

**Assessment  
of  
Florida's  
Regional and Intermodal  
Transportation Planning  
process**

**December 15, 2003**

# FLORIDA TRANSPORTATION COMMISSION

Earl Durden, Chairman  
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Sidney Calloway  
Heidi Eddins  
Gasper Lazzara  
R. M. "Bob" Namoff  
David A. Straz, Jr.



Jeb Bush  
Governor

December 15, 2003

Dear Governor Bush, Senate President King, and House Speaker Byrd,

The 2003 Florida Legislature directed the Florida Transportation Commission to assess the degree of regional transportation planning as it might relate to the planning and implementation of the Strategic Intermodal System (SIS) and other transportation systems. Specifically, the legislature directed the Commission to "conduct an assessment of the need for an improved philosophical approach to regional and intermodal input in the planning for and governing of the Strategic Intermodal System and other transportation systems." Furthermore, the Legislature directed the Commission to coordinate with the Department of Transportation and the Statewide Intermodal Transportation Advisory Council (SITAC) and other appropriate entities in the development of this assessment and deliver it to you by December 15, 2003. As directed, I am pleased to present to you the Commission's *Assessment of Florida's Regional and Intermodal Transportation Planning Process*.

As you know, Florida has experienced phenomenal growth over the past few decades and has become a major national and global economic player. It is imperative that Florida's transportation infrastructure be developed and maintained to continue to support this growth. However, congestion on the transportation system is threatening our economic growth and quality of life. The timing of this assessment could not be better. The needs are great and funding is scarce. The state needs to narrow its focus to ensure that the most essential statewide and regional transportation priorities are met in order to maintain a strong economy and sustain the quality of life we have come to expect.

The Commission makes a number of recommendations regarding regional transportation planning and the SIS, a newly designated system of transportation facilities and corridors that are essential to Florida's economic stability, that will set the policy framework and funding strategies necessary to build and maintain critical transportation infrastructure. The Commission will review the policies and criteria recommended by the Department and the SITAC to be used as a basis for selecting the intermodal connectors that will become a critical part of the SIS. This review will ensure that criteria are in compliance with the goal of developing projects of regional, statewide and national significance. We hope this assessment is meaningful and clear. A concise executive summary is provided beginning on page three of the report. If you have any questions regarding this report, please do not hesitate to contact me or the Commission staff. Your comments are certainly welcomed.

Sincerely,

K. Earl Durden, Chairman  
Florida Transportation Commission

## Table of Contents

<b>Section I - Executive Summary</b>	3
<b>Section II – Introduction</b>	6
Purpose of Report	7
MPO Background and Florida History	7
What Does “Regional” Mean?	9
<b>Section III – Assessment of Regional Transportation Planning in Florida</b>	10
Background	11
Current Transportation Planning and Decision-Making Coordination Efforts	14
Observations	21
Suggestions	22
Summary	25
<b>Section IV- National Models of Regional Transportation Planning and Implementation</b>	26
Background	27
What Constitutes Effective Regional Transportation Planning?	27
Available Data	27
Supporting Research and Activities	28
Survey Methodology	30
Survey Results	30
Conclusions	32
<b>Section V - Evaluation of Federal and State Laws and Regulations Pertaining to Metropolitan Planning Organizations</b>	34
Formation of Metropolitan Planning Organizations	35
Membership of Metropolitan Planning Organizations	35
Conclusions	36
<b>Section VI - Statewide Intermodal System and Emerging Areas</b>	38
Background	39
The Designation Process	40
Conclusions	40
<b>Section VII – Summary of Recommendations</b>	41
Metropolitan Planning Organizations	42
Strategic Intermodal System (SIS) and Emerging SIS	42
<b>Appendix A – Florida Metropolitan Planning Councils</b>	45
<b>Appendix B – Florida MPO Regional Coordinating Organizations</b>	49
<b>Appendix C - Proposed State Legislation</b>	56
<b>Appendix D – Statewide Intermodal Transportation Advisory Council Recommendations</b>	69
<b>Appendix E – Federal and State Laws and Regulations Pertaining to Metropolitan Planning Organizations</b>	74

## **Section I. Executive Summary**

## Executive Summary

As a result of actions taken by the Florida Legislature during the 2003 Session, the Florida Transportation Commission was directed to “conduct an assessment of the need for an improved philosophical approach to regional and intermodal input in the planning for and governing of the Strategic Intermodal System and other transportation systems” in association with the development of the initial Strategic Intermodal System Plan and other transportation plans. The assessment was conducted in coordination with the Florida Department of Transportation, the Statewide Intermodal Transportation Advisory Council, and other appropriate entities.

This important assessment of regional and intermodal planning is being conducted at a very critical time in our state's history. Florida is one of the fastest growing states in the U.S. in terms of both population and commerce. Over the past forty years Florida has sustained a consistent average growth rate of seven hundred new residents per day, making it the fourth most populous state in the United States. At the same time, the state has also become a global powerhouse, with international trade becoming the state's number one industry, surpassing tourism as Florida's primary source of economic strength.

Developing and maintaining a world-class infrastructure to meet the expansive needs generated by such dynamic growth in development and commerce requires strong coordination and commitment from all levels of government. It can also create extreme burdens on all sectors of local and state government if not carefully planned and managed.

Growing congestion is threatening states throughout the US, impacting economic growth and quality of life. Travel demand and congestion on Florida's State Highway System has been increasing more than four times faster than the Florida Department of Transportation can fund and construct lane miles to expand capacity. The twenty-year funding shortfall projected on the Florida Intrastate Highway System is estimated to be \$29 billion. With such enormous deficits anticipated, it is imperative that the state begins to narrow its focus to ensure that the most essential statewide and regional transportation priorities are met in order to maintain a strong economy and sustain a high quality of life.

Decades ago, federal legislation formalized the regional transportation planning process by involving all stakeholders; the local cities and counties, the state, local transit providers, and the public. Congress recognized that transportation and environmental issues cross jurisdictional lines and there was a need for a regional approach to resolving problems of mobility, congestion, air pollution and urban sprawl.

The Florida Transportation Commission has concluded that revisions to state law are needed to accomplish a regional planning structure that can accomplish the original intent of federal metropolitan planning organization designation guidelines and criteria (see Appendix C for proposed legislation). Research conducted by the Center for Urban Transportation Research; Bill Ham, Transportation Policy Consultant; and Commission staff have identified components of the Metropolitan Planning Organization process that require additional focus. A study of the current transportation planning process in Florida, as well as the best practices of effective MPOs across the nation revealed three key elements of Florida MPOs that require attention: MPO boundaries, MPO staffing arrangements, and MPO voting membership. Changes to state law are needed to be sure that MPO boundaries include at least the metropolitan planning area, which is the existing urbanized area and the contiguous area expected to become urbanized within a 20-year forecast period. When previously separate urbanized areas in one or more counties have become one urbanized area as a result of the decennial census; or metropolitan planning urbanized area boundaries encroach into other metropolitan planning urbanized area boundaries as a result of the decennial census, a process needs to be in place that ensures that the associated MPOs are merged to continue optimum compliance with federal law.

The majority of Florida MPOs are staffed by the county government whose commission members also serve as voting members on the MPO board. A staff independent of general purpose local government is recommended to provide autonomous administrative support to carry out the powers, duties and responsibilities of the entire metropolitan planning organization.

State law revisions are also needed to require expansion of MPO voting memberships to include not only elected officials of general-purpose governments, but representatives from associated Regional Planning

Councils, representatives of major modes of transportation, and private economic development or business interests to bring a broad range of transportation expertise and technical knowledge to MPO boards.

The Strategic Intermodal System, a newly designated system of transportation facilities and corridors that are essential to Florida's future economic stability, will set the policy framework and funding strategies necessary to build and maintain Florida's most needed transportation infrastructure. The System considers all modes of transportation needed in the future to provide for seamless transport of people and goods. The formal designation in Section 339.61, F.S. of Florida's Strategic Intermodal System (SIS) and the emerging SIS represents the most innovative approach to transportation planning in over a decade. The mobility benefits from the Strategic Intermodal System serving to stabilize and enhance the overall economy will be experienced statewide.

The Commission will review the policies and criteria recommended by the Department and the Statewide Intermodal Transportation Advisory Council to be used as a basis for selection of the intermodal connectors that will become a critical part of the overall SIS, joining designated (SIS and emerging) hubs and corridors. Such a review will ensure that criteria are in compliance with the goal of developing projects of regional, statewide and national significance. The Commission also plans to review the initial compilation of needs provided in the SIS Strategic Plan, currently being developed by the Department and its transportation partners, prior to its submission to the Legislature in March 2004. Further, the Commission should ensure that policies relating to future needs assessments of the SIS accomplish the intended objectives.

The Commission should request that the prioritization process implemented to support these goals use a combination of transportation, economic, community and environmental performance measures. The process also should ensure the cost-effective use of public resources, encourage effective project delivery, and promote private/public and state/regional partnerships.

## **Section II. Introduction**

## Purpose of Report

The 2003 Florida Legislature directed the Florida Transportation Commission (FTC) to assess the degree of regional transportation planning as it might relate to the planning and implementation of the Strategic Intermodal System (SIS) and other transportation systems. Specifically, the legislature instructed the FTC to conduct an assessment of the need for an improved philosophical approach to regional and intermodal input in the planning for and governing of the Strategic Intermodal System and other transportation systems. The legislation further directed the Commission to deliver the assessment report to the Governor and Legislature by December 15, 2003 with recommendations as necessary to fully implement the Strategic Intermodal System.

The assessment was requested for a variety of reasons. There is a multiplicity of transportation, expressway, aviation, seaport, transit, and rail authorities, which are often single-purpose organizations that make multi-modal planning efforts more difficult. Regional transportation planning is further confounded by a variety of jurisdictional boundaries; local government, regional planning councils, FDOT districts and Metropolitan Planning Organizations (MPOs), which often act as symbolic barriers to effective planning. Effective regional transportation planning is further complicated by a lack of dedicated planning funds and limited financial resources to meet the transportation needs of the state forcing competition between transportation entities. There are no criteria which defines what regional transportation planning encompasses or what comprises a regional project. These are just some of the factors which, along with economic development concerns, played a role in the creation of the SIS and the Legislature's intent behind the Commission's regional planning assessment.

With the help of its transportation partners, the Commission, through this report, will assess the degree to which regional transportation planning is being accomplished throughout the state, identify best practices of successful regional transportation planning outside of Florida, evaluate state and federal regional planning laws, evaluate the SIS and emerging areas designation criteria and offer recommendations to improve regional planning throughout the state.

The FTC requested that the Center for Urban Transportation Research (CUTR) at the University of South Florida assist in the assessment by identifying and summarizing current regional transportation planning activities throughout the State. To that end, CUTR surveyed all of Florida's 25 Metropolitan Planning Organizations (MPOs) and 11 Regional Planning Councils (RPCs), and conducted additional detailed research on efforts to coordinate transportation planning activities around the state. Based on the information collected in the surveys, detailed research into coordination efforts and CUTR staff experience, CUTR has summarized current MPO designation status and regional coordination and transportation planning practices and provided suggestions for improving current regional transportation planning practice in the state. See Section III for details of CUTR's analysis.

Research was also conducted on the national level to identify the best practices of successful regional planning in other states. Commission staff contacted current and former employees of the Federal Highway Administration (FHWA) who are knowledgeable of MPOs located throughout the country. Based on the opinions of these federal officials and other anecdotal information, 27 MPOs outside of Florida were identified to be surveyed. See Section IV for an analysis of the results of this survey.

## MPO Background and Florida History

*Federal transportation legislation requires that metropolitan planning organizations (MPOs) be designated for each urbanized area with a population of more than 50,000 people. The purpose of the MPO is to provide a forum for coordinating transportation decision-making among various state and local entities and to carry out various transportation planning elements including the development of the long-range transportation plan and the transportation improvement plan.*

According to the History of MPOs, written by Mark Solof, the United States may be one nation under God, but politically, it is fractured into a multitude of jurisdictions which bear little relation to the distribution of population and economic activity across the landscape. In effect, the market has shaped the man-made landscape with little regard to the formal divisions decreed by government.



The first efforts at region-wide transportation planning began in the 1920's in response to a long running dispute between New York and New Jersey over the rail freight business. New York business leaders proposed the creation of the Port of New York Authority to provide unified planning and policies for the bi-state area. However, lacking power to enforce cooperation among the freight companies, the Port Authority was blocked from implementing many of its policies. In 1925, Thomas Reed, a pioneering planning professor, proclaimed that the only way to insure effective regional transportation planning was the creation of "area wide" governments with power over municipalities in setting priorities for regional infrastructure; thus, the earliest beginnings of the regional planning process. Not until after the explosive growth in the suburban areas of many cities due to the return of 10,000,000 veterans from World War II did the federal government expand requirements for regional planning. This suburban growth increased the severity and complexity of regional-scale problems prompting the formation of a variety of new intergovernmental bodies, including Councils of Governments. In 1954, congress passed the Housing and Urban Development Act. Section 701 of this Act provided for federal grants for councils of governments and other metropolitan planning agencies to cooperate in analyzing and addressing regional problems. This federal aid prompted the creation of nearly 100 metropolitan planning bodies.

The Federal-Aid Highway Act of 1962 established the "3-C" transportation planning process, which has been a cornerstone of urban transportation planning ever since. It mandated that after 1965, programs of projects in urbanized areas over fifty thousand in population needed to be based on a continuing, comprehensive and cooperative (hence 3C) planning process carried out jointly by states and local governments.

In 1968, the Federal Highway Administration systematized the 3C process, focusing on monitoring changes in development, demographics, and travel, and on reappraisal. Guidance indicated that the long-range plan be updated every five years, to maintain a twenty year planning horizon. The Federal-Aid Highway Act of 1970 affirmed that, in urban areas over 50,000 in population, responsible local officials need to be consulted and their views considered in highway alignment and design decisions.

In 1975 the Federal Highway Administration and the Urban Mass Transportation Administration published the first of their Joint Planning Regulations that prescribed the designation of Metropolitan Planning Organizations (MPOs) and indicated that it was the MPO, in cooperation with the state and with public mass transit operators, which is responsible for the urban transportation planning process.

The regulations prescribed the adoption of a long-range transportation plan and a transportation improvement program. Other relevant portions of the 1975 Joint Planning Regulations indicated that:

- The Governor of each State shall designate the Metropolitan Planning Organization, and that to the extent possible, only one MPO shall be designated for each urbanized area or group of contiguous urbanized areas;
- The transportation planning process shall, as a minimum, cover the urbanized area and the area likely to be urbanized in the period covered by the long-range plan;
- The MPO shall be the forum for cooperative decision-making by principal elected officials of local government; and
- All projects subject to these regulations and included by the State in the statewide program of projects should be drawn from the annual element of the MPO transportation improvement program.

The transportation landscape has changed significantly since the 1970s. The Transportation Equity Act for the 21<sup>st</sup> Century of 1998 (TEA-21) and its predecessor, the Intermodal Surface Transportation Act of 1991 (ISTEA), reinforced the authority of MPOs in transportation planning and decision-making. There was also an increased emphasis on involving the public in the decision-making process, adherence to clean air standards, system preservation and increased integration of transportation modes. In general, ISTEA and TEA-21 expanded the focus of transportation planning to not only addressing traffic congestion through new highway construction, but also to resolving identified transportation needs through enhanced multimodal transportation alternatives and improved management of the existing transportation system.

Specific refinements and modifications to the federal statutes and regulations include the following paraphrased excerpts from TEA-21 that are relevant to this effort:

- An MPO shall be designated for each urbanized area with a population of more than 50,000 individuals, (a) by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the affected population (including the central city or cities as defined by the Bureau of the Census), or (b) in accordance with procedures established by applicable State or local law;
- The MPO policy board that serves areas of over 200,000 in population shall consist of local elected officials, officials of public agencies that administer or operate major modes of transportation, and appropriate State officials; and
- More than one MPO may be designated within an existing metropolitan planning area only if the Governor and the existing MPO determines that the size and complexity of the existing metropolitan planning area make designation of more than one MPO for the area appropriate.

### **What Does “Regional” Mean?**

It is clear that all parties that participate in the transportation planning process do not agree over the definition of “regional”. Contributing factors that shape the concept of “regional” include:

- Political boundaries;
- Census-defined urbanized area boundaries;
- Commuter and freight travel patterns
- Land development patterns;
- Areas of common culture and environment;
- Areas of employment, commerce and other economic interaction; and
- Designated air sheds.

Some participants in the transportation planning process perceive “regional” as the areas contained within MPO planning boundaries and, under certain circumstances, the planning areas of neighboring MPOs. MPOs may also perceive the need to coordinate elements of their transportation planning activities at a higher level (“super regional”) and this is reflected through formal and informal arrangements of multiple MPOs.

Other participants perceive “regional” as covering a much larger geographic area, perhaps better reflected by the boundaries of FDOT Districts. Still others view “regional” as the bounded areas used for planning or marketing purposes by additional state and regional agencies involved in the process (e.g. RPCs, expressway authorities, aviation and seaport authorities, transit agencies). These perceptions of “regional” may approximate the concept of a “super regional” level of transportation planning.

The concept of “regional” as it relates to transportation also seems to be linked with the perceived function or utility of specific facilities and there is not agreement on the regional nature of specific facilities. For example, a highway may be considered regionally significant for intercity travel and freight movement from a statewide perspective, while several communities may also consider it their main commercial and employment corridor. In fact, both may be correct assessments of the purpose of that specific highway at a specific location.

So, it seems that “regional” does not mean the same thing to different participants in Florida's transportation planning process. That, in turn, impacts their perception of the effectiveness of current “regional” transportation planning and decision-making.

## **Section III. Assessment of Regional Transportation Planning in Florida**

## Background

In the 1970s, Florida's urban areas were relatively distinct from one another and Census-defined urbanized areas reflected that condition. Urbanized areas typically followed then-standard development patterns with a center city that transitioned into an area of suburban development that further transitioned into rural areas. There was limited inter-urban area commuting and transportation patterns generally followed the locally established development pattern, with commuter trips moving into the center city in the morning and flowing back into the suburbs in the evening. MPO boundaries were generally established to cover the area that coincided with then-current and future anticipated regional development and travel patterns. As such, most MPOs in the state covered single urbanized areas and were generally contained in a single county. In many cases, the MPO was staffed by a local jurisdiction (typically the County) and the majority, if not all, of the membership of the Board of County Commissioners was represented on the MPO Board. This structure facilitated administration and organization of the MPO.

The urban geography of Florida has also changed significantly over the past thirty years. Urbanized areas have grown to the point of overlap. Many counties now contain portions of multiple urbanized areas and in some cases counties fully contain two distinct urbanized areas. In a few cases, two or more formerly distinct urbanized areas have been combined to form one single urbanized area that covers multiple large cities and counties.

