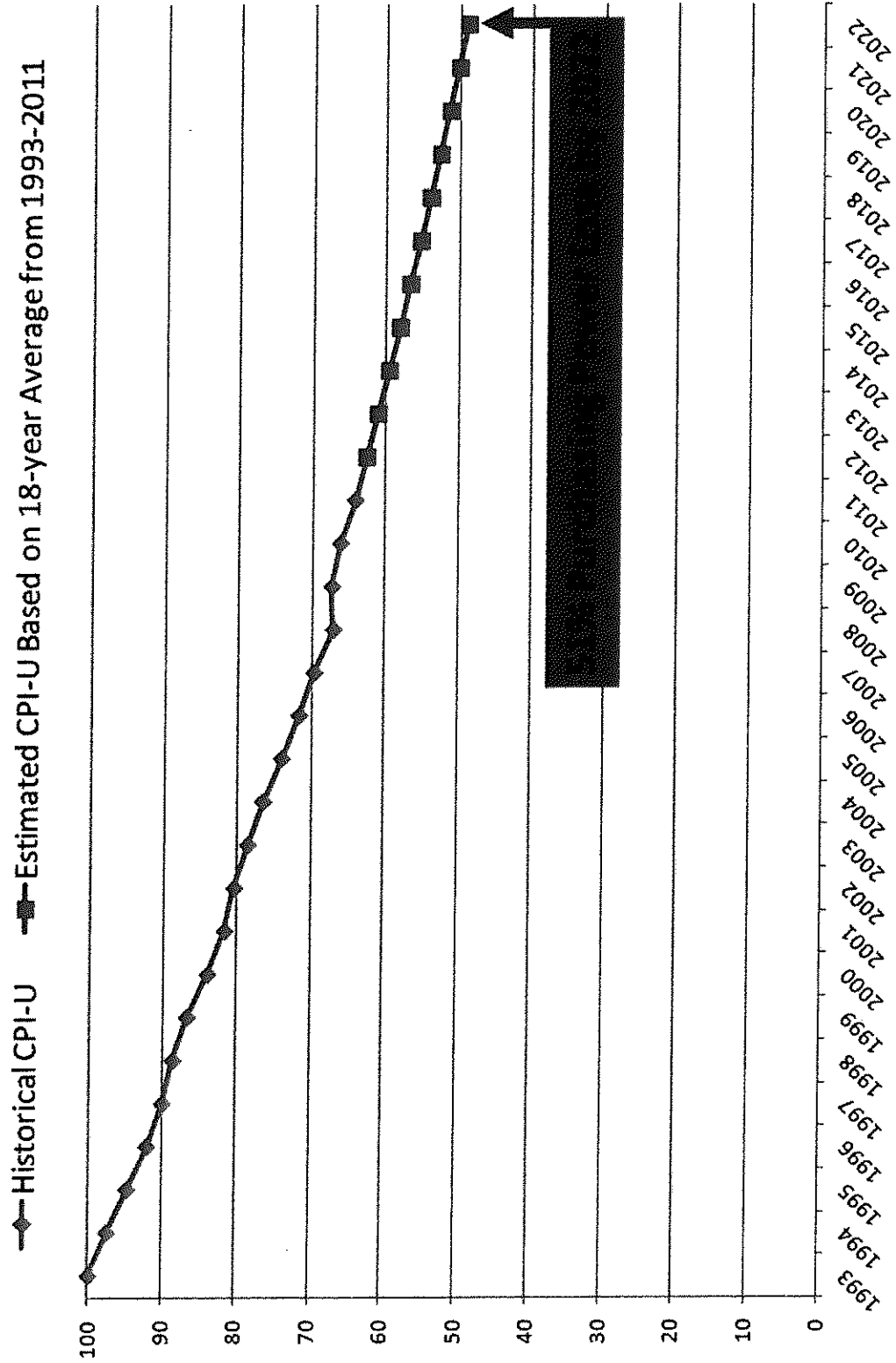
Impacts of Fuel Efficient Vehicles on

State Fuel Tax Revenue

(in Billions of \$)



PURCHASING POWER LOSS OF GAS TAX DUE TO INFLATION





Average Driver Investment

- **The average driver in Florida contributes just \$332.70 annually towards the State's transportation infrastructure (highways, public transportation, rail, seaports, airports) in tag fees and federal, state, and local fuel taxes**
- **Monthly contribution equals \$27.73**

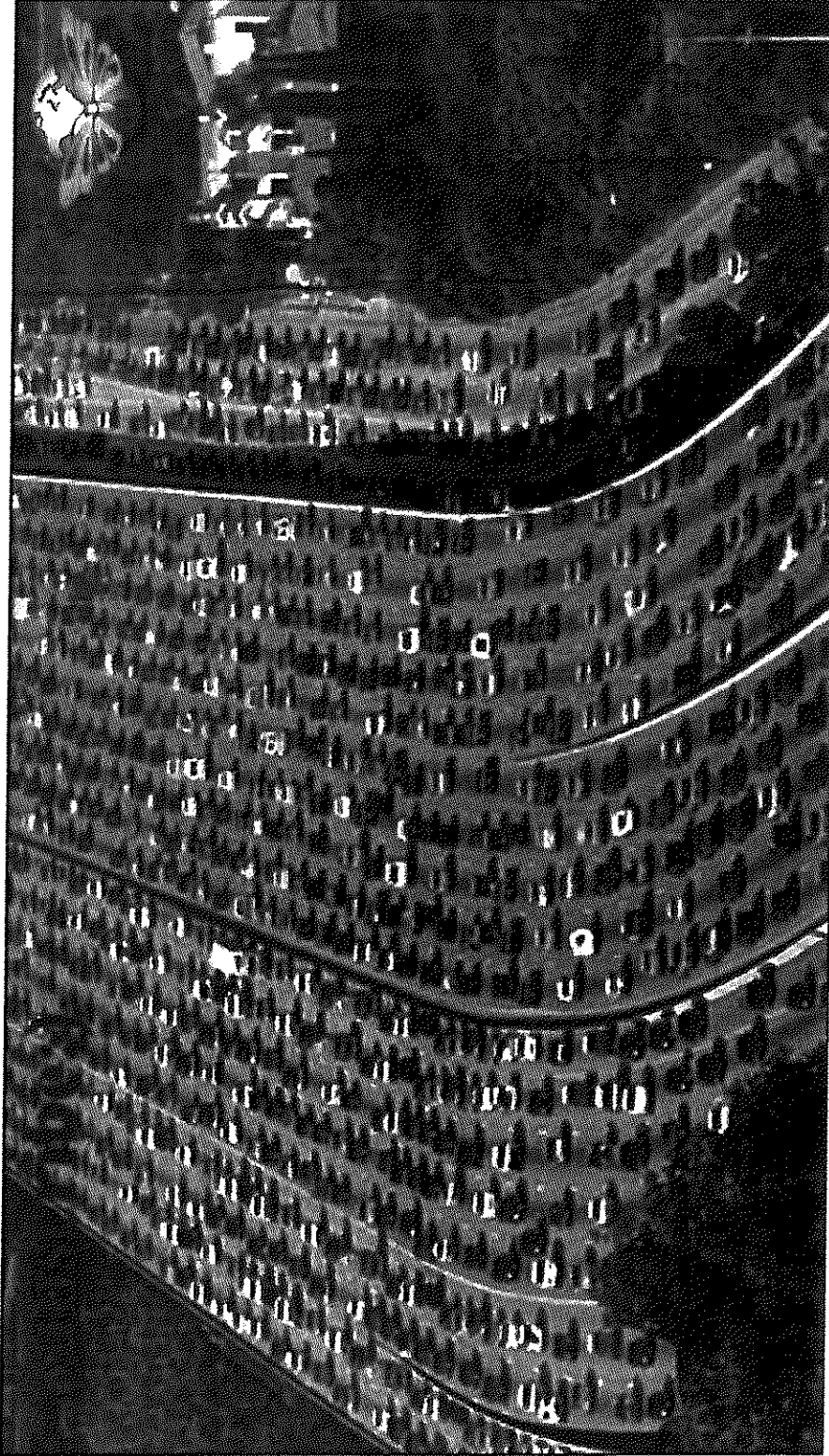




**The 2040 unfunded needs on
just the Strategic Intermodal
System (SIS) is estimated to
be \$131.2 billion in 2010
dollars.**

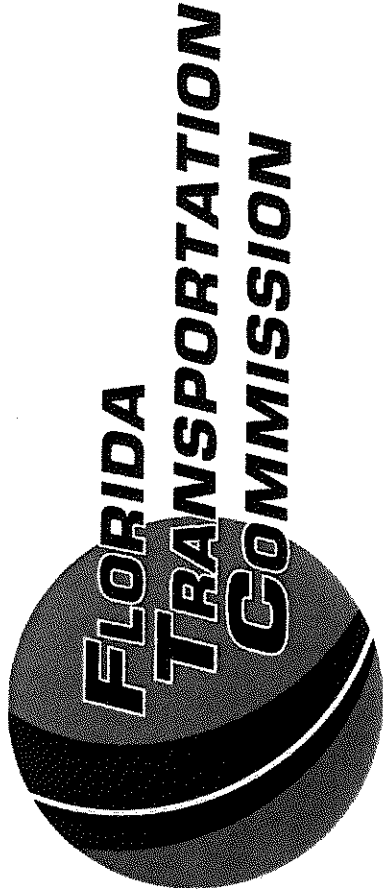


This is what happens when the economy grows faster than the transportation system's ability to accommodate it.



60 mile long traffic jam in China.





Thank You!

mark.reichert@dot.state.fl.us

850-414-4103



Item Number 7
Transportation for America

DISCUSSION:

John Robert Smith is the Chair of Transportation for America, former mayor of Meridian, Mississippi, and a long-time leader on behalf of passenger rail. He is a former chairman of Amtrak's board and a former member of the transportation committee of the National League of Cities and the U.S. Conference of Mayors, as well as former chairman of the National Forum on the Future of Passenger Rail.

He is a veteran of the station-centered community development movement, and led the drive to renovate the City of Meridian's Union Station, a \$7 million historic restoration project that created a new multimodal transportation center, dramatically increased use of the station, raised property values and city tax receipts, and lowered crime in the station's neighborhood. He was previously president and CEO of Reconnecting America and served five years on the board and was a founding partner and board member of Reconnecting America's predecessor organization, the Great American Station Foundation.

REQUESTED ACTION:

Consider action on H.R. 4726 the Innovation in Surface Transportation Act.

