St. Lucie Transportation Planning Organization
Coco Vista Centre
466 SW Port St. Lucie Blvd, Suite 111
Port St. Lucie, Florida 34953
772-462-1593 www.stlucietpo.org

# 2018
# LEGISLATIVE PRIORITIES
*(Adopted October 4, 2017)*

The St. Lucie Transportation Planning Organization (TPO) supports legislation that:

1. Implements the following recommendations from the Florida Metropolitan Planning Organization Advisory Council (MPOAC) Transportation Revenue Study:

    - Index local option fuel taxes to the consumer price index in a manner similar to the current indexing of State fuel taxes.

    - Direct the Florida Department of Transportation to develop a plan and conduct testing to move Florida toward a Mileage Based User Fee, which protects individual privacy, in lieu of the traditional fuel tax.

2. Reduces distracted driving by regulating as a primary offense the use of electronic wireless communications devices and other similar distracting devices, unless they are in a hands-free mode of operation, while operating a moving motor vehicle.

3. Restores funding for the Transportation Regional Incentive Program (TRIP) to at least the 2009 level of $227 million per year.

4. Provides State funding for safety improvements, including locally-acceptable improvements that facilitate quiet zones, at railroad crossings.

5. Allows Strategic Intermodal System (SIS) funds to be used on roads and other transportation facilities not designated on the SIS if the improvement will enhance mobility or support freight transportation on the SIS.

6. Establishes flexible and predictable funding for transit capital projects and operating expenses identified through the metropolitan transportation planning process by removing various funding limitations of the State Transportation Trust Fund (STTF).

7. Recognizes that Federal transportation planning funds which support Metropolitan Planning Organizations (MPOs) shall not be regarded as State funds for purposes of expenditure.

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## Background Information

1. The MPOAC completed a study to address the ever-widening gap between the cost of needed transportation infrastructure and declining and unsustainable transportation funding. The study identifies a $74 billion funding shortfall in MPO areas over the next 20 years and provides policy recommendations that are intended to restore the purchasing power of Florida's transportation dollar. The two recommendations identified as legislative priorities include both a short-term solution of indexing local option fuel taxes and a sustainable long-term solution of transitioning transportation funding toward a Mileage Based User Fee.

2. The 2013 Florida Legislature enacted the "Florida Ban on Texting While Driving Law". The law prohibits the operation of a moving motor vehicle while manually typing, sending, or reading interpersonal communication, such as texts, e-mails, instant messages, etc., using a wireless communications device. The law provides for enforcement of the ban as a secondary offense meaning a driver would have to be pulled over for another violation to receive a ticket for violating the ban on texting. Since the enactment of this legislation, crashes due to districted driving have increased which demonstrates the need to substantially increase the penalty for distracted driving. Therefore, the enforcement mechanism for the texting while driving ban should be strengthened by making texting while driving a primary offense.

3. The TRIP leverages State documentary stamp tax proceeds to promote regional projects by providing State matching funds for improvements to regionally-significant transportation facilities prioritized by regional partners. Since 2009, the funding for the TRIP has decreased more than 90 percent to less than $20 million per year. TRIP funding should be restored to at least the 2009 level of $227 million per year by reducing the current diversion of documentary stamp proceeds for non-transportation purposes.

4. The emphasis by the State on the expansion of its ports to capture a larger share of international shipments results in a significant increase in freight traffic including on Florida's railroads. Current and proposed passenger rail services further contribute to an increase in rail traffic. A large share of Florida's railroads extend through heavily-populated urban areas, and railroad crossings have not received the commensurate investments in upgrades to address safety issues. Therefore, State funding should be provided for safety improvements at Florida's railroad crossings consistent with the funding that has been provided to upgrade other freight facilities.

5. Current State law does not permit SIS funds to be spent on roads or other transportation facilities that are not part of the SIS even if the proposed improvements would directly benefit users of SIS facilities by enhancing mobility options or supporting freight movement on the SIS. The State's ability to improve passenger and freight mobility on the SIS should be broadened by making the expenditure of SIS funds eligible on non-SIS roads and other transportation facilities where a benefit to the users of SIS facilities from the expenditure can be demonstrated.

6. Current State law limits the amount of funding that can be made available from the STTF for transit capital projects and operating expenses. These limitations, which are not in place for roadway funding, makes transit funding from the STTF less predictable for the purposes of planning and project implementation and artificially limits the ability of MPOs to implement priority transit projects. The critical role transit plays in moving people and goods within and between Florida's metropolitan areas should be supported by removing the distinction between transit and highway projects for the purpose of spending funds from the STTF.

7. The United States Department of Transportation (USDOT) provides funding to MPOs to carry out their Federally-required responsibilities. These Federal funds are provided to states who in turn distribute them to MPOs. The Florida Department of Financial Services (DFS) has determined that the expenditure of Federal funds by MPOs shall be subject to all State requirements, laws, and regulations even where they conflict with Federal requirements, laws, and regulations. This limits the ability of Florida MPOs to use Federal funds for their intended purpose and interferes with the MPOs in carrying out their Federally-required responsibilities. Therefore, Federal funds passed through the State of Florida to MPOs should not be regarded as State funds for purposes of expenditure.