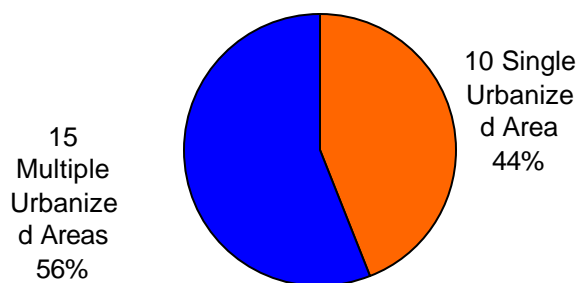
Urban development and traffic patterns have similarly changed. Suburbs of one city have merged with suburbs from a neighboring city. Economic centers have grown up in suburban locations and the rural transition areas between urbanized areas have all but disappeared. If it were not for jurisdictional boundary signs, we would often not know when we have passed from one jurisdiction into another. Travel patterns reflect the new urban geography and economy and flow in multiple directions, including reverse commutes from center cities to suburban areas, from suburb to suburb and from one urbanized area to another.

Unlike urban geography and traffic patterns, MPO boundaries have changed very little over the years. Many of the MPOs established in the 1970s still cover their single, original county. Additionally, several new MPOs have been designated instead of expanding the boundaries of the existing MPOs across county boundaries. There are now twenty-five MPOs in Florida and there will soon be twenty-six. This dichotomy between the geography of development and traffic and the geography of MPOs has led to significant differences of opinion over the effectiveness of the existing regional transportation planning and decision-making process and the term "regional" itself.

There are currently 25 and soon to be 26 MPOs in Florida, more than any other state except Texas (a summary of MPO characteristics is included in Appendix A). Of the current twenty-five MPOs, six cover more than one County:

- First Coast MPO (Duval County and portions of Clay and St. John's County);
- METROPLAN ORLANDO (Orange and Seminole Counties and the northern portion of Osceola County);
- Okaloosa-Walton TPO (Okaloosa and Walton Counties);
- Pensacola MPO (Escambia and Santa Rosa Counties and soon to be a portion of Baldwin County, Alabama);
- Sarasota/Manatee MPO (Sarasota and Manatee Counties); and
- Volusia County MPO (Volusia County and portions of southern Flagler County).

### MPOs Containing Multiple Census Defined Urbanized Areas



The proposed 26<sup>th</sup> MPO will also cover all or portions of two counties (Lake and Sumter Counties), raising the future number of multi-county MPOs in the state to seven.

Fifteen MPOs contain more than one Census-defined urbanized area, either in whole or in part, emphasizing the point that Florida's urbanized areas are growing together and becoming less distinct (see Appendix A for more detail). In fact, several counties in the state now have portions of two or more urbanized areas contained within their borders.

Of the 25 MPOs in the state, 14 have staffing arrangements with a local unit of government (13 in a County and one in a City). Three are independent units within the local unit of government, while the remaining 11 are housed in a variety of departments including the Planning Department, the Engineering Department, the Public Works Department, the Community Development Department, and the Transportation Department (and variations thereof).

Five MPOs have staffing arrangements with Regional Planning Councils, including the three Panhandle MPOs that are each staffed by the West Florida Regional Planning Council. Four of the MPOs are either completely independent agencies (METROPLAN ORLANDO, the Sarasota/Manatee MPO and the Volusia County MPO) or in the process of becoming an independent agency (the First Coast MPO is leaving the City of Jacksonville as part of an agreement to include the newly designated St. Augustine urbanized area). The Hillsborough County MPO has a staffing arrangement with the Hillsborough County City-County Planning Commission (an independent countywide planning agency) while the Tallahassee-Leon County MPO has a staffing arrangement with a joint city-county planning department (a jointly managed department of the City of Tallahassee and Leon County).

MPO Board size and composition range widely across the state. State statutes (Subsection 339.175 (2)(a)) limit the size of MPO Boards to 19 members (except in the very limited case relating to counties chartered under Section 6(e), Article VIII of the Florida State Constitution—Dade County). The statutes require voting representation on the MPO Board for any transportation authority or agency that is not under the jurisdiction of a local government.

MPO Boards in Florida range in size from five voting members on the Charlotte County-Punta Gorda MPO Board to 22 voting members on the Miami-Dade MPO Board (as permitted by state statute by virtue of their charter county status). The average MPO Board size (voting members only) is approximately 14 members. Five MPOs (the Brevard County MPO, the Broward County MPO, METROPLAN ORLANDO, the Miami-Dade MPO, and the Volusia County MPO) have the maximum number of MPO Board members permitted by state statute. Several more are within a few seats of the maximum MPO Board size.

Local units of government are represented on MPO Boards in a variety of ways. The Broward County MPO provides representation on the MPO Board by dividing the County into MPO Districts and allocating seats to each MPO District. The Chair of the METROPLAN ORLANDO Municipal Advisory Committee represents the smaller local units of government in a non-voting capacity on the METROPLAN ORLANDO Board. Other MPOs provide local units of government with MPO Board representation on a rotating basis.

A variety of independent modal providers sit on MPO Boards throughout the state. The breakdown is as follows:

- Six MPOs provide voting MPO Board representation to local transit providers that are not part of a local unit of government;
- Four MPOs provide voting MPO Board representation to an independent airport authority;
- Four MPOs provide voting MPO Board representation to a seaport authority; and
- Three MPOs provide voting MPO Board representation to an expressway authority.

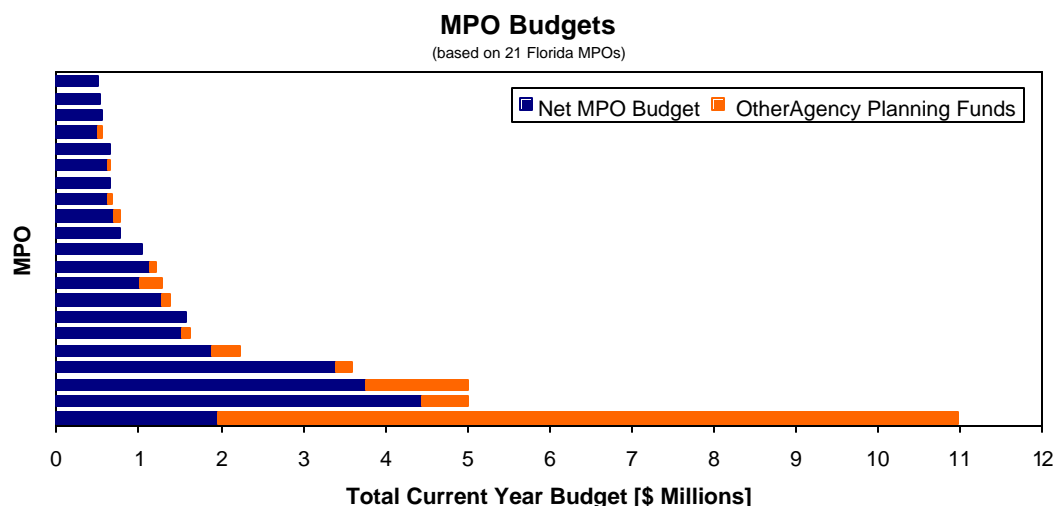
Many other modal providers in the state are a department within a local unit of government and are considered represented on the MPO Board by the voting representative(s) from that local unit of government. Additionally, most MPOs in the state provide voting representation to modal providers on the MPO technical committee.

The FDOT has non-voting representation on fifteen MPO Boards around the state. The FDOT is represented at other MPO Board meetings as an invited participant. The FDOT is also represented on MPO technical committees throughout the state.

Additionally, a variety of other stakeholders are represented on MPO Boards around the state in both a voting and non-voting capacity. These include:

- School boards;
- Leagues of Cities;
- Universities;
- Independent planning agencies;
- Appointees by the Governor; and
- Local military installations.

There is a dramatic range of budgets under which MPOs operate throughout the state. The MPO budget is reflected in its Unified Planning Work Program (UPWP). Of the 21 MPOs that responded to the survey, the smallest MPO budget was \$515,000 while the largest was approximately \$10,975,000. However, many MPOs include the costs of transportation planning efforts being conducted by other agencies in the area (e.g. transit agencies, FDOT, local jurisdictions) in their UPWP - money not available to an MPO for its own planning activities. Factoring in the cost of non-MPO planning efforts, MPO budgets in Florida range between \$502,000 and \$4,455,000 - money available to an MPO for its own transportation planning activities. Approximately one-half of the MPOs in the state have MPO budgets below \$1,000,000 and several have budgets less than \$650,000.



Most MPOs spend their own planning funds on a variety of activities and often hire consultant services to supplement staff resources. The average MPO spends 70 percent of its available funds on MPO staff functions, 25 percent on consultant services, and five percent for other purposes (primarily capital expenditures).

MPO staff sizes range from three to 31, with an average staff size of just over nine - two administrative positions and seven professional positions. Ten of the 21 MPOs responding to the survey (approximately one-half) have a staff size of six or fewer positions.

## Current Transportation Planning and Decision-Making Coordination Efforts

In February 2003, the FDOT sent letters to several MPOs asking that they consider merging with one or more neighboring MPOs or otherwise demonstrate why they should remain an independent MPO. In response to that request, the Pensacola MPO and the Okaloosa-Walton TPO indicated that they are considering merging with each other, but that they are going to first formalize coordination activities as a step toward consolidation. Additionally, the St. Augustine urbanized area is being integrated into the First Coast MPO instead of creating a new MPO.

Most MPOs said that they did consider merger as suggested by the FDOT, but had decided to remain separate at this time. In an April 2003 letter, the Southeast Florida MPOs (Broward MPO, Palm Beach County MPO and the Miami-Dade MPO) stated that they “do not support the consolidation proposal because of issues of size and complexity within the planning area. Collectively, we support a constituency exceeding five million, encompass more than sixty municipalities, serve over fifty combined current board members, and represent a geographic area for which only a portion of the travel is regional in nature and primarily along the north-south direction.” The letter goes on to discuss how the geographic arrangement is not like a typical central city structure, but a distributed linear structure stretching one hundred miles from north to south. The three MPOs also committed to improved regional coordination through the recently created Regional Transportation Authority and other coordination mechanisms.

The Hernando, Hillsborough, Pasco and Pinellas County MPOs, in an April 2003 letter, also recommended that the individual MPOs remain independent. Instead they suggested that the four MPOs, “supplement the existing process to develop and implement a strong regional planning process.” The letter then outlined and committed to specific strategies for improving regional transportation planning such as the development of a regional long-range transportation plan, the creation of a regional priority selection process and an enhanced regional public involvement process.

When asked if they coordinate transportation planning activities with neighboring MPOs, twenty-two of Florida's twenty-five MPOs responded affirmatively. The three that said that they do not coordinate (the Gainesville MTPO, the Tallahassee-Leon County MPO and the First Coast MPO) have no neighboring MPOs. Many of the MPOs that currently coordinate informally with neighboring MPOs said that they are actively considering formalizing their coordination activities. Of the MPOs that indicated that they currently coordinate transportation planning activities with neighboring MPOs:

- Ten have a formal coordination mechanism in place;
- Seven coordinate on an informal basis; and
- Five coordinate both formally and informally (formally with one or more neighboring MPO and informally with one or more different neighboring MPOs).

The MPOs that formally coordinate transportation planning activities with neighboring MPOs do so using the following mechanisms (several MPOs indicated that they are a party to more than one of the following):

- MPO Resolution;
- Memorandum of Understanding;
- Intergovernmental Agreement; and
- Florida Statute.

Additionally, the 2003 Legislature authorized MPOs to enter into interlocal agreements for the purpose of coordination. Several MPOs have indicated that they are currently in the process of developing interlocal agreements with neighboring MPOs and/or groups of neighboring MPOs.

A majority of MPOs (fifteen) indicated that they participate in an organized group to coordinate regional transportation planning activities. A basic description of each of the known coordination groups is provided below. More detailed descriptions of the West Central Florida MPO Chairs Coordinating Committee (CCC), the Central Florida MPO Alliance and the Coordinated Urban Transportation Studies (CUTS) are contained in Appendix B.



- *West Central Florida MPO Chairs Coordinating Committee (CCC)*
  - Membership and voting status
    - Hillsborough County MPO (V)
    - Pinellas County MPO (V)
    - Pasco County MPO (V)
    - Hernando County MPO (V)
    - Polk County TPO (V)
    - Sarasota/Manatee MPO (V)
    - FDOT Districts 1 and 7 (NV)
    - Central Florida, Southwest Florida, Withlacoochee and Tampa Bay Regional Planning Councils (NV)
    - Florida's Turnpike Enterprise (NV)
  - Formed in 1992 (membership in 1992 included Hillsborough County MPO, Pinellas County MPO, Pasco County MPO and Hernando County MPO. Polk TPO and Sarasota/Manatee MPO were added in 2000)
  - Policy Board meets quarterly
  - Staff Directors meet biweekly
  - Staff work is divided among the group members
  - There are adopted Bylaws
  - There is an adopted conflict resolution process
  - Major modal providers participate on an *ad hoc* basis
- *Central Florida MPO Alliance*
  - Membership and voting status
    - Brevard County MPO (V)
    - Volusia County MPO (V)
    - METROPLAN ORLANDO (V)
    - Polk County TPO (V)
    - Lake County Board of County Commissioners (V)
    - FDOT Districts 1 and 5 (NV)
  - Formed in 1997 (original members were METROPLAN ORLANDO and the Volusia County MPO. Other members have since been added)
  - Policy Board meets quarterly

- Staff Directors meet quarterly with the Policy Board
- Staff work is divided among the group members
- There are no adopted Bylaws, but items typically covered by Bylaws are addressed in the joint resolution forming the group
- There is no adopted conflict resolution process
- Major modal providers do not participate
- *South Florida Regional Transportation Organization (RTO)* – activities of the RTO will be assumed by the recently formed Regional Transportation Authority (RTA) and the RTO characteristics described below may be modified by the RTA
  - Membership
    - Broward County MPO
    - Palm Beach County MPO
    - Miami-Dade MPO
    - Transit operators from Broward, Palm Beach and Dade Counties
    - Tri-Rail
  - Formed in 1998 and responsibilities folded into RTA in 2003
  - Policy Board met bi-monthly
  - Staff Directors met bi-monthly, two weeks before the Policy Board
  - Staff work was divided among the group members for the first three years and then Tri-Rail staff assumed RTO staffing responsibilities
  - There were no adopted Bylaws
  - There was no adopted conflict resolution process
  - Major modal providers (local transit agencies from all three counties) did participate
- *Coordinated Urban Transportation Studies (CUTS)*
  - Membership
    - Polk County TPO (V)
    - Sarasota/Manatee MPO (V)
    - Charlotte County-Punta Gorda MPO (V)
    - Lee County MPO (V)
    - Collier County MPO (V)
    - Representatives from the FDOT District 1 Bartow Office and the FDOT District 1 Southwest Area Office (Planning Manager (V) and MPO Liaison (NV))

- Central Florida, Southwest Florida, and Tampa Bay Regional Planning Councils (NV)
- Representatives from the Federal Highway and Transit Administrations (NV)
- MPOAC Executive Director (NV)
- Formed in the mid-1980's
- There are no Policy Board meetings
- Staff directors meet quarterly
- Staff support is provided by FDOT District One
- There are adopted Bylaws
- There is no adopted conflict resolution process
- Major modal providers do not participate

Each of the groups described above attempts to coordinate transportation planning activities across multiple MPO boundaries, but they differ in their approach. The Coordinated Urban Transportation Studies (CUTS) organization represents a staff based coordination effort that meets regularly to discuss regional transportation issues. No specific work products result from this group's activities, although individual member work products may be influenced by discussions held during CUTS meetings and through collaboration between two or more CUTS members.

The CCC, MPO Alliance and South Florida RTO are more formally constructed than CUTS, develop work products as a result of group activities and involve the active participation of elected officials. In terms of focus, the CCC members appear to concentrate much of their collaborative effort on the production of a variety of work products and on a wide range of issues including air quality and aviation issues. This has resulted in the creation of committees and task teams to focus on individual issue areas. The CCC members have produced a regional long-range transportation plan (LRTP) that is a compilation of MPO LRTPs as well as a number of other studies and plans. Additionally, the CCC members have committed to the development of:

- A top-down regional LRTP as part of the next MPO LRTP update cycle;
- An enhanced regional public involvement process;
- A regional priority selection process; and
- A consultative process for regional air quality issues.

The MPO Alliance, on the other hand, seems thus far to have focused more of its coordination efforts on attracting new funds to major projects in the region than on work products, though they have produced joint studies and intend to produce a regional compilation LRTP as part of the next MPO LRTP update cycle.

The South Florida RTO members focused much of their attention on air quality coordination, implementation of coordinated Intelligent Transportation Systems (ITS) in Southeast Florida and the establishment of the South Florida Regional Transportation Authority (RTA). RTO members formed task forces to address specific regional issues. The RTO members also collaborated on joint studies and projects such as the Transit Bridge and Tri-Rail services. They also state that they coordinated their LRTPs, however previous CUTR reviews of the LRTPs from Southeast Florida indicate little evidence of coordination. This may be more a reflection of a lack of documentation than a lack of coordination.

The recently formed South Florida RTA (approved by the Florida Legislature in 2003) will assume the existing activities and responsibilities of the South Florida RTO. The RTA has not yet had an opportunity to establish committees, task forces or joint planning efforts. The MPOs, as RTA participants, have said that

they intend to develop a regional compilation LRTP as part of the next MPO LRTP update cycle, continue with regionally coordinated air quality planning activities, and work with the RPC to establish a regional land use strategy (each MPO has committed \$50,000 in Fiscal Year 2003/2004 toward this effort – a total of \$150,000).

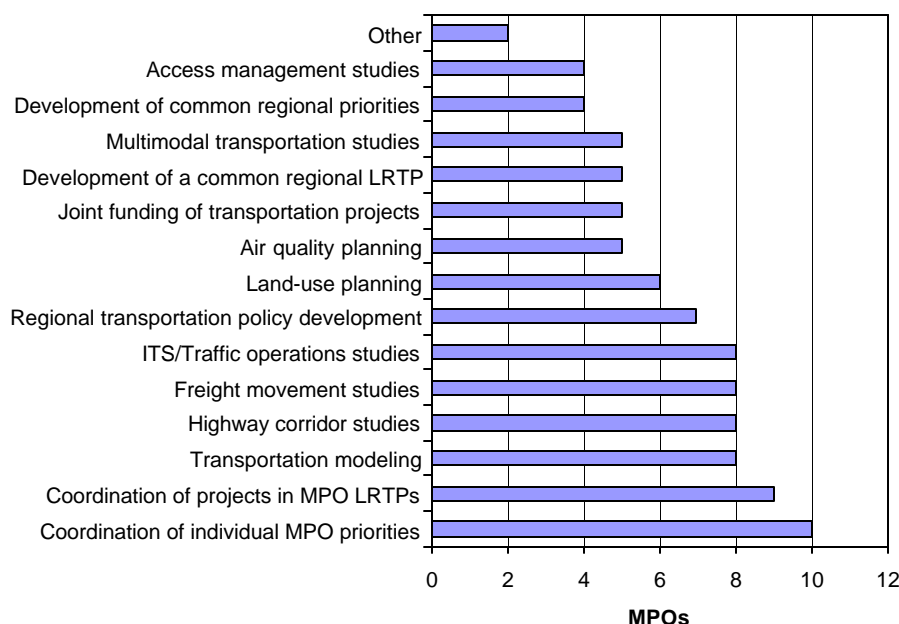
There is an additional long-standing, but very different coordination effort occurring in the Panhandle area of the state. The three Panhandle MPOs (the Pensacola MPO, the Okaloosa-Walton TPO and the Panama City MPO) are each staffed by the West Florida Regional Planning Council. While the three MPOs have not formally participated in a coordination organization like the ones described previously, the fact that they share the same staff provides for a significant level of coordination. Additionally, all three MPO Boards meet jointly on occasion. The Pensacola and Okaloosa-Walton TPO also provide a non-voting MPO Board seat to a representative from the other MPO Board and are actively working toward the establishment of formal coordination mechanisms that may ultimately result in a single MPO.