ATTACHMENTS:

1. Saving the Nation's Transportation Fund, An investment plan for the 21st century.
2. Advancing Innovation in Transportation and Securing Economic Prosperity, Support the Innovation in Surface Transportation Act, H.R. 4726.
3. Talking about in-state competitive grants.
4. Draft letters to Congress in support of H.R. 4726 Innovation in Surface Transportation Act.

SAVING THE NATION'S TRANSPORTATION FUND



An investment plan for the 21st century

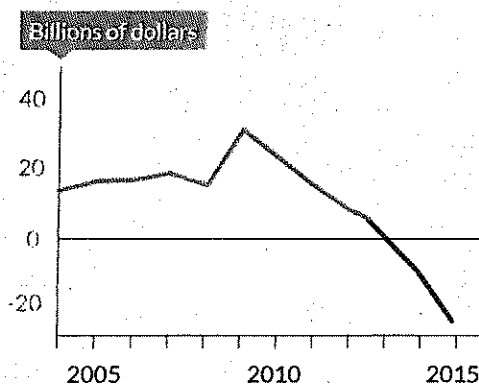
We must act—now—to fix the transportation trust fund, so that we can **maintain** our existing infrastructure, **reward** local innovation and **prepare** for the future.

Trust Fund headed for insolvency

Our nation's ability to build and maintain our transportation network is nearing a crisis. Without action from Congress in 2014, our Highway Trust Fund will be in a deep deficit that could require **halting the federal program for fiscal year 2015**.

Highway Trust Fund balance

*2012-2020 numbers are based on CBO projections from August 27th, 2012
 **DOT requires a minimum \$6 billion cushion, hence the HTF hits the red before crossing zero. fhwa.dot.gov/policyinformation/statistics/2010/fe210.cfm

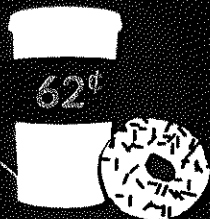


PAYING FOR PROGRESS

What we need



Annual investment needed to make the transportation fund solvent and effective



Daily cost per commuter. About as much as a cup of coffee and a doughnut per week.

How to raise it

The simplest way: Add 17 cents per gallon to the federal gas tax. Other possibilities (choose one):

- Replace the existing per-gallon tax with a sales tax of 11%; or
- Introduce a fee of \$4 on each barrel of oil; or
- Add a sales tax of 5.5% to fuel purchases; or
- Index the gas tax to construction costs and raise one of the above taxes/fees a lesser amount.

Can we count on your support?

- ✓ Stabilize funding for the MAP-21 program Congress adopted in 2012 and protect all modes of transportation from draconian budget cuts;
- ✓ Raise additional revenue for locally-driven projects that spur economic growth and innovation.

OUR ECONOMY & COMMUNITIES DEPEND ON **TRANSPORTATION INVESTMENT**

Across the country, our cities, towns and suburbs—the local centers of commerce that form the backbone of America’s economy—are in a serious bind: They know they must have top-notch networks of roads and transit to compete on a global scale and preserve their quality of life. They know they need to get workers of all wage levels to their jobs. They also know they need to eliminate crippling bottlenecks in freight delivery. These local communities are stretching themselves to raise their own funds and to innovate, but without a strong federal partner the twin demands of maintaining their

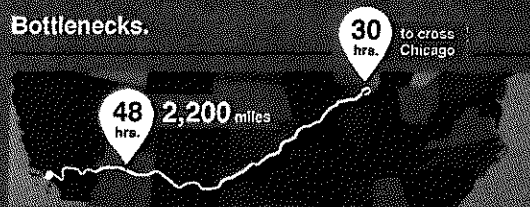
existing infrastructure and preparing for the future are beyond their means. Even as the transportation trust fund faces insolvency, existing federal programs too often put a damper on innovation rather than stoking it.

This cannot stand. The federal government must become a strong partner in a 21st century investment plan for transportation that invests in strong local economies and rewards smart, homegrown, locally-driven transportation innovations.

Just as our national economy depends on strong local economies, our national transportation program should invest in and reward smart, home grown, locally driven transportation solutions.

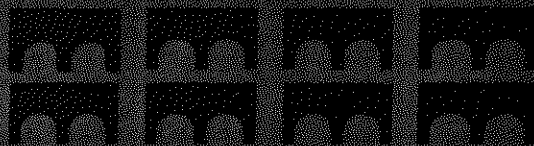
THE COSTS OF INACTION

Bottlenecks.



Freight takes almost 50 hours to get across Chicago on the highway it does to get there from Los Angeles.

Hazardous conditions.



1 in 9 bridges in the U.S. is structurally deficient, requiring significant repairs, maintenance or replacement.

Unmet demand.



Even as transit ridership is surging and people are returning to work, ambitious local plans to invest in transportation to grow their local economies would stall if the federal support disappears.

A 21st century transportation plan

Investors know you must put money in today to get returns in the future. Raising an additional \$30 billion per year would allow us to invest to accomplish critical goals at only a small cost per commuter:

Reverse the decline of the transportation trust fund. Fully fund the existing highway and transit programs that preserve our aging infrastructure, without taking money from other important programs or adding to the deficit;

Spur the innovation our economy needs to meet population growth and rising demand by funding competitive grants to local communities that come up with smart solutions.



Fixing what we need to fix.

- Repair 46,508 bridges
- Replace 16,000 aging buses and 5,000 rail cars
- Meet our ongoing commitments.



Improving communities & expanding opportunity.

- Based on the average cost of construction, the investment fund would support 70 new transit projects, providing new access to jobs and potential workers in dozens of cities, towns and suburbs.



Spurring local innovation.

The federal government plays a key role in promoting innovation, by providing capital for locally driven path-breaking initiatives, whose success can be shared nationwide.

- Fund competitive grants, such as a freight grant program and the popular TIGER grant program, for groundbreaking projects with significant economic pay-off.



Increasing accountability and local control.

By providing more funding and control to the local level, Americans will more easily see the impact and be better able to hold officials accountable.

SPURRING LOCAL INNOVATION: FEDERAL DOLLARS AT WORK



Regional investments, national benefits

The rail improvements in Chicago's CREATE project will provide \$3.6 billion annually in national economic benefits.



High rate of return in Utah

For every \$1.00 spent on the state's unified transportation plan, an estimated \$1.94 is returned to the state in value.



Access to jobs in Minnesota

Building the planned transit network will allow Twin Cities employers to recruit from an additional 500,000 potential workers.



Learn more and voice your support at
www.T4America.org

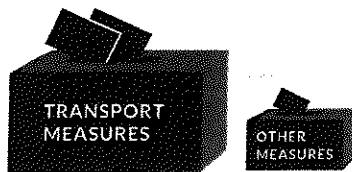
Local accountability: the best way to ensure a return on investment

While this level of investment is a modest request from taxpayers, they have a right to expect a guaranteed return on it. Opinion polls and ballot results show what American voters want—a system that is:

- *In good repair;*
- *Rewards locally driven innovation;*
- *Keeps the nation in the economic forefront; and*
- *Connects all Americans to economic opportunity.*

They want to know the money will flow to their communities for improvements in their daily life—making travel easier, more affordable and safer. And they trust the levels of government closest to them because they can hold them accountable.

American workers and businesses will willingly pay a little more to achieve these goals, if the expected results—and accountability for them—are clearly articulated.



Transportation ballot measures pass at **twice** the rate of all other ballot measures.

Raleigh, NC: **70%** approve

Mesa, AZ: **56%** approve

Kansas City, MO: **64%** approve

Salt Lake City, UT: **64%** approve

Seattle, WA: **58%** approve

St. Louis, MO: **63%** approve

Alameda & Contra Costa County, CA: **72%** approve



PLEASE JOIN US!

We are business, civic and elected leaders from across the country, united to ensure our nation invests to keep our cities, towns and suburbs strong and economically competitive. Because our future prosperity depends on it.

Americans are eager to return to world leadership in the quality of our transportation networks. And we want to leave our children with a legacy of lower deficits and an infrastructure suited to our future economy and quality of life. This investment plan is a significant down-payment toward fulfilling those desires.



t4america.org [@t4america](https://twitter.com/t4america)

Advancing Innovation in Transportation and Securing Economic Prosperity

Support the Innovation in Surface Transportation Act, HR 4726

Innovation in transportation is born within local and regional governments. Local and regional entities of all sizes are the centers for economic growth and continued prosperity for the nation. Communities across the country are stepping up efforts to maintain their existing infrastructure and prepare for future demands on their transportation systems. Local leaders in these communities are best able to identify the particular transportation investments needed to address their community's unique challenges. Since the turn of the 21st century, local governments have dramatically increased their commitment to our transportation systems by increasing local revenues to meet demands.

MAP-21 Highway Programs	Funding (billions)	Percentage of MAP-21 Funds
National Highway Performance Programs (NHPP)	\$21.8	58.6%
Surface Transportation Program (STP)	\$10.0	26.9%
<i>*STP Suballocation for Local and Regional Control</i>	\$5.0	13.4%
Highway Safety Improvement Program (HSIP)	\$2.4	6.5%
Congestion Mitigation Air Quality (CMAQ)	\$2.2	5.9%
Transportation Alternatives (TA)	\$0.8	2.2%
<i>*TA Suballocation for Local and Regional Control</i>	\$.04	1.1%

It is important to give local leaders the tools and resources to invest in innovative transportation solutions that are critical to their economic competitiveness. Through the consolidation of programs in MAP-21 virtually all competitive Federal funding opportunities were eliminated, making it harder for local communities to directly access Federal funds. These were the same programs that communities looked to help fund their innovative transportation projects. Formula programs now make up nearly 93 percent of all Federal highway funding, an increase of 10 percent from SAFETEA-LU. Furthermore, local and regional entities are provided access to less than 15 percent of all authorized highway funds from MAP-21. In short, funding and project selection have been streamlined in a way that only a select few determine how Federal funds are spent, in some instances, largely ignoring the needs of local governments both large and small.

Additionally, the primary source of funding for local transportation projects, the Surface Transportation Program (STP), had more than \$5.0 billion of new responsibilities added to it by MAP-21; while that program only was increased by \$1.2 billion.

Advancing Innovation in Transportation and Securing Economic Prosperity through In-State Competition: The solution Transportation for America proposes will create in-state competitions within every State for a small portion of a State's formula funds. This proposal will strengthen accountability, increase return on investments, and allow local and regional governments to build infrastructure connections that provide better opportunities for local businesses and residents to prosper.

Under this proposal, states will conduct annual competitions for a small portion of Federal formula funds. That competition will be open to local jurisdictions, metropolitan planning organizations, transit providers, tribal governments, and other transportation entities, and projects would be selected by a panel with equal representation from state departments of transportation and local jurisdictions, as well as other stakeholders. Project selection will be based on a set of criteria aimed at improving the transportation system, promoting innovation, and spurring economic development. The transparency of this process will ensure that the best projects are selected and that federal funds are used to provide the highest return on investment.