In addition to coordinating with neighboring MPOs, many MPOs coordinate transportation planning activities with neighboring non-MPO jurisdictions and tribal governments. The vast majority of MPOs coordinate through informal mechanisms, but a few have formal agreements (primarily through resolution) to coordinate with neighboring non-MPO jurisdictions and tribal authorities. Lake County has coordinated transportation planning activities and decision-making as a member of the Central Florida MPO Alliance, but will soon be a part of a new MPO covering Lake and Sumter Counties. The Seminole Tribal Government has been provided a voting seat on the Broward County MPO Technical Advisory Committee.

Several MPOs also indicated that they coordinate transportation planning activities with regional modal providers, even those that are not located within their MPO boundaries. For example, METROPLAN ORLANDO coordinates transportation planning activities with Port Canaveral in Brevard County. Additionally, regional coordination groups provide MPOs with opportunities to coordinate with major regional modal providers.

The development of individual MPO project priorities and projects to be included within individual MPO long-range transportation plans were the most popular transportation planning activities that MPOs coordinate with their planning partners. Several MPOs also coordinate such technical activities as transportation modeling and a variety of transportation study types. The figure below outlines transportation planning activities that MPOs coordinate with other MPOs, non-MPO local jurisdictions and regional modal providers, as reported in the CUTR survey.

**Transportation Planning Activities MPOs Coordinate with  
Neighboring MPOs, non-MPOs, and/or Modal Providers  
(Based on Survey Responses from 21 Florida MPOs)**



Coordination of policy level planning decisions can facilitate the implementation of regionally significant projects. A transportation project is more likely to receive favorable attention in the funding process if two MPOs agree to both include a transportation project that crosses MPO boundaries in their individual MPO LRTPs and to make that project a priority. Coordinated technical activities such as transportation modeling and technical studies between MPOs and their planning partners helps improve regional decision-making through shared information and methods and can lead to enhanced coordination at the policy level.

Regional Planning Councils (RPCs) are also involved to varying degrees in regional transportation planning and decision-making. Every RPC in Florida has at least one MPO within their respective boundaries, with many having several MPOs. None of the four RPCs that responded to the survey participates as a member of an MPO Board(s), but each is a voting member of MPO technical committee(s). Two are members of three different MPO technical committees. Additionally, those same two participate in a regional transportation planning coordination group.

The four RPCs that responded to the survey indicated that they participate in a variety of transportation planning technical activities and studies in their region. The RPC that hosts three MPOs (the West Florida RPC) indicated the broadest involvement in transportation planning technical activities and studies. Also, each RPC indicated that they participate in the development or coordination of regional transportation plans or studies, likely by virtue of their membership on MPO technical committee(s). A majority of the RPCs that responded to the survey participate in land use planning activities that support regional transportation planning activities, transportation modeling, air quality planning, highway corridor studies, access management studies, and multimodal transportation studies. Additionally, each RPC deals with transportation in their Strategic Regional Policy Plans and also have formal review authority on developments of regional impact.

In 2002, the West Florida RPC proposed the creation of the West Florida MPO Coordinating Council. At the same time, the Florida MPOAC developed a legislative proposal for an Inter-MPO Coordination Agreement, which was included in CS/SB 676 in the 2003 legislative session. The West Florida RPC is now coordinating efforts to call a joint meeting of the Pensacola MPO and Okaloosa-Walton Transportation Planning Organization (TPO) to discuss US 98 and develop the framework for an Inter-MPO Coordination

Agreement. In addition, the West Florida RPC is working with FDOT District 3 to assist with development of a regional transportation planning model for West Florida.

Another, and perhaps the primary, participant in regional transportation planning and decision-making is the Florida Department of Transportation. The FDOT has a decentralized organizational structure and the majority of planning, programming and project implementation decisions are made at the District level. This ensures that the FDOT personnel who are most closely involved in the regional transportation planning process, while guided by statewide priorities, are sensitive to the needs of the local communities in which they reside and work. The FDOT, through its district offices, manages the majority of the roads in the state that carry inter-county and inter-regional trips. Project planning, funding and implementation decisions for the Interstate System, Florida Intrastate Highway System (FIHS), other modal systems and the newly created Strategic Intermodal System are made by FDOT District personnel with input from a variety of stakeholders including MPOs and local jurisdictions. The FDOT programs Federal National Highway System funds, Surface Transportation Program funds (with the exception of urban allocation funds for Transportation Management Areas) and state transportation funds. The FDOT conducts project planning, environmental documentation and design functions for roadways and other modal facilities. FDOT project activities commonly cross MPO and jurisdictional lines based on the identified transportation need and corridor characteristics. Through its varied planning, programming and project development activities, FDOT coordinates the implementation of the majority of regionally significant transportation projects throughout the state.

## Observations

Based on the review of current conditions in regional transportation planning done by the Center for Urban Transportation Research, and their other related experience, the following observations are made:

- The term “regional” may not mean the same thing to different participants in the transportation planning process. Two different participants may, therefore, view the same transportation improvement as being of varying “regional” significance. This in turn impacts their perception of the effectiveness of regional transportation planning.
- An important element of urbanized area transportation planning relates to regional transportation movements. The people of Florida are not constrained by jurisdictional boundaries when they choose where to live, work, shop, and recreate. It is imperative to strongly consider movements within and between urbanized areas to appropriately serve the mobility needs of the traveling public.
- Many urbanized areas more complex than any in Florida have managed to function with a single MPO. It could, therefore, be debated whether the size and complexity of Florida’s metropolitan planning areas justifies multiple MPOs in a single urbanized area. If Atlanta, Dallas, Houston, Washington DC, Boston and others do not consider themselves too complex to function as a single MPO, perhaps Florida’s urbanized areas shouldn’t.
- There are significant barriers to forming fewer, larger MPOs. If we could return to the mid 1970s, when initial MPO designations were made, we might have had the foresight to designate MPOs that reached across county and other jurisdictional lines. However, we now have thirty years of precedent in the functioning of many of the existing MPOs. Internal organizational and institutional structures have been created and developed, with many vested interests. Further, it is doubtful that redesignation of MPOs could achieve the agreement of local governments constituting seventy-five percent of the population of the urbanized area under the provisions of federal statute.
- Effective regional transportation planning and decision-making are more dependent on the established collaborative process than on the specific organizational structure. A case in point would be two efforts by METROPLAN ORLANDO (a multi-county MPO respected for its collaborative planning process) to reach consensus on major regional transportation projects. METROPLAN ORLANDO and the Volusia County MPO were extremely successful in cooperatively advancing funding of a regionally significant Interstate bridge project over the St.

John's River. METROPLAN ORLANDO was unsuccessful reaching internal consensus among its many members on the alignment and funding of a proposed light-rail line in the three-county area. This example highlights the importance of the collaborative nature of the process over the specific organizational structure of the process.

- Coordination activities are only as meaningful as the commitment of the individual agencies to follow-through on locally controversial decisions in support of regional objectives. No decisions made by the coordination organizations currently in place are legally or contractually binding on the member agencies. The commitment by the CCC to enter into interlocal agreements and develop a top-down regional LRTP and priority selection process would be a first step toward giving a regional coordination organization real authority to advance regional objectives.
- Smaller MPOs have to complete many of the same federal and state required tasks as larger MPOs, but have smaller budgets and fewer staff at their disposal. Merging two or more small MPOs or entering into shared staffing arrangements would provide economies of scale and enhanced staff expertise and specialization that could improve the ability of smaller MPOs to meet their federal and state requirements.
- Coordinated efforts to improve regional transportation planning are hampered by the lack of coterminous boundaries among the primary participants in the process. For example, the seven County, six MPO CCC planning area falls within the jurisdictional boundaries of four RPCs and 2 FDOT Districts. Dealing with that many organizations to achieve consensus on any given issue or project requires significant time and effort.
- The cost of coordinating efforts both in terms of time and money are not incidental. For example, the CCC staff directors meet every two weeks, host and prepare quarterly meeting agendas on a rotating cycle and are responsible for a variety of work products that are additional to those they complete as part of their individual MPO responsibilities.
- FDOT by virtue of its programming and project implementation authority plays an important role in ensuring that the regional transportation planning and decision-making process moves forward in an efficient manner. The FDOT has the authority to program projects that it believes are in the regional interest using a variety of federal and state funding categories, taking into account public input including that provided by MPOs. So while, the MPO does play a major role in this process as any project must appear both in the MPO LRTP and the TIP to be eligible for Federal funding, it is the FDOT that plays the primary role in the process. Also, FDOT can further ensure regional coordination through its project implementation activities. For example, the FDOT determines project limits for a PD&E (environmental) study based on technical characteristics of the study corridor, not on political or other jurisdictional boundaries. Therefore, PD&E project limits commonly cross multiple jurisdictional and MPO boundaries.
- Difficulties in achieving regional priorities are exacerbated by the current substantial transportation funding shortfall. While there may never be enough funding available for all desired projects, additional funding for regionally significant projects from a source that would not impact current MPO programs would facilitate regional coordination and cooperation.
- Regional projects that are delayed due to potential socio-cultural or environmental impacts are not delayed as a result of an inefficient regional transportation planning process, but over local opposition to the proposed project itself, regardless of the agencies responsible for planning, programming and/or implementation.

## Suggestions

The movement of people and freight knows no political boundaries. As people pursue the opportunities of our society, they must be able to move freely within their communities, between neighboring communities and between the various regions of our state. Our planning processes need to reflect this need. Whether accomplished through consolidated MPOs or coordination efforts among many MPOs and their transportation planning partners, the result must be effective regional transportation planning.

The following suggestions to improve regional transportation planning and decision-making in the State of Florida are offered:

- State statute requires that any authority or agency created by law to perform transportation functions that is not under the jurisdiction of a local government represented on the MPO shall be provided voting membership on the MPO. Additionally, in keeping with the spirit of federal law, a representative from the appropriate FDOT District, as a transportation implementing agency, should be provided the opportunity to participate in all deliberations of each MPO Board in the state.
- Where departments of local government operate transit, airports, or ports, presumably local elected officials from those local governments represent those agencies interests on the MPO Board. In these cases, these departments of local government should be represented on the Technical Advisory Committee of the appropriate MPO(s).
- MPOs that are served by staff from a single member jurisdiction, be it city or county, would be better served by a staff that is independent of a member jurisdiction. Although exercising this option may entail contractual agreements with a member jurisdiction to provide group benefits and other support services, it reduces the potential for bias in the actions of the staff. When the staff is paid by a member jurisdiction, real or perceived pressure to favor the desires of that jurisdiction can occur.

We are encouraged by the actions being taken by the First Coast MPO to separate themselves from the City of Jacksonville Mayor's office. The current situation, with staff being part of the Mayor's office, it is very difficult to assure fair treatment to St. John's County and to the City of St. Augustine, a newly urbanized area. We endorse the intention of the MPO to either become an independent agency, or to reach agreement with an independent third party agency (the North East Florida Regional Planning Council or Jacksonville Transportation Authority) to fulfill the MPO staff function.

- Voluntary consolidation of MPOs may lead to improved regional transportation planning and should be encouraged where factors such as traffic patterns, the regional economy and land development patterns create the appropriate environment for merger. Additionally, enhanced planning budgets and staff size, expertise and specialization could improve transportation planning practices in general and, in turn, enhance regional transportation planning efforts.
- The Tampa Bay Chairman's Coordinating Committee has established a substantial record of cooperation and joint efforts among the member MPOs. The members of the CCC have committed themselves to developing a regional transportation plan, "from the top down", and other enhanced regional transportation activities. In our judgment, the prudent course of action is to further strengthen regional transportation planning efforts of the CCC. We have several specific suggestions in this regard:
  - In the development of interlocal agreements, the CCC should be given clear authority to adopt a regional LRTP and to prioritize regional projects;
  - A practical decision-making and conflict resolution process needs to be created. In our judgment, the currently adopted conflict resolution process is cumbersome and would prove to be ineffective;
  - The CCC should abandon the current practice of rotating the chair's position on a quarterly basis, as the meeting location moves from county to county. Instead, the CCC members should elect a chair and a vice chair to serve for a minimum of a year, preferably two years. This would provide a more continuous level of policy direction and responsibility; and
  - The CCC should establish a legal address, a modest office, and an individual staff position. This individual would maintain minutes, establish agendas, and serve as the first line of staff



support for the CCC. Importantly, this person would serve as a single point of contact for interested individuals. This could be a small office in one of the existing MPO facilities or at an independent location.

- We urge that the Central Florida MPO Alliance and the emerging coordination mechanisms for the Dade-Broward-Palm Beach MPOs through the South Florida RTA consider these same suggestions.
- Regional transportation planning efforts should be encouraged by providing financial incentives for MPOs that seek to strengthen coordination by:
  - Choosing to consolidate with existing MPOs, under appropriate conditions,
  - Entering into shared staffing arrangements like the three Panhandle MPOs, or
  - Entering into strong policy-level coordination efforts, founded on formal agreements.
- Financial incentives to coordinate regional transportation planning efforts should be contingent upon evidence of an efficient and effective process. Evidence of such a process should include a top-down regional LRTP, a process for selecting regional transportation priorities and evidence of regional transportation priorities in individual MPO work products and processes.
- Allocating a dedicated commitment of funds for regional priority projects identified through a collaborative process involving more than one MPO would promote regional transportation planning and decision-making. Such an approach would still require inclusion in the TIP of affected MPOs, but it could elevate the fast-track implementation of regional priorities that otherwise might not be priorities of individual MPOs.
- There should be a clear expectation that the next generation of LRTPs and TIPs must demonstrate the fundamental importance of regional transportation planning. An assessment should be conducted in five years to determine if regional transportation planning activities reflect themselves in a concrete fashion in individual MPO plans and programs. Any financial incentives to coordinate should be contingent on a finding of sufficiency relative to this assessment. Additionally, other stronger actions should be considered if there is a failure to demonstrate committed and effective regional coordination in transportation planning.

In the interim, MPOs individually or collectively should submit in December of each year a letter to the FTC outlining regional coordination activities for the previous year and those planned for the coming year. The status report should provide sufficient documentation to demonstrate that a strong and committed effort is being made to coordinate transportation planning including such activities as:

- Entering into interlocal agreements with neighboring MPOs and transportation partners;
- Holding regularly scheduled meetings of both policy board members and technical staff;
- Preparing a top-down regional transportation plan;
- Establishing regional priorities
- Jointly funding and/or conducting transportation studies; and
- Developing a joint public involvement process.

## Summary

There are a number of coordinated regional transportation planning efforts underway throughout the state. We believe that these efforts have the potential to mature into comprehensive regional transportation planning processes and to provide a model for other areas of the state to follow. We encourage the state to provide financial incentives to bolster these and other collaborative efforts. Financial incentives should be contingent on the successful demonstration of progress toward committed and effective regional transportation planning processes. MPOs, independently or collectively, should be responsible for annually demonstrating their progress toward comprehensive and integrated regional transportation planning processes. A comprehensive assessment of regional transportation planning should be conducted in five years. Stronger actions should be considered in areas not showing progress toward an integrated regional transportation planning process.

## **Section IV. National Models of Regional Transportation Planning and Implementation**

## Background

The Federal Aid Highway act of 1962 created the requirement for urban transportation planning largely in response to the construction of the Interstate Highway System. The Act required that transportation projects in urbanized areas over 50,000 in population be based on a continuing, comprehensive urban transportation planning process undertaken cooperatively by states and local governments. By July of 1965 all existing urbanized areas had an urban transportation planning process underway. Due to a lack of qualified planning organizations, the Bureau of Roads (predecessor to FHWA) required the creation of planning agencies or organizational arrangements capable of carrying out the required planning process. Although some MPO-like organizations had existed since the 1950's, this requirement was the impetus which spurred the creation of MPOs. Most of the regional planning agencies in existence at the time were regional councils, or councils of governments (COGs). A COG is a public organization encompassing a multi-jurisdictional regional community. It serves the local governments and citizens of the region by dealing with issues and needs that cross city, town, county, and even state boundaries. Federal requirements for planning in areas such as transportation, the environment, and human services fostered the development of regional councils. They seemed to be the logical institute for meeting the federal requirements for urban transportation planning when the MPO process was formalized.

As discussed in Section III, the enactment of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) significantly enhanced the role of the MPOs in transportation planning by giving MPOs, especially in larger urbanized areas (those over 200,000), increased authority in project planning and prioritization while requiring the state and local transit providers to cooperate with the MPO on project selection. The Transportation Efficiency Act for the 21<sup>st</sup> Century (TEA-21) further enhanced the role of MPOs in the transportation planning process by designating specific funds over which they have allocation responsibility. In effect, TEA-21 transformed MPOs from just being advisory institutions by giving them direct influence over the prioritization and allocation of certain transportation funds in metropolitan areas.

## What Constitutes Effective Regional Transportation Planning?

What federal legislation has done is to formalize the regional transportation planning process by involving all stakeholders; the local cities and counties, the state, local transit providers, and the public. Congress recognized that transportation and environmental issues cross jurisdictional lines and there was a need for a regional approach to resolving problems of mobility, congestion, air pollution and urban sprawl. However, the ability of an MPO to facilitate regional transportation planning depends in large part on the technical competence of its staff, the ability of its leadership to build consensus among all participants, and the leadership of local officials and the business community. Consensus building between the participants can be particularly arduous and consume considerable time and energy, especially in fast-growing regions where transportation needs outpace existing infrastructure and available funding. Regional transportation planning is a complex process in which the MPO is only one component. The state DOT, the transit providers, the counties and the cities each play a primary role with respect to those projects within their fiscal and jurisdictional boundaries.

One aspect of the Commission's Regional and Intermodal Transportation Planning Assessment was to identify key components of successful regional planning agencies in areas outside of Florida. An extensive literature search was conducted. There are 50 states that are different in size, population composition, economic base, geography, and development patterns. There are approximately 3,000 counties and 30,000 municipalities across the country. All of which are different in their own way. Therefore, MPOs are different and need to be tailored to the specific characteristics of the individual area. States and local governments should have the flexibility to organize MPOs to meet the needs of their area.

## Available Data

With the aid of the *2002 Profiles of Metropolitan Planning Organizations*, a publication of the Association of Metropolitan Planning Organizations, the Commission's research team identified 338 MPOs located throughout the 50 states. The 2000 Census states there are 453 urbanized areas. The 2002 Profiles provides a summary of each MPO identifying such information as address and phone numbers, the executive director, web site address, year of designation, urbanized area population, jurisdiction, and board structure among other characteristics. Based on anecdotal evidence and the suggestions of noted

planning professionals, 27 MPOs were identified as being examples of practicing good regional transportation planning. Additional data was collected on these 27 MPOs through their respective web sites. Population data was verified using the 2000 Census population numbers from the U.S. Bureau of Census. A survey instrument was developed and e-mailed to the identified MPOs. Sixteen surveys were completed and returned.

## Supporting Research and Activities

Prior to going into detail on the 27 MPOs that are purported to be examples of good regional transportation planning, it is important to gain an understanding of the population of MPOs that exist throughout the country that were identified. Among the 338 MPOs identified across the nation, 29 of them are multi-state organizations. That is, their jurisdictional boundaries cross at least two states. Ohio and West Virginia have the most multi-state MPOs with five each, these two states sharing four of them. Texas and Florida have more MPOs than any other state with 25 each. North Carolina is next with 17, followed by Ohio with 16 and California and Pennsylvania with 15 each.

According to the 2000 U.S. Census data, Florida has 28 urbanized areas. The definition of an urbanized area is a densely settled area that has a census population of at least 50,000. By comparison, California, the most populous state in the nation, has 53 urbanized areas. Of the 338 MPOs in our sample population, 164 of them (48.5%) have jurisdictional boundaries that cover more than one county. Conversely, 174 (51.5%) are single county MPOs. The North Central Texas Council of Governments, which covers the Dallas/Ft. Worth area, is the largest MPO in terms of the number of counties within its jurisdiction with 15. The 15 largest MPOs ranked by the number of counties within its jurisdiction are listed in Figure 1. The MPO in Florida consisting of the most counties is METROPLAN Orlando covering a three county region.

Figure 1. Top 15 MPOs Ranked by Number of Counties within its Jurisdiction.

State	MPO Name	# of Counties	2000 Census Population	# of Board Members	Year Designated
Texas	North Central Texas COG (Arlington)	15	5,221,801	38	1974
New Jersey	North Jersey TPA	13	5,288,583	20	1982
Texas	Houston-Galveston Area Council	13	4,669,571	35	1974
Georgia	Atlanta Regional Commission	10	4,112,198	38	1971
New York	New York Metropolitan TC	10	12,068,148	9	1982
California	Metropolitan Transportation Commission	9	7,039,362	16	1970
New York	Genesee Transportation Council	9	1,098,201	27	1977
Pennsylvania	Southwest PA Commission - Pittsburgh	9	2,358,695	65	1974
Multistate	Kentukiana RP&DA - IN, KY	9	1,025,598	26	1973
Multistate	OKI Regional COG - IN, KY, OH	9	1,979,202	105	1974
Multistate	Delaware Valley RPC - NJ, PA	9	5,100,931	18	1965
Multistate	Wood-Washington-Wirt Interstate PC - OH, WV	9	151,237	38	1975
Indiana	Indianapolis MPO	8	1,474,128	9	1978
Multistate	Metropolitan Washington COG - DC, MD, VA	8	4,845,621	33	1965
Multistate	East-West Gateway Coord. Council - IL, MO	8	2,603,607	25	1973

The MPO with the largest population is the Southern California Association of Governments which covers an area consisting of six counties with a population of over 16 million people. The New York Metropolitan Transportation Commission is next with a population of over 12 million. The 15 largest MPOs by population are listed below in Figure 2. In Florida, the largest MPO by population is the Miami Urbanized Area MPO with a population of approximately 2.3 million people.

Figure 2. Top 15 MPOs Ranked by Population.

State	MPO Name	# of Counties	2000 Census Population	# of Board Members	Year Designated
California	Southern California AOG (Los Angeles)	6	16,373,645	74	1975
New York	New York Metropolitan TC	10	12,068,148	9	1982
Illinois	CATS (Chicago Area)	7	8,422,345	20	1974
California	Metropolitan Transportation Commission	9	7,039,362	16	1970
New Jersey	North Jersey TPA	13	5,288,583	20	1982
Texas	North Central Texas COG (Arlington)	15	5,221,801	38	1974
Multistate	Delaware Valley RPC - NJ, PA	9	5,100,931	18	1965
Michigan	Southeast Michigan COG	7	5,020,287	51	1974
Multistate	Metropolitan Washington COG - DC, MD, VA	8	4,845,621	33	1965
Texas	Houston-Galveston Area Council	13	4,669,571	35	1974
Georgia	Atlanta Regional Commission	10	4,112,198	38	1971
Washington	Puget Sound Regional Council - Seattle	4	3,347,405	23	1991
Arizona	Maricopa AOG	1	3,251,876	31	1973
Minnesota	Metropolitan Council of the Twin Cities	7	2,968,806	17	1973
Mass.	Boston MPO	1	2,922,934	14	1973

The jurisdiction and population of an MPO are just two of many characteristics which comprise the complexity of the organization. MPO policy boards, by federal regulation, are comprised primarily of local elected officials. In order to attain maximum representation, MPO policy boards can consist of a large number of voting members. Unlike Florida, which limits the size of policy boards to 19 members, most states don't have a limitation. The MPO with the largest number of board members is the OKI Regional Council of Governments, a multistate MPO that transcends the borders of Ohio, Kentucky and Indiana. This particular MPO has a 105 member policy board. There are four MPOs with only three board members. Each of them is a single county MPO with populations of less than 121,000. The size of the policy board and its ability to reach consensus is certainly a factor determining the effectiveness of an MPO, but exactly what the optimal size of an MPO policy board should be is not a part of this analysis. The purpose here is to show that placing a cap at 19, especially in large urbanized areas, may not allow for adequate representation of all local governmental entities and modal partners. The average population in the urbanized area of those MPOs with policy boards consisting of more than 19 members is 1,248,108. The average for MPOs with 19 or fewer policy board members is 458,480. The average number of counties within the jurisdiction of MPOs with more than 19 policy board members is 3.8. The average number for MPOs with 19 or fewer policy board members is 1.8 counties. A list of the 15 MPOs with the largest policy boards is provided in Figure 3.

Figure 3. Top 15 MPOs Ranked by size of the Policy Board.

State	MPO Name	# of Counties	2000 Census Population	# of Board Members	Year Designated
Multistate	OKI Regional COG - IN, KY, OH	9	1,979,202	105	1974
Ohio	Mid-Ohio RPC - Columbus	4	1,394,666	76	1973
New Hamp.	Seacoast MPO - Dover	2	236,304	76	1982
Multistate	Brooke-Hancock-Jefferson MPC - OH, WV	3	132,008	76	1973
California	Southern California AOG	6	16,373,645	74	1975
Pennsylvania	Southwest PA Commission - Pittsburgh	9	2,358,695	65	1974

Michigan	Region 2 Planning Commission - Jackson	1	158,422	65	1968
Multistate	Omaha-Council Bluffs MAPA - IA, NE	3	716,998	63	1974
Ohio	Miami Valley RPC - Dayton	3	805,816	60	1973
Indiana	Northwestern Indiana RPC	3	631,362	53	1975
Michigan	Southeast Michigan COG	7	5,020,287	51	1974
Multistate	Bel-O-Mar RC - OH, WV	4	153,172	50	1975
Ohio	Richland County RPC	1	128,852	50	1962
Colorado	Denver Regional COG	6	2,581,506	49	1977
Ohio	Eastgate Regional COG - Youngstown	2	594,746	46	1973

Overall, the average MPO in the United States has jurisdictional boundaries that cover 2.3 counties, has a population of 671,072 people, and has a policy board consisting of 17.5 members.

## Survey Methodology

To aid the Commission in identifying MPOs outside of Florida that are considered to be good examples of MPOs practicing effective regional transportation planning, experts in the transportation planning field were contacted and asked to identify those MPOs they consider to have national reputations for effective regional transportation planning. A total of 27 MPOs were identified by these experts. They were then asked to rank each of the 27 MPOs based on their own assessment of how effective they are with the regional transportation planning process. A survey instrument was developed (see Appendix A) and e-mailed to each of the 27 MPOs. Sixteen of the surveys were returned for a 59 percent response rate. Information on the survey instruments provided by the responding MPOs was supplemented by telephone interviews. Appropriate state DOT officials were contacted and asked about their working relationship with the surveyed MPOs located in their state. Based on the research conducted and the survey results, the following assumptions have been made.

## Survey Results

There does not appear to be any correlation between the population of the urbanized area of the MPO and its ability to plan effectively. The MPOs in our sample ranged in population from 456,000 to over seven million people. However, seven of the 16 respondents are included in our list of the 15 MPOs with the greatest populations and 11 of them have a population over one million. Jurisdictional boundaries also do not appear to have any impact on the effectiveness of these MPOs. Four of the sample MPOs have jurisdiction over a single county. It should be noted, however, that all four single county MPOs are councils of government. Therefore, even though the MPO is responsible for transportation planning in a single county, the policy board is composed of representatives from numerous local governments within that county. Also, the size of these four counties in land mass is quite large. They range from 1,400 to over 9,200 square miles in area with an average of 5,740 square miles. Even though they are single county MPOs they are larger in area than some states. Ten of the surveyed MPOs have boundaries that encompass at least four counties. The size of the policy board also does not seem to have any impact on the effectiveness of these MPOs to plan regionally. The MPO policy boards have memberships that range from nine to 76 voting members with the vast majority of members being local elected officials.

Maricopa Association of Governments							Phoenix, Arizona	
Number Served	MPO Staffing Organization	Voting Members						
UA      Counties		Local Officials	Local Modes	State Officials	Others	Total Voting	Non-Voting Members	Total Membership
2      1	Independent	28	0	2	1	31	0	31

**Kern Council of Governments, Bakersfield MPO****Bakersfield, California**

Number Served		MPO Staffing Organization	Voting Members						
UA	Counties		Local Officials	Modal Providers	State Officials	Others	Total Voting	Non-Voting Members	Total Membership
1	1	Independent	13	0	0	0	13	3	16

**Metropolitan Transportation Commission****San Francisco Bay Area**

Number Served		MPO Staffing Organization	Voting Members						
UA	Counties		Local Officials	Modal Providers	State Officials	Others	Total Voting	Non-Voting Members	Total Membership
12	9	Independent	13	0	0	3	16	3	19

**San Diego Association of Governments****San Diego, California**

Number Served		MPO Staffing Organization	Voting Members						
UA	Counties		Local Officials	Modal Providers	State Officials	Others	Total Voting	Non-Voting Members	Total Membership
1	1	Independent	20	0	0	0	20	8	28

**San Joaquin Council of Governments****Stockton, California**

Number Served		MPO Staffing Organization	Voting Members						
UA	Counties		Local Officials	Modal Providers	State Officials	Others	Total Voting	Non-Voting Members	Total Membership
5	1	Regional	10	0	0	0	10	3	13

**Metropolitan Washington Council of Governments****District of Columbia**

Number Served		MPO Staffing Organization	Voting Members						
UA	Counties		Local Officials	Modal Providers	State Officials	Others	Total Voting	Non-Voting Members	Total Membership
1	8	Regional	26	6	0	1	33	6	39

**Wilmington Area Planning Council****Newark, Delaware**

Number Served		MPO Staffing Organization	Voting Members						
UA	Counties		Local Officials	Modal Providers	State Officials	Others	Total Voting	Non-Voting Members	Total Membership
2	2	Independent	5	2	2	0	9	0	9

**Atlanta Regional Commission****Atlanta, Georgia**

Number Served		MPO Staffing Organization	Voting Members						
UA	Counties		Local Officials	Modal Providers	State Officials	Others	Total Voting	Non-Voting Members	Total Membership
1	10	Regional	23	0	0	15	38	1	39

**Des Moines Area MPO****Des Moines, Iowa**

Number Served		MPO Staffing Organization	Voting Members						
UA	Counties		Local Officials	Modal Providers	State Officials	Others	Total Voting	Non-Voting Members	Total Membership
1	4	Independent	22	0	0	9	31	5	36

**Southeast Michigan Council of Governments****Detroit, Michigan**

Number Served		MPO Staffing Organization	Voting Members						
UA	Counties		Local Officials	Modal Providers	State Officials	Others	Total Voting	Non-Voting Members	Total Membership
2	7	Regional	51	0	0	0	51	34	85

**Metropolitan Council\*****St. Paul, Minnesota**

Number Served		MPO Staffing Organization	Voting Members						
UA	Counties		Local Officials	Modal Providers	State Officials	Others	Total Voting	Non-Voting Members	Total Membership
1	7	Regional	0	0	0	17*	17	0	17



**Mid-Ohio Regional Planning Commission****Columbus, Ohio**

Number Served		MPO Staffing Organization	Voting Members						
UA	Counties		Local Officials	Modal Providers	State Officials	Others	Total Voting	Non-Voting Members	Total Membership
1	4	Regional	32	2	1	41	76	5	81

**Delaware Valley Regional Planning Commission****Philadelphia, Pennsylvania**

Number Served		MPO Staffing Organization	Voting Members						
UA	Counties		Local Officials	Modal Providers	State Officials	Others	Total Voting	Non-Voting Members	Total Membership
2	9	Regional	12	0	6	0	18	14	32

**Wasatch Front Regional Council****Salt Lake City, Utah**

Number Served		MPO Staffing Organization	Voting Members						
UA	Counties		Local Officials	Modal Providers	State Officials	Others	Total Voting	Non-Voting Members	Total Membership
2	5	Independent	18	0	0	0	18	3	21

**Hampton Roads Planning District Commission****Virginia**

Number Served		MPO Staffing Organization	Voting Members						
UA	Counties		Local Officials	Modal Providers	State Officials	Others	Total Voting	Non-Voting Members	Total Membership
1	3	Regional	13	2	1	1	17	3	20

**Puget Sound Regional Council****Seattle, Washington**

Number Served		MPO Staffing Organization	Voting Members						
UA	Counties		Local Officials	Modal Providers	State Officials	Others	Total Voting	Non-Voting Members	Total Membership
2	4	Regional	15	1	6	1	23	21	44

\*Note: Metropolitan Council has 17 members appointed by the Governor. Because Council members are not elected officials they have a "Transportation Advisory Board" made up of city and county elected officials, citizens and modal representatives. This fulfills the federal requirement for "local elected officials."

What is interesting about the survey results is the staffing organization of the MPOs. Not one of the surveyed MPOs is staffed by a local government. All are staffed by either an independent body or by the staff of a regional organization. One of the concerns associated with MPOs being staffed by local planning agencies is the inability of MPOs to focus on a regional perspective. This concern was a point of discussion among planning professionals at the national Conference on Institutional Aspects of Metropolitan Planning held in May of 1995 in Williamsburg, Virginia and has been pointed out to the Commission as being an inherent problem in Florida. Given the origins of MPOs and the composition of their policy boards, which are composed primarily of local elected officials, this is not surprising. The primary responsibility of local officials is to their respective county or city. It is very difficult for a local official to take a regional perspective on an issue that may have a local impact. An independent staff not tied to the local government can be more diligent in focusing on regional issues.

Another concern that can be mitigated with an independent or regional staff is that local elected officials and/or county/city managers can exert pressure on local planning staff to influence the development of the transportation improvement plan. An example of this occurring was recently played out in an MPO in North Florida. If the MPO has an independent staff or is staffed by a regional organization, this concern is negated. Therefore, it is understandable that of the MPOs in our survey with reputations for effective regional transportation planning, none are staffed by a local agency.

## Conclusions

According to a study conducted for Congress by the University of Denver, Intermodal Transportation Institute, there are several key characteristics of successful regional transportation planning by MPOs. This study concludes that the ability of an MPO "to facilitate regional transportation planning depends in large part on the technical competence of its staff, the ability of its leadership to build consensus among diverse participants, and the leadership of local officials and the business community."

These key characteristics include, but are not limited to, the following:

- **Effective Leadership.** The most successful MPOs appear to have leaders with the ability to achieve progressive collaboration and build consensus between the process participants.
- **Staff Competence and Credibility.** The most successful MPOs are characterized by staffs with high levels of technical competence and expertise and are able to assist the State DOT and member governments in transportation data collection, modeling, planning and other technical assistance.
- **Regional Ethos.** One of the most difficult objectives of MPOs is to get their elected officials to think regionally, not locally. MPOs need to consider several structural means of promoting a more regional approach among its members.
- **Public Involvement.** The most successful MPOs recognize the importance of pursuing public involvement in shaping regional priorities.
- **Cooperative Relationship with the State DOT.** The most successful MPOs engage their state DOTs in a cooperative and collaborative decision process.

Based on the survey data that was compiled, it appears that the 16 MPOs identified as being effective regional transportation planning agencies meet most of the above criteria. The Intermodal Transportation Institute states that for an MPO to have effective regional transportation planning it must have effective leaders who are consensus builders. We were not able to determine the leadership effectiveness of the surveyed MPOs, however, consensus-building seems to be an important aspect for regional organizations. Having an independent staff is a common theme among the surveyed MPOs. The staffs of all 16 MPOs are either wholly independent or are housed within a regional organization. Since staff only has to be held accountable to the policy board members, they are free from the constraints that may be placed upon them from being housed within a single local government. Independent staff can be more focused on the issues and objectives of the MPO since their attention is not diverted to tasks associated with a local government. Independent staff can be hired to meet the specific needs of the MPO developing a technical competency they may not be able to develop as employees of a local government. Given that almost all of the surveyed MPOs are housed within a regional organization, and that almost all are multi-county organizations, it can be assumed they would have more of a regional perspective on transportation planning. The survey instrument did not target the level of public involvement in the planning process, but review of the surveyed MPO's web sites indicate that public involvement opportunities are prevalent. We contacted many of the state Department's of Transportation in the states where the surveyed MPOs are located. The state DOTs we contacted had nothing but positive feedback regarding the relationship between them and their respective MPO.

It is important to recognize the diversity of the different urbanized areas across the country and the need for customized MPO organizational structures. Not all MPOs are alike and they should not be expected to perform alike. Urbanized areas do not necessarily follow political boundaries. Each urbanized area needs to be assessed individually for a proper transportation planning structure. One size does not fit all. The roles each MPO plays in the region should be determined by its relationship to the state DOT, the number of local governments in the region, the presence of an international or interstate border, the age and maturity of the MPO, the population growth rate and economic climate, and the number and types of transportation modes in the region. Though, on a statewide basis, there needs to be some level of independence in the structure and organization of an MPO in order to meet the needs of the region, there also needs to be a set of core principles or guidelines within a state structure to ensure the characteristics of effective regional transportation planning listed above are attained.

## **Section V. Evaluation of Federal and State Laws and Regulations Pertaining to Metropolitan Planning Organizations**

## Formation of Metropolitan Planning Organizations

The federal government addresses the formation of metropolitan planning organizations in its laws and regulations. The following formation criteria are currently in place at the federal level (areas addressed and not addressed in state law are noted):

### A. Initial Designation of an MPO

An MPO shall be designated for each urbanized area, however an MPO can cover more than one urbanized area. (also in state law)

An initial designation can be accomplished in one of two ways:

In accordance with procedures established by applicable state or law. (not addressed in current state law)

**or**

Agreement between the Governor and units of general purpose government that together represent 75% of the affected population. (also in state law)

### B. Continuing Designation of an MPO (not addressed in current state law)

Once an MPO is designated, it remains in effect until one of two things happen:

The MPO is revoked as described in C.