What this proposal would mean for Florida

FY2014 NHPP 10.0%	FY2014 STP 16.66%	FY2014 HSIP 33%	FY2014 CMAQ 33%	FY2014 TAP 16.66%	Total for In- state program
\$114,343,843	\$87,657,279	\$39,059,013	\$4,523,713	\$8,308,595	\$253,892,442

Talking about in-state competitive grants

The need:

Strong local economies are the foundation of a strong national economy, but today our cities, towns and suburbs are not getting the transportation investments they need for us to remain competitive.

- They face the twin demands of maintaining aging infrastructure and preparing for future growth, but with constrained funding.
- We have to find a way to get more resources into local hands to do the economically important projects that don't get done under existing funding silos.

The solution:

A statewide program of competitive grants to local communities to spur innovation and economic development, overseen by a diverse selection panel, including the state DOT and local jurisdiction

- It is important to note that the DOT alone will not administer the grants, but will work with a selection panel made up of diverse stakeholders from all parts of the state
 - This makes sure the vision for state progress belongs not to just to DOT bureaucracy but includes diverse viewpoints
- The competitive grant funds stay within the state, and DOTs are part of the decision-making body, while including more stakeholders in a decision-making process that gives local communities greater access to funding.

The benefits:

This solution will allow local communities to build connections that provide better opportunities for local businesses and residents to prosper.

- When communities compete against their peers they streamline and stretch to make the most of every project and every dollar. Projects are more likely to:
 - Solve multiple problems at once
 - Encourage innovation
 - Prompt creation of new partnerships among public and private actors
- The innovative, cost-effective and economically important projects will rise to the top, and applicants will learn to sharpen their thinking, planning and inclusiveness around transportation.

Why is it necessary?

Needs are growing but access to federal funds has shrunk:

- MAP-21 eliminated many of the programs that communities looked to for aid, which has limited the available resources, and earmarks have been banned.
 - Today, Federal TIGER grants are the only pot of funds available to many of local and regional jurisdictions, but is woefully underfunded and oversubscribed.

- Through the first 5 rounds of TIGER there were nearly 5,300 applicants with 271 receiving grants (5% receive funds).
 - Local and regional entities are provided access to less than 15 percent of all authorized highway funds from MAP-21.
 - MAP-21 also gave more control to states. Requiring that some of the money be passed to communities through this program is a way to make good on Congress's promise of more local control.
 - This policy proposal has garnered greater bipartisan appeal than direct sub-allocation, which T4A supports should it gain momentum.

The particulars

- Eligible projects for the in-state grant competition would include all projects currently appropriate for the Surface Transportation Program, and those “that will improve the movement of goods along a primary freight network, including multimodal facilities near a primary freight route.”
- Applicants would include local jurisdictions, regional transportation authorities, transit providers, tribal governments, and other transportation entities.
- Each state's selection panel would include representatives from:
 - State DOT (minimum of 3)
 - Local jurisdictions representing all population sizes (minimum of 3)
 - MPOs, COGs, and RPOs (minimum of 3)
 - local chambers of commerce, including transportation management organizations, travel and tourism boards
 - Air Quality Board
 - Safety Board
 - Transit agency
 - Port Authority
 - Active transportation
- The selection committee's work would be thoroughly transparent:
 - States will be required to share in a publically accessible medium that is easy to navigate:
 - the criteria and methodology used to select such projects;
 - a list of all the projects for which funding was requested
 - a list of projects that were selected to receive funding under this section, and
 - the ranking and scoring of all projects for which funding was requested.

Where does the money come from?

Without additional revenue, this program would be created through reservation of funds from the core highway programs:

- NHPP (10%)
- STP (16.66% or put another way 33% of the State government controlled STP funds – not suballocated funds)
- HSIP (33%)
- CMAQ (33%, plus unobligated funds from the previous fiscal year)

- TAP (16.66% or put another way 33%% of the State government controlled TAP funds – not suballocated funds)

The project selection criteria

- improve the safety for all users of the transportation network;
- strengthen the contribution of a national multimodal freight network to the Nation's economic competitiveness;
- promote multimodal connectivity;
- strengthen return on investment, particularly the impact on local economic development;
- improve access to jobs and sources of labor, schools and opportunity;
- optimize the usage and efficiency through better design and operation of existing transportation facilities;
- improve the reliability of the transportation system of the United States;
- reduce improve environmental performance of the transportation system impacts;
- encourage innovation and the use of technology

Other FAQ

Q. Who will not like this proposal?

The strongest opposition will come from State DOTs.

Q. Are there reasons why a DOT might embrace this proposal?

While few are likely to endorse it wholeheartedly, to date none of the three DOTs approached – MD, MS and PA -- has worked to kill this policy after hearing about it.

- This program can drive innovation and help DOTs by giving them a tool to say no to bad projects. For example, while MD DOT doesn't wholeheartedly endorse this policy, they would like to use the selection criteria and competitive process to encourage areas of the state that continually asks for bypasses and highway extensions to think differently in their project development and planning if they wish to receive funds under this competition. Over the long term, MD DOT can see how a program such as this could bleed into the regular planning process and improve the quality of the projects that move up through the TIPs and STIPs.
- History shows that programs such as these engender great goodwill and improved partnerships between DOTs and their municipal partners. Overall, this policy will create more local level ribbon cutting ceremonies. State DOTs and elected officials will receive a large part of the credit at these ceremonies. By reserving limited resources for this program States will be able to encourage

innovation and local buy-in in the State process, and in return receive better participation and support for their other activities.

Q. My state DOT says they cannot develop this program, because all formula dollars are already allocated. Is that true?

This is probably false, though there is no need to say this flat out. Most DOTs update their spending plans bi-annually, and some as often as every year. Providing necessary time, but not too much time, will allow states to free up funds for this program, and still adequately plan for their capital investment plans.

Q. What if a State already has a competition similar to the one developed by this policy?

States that suballocate more than 50% of their federal highway funds being reserved by this bill to the local level (this applies to CA, which already has a preferred model) or states that have a competitive grant process on the day of this law's enactment will be able to certify with the Secretary and be allowed to continue the current process that is being used.

If a state has a competitive grant program on the day that this law is enacted (PA & OR) we envision them applying to keep their process, but use the program's funds to leverage their state competitive grant programs even farther.

Further, for States that compete any of the program funding we are reserving (NHPP, STP, HSIP, CMAQ, TAP), or suballocated to metropolitan areas or directly transferred to metropolitan or state transit agencies are excluded from this program.

DOT's will be required to certify through a public process that they do, in fact, have what this policy intends to create.

Q. My state suballocates nearly all of their CMAQ funds to transit, why should the state DOT have to open half these dollars to competition?

Some states suballocate half or more of CMAQ funds to the state's transit authority (MD, VA, NJ). States that hold competitions for CMAQ funding or suballocate to metropolitan areas or transit agencies more than 95% of CMAQ funding could exclude this program's funds from this in-state competitive process.

We are supporters of transit, however, blindly suballocating funds for this purpose doesn't guarantee the best use of the funds, nor does it leverage these monies farther. If transit is the best option, they will receive the funds, however, without competition or access to these funds no one will ever know if there are more cost effective means to reduce congestion and environmental impacts.

CMAP in Chicago has an effective “competition” that is currently administered for the region’s funds.

Q. Are freight projects eligible under this policy?

Yes, multimodal freight operations are eligible so long as it falls within an eligibility of the core highway programs, or is “a surface transportation project that will improve the movement of goods along a primary freight network, including multimodal facilities near a primary freight route.”

Q. This process seems extremely burdensome and onerous. Why wouldn't we just suballocate funds down to the local level?

Transportation for America supports greater suballocation of funds to the local level, and if there was a policy push to increase funding levels for this action T4A would be right there behind it. However, political realities make this nearly a non-starter in both the House and Senate.

This process is beneficial in a number of ways that suballocation is not, including:

- It is currently politically viable at this stage in the game
- It wouldn't shift funds to create a new ruler. Some MPOs are underperforming and increasing funds for these entities wouldn't result in better outcomes.
- Provides equal access and opportunity for local entities of all population size to access and apply for projects of their choosing. While greater suballocation provides more money for rural areas, it wouldn't necessarily improve their ability to decide which projects receive the funds. Rather, the State DOT is required to spend the additional suballocated funds for rural areas within these regions, and its assumed that additional funds spent in the region is ultimately what the local jurisdictions need from their transportation system.

June xx, 2014

Honorable _____
United States House
Washington, DC 20510

Dear Representative _____:

I want to thank you for your continued leadership and dedication to advancing an efficient and safe transportation system. As you are aware, our state's economic strength depends upon our cities, towns, and suburbs having the resources they need to attract and retain businesses and provide opportunities for residents to prosper.

That is why I request that you join Representative Davis and Representative Titus in cosponsoring the Innovation in Surface Transportation Act, H.R. 4726. Local jurisdictions face the twin demands of maintaining aging infrastructure and preparing for future growth, but with constrained funding. The Moving Ahead for Progress in the 21st Century (MAP-21) surface transportation authorization bill negatively impacted local jurisdictions' ability to address these issues. MAP-21 provides local jurisdictions' direct access to less than 8% of the Federal highway program, which is too small for us to maintain our transportation system, attract businesses to spur economic development while also guaranteeing safe travel for our residents. Today, there is largely just one pot of funds available for us to address our unique transportation challenges and that is the TIGER grant program, which we support, but is woefully underfunded and oversubscribed.

This is why we support Representative Davis and Representative Titus's efforts to provide greater access to funding for and decision-making responsibility to our local jurisdictions through H.R. 4726. The Innovation in Surface Transportation Act will allow us to advance our locally-driven innovative solutions for our transportation challenges. The bill ensures the best projects are selected for funding by allowing local jurisdictions to compete with their peers for grants to fund projects through a program run by state departments of transportation and local jurisdictions using a portion of a state's Federal formula funds. Through the in-state competition the most cost-effective and economically important projects will rise to the top. This competition will also drive local jurisdictions to develop better projects and bring forth greater local and private dollars as our match, which will leverage the constrained Federal monies even farther.

Please cosponsor the Innovation in Surface Transportation Act. This is an important piece of legislation that will leverage federal funds even farther, and provide access to opportunity that is badly needed for your local jurisdictions. Thank you for considering my request.