The MPO is re-designated as described in D.

### C. Revocation of an MPO can be accomplished: (not addressed in current state law)

1). As provided under State or Local Procedures

**or**

2). By agreement between the Governor and local units of Government representing 75% of the population in the area served by the existing MPO.

### D. Re-designation of an MPO (not addressed in current state law)

1). Re-designation of a new MPO to replace an existing MPO requires an agreement between the Governor and local units of government representing 75% of the affected population in the area served by the existing MPO.

2). Re-designation of an MPO covering more than one urbanized area requires the approval of the Governor and local officials representing 75% of the population in the metropolitan planning area covered by the current MPO.

An initial evaluation of the MPO formation laws contained at the federal and state level indicate that there are allowances made at the federal level for more state involvement in the MPO designation process.

## Membership of Metropolitan Planning Organizations

Federal law requires the members to be made up of local elected officials, officials of public transportation agencies within the MPO, and appropriate State officials.

State law requires five to nineteen voting members for MPOs, the exact number is determined based on an equitable geographic–population ratio basis by the Governor and the affected units of general purpose governments. State law also requires at least one third of the membership to be county commissioners

except for when an MPO with more than 15 members is located in a county with a five-member county commission, or when an MPO with 19 members is located in a county with no more than 6 county commissioners, in which case county commission members may compose less than one-third of the MPO membership, but all county commissioners must be members.

The Governor, in accordance with 23 U.S.C. s. 134, may provide for MPO members who represent municipalities to alternate with representatives from other municipalities with the metropolitan planning area that does not have membership on the MPO. Membership may include a member of a statutorily authorized planning board, an official of an agency that operates or administers a major mode of transportation, or an official of the Florida Space Authority.

The county commission shall compose not less than 20 percent of the MPO membership if an official of an agency that operates or administers a major mode of transportation has been appointed to an MPO.

## **Conclusions**

### Regional Planning Incentives

Funding incentives should be provided to organizations that meet regional planning criteria established by the Department in cooperation with the Commission and the SITAC. Criteria such as independent planning staffs; regional coordination agreements for transportation planning; State, SITAC and public involvement in the planning process; and a comprehensive regional transportation plan that is consistent with the state-wide and local transportation plans should be considered.

Providing a funding source for loans to advance projects on the Strategic Intermodal System and emerging areas for organizations that meet regional planning criteria is just one example of an action that could encourage regional planning. Other financial initiatives should be developed that promote the development of statewide regional planning to promote SIS and emerging area initiatives.

### MPO Structure

In addition to funding incentives that encourage regional planning advances in Florida, state law revisions are needed to establish an efficient and effective regional transportation planning process in Florida. It is recommended that changes to state law are pursued to provide a structure for the formation of regional MPOs, expanded MPO voting membership, and independent MPO staffing arrangements.

State law revisions could accomplish a regional planning structure that meets federal metropolitan planning organization laws and regulations. It is recommended that changes to state law are pursued so that the following is accomplished:

- 1). MPO boundaries include at least the metropolitan planning area, which is the existing urbanized area and the contiguous area expected to become urbanized within a 20-year forecast period.
- 2). When previously separate urbanized areas in one or more counties have become one urbanized area as a result of the decennial census; or metropolitan planning urbanized area boundaries encroach into other metropolitan planning urbanized area boundaries as a result of the decennial census, the associated MPOs are merged to continue optimum compliance with federal law.
- 3). An annual review process is put in place that ensures that each MPO provides the most effective regional and local transportation plans required to support the continued economic prosperity for their region and the state of Florida.
- 4). A process is developed that corrects MPO deficiencies identified through the annual review and allows for executive mandates for corrective action up to MPO revocation based on non-compliance.
- 5). In addition to elected officials of general-purpose governments, MPO voting memberships are expanded to include representatives from associated Regional Planning Councils, representatives of major modes of transportation, and private economic development or business interests.

- 6). The multi-county MPO voting membership cap is increased to 25 members to facilitate expanded boundaries and a more diversified voting membership.
- 7). MPO staff are independent of general purpose local government to provide autonomous administrative support to carry out the powers, duties and responsibilities of the metropolitan planning organization.
- 8). Projects and project phases are planned and prioritized by MPOs which are consistent with the priorities of the region and the state, provides for advance right of way procurement for identified future capacity needs, and utilizes advanced transportation technologies.

Recommended state law revisions that accomplish the above objectives can be found in Appendix C.

## **Section VI. Statewide Intermodal System and Emerging Areas**

## Background

The updated 2020 Florida Transportation Plan identified significant changes that will occur over the next 20 years. These changes will have a dramatic effect on Florida's transportation system. Florida's future economic health will depend on a system that can successfully move growing numbers of residents and tourists and transport goods within Florida and to and from the United States and international markets.

By 2020, Florida will add about 5 million new residents. Imports and exports are expected to double, and the number of tourists visiting the "Sunshine State" is expected to reach nearly 85 million. Meeting the needs generated by such dynamic growth will require investments of statewide funds in a well-planned transportation system that efficiently connects the various forms of travel. Limited available resources must be focused on statewide and regional priorities that are essential to sustain Florida's strong economy and to support a desirable quality of life.

Evenly matching budget to transportation needs is virtually impossible anywhere in the US, considering the aging interstate system, escalating mobility needs, and the constraints associated with traditional funding sources. According to the US Department of Transportation, we Americans are increasing our annual miles traveled at a rate of five times faster than we are building infrastructure to accommodate those needs.

Travel demand and congestion on the Florida Intrastate Highway System (FIHS), for example, are increasing more than two times faster than the Florida Department of Transportation can fund and construct lane miles to expand needed capacity. The result is a projected \$29 billion funding shortfall in the 20-year plan for the FIHS alone. With such astronomical deficits anticipated, it is imperative that the state narrows its focus to ensure that the most essential statewide and regional transportation priorities are met first.

One of the ways identified during the update of the 2020 Florida Transportation Plan to narrow the focus is by establishing a framework for determining statewide and regionally significant transportation priorities through the designation of a Strategic Intermodal System (SIS) for Florida. It represents a fundamental shift in the way Florida views the development of and makes investments in its transportation system. The goal of the SIS is to provide a transportation system that: efficiently serves citizens, businesses and visitors; helps Florida become a worldwide economic leader; enhances economic prosperity and competitiveness; enriches quality of life; and reflects responsible environmental stewardship.

It will provide the hierarchy for funding allocations over the next 20 years to implement the policies embedded in the Florida Transportation Plan.. The remainder of the transportation system will receive ongoing ancillary benefits from having a functionally efficient SIS in place.

The groundwork for establishing a well connected multimodal transportation system that focused on statewide and regional priorities was firmly laid in recommendations found in a number of previous efforts, including the following:

- **The Stakeholders Task Force** - recommended fast track funding and enhancements to freight mobility.
- **The Florida Chamber Foundation's Transportation Cornerstone Study**- recommended focused investment in trade corridors and efficient intermodal connections between airports, cruise terminals, and major attractions.
- **The Florida Strategic Plan For Economic Development, 2001-2006** - recommends improved modal options and connectivity between the different modes and terminals, as well as congestion relief.
- **The Transportation and Land Use Study Committee** - recommended true multimodal planning and transportation systems, like the Florida Intrastate Highway System but all modes.



- **The Growth Management Study Commission** - recommended a more strategic and efficient protection of the State's transportation interests.
- **Culminating in the Updated 2020 Florida Transportation Plan** - Long Range Objective under the Economic Competitiveness Goal.

## The Designation Process

The first step in the process was to assemble a SIS Steering Committee that reflected the diversity of the state. Forty-one committee members representing both public and private stakeholder groups, including the Florida Department of Transportation, were appointed and organized in February 2002.

The SIS Steering Committee was charged with the development of recommended criteria for designating which facilities and services should be part of a Strategic Intermodal System for the State of Florida. Their consensus recommendations were derived after numerous meetings and much public involvement, and they were delivered in a Final Report to the Florida Secretary of Transportation on January 17, 2003.

During the 2003 Legislative Session the Strategic Intermodal System was officially established in Florida Statutes through the passage of Senate bill 676. The SIS is to be composed of the most strategic elements of all modes of transportation for moving people and goods in and through Florida, including the linkages necessary for efficient connections between modes. These are sometimes referred to as "trade corridors" because of their significance to commerce and tourism. Though the SIS has been initiated through the designation of components of the existing transportation infrastructure, the process of identifying emerging facilities that are anticipated to become part of the SIS will also serve as a means of documenting future intermodal needs. The Commission will review that criteria once it is in final draft. Objective criteria and thresholds used for designating the SIS are based on established national and industry standards. Consideration was focused on economic factors, validating Florida's role as an internationally significant trading partner and tourist destination. The state's role as a geographical gateway for commerce throughout the US was also considered, thereby recognizing the regional and national significance of the "economic corridors" comprising the SIS.

## Conclusions

The Florida Transportation Commission has reviewed the Strategic Intermodal System development guidelines and the criteria used as a basis for designating the original components. The Commission hereby supports the work of the SIS Steering Committee and the recommendations related to policy guidance, designation criteria and maps of the original SIS network contained in their Final Report released in February 2003.

The Commission further recognizes and supports the need to identify those transportation facilities and services that do not currently meet the SIS designation criteria, but are important to Florida's long-term economic stability. These "emerging" components should be acknowledged as significant in the project prioritization and selection process.

At the core of the process is, of course, the issue of funding. The Florida Transportation Commission is well aware of the limitations inherent in the reliance on traditional funding sources, investment strategies and allocation methodologies. The Commission, however, is committed to seeking out and implementing innovative financing techniques to fund regional and statewide transportation priorities and will work with the Department to institute necessary changes to help secure Florida's future prosperity.

## **Section VII. Summary of Recommendations**

## Metropolitan Planning Organizations

Funding incentives should be provided to organizations that meet regional planning criteria established by the Department in cooperation with the Commission and the SITAC. Criteria such as independent planning staffs; regional coordination agreements for transportation planning; State, SITAC and public involvement in the planning process; and a comprehensive regional transportation plan that is consistent with the state-wide and local transportation plans should be considered.

State law revisions are needed to accomplish a regional planning structure that meets federal metropolitan planning organization laws and regulations. It is recommended that changes to state law are pursued so that the following is accomplished:

- 1). MPO boundaries include at least the metropolitan planning area, which is the existing urbanized area and the contiguous area expected to become urbanized within a 20-year forecast period.
- 2). When previously separate urbanized areas in one or more counties have become one urbanized area as a result of the decennial census ; or metropolitan planning urbanized area boundaries encroach into other metropolitan planning urbanized area boundaries as a result of the decennial census, the associated MPOs are merged to continue optimum compliance with federal law.
- 3). An annual review process is put in place that ensures that each MPO provides the most effective regional and local transportation plans required to support the continued economic prosperity for their region and the state of Florida.
- 4). A process is developed that corrects MPO deficiencies identified through the annual review and allows for executive mandates for corrective action up to MPO revocation based on non-compliance.
- 5). In addition to elected officials of general-purpose governments, MPO voting memberships are expanded to include representatives from associated Regional Planning Councils, representatives of major modes of transportation, and private economic development or business interests.
- 6). The multi-county MPO voting membership cap is increased to 25 members to facilitate expanded boundaries and a more diversified voting membership.
- 7). MPO staff are independent of general purpose local government to provide autonomous administrative support to carry out the powers, duties and responsibilities of the metropolitan planning organization.
- 8). Projects and project phases are planned and prioritized by MPOs which are consistent with the priorities of the region and the state, provides for advance right of way procurement for identified future capacity needs, and utilizes advanced transportation technologies.

Draft state law revisions that accomplish the above objectives can be found in Appendix C.

## Strategic Intermodal System (SIS) and Emerging SIS

Considering the current guidelines and policies associated with the designation of the Strategic Intermodal System, and considering the validity and importance of the "emerging" SIS, the Florida Transportation Commission offers the following recommendations:

- The Florida Department of Transportation should identify the SIS as its top priority and establish sufficient funding for implementation.
- A larger percentage of existing funds should be permanently shifted to fund additional capacity on the SIS and emerging SIS. The funding should be provided from existing programs which do not have significant state or regional impact.
- A significant portion of funding identified for the SIS should be reserved each year to allow for a 50% match program to advance SIS projects.

- State Infrastructure Bank loans should be reserved solely for SIS and emerging SIS projects and transit projects which have significant regional impact.
- A defined percentage of SIS funding should be allocated to fund emerging SIS facilities, ensuring that these facilities provide adequate service to all economic regions defined in Florida's Strategic Plan for Economic Development.
- Direct user fees, open road tolling concepts, express lanes, and advanced congestion mitigation technologies such as variable rate pricing should be optimized to accelerate the construction of needed SIS facilities.
- The Commission should, in its oversight role, review the policies and criteria used as a basis for selection of the intermodal connectors that will become a critical part of the overall SIS, joining designated (SIS and emerging) hubs and corridors. Such a review will ensure that criteria are in compliance with the goal of developing projects of regional, statewide and national significance.
- The Statewide Intermodal Transportation Advisory Council should make recommendations regarding the SIS to the Secretary of Transportation, who will, as statutorily mandated, bring all major transportation policy issues before the Florida Transportation Commission for review before adoption or prior to developing legislative proposals.
- The Commission should review the initial compilation of needs provided in the SIS Strategic Plan, currently being developed by the Department and its transportation partners, prior to its submission to the Legislature in March 2004. Further, the Commission should ensure that policies relating to future needs assessments accomplish the following:
  1. Assess the existing performance of the SIS facilities and services using appropriate performance measures, including measures of both transportation system performance and economic competitiveness;
  2. Address the impact of statewide and regional population and economic forecasts on future travel demand on SIS and Emerging SIS facilities;
  3. Are coordinated with the Statewide Plan for Economic Development to ensure that the long range goals for the transportation system are consistent with and can support evolving statewide and regional economic competitiveness needs;
  4. Identify existing and projected deficiencies that prevent efficient transportation movement on the SIS, with particular emphasis on bottlenecks, intermodal connectors, and interregional, interstate and international corridors;
  5. Consider a range of multimodal improvements to SIS facilities, including added capacity, safety enhancements, maintenance, demand management measures, and operational improvements, including application of ITS technologies;
  6. Consider investments in emerging or other supporting facilities that would improve the performance of a designated SIS facility;
  7. Consider development of new hubs or corridors, or new uses of existing hubs and corridors, that would improve the performance of a designated SIS facility; and
  8. Ensure that system wide, multimodal analyses as well as geography-specific, mode-specific and facility-specific analyses are used to determine how to best address needs. This may include development of SIS Corridor Plans for specific interregional corridors, which would identify strategies for improving interregional travel through multimodal solutions including investments in SIS facilities.

- The Commission should review the future SIS project selection and prioritization process to be defined in the SIS Strategic Plan, and ensure that policies reflected therein give priority to projects that accomplish the following:
  1. Promote integration and connectivity between SIS and emerging facilities;
  2. Enhance economic prosperity and competitiveness;
  3. Enrich quality of life;
  4. Reflect responsible environmental stewardship.
  5. Increase the accessibility and mobility of Florida's citizens, businesses, and visitors making interregional, interstate, and international trips;
  6. Improve the performance of the SIS and emerging facilities;
  7. Improve the safety and security of the SIS and emerging facilities; and
  8. Preserve and improve the management of the SIS and emerging facilities.
- The Commission should request that the prioritization process implemented to support these goals use a combination of transportation, economic, community and environmental performance measures. The process also should ensure the cost-effective use of public resources, encourage effective project delivery, and promote private/public and state/regional partnerships.
- Within the overall framework of the SIS Strategic Plan, the Department should discern innovative ways for the SIS to reinforce the growth of key economic centers via the provision of better connectivity from both urban and rural areas to these economic centers. The Department should form partnerships to implement a forward-looking approach to planning and "growth leadership" in these regions that integrates transportation, land use, and economic development planning.

# **Appendix A**

## **Appendix B**

## **West Central Florida Metropolitan Planning Organization**

### **Chair's Coordinating Committee (CCC)**

#### ***Participants***

##### Voting

- Hernando County MPO
- Hillsborough County MPO
- Pasco County MPO
- Pinellas County MPO
- Polk TPO
- Sarasota/Manatee MPO
- Citrus County (invited)

##### Non-Voting

- Florida Department of Transportation (Districts One and Seven)
- Florida's Turnpike Enterprise
- Central Florida RPC
- Tampa Bay RPC
- Southwest Florida RPC
- Withlacoochee RPC

#### ***Geographic Effect***

The West Central Florida MPO Chair's Coordinating Committee covers the area along the west coast of Florida from Crystal River (Citrus County) to the north, to North Port (Sarasota County) to the south and inland to the east as far as the Kissimmee River (Polk County). Major transportation areas of concern include Interstates 4, 75, 275, the Suncoast Parkway and the Polk Parkway, US 92, 98, 301 and 441 as well as SR 60, the Tampa International Airport, St. Petersburg-Clearwater Airport, the Port of Tampa and regional high-speed rail. Florida Statutes 339.175(5)(h) states, "A chair's coordinating committee is created, composed of the M.P.O.'s serving Hernando, Hillsborough, Manatee, Pasco, Pinellas, Polk, and Sarasota Counties."

#### ***Formation***

The designation of Pinellas, Pasco, and Hillsborough counties as a single Transportation Management Area (TMA) in 1990 by the US Department of Transportation led to formal regional transportation planning among the MPOs. The governor mandated the MPOs in the TMA along with the Hernando County MPO and the Florida Department of Transportation to coordinate transportation demand modeling and long-range transportation plans in 1992 (FS 339.175). The Florida Legislature included Polk, Manatee and Sarasota counties in the coordination effort in 2000.



**Purpose**

The legislative mandate gives the CCC four principle tasks:

- Coordinate transportation projects that are deemed regionally significant by the committee;
- Review the impact of regionally significant land use decisions on the region;
- Review all proposed regionally significant transportation projects in the respective transportation improvement programs which affect more than one of the MPOs represented on the committee, and;
- Institute a conflict resolution process to address any conflict that may arise in the planning and programming of such regionally significant projects.

**Major Accomplishments**2003

- Supported seven regional transportation projects to be considered for designated federal funding as input to the TEA-21 Reauthorization Process, actions taken outside the normal MPO process
- Regional Data Sharing and Mapping - Developed a regional travel demand model based on jointly developed land use and socio-economic data from the adopted comprehensive plans of the member jurisdictions
- Urban Land Use Allocation Model
- in the process of developing a Regional Geographic Information System (GIS)
- Regional Element of the Long Range Transportation Plan
- Regional Unified Planning Work Program
- Air Quality Management Planning Process – Through the West Central Florida Air Quality Coordinating Committee
- Regional Multi-Use Trails Element
- Major Investment Studies Coordination
- Regional Public Involvement Program – Including a website to provide data and maps regarding regional transportation: [www.cccmobility.org](http://www.cccmobility.org) and a Joint Citizens' Advisory Committee made up of the CAC members from each member MPO
- Tampa Bay Regional Goods Movement Study

**Process**

The CCC has six voting members and six non-voting members. The CCC meets quarterly with the Chairperson duties rotating each quarter among member MPO members. The CCC members Staff Directors form a Coordination Team that meets bi-weekly to coordinate the plans and projects of the CCC.

**Forms of Coordination**

- Quarterly meetings with interaction/reports from FDOT; updates on legislative issues and actions pertaining to transportation

- Working relationship between the staff directors of the member MPOs
- Developing relationships with the Florida Transportation Commission and the Tampa Bay Partnership

## **Central Florida MPO Alliance**

### ***Participants***

#### Voting Members:

- Brevard MPO
- Lake County Board of County Commissioners
- METROPLAN ORLND0
- Polk County Transportation Planning Organization
- Volusia County MPO

#### Non-Voting Members:

- Florida Department of Transportation (Districts One and Five)

### ***Geographic Effect***

The Central Florida MPO Alliance covers the area from Daytona Beach on the north to beyond Melbourne on the south along the east coast and as far inland as Leesburg and Lakeland to the northwest and southwest, respectively. Major transportation areas of concern include Interstates 95 and 4, the Turnpike and the Greenway, US 92, 27, and 441, Port Canaveral, Kennedy Space Center, Orlando International Airport, Sanford Airport and many tourist attractions.

### ***Formation***

This organization originally began as the Orlando-Volusia MPO Alliance in 1997. Their first major success in coordination of regional transportation projects was to coordinate the reconstruction of the I-4 bridge over the St. John's River. Subsequently, the Alliance entered into cooperative agreements with neighboring MPOs and local jurisdictions to further improve regional transportation including the Brevard MPO in 1999 and the Lake County BOCC in 2000. In 2001, the Central Florida MPO Alliance (the Alliance) was formed by a resolution of the MPO Alliance. Resolution NO. CFMPOA 2001-01 is as stated in the document:

*A resolution of the Brevard Metropolitan Planning Organization, METROPLAN ORLANDO, the Volusia County Metropolitan Planning Organization, and the Board of County Commissioners of Lake County, Florida, providing for the Central Florida MPO Alliance; providing for membership and board composition; providing for meetings and elections of officers; providing for parliamentary procedure, quorum, notice of meetings, and minutes; setting forth method of funding; dissolving the Orlando-Volusia MPO Alliance; providing that the Central Florida MPO Alliance is an advisory organization; providing term of the alliance.*

The Polk TPO was added to the membership in 2003. The MPO certification team has suggested that membership in the Central Florida MPO Alliance be extended to the Ocala/Marion County MPO. The agreement forming the Alliance is effective through September 30, 2004. The Alliance does not include direct representation from members of regional intermodal transportation providers.

**Purpose**

The purpose of the Central Florida MPO Alliance is outlined specifically in the organizing resolution, Resolution No. CFMPOA 2001-01:

*...the Central Florida MPO Alliance is hereby formed to: (1) serve as a forum for exchanging information between members, especially on projects of major regional significance; (2) coordinating regional planning and policy development with the Florida Department of Transportation; (3) identifying regional transportation opportunities; and (4) solving regional transportation issues;...*

The regular meetings of the Alliance mainly serve as an information-sharing meeting. The Alliance is just beginning to move forward on a long-range transportation plan.

**Major Accomplishments**2001

- Provided a written letter to legislators opposing SB 2056 that would require all local governments to pay the full price for removing roadside billboards
- Formed a subcommittee to review passenger rail proposals in Central Florida
- Provided a written letter to legislators in support of a federal economic stimulus package that would provide another \$250 million for transportation projects in Florida

2002

- Approved a "Summary of Transportation Topics of Regional Significance" - issues that impact all member jurisdictions
- Completed a Freight, Goods and Services Mobility Strategy Plan initiated by METROPLAN ORLANDO, the Florida Department of Transportation, Port Canaveral and the Brevard County MPO.

2003

- Expressed support for the high-speed rail, including the concept that operations and maintenance should be supported by the fare box, in a letter to each of the member's delegations, congressional representatives, the High Speed Rail Authority and the Governor
- Supported five legislative priorities and eight regional projects to be considered for special federal funding as input to the TEA-21 Reauthorization Process, actions taken outside of the normal MPO process
- Initiated work on the Central Florida Long Range Transportation Plan that will initially be a composite of the Year 2020 Long Range Plans from each member organization. A team identified by the staff directors, however, would develop the next phase the project.

**Process**

The Alliance includes fifteen voting members with the presence of eight members constituting a quorum. Occasionally, a quorum is not present, thereby, causing a delay in pending action. The five member organizations are each allocated three voting members along with three alternates. Their terms run as long as they serve on a member MPO Board or their member MPO Board replaces them. The Alliance meets quarterly, electing its three officers, Chairperson, Vice-Chairperson and Secretary at its first meeting of each year. In addition to general operating guidelines outlined in the forming Resolution, Robert's Rules of Order is used as the rules of procedure. Existing staff resources from member jurisdictions are used on a rotating basis. No formal procedure for conflict resolution has been developed by the Alliance.

**Forms of Coordination**

- Quarterly meetings with interaction/reports from FDOT, Florida's Turnpike Enterprise and each member organization regarding regional transportation issues as well as updates on legislative issues and actions pertaining to transportation
- Annual development of a Central Florida Legislative Program that is presented to legislatures at an annual Central Florida MPO Alliance Legislative Luncheon
- The Central Florida MPO Alliance has a web page located at [www.metroplanorlando.com/cfmpoa/index.htm](http://www.metroplanorlando.com/cfmpoa/index.htm)

**District One Coordinated Urban Transportation Studies (CUTS) Committee****Participants**Voting

Staff representatives from the:

- Charlotte County-Punta Gorda MPO
- Collier County MPO
- Lee County MPO
- Polk TPO
- Sarasota/Manatee MPO
- Florida Department of Transportation
- District One Planning Manager or Designee

Non-Voting (Associate Members)

- Southwest Florida RPC Executive Director
- Central Florida RPC Executive Director
- Tampa Bay RPC Executive
- MPO Advisory Council Executive Director
- Federal Highway Administration
- District office liaison to FDOT Dist. One
- Federal Transit Administration
- Regional office liaison to FDOT Dist. One
- FDOT District One's Southwest Area Office Director or designee

***Geographic Effect***

The District One Coordinated Urban Transportation Studies (CUTS) Committee includes the area along the west coast from North of Bradenton on the north to Everglades City on the south and inland to the east as far as the Kissimmee River (Polk County). Major transportation concerns include I-75, US 41, connections to the barrier islands, and several airports.

***Formation***

The CUTS Committee was formed in the mid-1980's as a forum for idea-sharing among the MPOs in FDOT District One. The Committee is now working to establish a policy board (MPO Chairmen) to increase the focus on regional transportation planning issues.

***Purpose***

The purpose of the CUTS Committee, as outlined in their bylaws, "shall be to provide a forum for the Metropolitan Planning Organizations (MPOs) of District One and the Florida Department of Transportation (FDOT) District One office to exchange ideas and information on metropolitan transportation planning and on other subjects of mutual interest.

***Major Accomplishments***

- Continuity of LRTPs across MPO boundaries
- Consistent approach to MPO processes/procedures such as the LRTP, TIP, etc.
- Accomplished PD&E for the Englewood Interstate Connector by pooling funds from Sarasota and Charlotte MPOs
- Worked with FDOT to create a format for the Five-Year Work Program that is in a more user-friendly format for the public
- Determining what type of transportation demand modeling to use for LRTP development

***Process***

The CUTS Committee follows adopted bylaws last amended on July 21, 1998. The Committee has six voting members and seven non-voting members with the chair as the only officer. Note that this Committee is comprised of MPO staff directors and representatives rather than MPO Board members. Committee meetings occur quarterly on a rotating basis prior to the MPOAC meeting. The FDOT District One office performs the administrative functions including minutes, membership, meeting notifications, etc. This Committee has adopted no official conflict resolution process.

***Forms of Coordination***

- Regular meetings with interaction/reports from FDOT; updates on legislative issues and actions pertaining to transportation
- Working relationship and exchange of ideas between the staff directors of the member MPO

# **Appendix C**

**Metropolitan planning organization.**— It is the intent of the Legislature to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight within and through urbanized areas of this state while minimizing transportation-related fuel consumption and air pollution. To accomplish these objectives, metropolitan planning organizations, referred to in this section as M.P.O.'s, shall develop, in cooperation with the state and public transit operators, transportation plans and programs for metropolitan areas. The plans and programs for each metropolitan area must provide for the development and integrated management and operation of transportation systems and facilities, including pedestrian walkways and bicycle transportation facilities that will function as an intermodal transportation system for the metropolitan area, based upon the prevailing principles provided in s. 334.046(1). The process for developing such plans and programs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive, to the degree appropriate, based on the complexity of the transportation problems to be addressed. The planning process in metropolitan areas shall be closely coordinated with the statewide planning process so that urbanized area priorities are consistent with those of national, statewide, and regional significance. To ensure that the M.P.O. process is integrated with the statewide planning process, M.P.O.s shall develop plans and programs that identify transportation facilities that should function as an integrated metropolitan transportation system, giving emphasis to those facilities that serve important national, state and regional transportation functions. M.P.O.s in areas where urbanized area boundaries extend into adjacent metropolitan planning area boundaries shall prepare and adopt a unified regional long range transportation plan that shall serve as the basis of the M.P.O.'s individual transportation improvement programs and identifies regional transportation priorities. A region, for purposes of this section, is defined as an area consisting of more than one county that is associated with at least one urbanized area and that exhibits a high degree of social and economic integration as measured through commuting.

The department shall conduct an annual review for compliance with the foregoing requirements, the criteria in subsection (1)(a) and the department rule developed for this purpose. The department shall submit a report of its findings to the Florida Transportation Commission by October 1, 2005, and annually thereafter.

(1) M.P.O. DESIGNATION.—

(a) 4—An M.P.O. shall be designated in accordance with the following criteria:

1. The M.P.O. meets the requirements of 23 C.F.R., Part 450;

2. An M.P.O. shall be designated for each urbanized area of the state; however, this does not require that an individual M.P.O. be designated for each such area.

3. To the extent possible, only one M.P.O. shall be designated for each urbanized area or group of contiguous urbanized areas.

4. 2—More than one M.P.O. may be designated within an existing metropolitan planning area only if the Governor and the existing M.P.O. determine that the size and complexity of the existing metropolitan planning area makes the designation of more than one M.P.O. for the area appropriate.

5. The boundaries must include at least the metropolitan planning area, which is the existing urbanized area and the contiguous area expected to become urbanized within a 20-year forecast period, and may encompass the entire metropolitan statistical area or the combined statistical area.

6. In the case of an urbanized area designated as a nonattainment area for ozone or carbon monoxide under the Clean Air Act, 42 U.S.C. ss. 7401 et seq., the boundaries of the metropolitan planning area in existence as of the date of enactment of this paragraph shall be retained, except that the boundaries may be adjusted by agreement of the Governor and affected metropolitan planning organizations in the manner described in this section.

- 48 7. The M.P.O. merges previously separate urbanized areas in one or more counties which have  
49 become one urbanized area as a result of the decennial census.
- 50 8. The M.P.O. merges previously separate metropolitan planning organizations when one  
51 metropolitan planning urbanized area boundary encroaches into the other metropolitan planning  
52 urbanized area boundary as a result of the decennial census.
- 53 9. The designation of the M.P.O. would:
- 54 a. Support the economic vitality of the regional area by enabling global competitiveness, productivity  
55 and efficiency of the state;
- 56 b. Enhance the integration and connectivity of the transportation system between transportation  
57 modes, for the seamless mobility of people and the movement of freight; and
- 58 c. Promote the seamless transport of people and freight by improving mobility on existing corridors of  
59 regional, statewide, and national significance and preserving new corridor alignments to allow for  
60 future growth that:
- 61 i. Efficiently serve Florida's citizens, businesses and visitors;  
62 ii. Help Florida become a worldwide economic leader;  
63 iii. Enhance economic prosperity and competitiveness;  
64 iv. Enrich quality of life; and  
65 v. Reflect responsible environmental stewardship
- 66 ~~Such designation shall be accomplished by agreement between the Governor and units of general-~~  
67 ~~purpose local government representing at least 75 percent of the population of the urbanized area;~~  
68 ~~however, the unit of general-purpose local government that represents the central city or cities within~~  
69 ~~the M.P.O. jurisdiction, as defined by the United States Bureau of the Census, must be a party to~~  
70 ~~such agreement.~~
- 71 ~~2. More than one M.P.O. may be designated within an existing metropolitan planning area only if the~~  
72 ~~Governor and the existing M.P.O. determine that the size and complexity of the existing metropolitan~~  
73 ~~planning area makes the designation of more than one M.P.O. for the area appropriate.~~
- 74 (b) Each M.P.O. shall be created and operated under the provisions of this section pursuant to an  
75 interlocal agreement entered into pursuant to s. 163.01. The signatories to the interlocal agreement  
76 shall be the department and the governmental entities designated by the Governor for membership  
77 on the M.P.O. If there is a conflict between this section and s. 163.01, this section prevails.
- 78 (c) The jurisdictional boundaries of an M.P.O. shall be determined by agreement between the  
79 Governor and the applicable M.P.O. ~~The boundaries must include at least the metropolitan planning~~  
80 ~~area, which is the existing urbanized area and the contiguous area expected to become urbanized~~  
81 ~~within a 20-year forecast period, and may encompass the entire metropolitan statistical area or the~~  
82 ~~consolidated metropolitan statistical area.~~
- 83 (d) ~~In the case of an urbanized area designated as a nonattainment area for ozone or carbon~~  
84 ~~monoxide under the Clean Air Act, 42 U.S.C. ss. 7401 et seq., the boundaries of the metropolitan~~  
85 ~~planning area in existence as of the date of enactment of this paragraph shall be retained, except~~  
86 ~~that the boundaries may be adjusted by agreement of the Governor and affected metropolitan~~  
87 ~~planning organizations in the manner described in this section. If more than one M.P.O. has authority~~  
88 ~~within a metropolitan area or an area that is designated as a nonattainment area, each M.P.O. shall~~  
89 ~~consult with other M.P.O.'s designated for such area and with the state in the coordination of plans~~  
90 ~~and programs required by this section.~~
- 91  
92 (2) DESIGNATION



(a) Designation of an M.P.O. shall be accomplished by an act of the Governor in accordance with the criteria of subsection (1)(a). Each M.P.O. required under this section must be fully operative no later than 6 months following its designation.

(3)(2) REDESIGNATION OR REVOCATION OF AN M.P.O. DESIGNATION.—

(a) M.P.O. designations remain valid until a new M.P.O. is redesignated. Redesignation is defined as the designation of a new M.P.O. to replace an existing M.P.O. and the designation of the M.P.O. has not been revoked pursuant to paragraph (b). Such redesignation shall occur by agreement of the Governor and affected units of local government representing 75 percent of the population in the entire metropolitan planning area in accordance with federal law.

(b) M.P.O. designations may be revoked by:

1. An act of the Governor in accordance with paragraph (c); or
2. Agreement of the Governor and affected units of local government representing 75 percent of the population of the metropolitan planning area.

Designation, redesignation or revocation of an M.P.O. shall not constitute agency action under Chapter 120, Florida Statutes.

(c) The annual M.P.O. compliance review conducted by the department shall be submitted to the Florida Transportation Commission. The Florida Transportation Commission shall report to the Governor any areas of noncompliance or M.P.O. deficiencies identified as a result of the annual compliance review with a recommendation to the Governor as to what, if any, remedial action is deemed appropriate. The Governor shall notify the noncompliant M.P.O. of the deficiencies to be corrected and a specified time period for the M.P.O. to become compliant. If such deficiencies are not corrected by the noncompliant M.P.O. within the prescribed time period the Governor may take such action as deemed necessary, including revocation or reformation. Notice of the action to be taken by the Governor shall be provided to the Federal Highway Administration and the Federal Transit Administration 30 days prior to the effective date of such action.

(d) In the event of the revocation of an M.P.O. designation pursuant to paragraph (b), existing designations shall remain valid until an M.P.O. is subsequently designated in accordance with subsection (2).

(4) (2) VOTING MEMBERSHIP.--

(a) ~~The voting membership of one-county M.P.O.s shall consist of not fewer than 5 or more than 19 apportioned members. The voting membership of multi-county M.P.O.s shall consist of not fewer than 5 or more than 25 apportioned members. The voting membership of an M.P.O. shall consist of not fewer than 5 or more than 19 apportioned members, the exact number to be determined on an equitable geographic-population ratio basis by the Governor, based on an agreement among the affected units of general-purpose local government as required by federal rules and regulations. The Governor, in accordance with 23 U.S.C. s. 134, may also provide for M.P.O. members who represent municipalities to alternate with representatives from other municipalities within the metropolitan planning area that do not have members on the M.P.O. County commission members shall compose not less than one-third of the M.P.O. membership, except for an M.P.O. with more than 15 members located in a county with a five-member county commission or an M.P.O. with 19 members located in a county with no more than 6 county commissioners, in which case county commission members may compose less than one-third percent of the M.P.O. membership, but all county commissioners must be members. All Voting members of an M.P.O. shall include: be~~

~~1. elected officials of general-purpose governments; except that an M.P.O. may include as part of its apportioned voting members~~

~~2. one a member from each associated Regional Planning Council, if the council is not otherwise represented on the board; a statutorily authorized planning board~~

~~3. the chairperson of the technical advisory committee as provided in subsection (7)(d).~~

4. at least one member representing economic development or business interests.

Voting members in subsection (4), paragraph (a), 4. shall be appointed by the Governor.

Voting members in subsection (4), paragraph (a) 2 shall be appointed by the Regional Planning Council.

~~, or Voting members of an M.P.O. may include an official of the Florida Space Authority, and additional agency officials of other transportation modes at the discretion of the MPO. The county commission shall compose not less than 20 percent of the M.P.O. membership if an official of an agency that operates or administers a major mode of transportation has been appointed to an M.P.O.~~

(b) In metropolitan areas in which authorities or other agencies have been or may be created by law to perform transportation functions and are performing transportation functions that are not under the jurisdiction of a general purpose local government represented on the M.P.O., they shall be provided voting membership on the M.P.O. In all other M.P.O.'s where 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.

(c) Each M.P.O. shall consult with the applicable department district secretary or designee, who shall be entitled to participate in all deliberations of the board, but shall have no vote and will not be limited in communicating with voting members of the M.P.O. in the normal course of his or her duties under the Transportation Code.