Sincerely

May xx, 2014

Honorable _____
United States House
Washington, DC 20510

Dear Senator _____ :

I want to thank you for your continued leadership and dedication to advancing an efficient and safe transportation system. As you are aware, our state's economic strength depends upon our cities, towns, and suburbs having the resources they need to attract and retain businesses and provide opportunities for residents to prosper. That is why I request that you join Senator Wicker (R-MS) and Senator Booker (D-NJ) to help them get their Innovation in Surface Transportation policy into the Senate's surface transportation reauthorization bill. This policy was introduced during the Senate Environment & Public Works markup of the MAP-21 Reauthorization Act, S. 2322.

Local jurisdictions face the twin demands of maintaining aging infrastructure and preparing for future growth, but with constrained funding. The Moving Ahead for Progress in the 21st Century (MAP-21) surface transportation authorization bill negatively impacted local jurisdictions' ability to address these issues. MAP-21 provides local jurisdictions' direct access to less than 8% of the Federal highway program, which is too small for us to maintain our transportation system, attract businesses to spur economic development while also guaranteeing safe travel for our residents.

This is why we support Senator Wicker and Senator Booker's efforts to provide greater access to funding for and decision-making responsibility to our local jurisdictions through their Innovation in Surface Transportation policy. This effort will allow us to advance locally-supported, innovative solutions to our transportation challenges. The policy ensures that the best projects are selected for funding, through a transparent process. It allows local jurisdictions to compete for transportation project grants through a program run by state departments of transportation and local jurisdictions using a portion of a state's Federal formula funds. This in-state competition will foster more cost-effective and economically important projects and will drive local jurisdictions to develop better projects and leverage more local and private dollars.

Please contact Senator Wicker and Senator Booker and let them know that you support the Innovation in Surface Transportation policy and will help them in getting this into the Senate surface transportation reauthorization. This is an important piece of legislation that will leverage federal funds even further, and provide access to opportunity that is badly needed for your local jurisdictions. Thank you for considering my request.

Sincerely

Item Number 8
Lee County Complete Streets Initiative TIGER Grant

DISCUSSION:

Mr. Donald Scott, Executive Director of the Lee County MPO will be presenting the Lee County Complete Streets Initiative TIGER Grant.

The Lee County MPO submitted a TIGER grant and application in June of 2013 requesting \$10.5 million in grant funds and was awarded those funds in September of 2013. The grant funding is being used to complete three loops serving major portions of Lee County including Fort Myers, Bonita Springs and other parts of the County. Together, the three segments will form a safe integrated system of walking, bicycling, and transit facilities that connect major commercial and residential facilities, providing commuters and others the freedom to move around Lee County without the need for an automobile. The Lee County Metropolitan Planning Organization will be designing and constructing sidewalks, pathways, paved shoulders and bus shelters filling in gaps through a design build project that will be let later this summer. Over the past nine months the Lee MPO has been working on the up front tasks in preparation for release of the Design Build Project.

REQUESTED ACTION:

As may be desired.

ATTACHMENT:

1. Lee County TIGER V Grant.



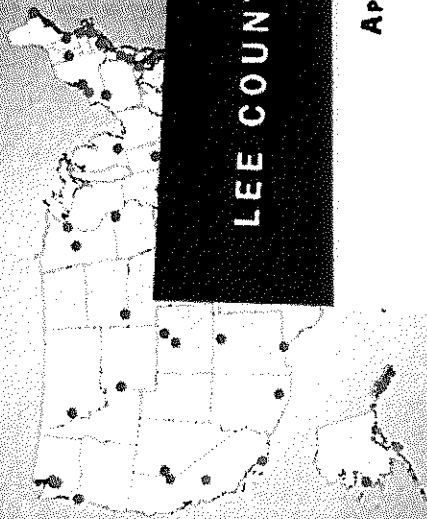
TIGER V GRANT



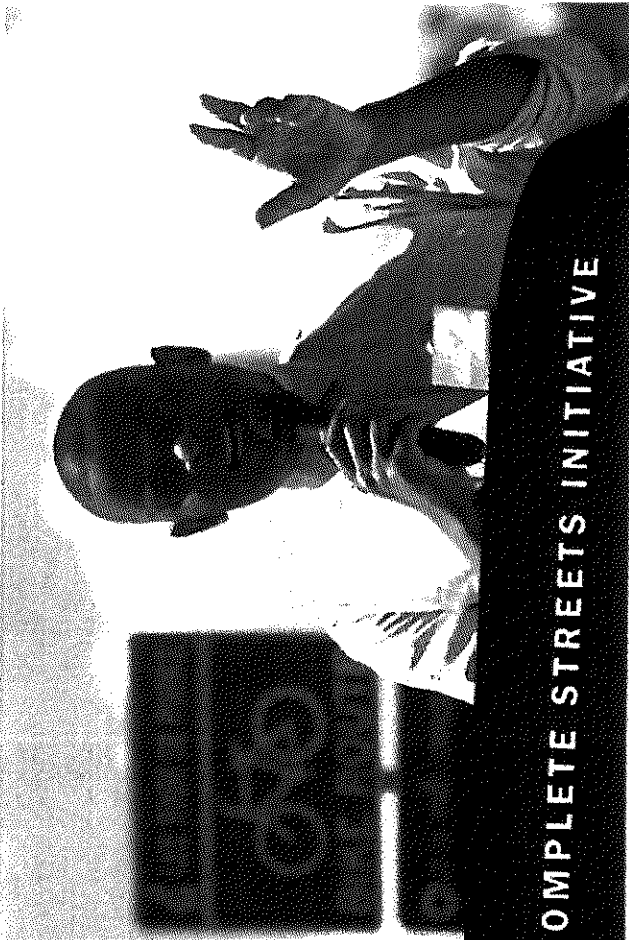
U.S. Department
of Transportation

TIGER

2013 AWARDS



U.S. Department
of Transportation



LEE COUNTY COMPLETE STREETS INITIATIVE

APPLICANT/SPONSOR: Lee County Metropolitan Planning Organization
\$13,210,918

TOTAL PROJECT COST:

\$10,473,900

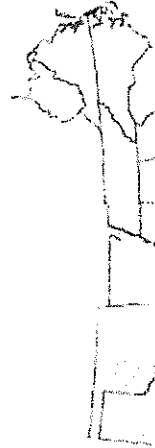
GRANT FUNDING:

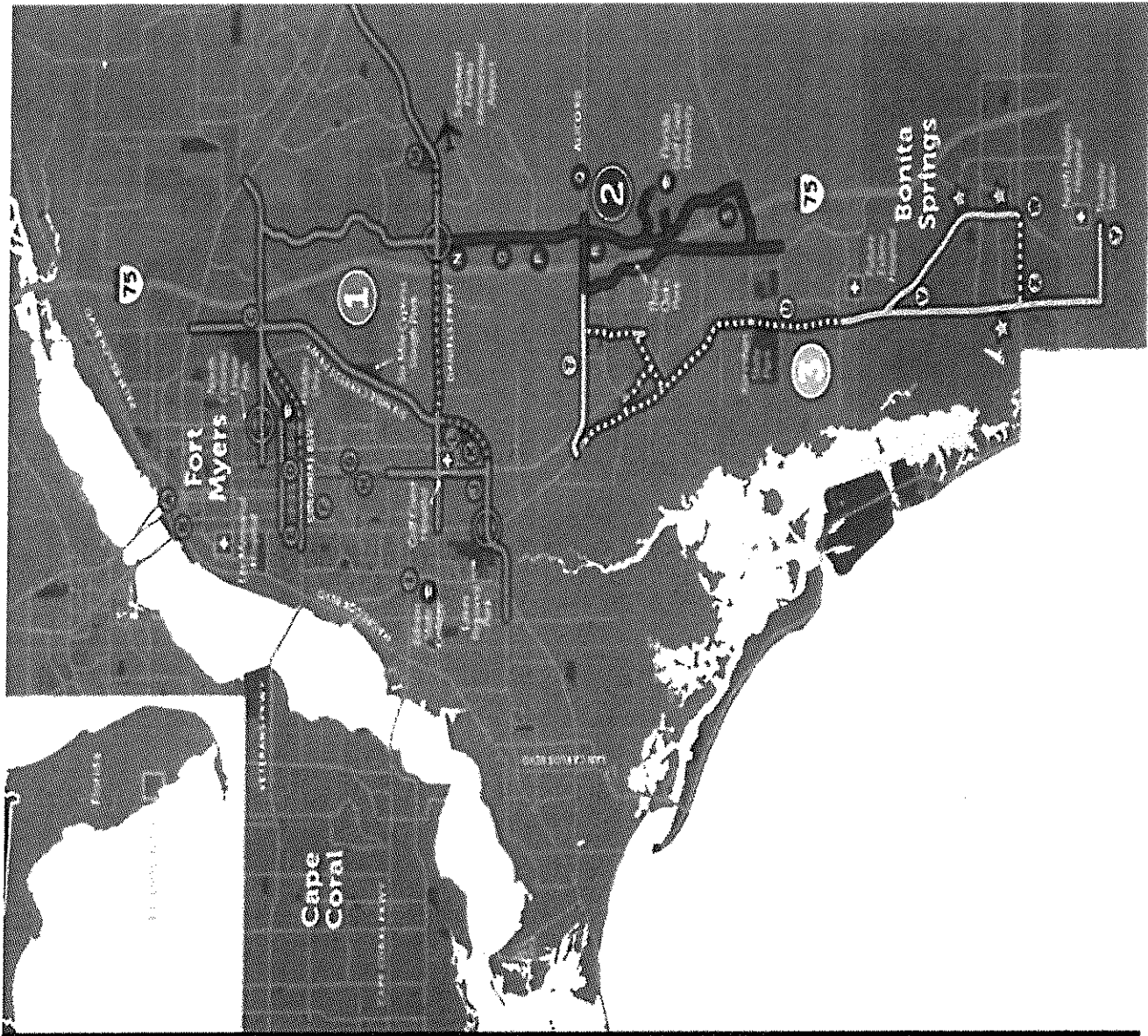
PROJECT DESCRIPTION

TIGER funds will be used to support bicycle and pedestrian transportation connections throughout Lee County. This project will complete three sections of the regional trail network: the Tour de Parks Loop, the University Loop, and the Bi-County Connector.

Project Highlights

Provides continuous, safe transportation paths that connect major employment centers, county residents and university students, and regional destinations directly to the central business district.