~~Any other provision of this section to the contrary notwithstanding, a chartered county with over 1 million population may elect to reapportion the membership of an M.P.O. whose jurisdiction is wholly within the county. The charter county may exercise the provisions of this paragraph if:~~

~~1. The M.P.O. approves the reapportionment plan by a three-fourths vote of its membership;~~

~~2. The M.P.O. and the charter county determine that the reapportionment plan is needed to fulfill specific goals and policies applicable to that metropolitan planning area; and~~

~~3. The charter county determines the reapportionment plan otherwise complies with all federal requirements pertaining to M.P.O. membership.~~

~~Any charter county that elects to exercise the provisions of this paragraph shall notify the Governor in writing.~~

~~(d) Any other provision of this section to the contrary notwithstanding, any county chartered under s. 6(e), Art. VIII of the State Constitution may elect to have its county commission serve as the M.P.O., if the M.P.O. jurisdiction is wholly contained within the county. Any charter county that elects to exercise the provisions of this paragraph shall so notify the Governor in writing. Upon receipt of such notification, the Governor must designate the county commission as the M.P.O. The Governor must appoint four additional voting members to the M.P.O., one of whom must be an elected official representing a municipality within the county, one of whom must be an expressway authority member, one of whom must be a person who does not hold elected public office and who resides in the unincorporated portion of the county, and one of whom must be a school board member.~~

(5)(3) APPORTIONMENT.--

(a) The M.P.O. Governor shall, with the agreement of the affected units of general-purpose local government and the approval of the Governor as required by federal rules and regulations, apportion the voting membership on of the applicable M.P.O. among the various governmental entities within the area and shall prescribe a method for apportioning votes among the voting membership. The M.P.O. shall also prescribe a method for appointing alternate members who may vote at any M.P.O.

meeting that an alternate member attends in place of a regular member. An appointed alternate member must be an elected official serving the same governmental entity or a general-purpose local government with jurisdiction within all or part of the area that the regular member serves. The governmental entity so designated shall appoint the appropriate number of members to the M.P.O. from eligible officials. ~~Representatives of the department shall serve as nonvoting members of the M.P.O.~~ Nonvoting advisers may be appointed by the M.P.O. as deemed necessary. Upon agreement to the redesignation of the M.P.O. pursuant to subsection (2)(a), the Governor shall review the composition of the M.P.O. membership in conjunction with the decennial census as prepared by the United States Department of Commerce, Bureau of the Census, and reapportion it as necessary to comply with subsection (3) ~~(2)~~.

(b) Except for members who represent municipalities on the basis of alternating with representatives from other municipalities that do not have members on the M.P.O. as provided in paragraph (2)(a), the members of an M.P.O. shall serve 4-year terms. Members who represent municipalities on the basis of alternating with representatives from other municipalities that do not have members on the M.P.O. as provided in paragraph (2)(a) may serve terms of up to 4 years as further provided in the interlocal agreement described in paragraph (1)(b). The membership of a member who is a public official automatically terminates upon the member's leaving his or her elective or appointive office for any reason, or may be terminated by a majority vote of the total membership of a county or city governing entity represented by the member. A vacancy shall be filled by the original appointing entity. A member may be reappointed for one or more additional 4-year terms.

(c) If a governmental entity fails to fill an assigned appointment to an M.P.O. within 60 days after notification by the Governor of its duty to appoint, that appointment shall be made by the Governor from the eligible representatives of that governmental entity.

~~(4)~~ (6) **AUTHORITY AND RESPONSIBILITY.**--The authority and responsibility of an M.P.O. is to manage a continuing, cooperative, and comprehensive transportation planning process that, based upon the prevailing principles provided in s. 334.046(1), results in the development of plans and programs which are consistent with state and regional priorities and, to the maximum extent feasible, with the approved local government comprehensive plans of the units of local government the boundaries of which are within the metropolitan area of the M.P.O. An M.P.O. shall be the forum for cooperative decision making by officials of the affected governmental entities in the development of the plans and programs required by subsections ~~(5)~~, (6), (7), (8) and (9) ~~(8)~~.

~~(5)~~ (7) **POWERS, DUTIES, AND RESPONSIBILITIES.**--The powers, privileges, and authority of an M.P.O. are those specified in this section or incorporated in an interlocal agreement authorized under s. 163.01. Each M.P.O. shall perform all acts required by federal or state laws or rules, now and subsequently applicable, which are necessary to qualify for federal aid. It is the intent of this section that each M.P.O. shall be involved in the planning and programming of transportation facilities, including, but not limited to, airports, intercity and high-speed rail lines, seaports, and intermodal facilities, to the extent permitted by state or federal law.

(a) Each M.P.O. shall, in cooperation with the department, develop:

1. A long-range transportation plan pursuant to the requirements of subsection ~~(6)~~ (8);

2. An annually updated transportation improvement program pursuant to the requirements of subsection ~~(7)~~ (9); and

3. An annual unified planning work program pursuant to the requirements of subsection ~~(8)~~ (10).

(b) In developing the long-range transportation plan and the transportation improvement program required under paragraph (a), each M.P.O. shall provide for consideration of projects and strategies that will:

- 243 1. Support the economic vitality of the metropolitan area, especially by enabling global  
244 competitiveness, productivity, and efficiency;
- 245 2. Increase the safety and security of the transportation system for motorized and non-motorized  
246 users;
- 247 3. Increase the accessibility and mobility options available to people and for freight;
- 248 4. Protect and enhance the environment, promote energy conservation, and improve quality of life;
- 249 5. Enhance the integration and connectivity of the transportation system, across and between  
250 modes, for people and freight;
- 251 6. Promote efficient system management and operation; and
- 252 7. Emphasize the preservation of the existing transportation system.
- 253 (c) In order to provide recommendations to the department and local governmental entities  
254 regarding transportation plans and programs, each M.P.O. shall:
- 255 1. Prepare a congestion management system for the metropolitan area and cooperate with the  
256 department in the development of all other transportation management systems required by state or  
257 federal law;
- 258 2. Assist the department in mapping transportation planning boundaries required by state or federal  
259 law;
- 260 3. Assist the department in performing its duties relating to access management, functional  
261 classification of roads, and data collection;
- 262 4. Execute all agreements or certifications necessary to comply with applicable state or federal law;
- 263 5. Represent all the jurisdictional areas within the metropolitan area in the formulation of  
264 transportation plans and programs required by this section; and
- 265 6. Perform all other duties required by state or federal law.
- 266 (d) Each M.P.O. shall appoint a technical advisory committee that includes planners; engineers;  
267 representatives of local aviation authorities, port authorities, and public transit authorities or  
268 representatives of aviation departments, seaport departments, and public transit departments of  
269 municipal or county governments, as applicable; the school superintendent of each county within the  
270 jurisdiction of the M.P.O. or the superintendent's designee; and other appropriate representatives of  
271 affected local governments. The Governor shall have the power to appoint up to three members on  
272 the technical advisory committee representing major transportation mode providers, such as roads,  
273 trucking, transit, aviation, rail, seaports and freight. The technical advisory committee shall elect a  
274 chairperson from among its members who shall also serve as a voting member on the M.P.O.  
275 In addition to any other duties assigned to it by the M.P.O. or by state or federal law, the technical  
276 advisory committee is responsible for considering safe access to schools in its review of  
277 transportation project priorities, long-range transportation plans, and transportation improvement  
278 programs, and shall advise the M.P.O. on such matters. In addition, the technical advisory committee  
279 shall coordinate its actions with local school boards and other local programs and organizations  
280 within the metropolitan area which participate in school safety activities, such as locally established  
281 community traffic safety teams. Local school boards must provide the appropriate M.P.O. with  
282 information concerning future school sites and in the coordination of transportation service.

- 283 (e)1. Each M.P.O. shall appoint a citizens' advisory committee, the members of which serve at the  
284 pleasure of the M.P.O. The membership on the citizens' advisory committee must reflect a broad  
285 cross section of local residents with an interest in the development of an efficient, safe, and cost-  
286 effective transportation system. Minorities, the elderly, and the handicapped must be adequately  
287 represented.
- 288 2. Notwithstanding the provisions of subparagraph 1., an M.P.O. may, with the approval of the  
289 department and the applicable federal governmental agency, adopt an alternative program or  
290 mechanism to ensure citizen involvement in the transportation planning process.
- 291 (f) The department shall allocate to each M.P.O., for the purpose of accomplishing its transportation  
292 planning and programming duties, an appropriate amount of federal transportation planning funds.
- 293 (g) By January 1, 2008, E~~ach M.P.O. may employ personnel or~~ shall hire a staff independent of  
294 general purpose local government to provide autonomous administrative support to carry out the  
295 powers, duties and responsibilities of the metropolitan planning organization. Each M.P.O. may enter  
296 into contracts with regional planning councils, ~~local~~ or agencies of the state, private planning firms, or  
297 private engineering firms to accomplish its transportation planning and programming duties required  
298 by state or federal law.
- 299 (h) A chair's coordinating committee is created, composed of the M.P.O.'s serving Hernando,  
300 Hillsborough, Manatee, Pasco, Pinellas, Polk, and Sarasota Counties. The committee must, at a  
301 minimum:
- 302 1. Coordinate transportation projects deemed to be regionally significant by the committee.
- 303 2. Review the impact of regionally significant land use decisions on the region.
- 304 3. Review all proposed regionally significant transportation projects in the respective transportation  
305 improvement programs which affect more than one of the M.P.O.'s represented on the committee.
- 306 4. Institute a binding conflict resolution process to address any conflict that may arise in the planning  
307 and programming of such regionally significant projects.
- 308 (i)1. The Legislature finds that the state's rapid growth in recent decades has caused many  
309 urbanized areas subject to M.P.O. jurisdiction to become contiguous to each other. As a result,  
310 various transportation projects may cross from the jurisdiction of one M.P.O. into the jurisdiction of  
311 another M.P.O. To more fully accomplish the purposes for which M.P.O.'s have been mandated,  
312 M.P.O.'s shall develop coordination mechanisms with one another to expand and improve  
313 transportation within the state. The appropriate method of coordination between M.P.O.'s shall vary  
314 depending upon the project involved and given local and regional needs. Consequently, it is  
315 appropriate to set forth a flexible methodology that can be used by M.P.O.'s to coordinate with other  
316 M.P.O.'s and appropriate political subdivisions as circumstances demand.
- 317 2. Any M.P.O. may join with any other M.P.O. or any individual political subdivision to coordinate  
318 activities or to achieve any federal or state transportation planning or development goals or purposes  
319 consistent with federal or state law. When an M.P.O. determines that it is appropriate to join with  
320 another M.P.O. or any political subdivision to coordinate activities, the M.P.O. or political subdivision  
321 shall enter into an interlocal agreement pursuant to s. 163.01, which, at a minimum, creates a  
322 separate legal or administrative entity to coordinate the transportation planning or development  
323 activities required to achieve the goal or purpose; provide the purpose for which the entity is created;  
324 provide the duration of the agreement and the entity, and specify how the agreement may be  
325 terminated, modified, or rescinded; describe the precise organization of the entity, including who has  
326 voting rights on the governing board, whether alternative voting members are provided for, how  
327 voting members are appointed, and what the relative voting strength is for each constituent M.P.O.  
328 or political subdivision; provide the manner in which the parties to the agreement will provide for the

financial support of the entity and payment of costs and expenses of the entity; provide the manner in which funds may be paid to and disbursed from the entity; and provide how members of the entity will resolve disagreements regarding interpretation of the interlocal agreement or disputes relating to the operation of the entity. Such interlocal agreement shall become effective upon its recordation in the official public records of each county in which a member of the entity created by the interlocal agreement has a voting member. This paragraph does not require any M.P.O.'s to merge, combine, or otherwise join together as a single M.P.O.

~~(6)~~ (8) LONG-RANGE TRANSPORTATION PLAN.-- Each M.P.O. must develop a long-range transportation plan that addresses at least a 20-year planning horizon. The plan must include both long-range and short-range strategies and must comply with all other state and federal requirements. The prevailing principles to be considered in the long-range transportation plan are: preserving the existing transportation infrastructure; enhancing Florida's economic competitiveness; and improving travel choices to ensure mobility. The long-range transportation plan must be consistent, to the maximum extent feasible, with future land use elements and the goals, objectives, and policies of the approved local government comprehensive plans of the units of local government located within the jurisdiction of the M.P.O. The approved long-range transportation plan must be considered by local governments in the development of the transportation elements in local government comprehensive plans and any amendments thereto. The long-range transportation plan must, at a minimum:

(a) Identify transportation facilities, including, but not limited to, major roadways, airports, seaports, spaceports, commuter rail systems, transit systems, and intermodal or multimodal terminals that will function as an integrated metropolitan transportation system. The long-range transportation plan must give emphasis to those transportation facilities that serve national, statewide, or regional functions, and must consider the goals and objectives identified in the Florida Transportation Plan as provided in s. 339.155. If a project is located within the boundaries of more than one M.P.O., the M.P.O.'s must coordinate plans regarding the project in the long-range transportation plan.

(b) Include a financial plan that demonstrates how the plan can be implemented, indicating resources from public and private sources which are reasonably expected to be available to carry out the plan, and recommends any additional financing strategies for needed projects and programs. The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted long-range transportation plan if reasonable additional resources beyond those identified in the financial plan were available. For the purpose of developing the long-range transportation plan, the M.P.O. and the department shall cooperatively develop estimates of funds that will be available to support the plan implementation. Innovative financing techniques may be used to fund needed projects and programs. Such techniques may include the assessment of tolls, the use of value capture financing, or the use of value pricing.

(c) Assess capital investment and other measures necessary to:

1. Ensure the preservation of the existing metropolitan transportation system including requirements for the operation, resurfacing, restoration, and rehabilitation of major roadways and requirements for the operation, maintenance, modernization, and rehabilitation of public transportation facilities; and

2. Make the most efficient use of existing transportation facilities to relieve vehicular congestion and maximize the mobility of people and goods.

(d) Indicate, as appropriate, proposed transportation enhancement activities, including, but not limited to, pedestrian and bicycle facilities, scenic easements, landscaping, historic preservation, mitigation of water pollution due to highway runoff, and control of outdoor advertising.

(e) In addition to the requirements of paragraphs (a)-(d), in metropolitan areas that are classified as nonattainment areas for ozone or carbon monoxide, the M.P.O. must coordinate the development of the long-range transportation plan with the State Implementation Plan developed pursuant to the requirements of the federal Clean Air Act.

In the development of its long-range transportation plan, each M.P.O. must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the long-range transportation plan. The long-range transportation plan must be approved by the M.P.O.

~~(7)~~ (9) TRANSPORTATION IMPROVEMENT PROGRAM.--Each M.P.O. shall, in cooperation with the state and affected public transportation operators, develop a transportation improvement program for the area within the jurisdiction of the M.P.O. In the development of the transportation improvement program, each M.P.O. must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the proposed transportation improvement program.

(a) Each M.P.O. is responsible for developing, annually, a list of project priorities and a transportation improvement program. The prevailing principles to be considered by each M.P.O. when developing a list of project priorities and a transportation improvement program are: preserving the existing transportation infrastructure; advance procurement of corridors and right of way for identified future capacity needs to the extent possible; utilization of technological advances that improve transportation efficiencies; enhancing Florida's economic competitiveness; and improving travel choices to ensure mobility. The transportation improvement program will be used to initiate federally aided transportation facilities and improvements as well as other transportation facilities and improvements including transit, rail, aviation, spaceport, and port facilities to be funded from the State Transportation Trust Fund within its metropolitan area in accordance with existing and subsequent federal and state laws and rules and regulations related thereto. The transportation improvement program shall be consistent, to the maximum extent feasible, with the approved local government comprehensive plans of the units of local government whose boundaries are within the metropolitan area of the M.P.O.

(b) Each M.P.O. annually shall prepare a list of project priorities and shall submit the list to the appropriate district of the department by October 1 of each year; however, the department and a metropolitan planning organization may, in writing, agree to vary this submittal date. The list of project priorities must be formally reviewed by the technical and citizens' advisory committees, and approved by the M.P.O., before it is transmitted to the district. The approved list of project priorities must be used by the district in developing the district work program and must be used by the M.P.O. in developing its transportation improvement program. The annual list of project priorities must be based upon project selection criteria that, at a minimum, consider the following:

1. The approved M.P.O. long-range transportation plan;
2. The results of the transportation management systems; and
3. The M.P.O.'s public-involvement procedures.

(c) Unless otherwise required by federal law or regulation, ~~The~~ the transportation improvement program must, at a minimum:

1. Include projects and project phases to be funded with ~~state or~~ federal funds within the time period of the transportation improvement program and which are recommended for advancement during the next fiscal year and 4 subsequent fiscal years. Such projects and project phases must be consistent with state and regional priorities and, to the maximum extent feasible, the approved local government comprehensive plans of the units of local government located within the jurisdiction of the M.P.O. For informational purposes only, the transportation improvement program shall also include a list of projects to be wholly funded from state revenues, or from local or private revenues.

- 425 2. Include projects within the metropolitan area which are proposed for funding under 23 U.S.C. s.  
426 134 of the Federal Transit Act and which are consistent with the long-range transportation plan  
427 developed under subsection (6).
- 428 3. Provide a financial plan that demonstrates how the transportation improvement program can be  
429 implemented; indicates the resources, both public and private, that are reasonably expected to be  
430 available to accomplish the program; identifies any innovative financing techniques that may be used  
431 to fund needed projects and programs; and may include, for illustrative purposes, additional projects  
432 that would be included in the approved transportation improvement program if reasonable additional  
433 resources beyond those identified in the financial plan were available. Innovative financing  
434 techniques may include the assessment of tolls, the use of value capture financing, or the use of  
435 value pricing. The transportation improvement program may include a project or project phase only if  
436 full funding can reasonably be anticipated to be available for the project or project phase within the  
437 time period contemplated for completion of the project or project phase.
- 438 4. Group projects and project phases of similar urgency and anticipated staging into appropriate  
439 staging periods.
- 440 5. Indicate how the transportation improvement program relates to the long-range transportation  
441 plan developed under subsection ~~(6)~~ (7), including providing examples of specific projects or project  
442 phases that further the goals and policies of the long-range transportation plan.
- 443 6. Indicate whether any project or project phase is inconsistent with an approved comprehensive  
444 plan of a unit of local government located within the jurisdiction of the M.P.O. If a project is  
445 inconsistent with an affected comprehensive plan, the M.P.O. must provide justification for including  
446 the project in the transportation improvement program.
- 447 7. Indicate how the improvements are consistent, to the maximum extent feasible, with affected  
448 seaport, airport, and spaceport master plans and with public transit development plans of the units of  
449 local government located within the jurisdiction of the M.P.O. If a project is located within the  
450 boundaries of more than one M.P.O., the M.P.O.'s must coordinate plans regarding the project in the  
451 transportation improvement program.
- 452 (d) Projects included in the transportation improvement program and that have advanced to the  
453 design stage of preliminary engineering may be removed from or rescheduled in a subsequent  
454 transportation improvement program only by the joint action of the M.P.O. and the department.  
455 Except when recommended in writing by the district secretary for good cause, any project removed  
456 from or rescheduled in a subsequent transportation improvement program shall not be rescheduled  
457 by the M.P.O. in that subsequent program earlier than the 5th year of such program.
- 458 (e) During the development of the transportation improvement program, the M.P.O. shall, in  
459 cooperation with the department and any affected public transit operation, provide citizens, affected  
460 public agencies, representatives of transportation agency employees, freight shippers, providers of  
461 freight transportation services, private providers of transportation, representatives of users of public  
462 transit, and other interested parties with reasonable notice of and an opportunity to comment on the  
463 proposed program.
- 464 (f) The adopted annual transportation improvement program for M.P.O.'s in nonattainment or  
465 maintenance areas must be submitted to the district secretary and the Department of Community  
466 Affairs at least 90 days before the submission of the state transportation improvement program by  
467 the department to the appropriate federal agencies. The annual transportation improvement program  
468 for M.P.O.'s in attainment areas must be submitted to the district secretary and the Department of  
469 Community Affairs at least 45 days before the department submits the state transportation  
470 improvement program to the appropriate federal agencies; however, the department, the Department  
471 of Community Affairs, and a metropolitan planning organization may, in writing, agree to vary this  
472 submittal date. The Governor or the Governor's designee shall review and approve each  
473 transportation improvement program and any amendments thereto.