1

**Tour de Parks
Loop**

2

**University
Loop**

3

**Bi-County
Connector**

Executive Summary

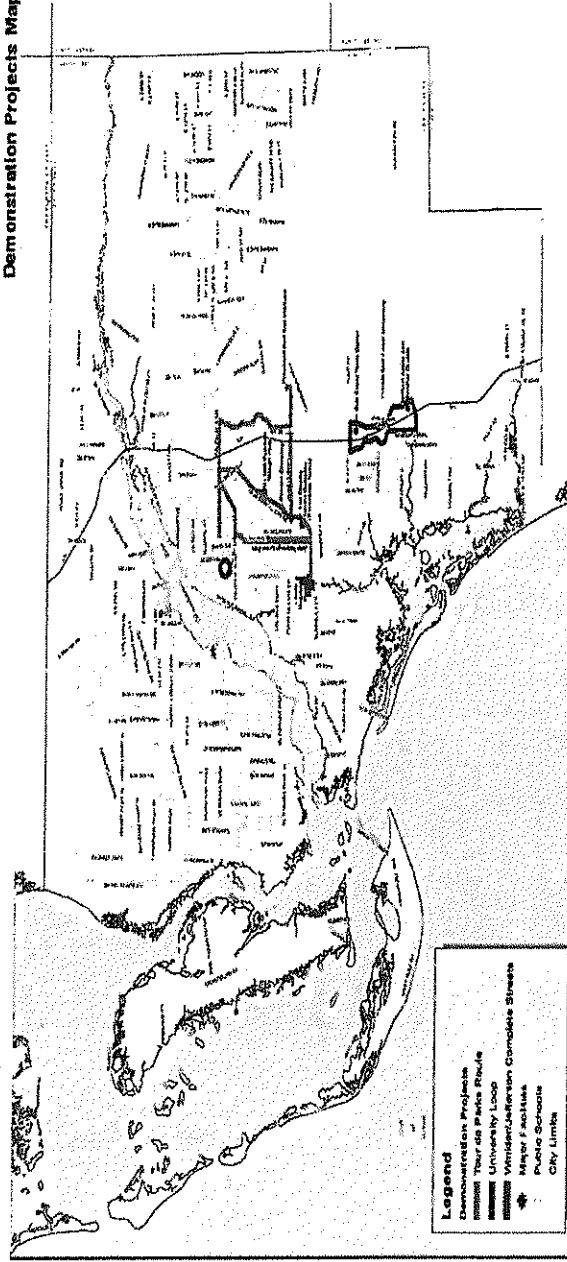
DEMONSTRATION PROJECTS

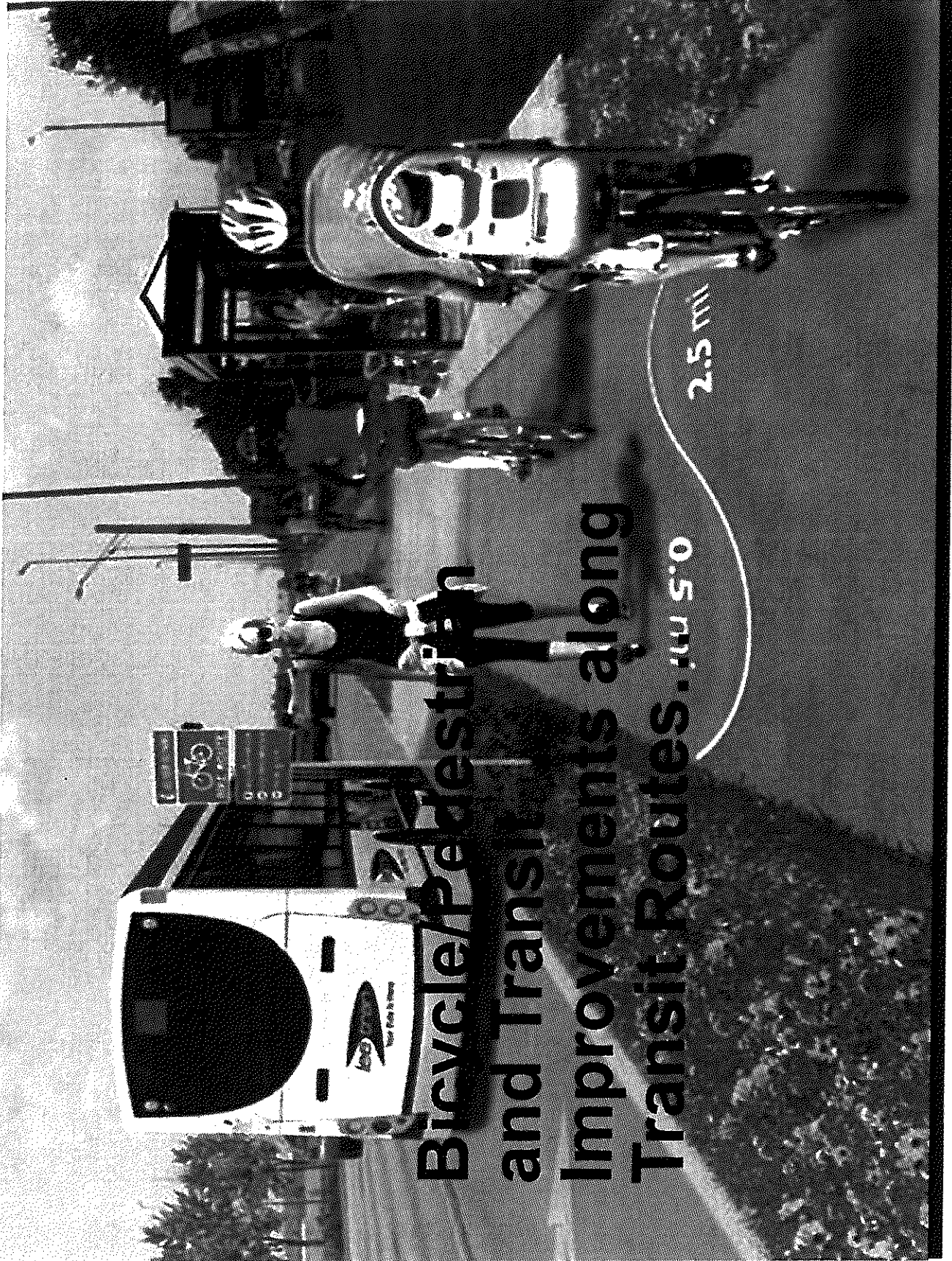
In addition to closing facility gaps, it was deemed very important to address network quality and user experience issues. While building the backbone network remains the top long-term priority, it is also important to provide immediate and highly visible improvements that will demonstrate how "top-notch" bicycle and pedestrian facilities could look and function. Three distinct demonstration projects were identified (Exhibit II):

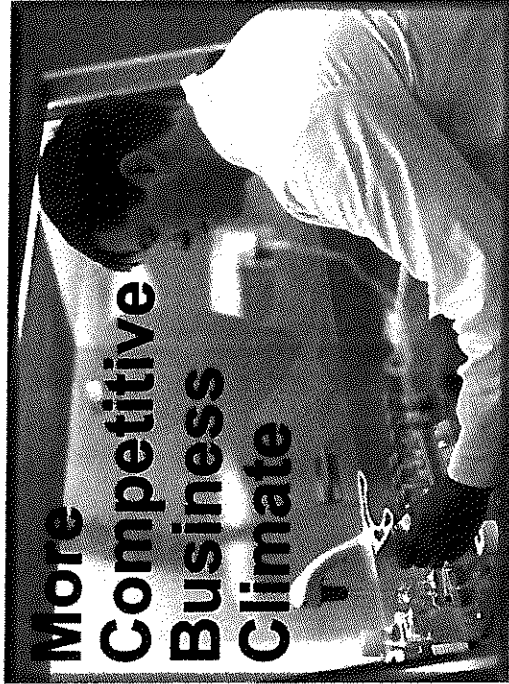
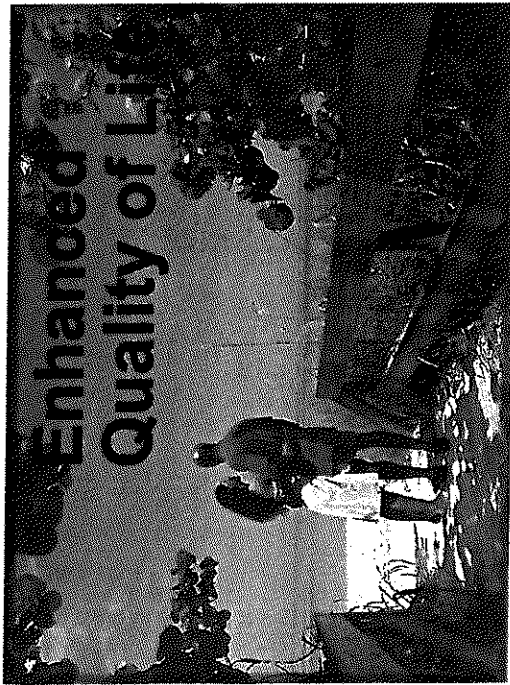
- The Lee Tour de Parks Route
- The University Loop; and
- The Winkler/Jefferson Complete Streets Project.

Each project was selected to highlight various aspects that contribute to high-quality, user-friendly bicycle and pedestrian networks. The Lee Tour de Parks Route establishes a continuous route which interconnects numerous parks, preserve areas and recreational facilities within the County. The University Loop promotes the enhancement of existing facilities through painted bike lanes and a unified wayfinding and signage program. This project encourages bicycle and pedestrian modes of transportation for daily commuters to school, shopping and entertainment venues. The Winkler/Jefferson Complete Streets Project proposes interconnection of Winkler and Jefferson Avenues and physical improvements along the corridor. This project would demonstrate the look and feel of a complete streets project and would demonstrate the benefits resulting from designing roadways for all modes of transportation.

Demonstration Projects Map







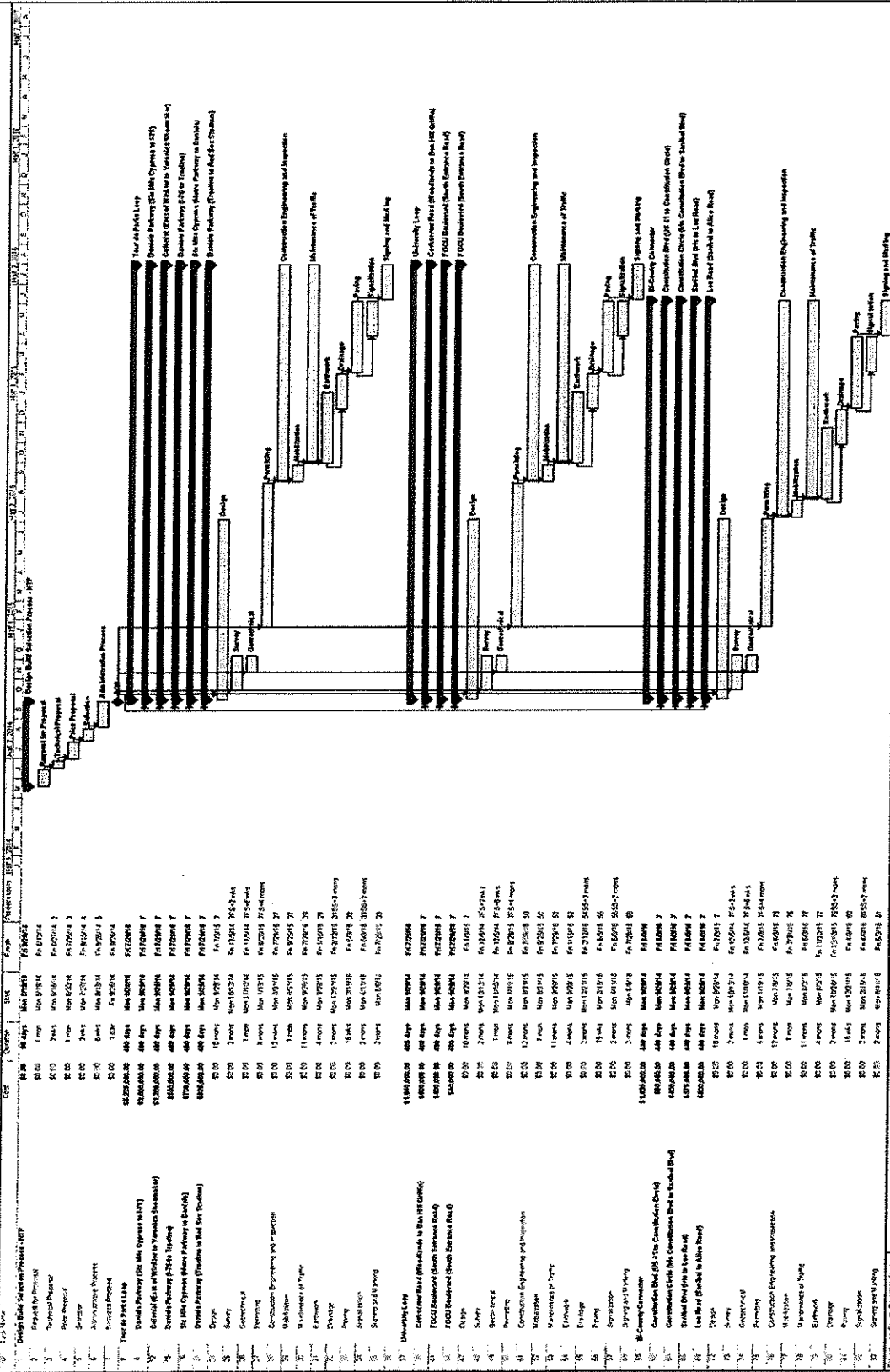
It all adds up!



Project Schedule

- Start Design Survey September 2014
- Start Constuction August 2015
- Substantial Completion September 2016

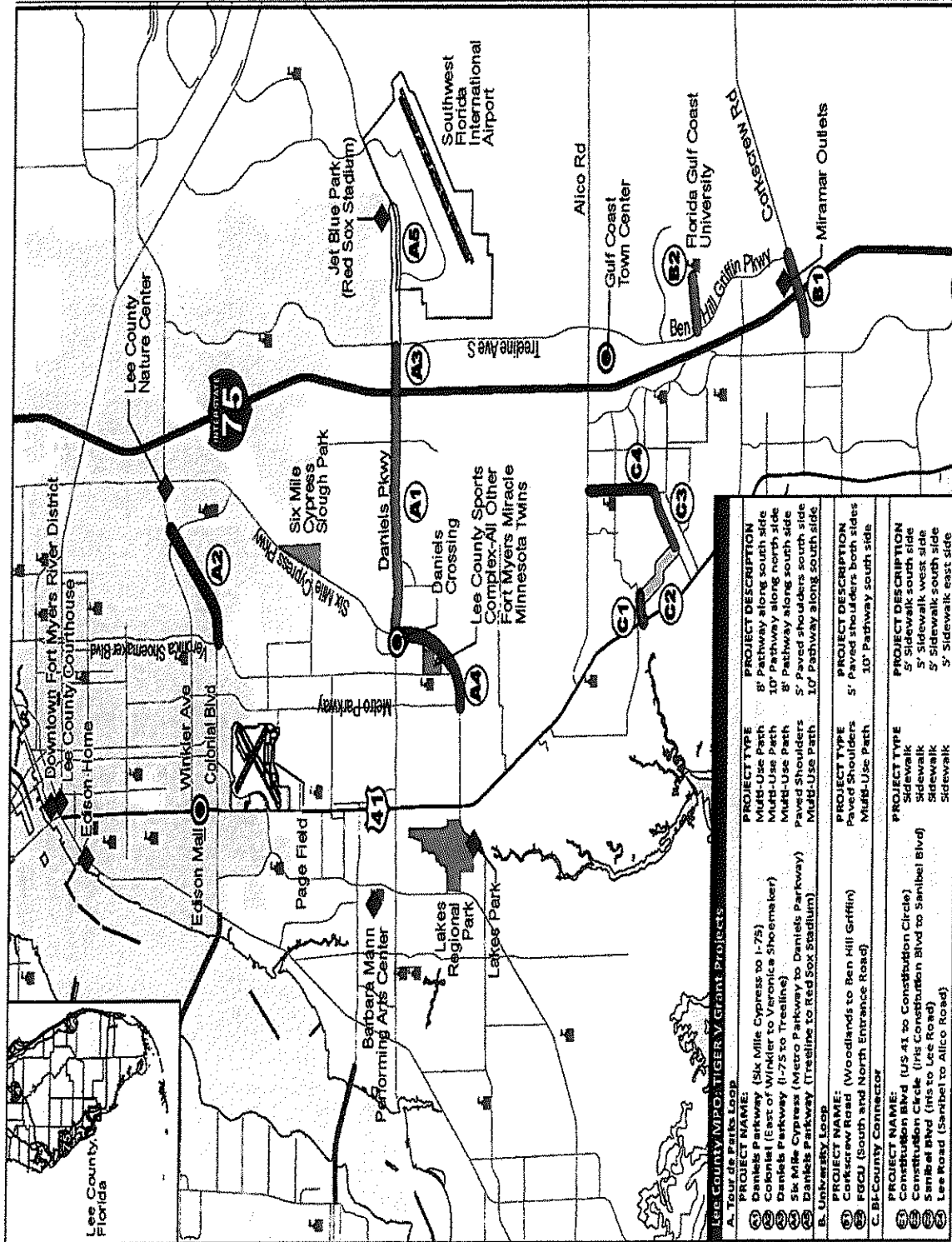
LEE COUNTY COMPLETE STREETS INITIATIVE



Task ID	Task Name	Start	End	Status	Phase
1	Design and Planning	1/1/2014	1/1/2014	Completed	Design and Planning
2	Construction	1/1/2014	1/1/2014	In Progress	Construction
3	Maintenance	1/1/2014	1/1/2014	Planned	Maintenance

Current Project Status

- **Completion of NEPA on May 12, 2014**
- **Civic Hackathon held on May 30th – June 1st**
- **Construction Engineering Inspection firm selected June 20, 2014**
- **TIGER Grant Agreement Executed on June 27, 2014**
- **Finalizing Design Build RFP**
- **Staff working on administrative items such as access for reporting requirements**



LEE COUNTY MPO: TIGER V GRANT PROJECTS

A. TOUR DE PAYS LOOP

PROJECT NAME	PROJECT TYPE	PROJECT DESCRIPTION
① Six Mile Cypress (Six Mile Cypress to I-75)	Multi-Use Path	8' Pathway along south side
② Colonial (Winkler to Veronica Shoemaker)	Multi-Use Path	10' Pathway along north side
③ Daniels Parkway (I-75 to Treeline)	Multi-Use Path	8' Pathway along north side
④ Six Mile Cypress (I-75 to Treeline)	Paved Shoulders	5' Paved shoulders south side
⑤ Daniels Parkway (Metro Parkway to Daniels Parkway)	Multi-Use Path	10' Pathway along south side
⑥ Daniels Parkway (Treeline to Red Sox Stadium)	Multi-Use Path	10' Pathway along south side

B. UNIVERSITY LOOP

PROJECT NAME	PROJECT TYPE	PROJECT DESCRIPTION
⑦ Confessors Road (Woodlands to Ben Hill Griffin)	Paved Shoulders	5' Paved shoulders both sides
⑧ FCCU (South and North Entrance Road)	Multi-Use Path	10' Pathway south side

C. BLCOUNTY CONNECTOR

PROJECT NAME	PROJECT TYPE	PROJECT DESCRIPTION
⑨ Constitution Blvd (US 41 to Constitution Circle)	Sidewalk	5' Sidewalk south side
⑩ Constitution Circle (11th Constitution Blvd to Sanibel Blvd)	Sidewalk	5' Sidewalk west side
⑪ Sanibel Blvd (US 41 to Lee Road)	Sidewalk	5' Sidewalk south side
⑫ Lee Road (Sanibel to Alice Road)	Sidewalk	5' Sidewalk east side

Lee County MPO: TIGER V Grant Projects
Lee County Complete Streets Initiative

CH2MHILL

Reporting Requirements

Report	Requirements	Author	Due Date	Submitted via
Bi-Weekly Report	Required for all TIGER Projects until the project is fully obligated	FHWA Division Office	Every other Friday	SharePoint
Monthly Report	Required for all fully obligated TIGER Projects until the project reaches substantial completion	FHWA Division Office	Fifth of every month	SharePoint
Quarterly Report	Required for all TIGER Projects with an executed Grant Agreement	Grantee	The 20th following each calendar year quarter. For example, Q4 report due on January 20; Q1 report due on April 20	E-mail and RADS
Annual Report	Required for all TIGER Projects with an executed Grant Agreement	Grantee	Each year, 60 days prior to the anniversary of the Grant Agreement execution	E-mail
Performance Measure Reports	Required for all TIGER Projects with an executed Grant Agreement	Grantee	Due dates are project specific and are identified in the Grant Agreement	E-mail

Performance Measures

- **Average daily bicycle/pedestrian counts**
- **Annual non-vehicle crash rates by type and severity**
- **Transit passenger counts**
- **Customer survey (survey data on trip purpose, trip length, mode choice, user profile & route choice)**

Performance Measure Pre-Project Report

- The baseline pre-project Report shall include a detailed description of data sources, assumptions, variability, and the estimated level of precision for each measure
- Due August of 2015
- Yearly performance measure reporting from November 2017 through November 2022



Questions?

**Item Number 9
Communications**

1. Letter to Jim Wood, FDOT Office of Policy Planning from James Christian, FHWA Division Administrator approving the MPOAC Unified Planning Work Program, dated June 4, 2014.
2. Letter to Senator Andy Gardiner from Howard Glassman, MPOAC on passage of SB 2514 on multiuse trails and the Coast-to-Coast Connector, dated June 19, 2014.
3. Letter to Senator Jeff Brandes from Chairman Karen Seel, Pinellas County MPO on the Florida Ban on Texting While Driving Law, dated June 5, 2014.
4. Letter to U.S. Department of Transportation from DeLania Hardy, AMPO Executive Director on the NPRM for the National Performance Management Measures: Highway Safety Improvement Program, dated June 25, 2014.
5. Letter to Howard Glassman, MPOAC from Joanna Turner, NARC Executive Director on NARC membership renewal, dated June 17, 2014.



U.S. Department
of Transportation
**Federal Highway
Administration**

Florida Division

June 4, 2014

545 John Knox Road, Suite 200
Tallahassee, Florida 32303
Phone: (850) 553-2200
Fax: (850) 942-9691 / 942-8308
www.fhwa.dot.gov/fldiv

In Reply Refer To:
HPR-FL

Mr. Jim Wood
Director, Office of Policy Planning
Florida Department of Transportation
605 Suwannee Street, MS 28
Tallahassee, Florida 32399-0450

Dear Mr. Wood:

The following is in response to your staff's May 8, 2014 email and transmittal of the Final Fiscal Year (FY) 2014/15-2015/16 Unified Planning Work Program (UPWP) that was developed and adopted by the Metropolitan Planning Organization Advisory Council (MPOAC) for our review.

Upon our review of the Final UPWP, we have determined that the document satisfies the requirements of 23 U.S.C. 134, 49 U.S.C. 5303, 23 CFR Part 420, 49 CFR Part 18 and other pertinent legislation, regulations and policies. Moreover, we have determined that our comments on the Draft UPWP have been adequately addressed.

As delegated in the January 2011 Memorandum of Agreement (MOA) between the Federal Highway Administration (FHWA), Florida Division and the Federal Transit Administration (FTA), Region IV for Administration of Transportation Planning and Programming, the FHWA approves the MPOAC's FY 2014/15-2015/16 UPWP submitted by your office.

The FY **2014/15-2015/16** UPWP reflects **\$435,123** of Planning (PL) funds for FY 2014/15 and **\$435,123** of PL funds for 2015/16. The funds for FY 2014/15 are available upon an approved authorization. Expenditure invoicing and progress reports should be submitted quarterly, with copies to the FHWA. Expenditures incurred without prior authorization will not be reimbursed. **The funds for FY 2015/16 will not be available for use until July 1, 2015.** Close-out of the PL funds shall occur 90 days after the end of FY 2015/16 state fiscal year (by September 30, 2016). Any exception to this time frame must be prior approved by the FHWA.

We appreciate your staff's efforts in the development and review of the MPOAC's UPWP. If you have any questions, please feel free to contact Lee Ann Jacobs at (850) 553-2219 or email leeann.jacobs@dot.gov.

Sincerely,

A handwritten signature in black ink that reads "Lee Ann Jacobs". The signature is written in a cursive, flowing style.

FOR: James Christian
Division Administrator

cc: Mr. Howard Glassman, MPOAC
Mr. Keith Melton, FTA (Region 4)
Ms. Yvonne Arens, FDOT (MS-28)
Ms. Lee Calhoun, FDOT)



The Florida Metropolitan Planning Organization Advisory Council

Mayor Susan Haynie
Chairperson

June 19, 2014

Senator Andy Gardiner
1013 E. Michigan Street
Orlando, Florida 32806

Re: SB 2514 and the Coast-to-Coast Connector

Dear Senator Gardiner,

On behalf of the Florida Metropolitan Planning Organization Advisory Council (MPOAC), I want to express our deep appreciation for your leadership in the passage of Senate Bill 2514, approved by the 2014 Florida Legislature and signed into law by Governor Scott on June 2, 2014. The passage of this legislation was a top priority for the MPOAC and received the endorsement of individual MPOs across the state.

This important law will allow funds from the State Transportation Trust Fund (STTF) to be used to support the establishment of a statewide system of interconnected multiuse trails. The law also gives emphasis to projects identified as funding priorities by the Florida Greenways and Trails Council (the state's leading multiuse trail advocacy group) and to projects that complete gaps between existing trails to facilitate the development of an interconnected statewide system of trails. The first project to benefit from the new law will be the Coast-to-Coast Connector, a project supported by the members of both the Central Florida MPO Alliance and the West Central Florida MPOs Chairs Coordinating Committee, a total of 12 MPOs encompassing 17 counties in the region. The Coast-to-Coast Connector, once completed, will connect the Atlantic to the Gulf and become one of the nations' longest continuous multiuse trails, providing Florida's residents and visitors with a recreational asset that will be enjoyed for generations and generate millions of dollars in economic benefit for the state and hundreds of local communities.

Congratulations on this tremendous success. We look forward to working with you in the future to improve Florida's transportation system to the benefit of Florida's citizens, visitors and businesses. Please call me at (850) 414-4062 should you have any questions.

Sincerely,

Howard Glassman
Executive Director

/hg

cc: MPOAC members

Howard Glassman, Executive Director
605 Suwannee Street, MS 28B · Tallahassee, Florida 32399-0450
1-866-374-3368 x 4037 or 850-414-4037 · Fax 850-414-4895
www.mpoac.org

June 5, 2014

Honorable Jeff Brandes, Chairman
Pinellas County Legislative Delegation
318 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1100

Dear Senator Brandes:

RE: Regulation of the Use of Electronic Wireless Communication Devices While Driving as a Primary Offense

As you may recall, on April 9, 2014, the Pinellas County Metropolitan Planning Organization (MPO) approved a recommendation from its Citizens Advisory Committee (CAC) in support of the legislative policy position of the Metropolitan Planning Organization Advisory Council (MPOAC) which calls for regulating the use of wireless communication devices as a primary offense while operating a motor vehicle. The Pinellas MPO and MPOAC's policy position to reduce distracted driving is consistent with national safety organizations such as NHTSA (National Highway Transportation Safety Administration).

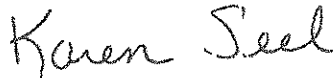
At its April 21, 2014 meeting, the Pinellas County Bicycle Pedestrian Advisory Committee (BPAC) also unanimously supported the regulation of the use of wireless communication devices in vehicles as a primary offense.

Citizens and communities across Pinellas County and the entire State have been made safer with the 2013 Florida Ban on Texting While Driving Law that 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, as a secondary offense.

The legislative proposal would offer additional strength to the existing regulations with respect to enforcement and education, as well as the collection/analysis of statistical data. If the Florida Ban on Texting While Driving becomes a primary offense, it will allow law enforcement officers to more specifically and effectively issue badly needed violations.

We would greatly appreciate your help in elevating this legislative change to primary offense to protect our residents and visitors. Please feel free to contact me if you have any questions. Thank you for your work supporting safety in the State of Florida.

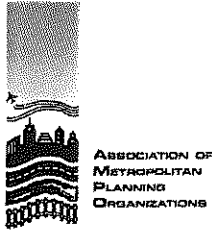
Sincerely,



Karen Seel, Chairman
Pinellas County
Metropolitan Planning Organization

cc: Legislative Delegation Members
Howard Glassman, MPOAC

h:\users\cendocs\MP\BPAC Letter-IBrandesRe Primary Off Texting6-5-14.docx



June 25, 2014

U.S. Department of Transportation
Docket Operations, M-30
West Building Ground Floor
Room W12-140
1200 New Jersey Avenue, SE
Washington, DC 20590-0001

Federal Highway Administration

RE: Notice of Proposed Rulemaking for the National Performance Management Measures; Highway Safety Improvement Program – Docket No. FHWA-2013-0020

I. Introduction

The Association of Metropolitan Planning Organizations (AMPO) submits these comments in response to the Federal Highway Administration *Notice of Proposed Rulemaking (NPRM)*, Docket Number FHWA-2013-0020 (March 11, 2014), regarding the National Performance Management Measures; Highway Safety Improvement Program authorized by *Moving Ahead for Progress in the 21st Century (MAP-21)*. As a national association representing the interests of federally established metropolitan planning organizations (MPOs), AMPO appreciates the opportunity to provide comments to proposed rulemaking.

II. Comments on the Notice of Proposed Rulemaking

AMPO would like to provide the following overarching comments regarding the proposed rulemaking:

- This is one of the early rulemakings related to the new performance-based provisions of MAP-21. We respectfully request that this rulemaking be made compatible with other performance-based rulemaking from MAP-21.
- With several upcoming rulemakings, AMPO requests that consideration and reconciliation of these various plans into the MPO process be resolved in the recently released *Statewide and Nonmetropolitan Transportation Planning; Metropolitan Transportation Planning—* Docket No., FHWA-2013-0037.

- No two metropolitan regions are alike. AMPO stresses the need for flexibility to meet different situations and sizes of agencies.

AMPO would like to provide the following specific comments regarding the proposed rulemaking related to the MPO role:

1) Annual Targets

- The rule requires that states establish safety targets annually. Would that require MPOs to also take an annual action to either adopt quantifiable targets, or plan and program safety projects which contribute to the state targets? It seems that if an MPO chooses to establish targets by endorsing the state targets, this can be done once without the need for an annual action. Or is it the intent that MPOs would indeed have to take an annual action to endorse the new state target? Some clarity on this process would be welcome.
- The NPRM states that “State DOT targets [are] to be set annually, for the following calendar year.” This seems to be a particularly short time-frame for target setting, especially considering that the measures being used are (proposed) 5-year rolling averages.
- MPOs and state Departments of Transportation (DOTs) will need to coordinate extensively to establish targets. AMPO welcomes language that encourages this.
- AMPO supports the language giving MPOs flexibility in establishing targets within their planning areas and for establishing their own targets if they choose.

2) Target Setting

- AMPO’s understanding of the rule is that MPOs have two choices: to establish their own quantifiable targets or to plan and program safety projects that contribute to the accomplishment of the state targets. For MPOs that already work cooperatively with their states on safety planning, we appreciate the flexibility the rule provides to continue to support the state targets.

There is a question on what it means to plan and program safety projects that support the state’s targets. Currently, projects which are focused on behavioral and enforcement programs, either through the National Highway Traffic Safety Administration (NHTSA) or the states’ Strategic Highway Safety Plans (SHSPs) are not included in Transportation Improvement Programs (TIPs).

There is also a concern if the expectation of this requirement was that MPOs would be expected to program the very limited regionally allocated Surface Transportation Program (STP) funds toward additional specific projects in support of the state’s targets. The interest is in maintaining what AMPO sees as the rule’s flexibility, given that states generally select all of the projects to be programmed with federal safety funds.

- Regarding the MPO option to set a target by “planning and programming safety projects” toward a state target, AMPO requests the following:

- Specifically allow MPOs to set a numerical target for individual performance measures and support the state target on remaining ones.
- Consider phasing in a requirement for MPOs to set numerical targets.
- Provide additional clarification as to how MPOs will be held to any targets.
- Provide additional clarification on whether the MPO targets can be for a different time horizon than a state.

AMPO is pleased to see that the MPOs have an additional six months beyond the state target setting to set the MPO targets. While AMPO members anticipate being engaged in collaborative target setting processes with their state(s), the extra six months will provide the necessary time to work with our boards, after state adoption, to take action on the adoption of the MPOs performance measure targets.

III. Responses to Specific Questions in the NPRM

1) 5-year rolling average (versus 3 or 4 years)

AMPO supports the 5-year rolling average. This is especially true for analyses of smaller geographies and/or subsets of the total, i.e. fatal crashes. A 5-year rolling average would smooth out the extreme variations that may be due to factors beyond the control of MPOs and states.

2) Implementation of a Non-motorized Transportation Safety Performance Measures

The preamble to the proposed rule requests comments on how USDOT could address separate non-motorized performance measures. AMPO understands that USDOT has already received much input on this topic.

In light of the phrase “what gets measured gets managed,” AMPO supports a discussion on a process toward establishing a separate national performance measure for non-motorized travel. We understand the problems with establishing a rate-based measure for non-motorized travel because of the current lack of non-motorized travel volume data. For the immediate future, perhaps performance measures on non-motorized fatality and serious injury numbers are appropriate to communicate the importance, especially within urban areas, of specifically addressing this growing mode of transportation. At the same time, more work should be put into establishing data on non-motorized travel volumes in order to set rate-based measures in the future.

3) Serious Injury Determination

The NPRM proposes to shift the determination of serious injuries away from the KABCO scale to a MMUCC method. This proposal shifts the determination away from a law officer making a judgment

call regarding injury severity to a medical doctor using standardized definitions. While generally supportive of this transition, AMPO is concerned about two factors.

First: Although crash reports do currently contain some personal information, some MPOs are restricted from the release of crash information except for specific circumstances (this varies greatly by state). These restrictions tend to inhibit our ability to analyze regional crash trends or problem locations. Once medical records are introduced into the equation, however, and patient information is attached to the crash report, there is significant concern about additional restrictions being placed upon crash records as a result of the Health Insurance Portability and Accountability Act (HIPAA.) The concern also extends to making sure that patient information is protected and that the requirements outlined in the NPRM do not become a backdoor method of gaining unauthorized access.

Second: AMPO acknowledges that a system can ultimately be developed that limits unauthorized access to personal medical information while permitting MPO and State DOT access to appropriate information necessary for Performance-Based Planning and Programming (PBPP) requirements. Development of this system, however, will likely take much longer than the 18 months given for states to comply (note Michigan example from American Association of State Highway and Transportation Officials (AASHTO) comments, page 19).

IV. Points of Clarification or Concern

AMPO would like to pose the following points of clarification or concern regarding the proposed rulemaking:

- Please clarify what is meant by a “relevant MPO” paragraph 79 FR 13871. AMPO believes that states should coordinate with all MPOs in the setting of state targets, and does not understand why the term “relevant” is used here.
- Many MPOs will not have the resources and expertise to analyze safety data and will be dependent on their state. This will also impede the ability of the same MPOs to select and program effective projects.
- Consider aligning reporting requirements with existing planning schedules.
- AMPO is concerned that there will be issues with how multi-state MPOs set targets, coordinate, report, etc.
- There is a time lag in the Federal Analysis Reporting System (FARS) and Highway Performance Monitoring System (HPMS) data availability.
- There is a 5-year lag between setting a target and any adjusted spending levels:
 - a. State DOT sets target in CY 2016 (submitted by 8/31/16) for CY 2017.

- b. Final FARS and HPMS data for CY 2017 available in December 2019.
- c. FHWA would notify state DOT on achievement/significant progress by 3/1/2020.
- d. If determined that State DOT has not “overall achieved or made significant progress,” then the state must adjust its FY 2021 spending to meet FY 2016 levels.

What if the level of funding in 2021 is substantially lower than in 2016?

- AMPO encourages FHWA and NHTSA to coordinate on how safety issues are approached.
- Significant progress evaluation. The method proposed in the NPRM appears to have lost the connection between the target and the measure of significant progress. The proposed method is entirely based on a projection of the historical trend line.
- Is there an assumption that “significant progress” would be based on the amount of progress made toward meeting a longer-term target, not the degree to which a short-term target was actually met? This is not connected to target.
 - Consider error bar around the target, or percentage of the difference between the previous year measure value and the target versus the actual value.
 - Prediction interval only includes variation in past changes (no other sources of error are considered). If the past trend just happens to fit a line perfectly, “significant progress” will be evaluated against perfectly replicating that past trend.
 - Consider basing significant progress on some calculation of error other than just the “goodness of fit” of past trends to a line.
 - Consider additional methods for determining significant progress as proposed by the AASHTO, including adopting non-linear models and accounting for unforeseen events.
 - What if the projection point is less than zero?
- Scale of Analysis. The NPRM is silent regarding the scale of analysis, although the language seems to imply that the scale is either statewide or metropolitan. Some clarification to this end would be helpful. We have had some local feedback that supports corridor or project-level analysis as a way to justify (or reject) a particular improvement. Our concern is that, due to the relatively small number of crashes, such analyses would be highly variable from year to year and with the possible exception of the highest volume roadways, not statistically valid.

V. Conclusion

For a half century, metropolitan transportation planning has been rooted in a cooperative and collaborative relationship. MPOs believe that the development of performance provisions to meet the regulations and spirit of MAP-21, setting the direction for future transportation policy and

investment decision making, will best be done by continuing this tradition of collaboration. AMPO also firmly believes that the Joint Metropolitan and Statewide Planning Rule is the proper vehicle to reconcile the potential incorporation of Transit Asset Management and Transit Safety goals, targets and investment plans with other MAP-21 required rulemaking into metropolitan planning process and document requirements.

Thank you for the opportunity to provide our input and comments. We look forward to working with USDOT in implementing the performance management provisions of MAP-21.

Should you have any questions or seek further input from AMPO on the information provided above, please contact me at (202) 624-3680 or at dhardy@ampo.org.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D Hardy", written in a cursive style.

DeLania Hardy, Executive Director



NARC
Building Regional Communities

National Association of Regional Councils
777 North Capitol Street NE, Suite 305
Washington, DC 20002
202.986.1032 (tel) 202.986.1038 (fax)
www.NARC.org

June 17, 2014

Mr. Howard Glassman
Executive Director
Florida Metropolitan Planning Organization Advisory Council
605 Suwannee Street
Tallahassee, FL 32399-0450

Dear Howard:

On behalf of the National Association of Regional Councils (NARC) Board of Directors, management and staff, please accept my sincere appreciation for your 2013 membership. NARC is the only national association founded and governed by local elected and appointed officials to represent regional planning issues and to advance regional solutions and successes nationally. Built on this, below is a brief list of our accomplishments over the past year, emphasizing the work we continue to do on your behalf.

Your investment in NARC advances the regional agenda by ensuring a strong voice on legislative and regulatory issues in Washington, while promoting technical assistance, and opportunities for peer exchange and networking events. Last year was very productive, and 2014 continues to bring more challenges and opportunities for regions and their local governments. Enclosed is your *About NARC* one-pager, with your membership advantages, and your 2014 membership invoice, which will continue your commitment to NARC while ensuring continued access to all of our services, including:

- **Advocacy.** NARC continues to advance our 2014 policy and legislative agenda, which covers issues critical to regional success including transportation, homeland security and public safety, economic and community development, and environmental protection. Your membership ensures that you have a voice in Washington as lawmakers continue to debate federal surface transportation authorization and appropriations issues this year. Membership also provides access to resources to assist you as the Administration continues to implement the Farm Bill, MAP-21, the Older Americans Act, and the Workforce Investment Act.
- **Programs.** NARC works to partner with Federal, philanthropic, association, and corporate partners to fund, and implement programs, and projects in regions and communities nationwide, including assessing regional energy and economic opportunity; analyzing metropolitan economic development strategies; advancing implementable livable communities strategies; promoting green infrastructure tools; and developing a robust multi-state solar energy initiative. In 2014, we are exploring opportunities to broaden that portfolio into transportation and broadband.
- **Conferences.** Each year, NARC hosts three conferences: the National Conference of Regions in Washington, DC in February, which focuses on our advocacy priorities; the Annual Conference and Exhibition in June, which aims to promote regional innovation and cooperation among our members; and the Executive Directors' Conference in September, which connects our Executive Directors and their professional staff members to each other to discuss best practices and solutions unique to our industry.
- **Workshops.** NARC conducts multiple workshops, webinars, and conference calls throughout the year that are available only to our members on topics across each of our issue areas.
- **Newsletters and Information.** In addition to our weekly *eRegions*, which provides an overview of what is happening in Washington through a regional lens, NARC also sends information on Economic Development issues through *Development Digest*, a new monthly eNewsletter centered on economic and community development, and *Transportation Thursdays*, which provides members with information on transportation issues throughout the nation. NARC has two new Twitter feeds (@NARCregions and @JoannaNARC) and a new Facebook page, which provide real-time information useful to our membership. These new tools complement the content on our website www.NARC.org.

With your membership renewal, NARC can continue to provide in-depth, proactive, and innovative advocacy, policy development, program information, and member services, ensuring a balance of rural and urban perspectives. We value your support and input; please contact me with ideas to build a better NARC in 2014 and beyond. I can be reached at 202.986.1032 x216, directly at 202.618.5689, by cell at 202.239.9201, and by email at joanna@narc.org. I look forward to an exciting and productive year ahead!

All the best in 2014,

Joanna L. Turner
Executive Director

**Item Number 10
Communications**

DISCUSSION:

Comments or recommendations by MPOAC members.

REQUESTED ACTION:

As may be desired.

ATTACHMENTS:

None.

Item Number 11
Adjourn

The next meeting of the MPOAC Staff Directors' Advisory Committee and Governing Board will be held on Thursday, October 30, 2014, at the Orlando Airport Marriott, 7499 Augusta National Drive, Orlando, FL. For room reservations please call (407) 851-9000.