474 (g) The Department of Community Affairs shall review the annual transportation improvement  
475 program of each M.P.O. for consistency with the approved local government comprehensive plans of  
476 the units of local government whose boundaries are within the metropolitan area of each M.P.O. and  
477 shall identify those projects that are inconsistent with such comprehensive plans. The Department of  
478 Community Affairs shall notify an M.P.O. of any transportation projects contained in its transportation  
479 improvement program which are inconsistent with the approved local government comprehensive  
480 plans of the units of local government whose boundaries are within the metropolitan area of the  
481 M.P.O.

482 (h) The M.P.O. shall annually publish or otherwise make available for public review the annual listing  
483 of projects for which federal funds have been obligated in the preceding year. Project monitoring  
484 systems must be maintained by those agencies responsible for obligating federal funds and made  
485 accessible to the M.P.O.'s.

486 (10) ~~(8)~~ UNIFIED PLANNING WORK PROGRAM.--Each M.P.O. shall develop, in cooperation with  
487 the department and public transportation providers, a unified planning work program that lists all  
488 planning tasks to be undertaken during the program year. The unified planning work program must  
489 provide a complete description of each planning task and an estimated budget therefore and must  
490 comply with applicable state and federal law.

491 (11) ~~(9)~~ AGREEMENTS.--

492 (a) Each M.P.O. shall execute the following written agreements, which shall be reviewed, and  
493 updated as necessary, every 5 years:

494 1. An agreement with the department clearly establishing the cooperative relationship essential to  
495 accomplish the transportation planning requirements of state and federal law.

496 2. An agreement with the metropolitan and regional intergovernmental coordination and review  
497 agencies serving the metropolitan areas, specifying the means by which activities will be coordinated  
498 and how transportation planning and programming will be part of the comprehensive planned  
499 development of the area.

500 3. An agreement with operators of public transportation systems, including transit systems,  
501 commuter rail systems, airports, seaports, and spaceports, describing the means by which activities  
502 will be coordinated and specifying how public transit, commuter rail, aviation, seaport, and aerospace  
503 planning and programming will be part of the comprehensive planned development of the  
504 metropolitan area.

505 (b) An M.P.O. may execute other agreements required by state or federal law or as necessary to  
506 properly accomplish its functions.

507 (12) ~~(10)~~ METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL.--

508 (a) A Metropolitan Planning Organization Advisory Council is created to augment, and not supplant,  
509 the role of the individual M.P.O.'s in the cooperative transportation planning process described in this  
510 section.

511 (b) The council shall consist of one representative from each M.P.O. and shall elect a chairperson  
512 annually from its number. Each M.P.O. shall also elect an alternate representative from each M.P.O.  
513 to vote in the absence of the representative. Members of the council do not receive any  
514 compensation for their services, but may be reimbursed from funds made available to council  
515 members for travel and per diem expenses incurred in the performance of their council duties as  
516 provided in s. 112.061.

517 (c) The powers and duties of the Metropolitan Planning Organization Advisory Council are to:

- 518 1. Enter into contracts with individuals, private corporations, and public agencies.
- 519 2. Acquire, own, operate, maintain, sell, or lease personal property essential for the conduct of  
520 business.
- 521 3. Accept funds, grants, assistance, gifts, or bequests from private, local, state, or federal sources.
- 522 4. Establish bylaws and adopt rules pursuant to ss. 120.536(1) and 120.54 to implement provisions  
523 of law conferring powers or duties upon it.
- 524 5. Assist M.P.O.'s in carrying out the urbanized area transportation planning process by serving as  
525 the principal forum for collective policy discussion pursuant to law.
- 526 6. Serve as a clearinghouse for review and comment by M.P.O.'s on the Florida Transportation Plan  
527 and on other issues required to comply with federal or state law in carrying out the urbanized area  
528 transportation and systematic planning processes instituted pursuant to s. 339.155.
- 529 7. Employ an executive director and such other staff as necessary to perform adequately the  
530 functions of the council, within budgetary limitations. The executive director and staff are exempt  
531 from part II of chapter 110 and serve at the direction and control of the council. The council is  
532 assigned to the Office of the Secretary of the Department of Transportation for fiscal and  
533 accountability purposes, but it shall otherwise function independently of the control and direction of  
534 the department.
- 535 8. Adopt an agency strategic plan that provides the priority directions the agency will take to carry  
536 out its mission within the context of the state comprehensive plan and any other statutory mandates  
537 and directions given to the agency.
- 538 (44) (13) APPLICATION OF FEDERAL LAW.--Upon notification by an agency of the Federal  
539 Government that any provision of this section conflicts with federal laws or regulations, such federal  
540 laws or regulations will take precedence to the extent of the conflict until such conflict is resolved.  
541 The department or an M.P.O. may take any necessary action to comply with such federal laws and  
542 regulations or to continue to remain eligible to receive federal funds.
- 543 **History.**--s. 1, ch. 79-219; s. 1, ch. 82-9; s. 219, ch. 84-309; s. 3, ch. 84-332; s. 30, ch. 85-55; ss. 1, 2, ch. 87-61; ss. 1, 2, ch. 88-86; s.  
544 1, ch. 88-163; s. 6, ch. 89-301; s. 79, ch. 90-136; s. 4, ch. 92-152; s. 60, ch. 93-164; s. 502, ch. 95-148; s. 54, ch. 95-257; s. 53, ch.  
545 96-323; s. 25, ch. 97-280; s. 70, ch. 98-200; s. 9, ch. 99-256; ss. 33, 103, ch. 99-385; s. 20, ch. 2000-266; s. 23, ch. 2002-183; s. 8,  
546 ch. 2003-286.
- 547 **Note.**--Former s. 334.215.

# **Appendix D**



## **SITAC Recommendations to the Florida Transportation Commission**

### **Strategic Intermodal System (SIS) and Emerging SIS System**

- 1. SIS funding strategy.** The SITAC supports development of an aggressive funding strategy for SIS projects that would make the SIS the state's top priority for funding transportation projects that preserve existing capacity or provide additional capacity. This funding strategy should consider the following options:
  - Targeting use of new funding as available from innovative financing, federal appropriations or other revenue enhancements;
  - Consideration and creative use of direct user fees and use of advanced technologies and operational strategies for fee collection and use; and
  - Increasing opportunities for joint funding of SIS projects by the Florida Department of Transportation with public and private partners, including setting matching funds requirements at varying levels (e.g., SIS vs. Emerging SIS, by mode, etc.) that encourage development of these partnerships and focus resources on interregional and intermodal projects.
- 2. Emerging SIS funding strategy.** The SITAC supports development of a funding strategy for Emerging SIS projects that preserve existing capacity or provide additional capacity. This funding strategy should consider the following options:
  - Targeting use of the Emerging SIS portion of SIS funding as available from federal appropriations or other revenue enhancements;
  - Increasing the opportunities for innovative funding mechanisms; and
  - Increasing opportunities for joint funding of Emerging SIS projects by the Florida Department of Transportation with public and private partners, including setting matching funds requirements at varying levels (e.g., SIS vs. Emerging SIS, by mode, etc.) that encourage development of these partnerships and focus resources on interregional and intermodal projects.

Consideration should be given to lowering the match requirements for those Emerging SIS projects in jurisdictions, such as Rural Areas of Critical Economic Concern, with significant resource limitations.

- 3. Prioritization process.** The SITAC supports establishment of a priority-setting process that allocates the funding available for SIS and Emerging SIS projects based on factors that include the project's ability to improve transportation system performance and statewide economic competitiveness.

The SITAC further supports identification of policy objectives to guide SIS and Emerging SIS project prioritization, which may include the following:

- Both SIS and Emerging SIS funding should be directed towards improving transportation system performance, implementing the Florida's Strategic Plan for Economic Development, and providing seamless intermodal connections.
  - SIS funding should be directed towards projects that preserve existing capacity or provide additional capacity, and that reduce delays and alleviate physical and operational bottlenecks on the SIS; and
  - Emerging SIS funding should be directed towards projects that improve interregional, interstate, and international connectivity to fast-growing regions as well as designated Rural Areas of Critical Economic Concern.
4. **Regional and local systems.** The SITAC supports, in conjunction with recommendations 6, 7 and 8, the concept of separate state funding for regional and local facilities that are not included on the SIS or Emerging SIS systems, and providing greater flexibility to metropolitan planning organizations and local jurisdictions to allocate these funds to address regional and local transportation, economic, and community needs.
5. **Expediting projects.** The SITAC supports creating opportunities to expedite projects on designated SIS or Emerging SIS facilities that are included in the SIS Strategic Plan; are anticipated to have a high economic impact and/or job creation; have committed regional, local, modal, or private-sector funding partners; and are otherwise ready to move forward.

### **Regional Transportation Planning**

6. **Metropolitan planning organizations and regional transportation planning.** The SITAC supports state law revisions to improve regional transportation planning, support statewide and regional economic priorities, and implement the best practices of successful regional transportation planning organizations in both Florida and other states, such as:
- Development of regional long-range transportation plans that identify regional priorities involving multi-county metropolitan planning organizations (MPOs) and multiple MPOs according to established statewide guidelines;
  - Incentives for MPOs that choose or have chosen to consolidate with existing MPOs;
  - Establishment of MPO boundaries to better reflect regional travel demand and commuting patterns;
  - Greater integration of transportation, economic development, land use, and water and environmental management activities at the regional level; and
  - Development of an MPO revocation (based on an audit of the existing MPO process) and designation process that improves regional transportation planning and supports statewide and regional economic priorities.

- 7. MPO Board membership.** The SITAC supports state law revisions to change MPO voting membership to broaden the board's perspective and expertise, such as requirements to add to the MPO boards:
- Public and private representatives of regional planning councils;
  - Regional economic development or business partnerships; and
  - Each associated major mode of transportation with region-wide impact.
- 8. Independent MPO staff.** The SITAC supports state law revisions to clarify that MPO staff are responsible to the MPO Board, rather than to individual entities represented on the Board, for providing regional transportation planning that is consistent with statewide, regional and local priorities, with consideration for any staffing and cost implications.

# **Appendix E**



## EVALUATION OF FEDERAL AND STATE LAWS AND REGULATIONS PERTAINING TO METROPOLITAN PLANNING ORGANIZATIONS

<b>Subject:</b>	<b>Designation of MPO - Area</b>
<b>Federal Law(s):</b>	MPO shall be designated for each urbanized area with a population of more than 50,000 individuals – 23 U.S.C. s. 134(b)(1)
<b>Federal Regulation(s):</b>	None
<b>State Law(s):</b>	An MPO shall be designated for each urbanized area of the state: <i>however, this does not require that an individual MPO be designated for each such area.</i> - 339.175(1)(a)1. F.S. <i>Italics was added by 2003 Florida Legislature</i>
<b>Comment(s):</b>	Florida Statutes Definition of “urbanized area” – a geographic region comprising as a minimum the area inside an urban place of 50,000 or more persons, as designated by the United States Bureau of the Census, expanded to include adjacent developed areas as provided for by Federal Highway Administration regulations. Urban areas with a population of fewer than 50,000 persons which are located within the expanded boundary of an urbanized area are not separately recognized -334.03(36) F.S.

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<b>Subject:</b>	<b>How MPOs are Designated</b>
<b>Federal Law(s):</b>	Designation of MPOs shall be <ul style="list-style-type: none"> <li>by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the affected population (including the central city or cities as defined by the Bureau of the Census); <u>or</u></li> <li>in accordance with procedures established by applicable State or local law – 23 U.S.C. s. 134(b)(1) (A) &amp; (B)</li> </ul>
<b>Federal Regulation(s):</b>	Designated of MPOs made after December 18, 1991, shall be <ul style="list-style-type: none"> <li>by agreement among the Governor(s) and units of general purpose local governments representing 75 percent of the affected metropolitan population (including the central city or cities as defined by the Bureau of the Census), or</li> <li>in accordance with procedures established by applicable State or local law.</li> </ul> 23 CFR 450.306(a)  To the extent possible, only one MPO shall be designated for each urbanized area or group of contiguous urbanized areas. 23 CFR 450.306(a)  To the extent possible, the MPO designated should be established under specific State legislation, State enabling legislation, or by interstate compact, and shall have authority to carry out metropolitan planning. 23 CFR 450.306(c)

State Law(s):	By agreement between the Governor and units of general purpose local government representing at least 75 percent of the population of the urbanized area; however, the unit of general purpose local government that represents the central city or cities within the MPO jurisdiction, as defined by the United States Bureau of Census, must be a party of such agreement – 339.175(1)(a)1. F.S.
Comment(s):	State Law does not include the provision “or in accordance with procedures established by applicable State or local law – Title 23, USC 134(b)(1) (B)
Subject:	<b>Designation of More than 1 MPO</b>
Federal Law(s):	More than 1 MPO may be designated within an existing metropolitan planning area only if the Governor and the existing MPO determine that the size and complexity of the existing metropolitan planning area make designation of more than 1 MPO for the area appropriate – 23 U.S.C. s. 134(b)(6)
Federal Regulation(s):	More than one MPO may be designated within an urbanized area only if the Governor(s) determines that the size and complexity of the urbanized area make designation of more than one MPO appropriate. 23 CFR 450.306(a)
State Law(s):	More than one MPO may be designated within an existing metropolitan planning area only if the Governor and the existing MPO determine that the size and complexity of the existing metropolitan planning area make the designation of more than one MPO for the area appropriate - 339.175(1)(a)2. F.S.
Comment(s):	<p>Federal Regulation requires only the Governor to make determination that more than 1 MPO is appropriate.</p> <p>Federal and State laws use the term “metropolitan planning area” while Federal Regulations uses the term “urbanized area.”</p> <p>The following is from the “Metropolitan Planning Organization Program Management Handbook”</p> <ul style="list-style-type: none"><li>• Metropolitan Planning Area must include the existing Census Urbanized Area(s) and the contiguous area expected to become urbanized within the 20-year forecast period, and may encompass the entire Metropolitan Statistical Area (MSA) or Consolidated Metropolitan Statistical Area (CMSA) as defined by the Bureau of the Census (see page 8 for these definitions).</li><li>• The Metropolitan Planning Area can include all or part of a given county, including areas that due to their growth characteristics may be anticipated to become urbanized within the next 20 years. The (DOT) District, in consultation with the MPO, shall review and make recommendations on areas outside the projected 20-year area. FHWA should be consulted in such expansions, with supporting documentation that justifies the expansion being attainable.</li></ul>

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<b>Subject:</b>	<b>Continuing Designation of MPO</b>
<b>Federal Law(s):</b>	A designation of a MPO under this subsection or any other provision of law shall remain in effect until the MPO is redesignated under paragraph (5) – 23 U.S.C. s. 134(b)(4)
<b>Federal Regulation(s):</b>	Existing MPO designations remain valid until a new MPO is redesignated, unless revoked by the Governor and local units of government representing 75 percent of the population in the area served by the existing MPO (the central city(ies) must be among those desiring to revoke the MPO designation), or as otherwise provided under State or local procedures. If the Governor and local officials decide to redesignate an existing MPO, but do not formally revoke the existing MPO designation, the existing MPO remains in effect until a new MPO is formally designated. 23 CFR 450.306(f)
<b>State Law(s):</b>	None
<b>Comment(s):</b>	None
<b>Subject:</b>	<b>Redesignation of MPO</b>
<b>Federal Law(s):</b>	<p>Procedures – A MPO may be redesigned by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the affected population (including the central city or cities as defined by the Bureau of the Census) as appropriate to carry out his section – 23 U.S.C. s. 134(b)(5)(A)</p> <p>Certain Requests to Redesignate – A MPO shall be redesigned upon request of a unit or units of general purpose local government representing at least 25 percent of the affected population (including the central city or cities as defined by the Bureau of Census) in any urbanized area (i) whose population is more than 5,000,000 but less than 10,000,000, or (ii) which is an extreme nonattainment area for ozone or carbon monoxide as defined under the Clean Air Act. Such redesignation shall be accomplished using procedures established by subparagraph (A) - 23 U.S.C. s. 134(b)(5)(B)</p>
<b>Federal Regulation(s):</b>	<p>Redesignation (designation of a new MPO to replace an existing MPO) shall occur by agreement of the Governor and affected local unit of government representing 75 percent of the population in the entire metropolitan area. The central city(ies) must be among the units of local government agreeing to the redesignation. 23 CFR 450.306(d)</p> <p>Redesignation of an MPO covering more than one urbanized area requires the approval of the Governor and local officials representing 75 percent of the population in the metropolitan planning area covered by the current MPO; the local officials in the central city(ies) in each urbanized area must be among those agreeing to the redesignation. 23 CFR 450.306(h)</p>

**State Law(s):** None.

**Comment(s):** Florida has no nonattainment areas for ozone or carbon monoxide as defined under the Clean Air Act.

Federal Regulation also addresses multistate MPOs, which presently one urbanized area (Pensacola FL-AL) designated in Florida. The Pensacola Urbanized Area became multistate as a result of the 2000 Census.

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**Subject:** **Membership of MPO – Number of Members**

**Federal Law(s):** None

**Federal Regulation(s):** None

**State Law(s):** Voting membership of an MPO shall consist of not fewer than 5 or more than 19 apportioned members, the exact number to be determined on an equitable geographic-population ratio basis by the Governor, based on an agreement among the affected units of general purpose local governments as required by federal rules and regulations. 339.175(2)(a) F.S.

**Comment(s):** None

**Subject:** **Membership of MPO – Voting Members**

**Federal Law(s):** Each policy board of a metropolitan planning organization that serves an area designated as a transportation management area, when designated or redesigned shall consist of –

- local elected officials
- officials of public agencies that administer or operate major modes of transportation in the metropolitan area (including all transportation agencies included in the metropolitan planning organization as of June 1, 1991); and
- appropriate State officials

23 U.S.C. s. 134 (b)(2)(A), (B) & (C)

**Federal Regulation(s):** The voting membership of an MPO policy body designated/redesignated subsequent to December 18, 1991 and serving a Transportation Metropolitan Area (TMA), must include representatives of –

- local elected officials
- officials of agencies that administer or operate major modes or systems of transportation, e.g., transit operators, sponsors of major local airports, maritime ports, rail operators, etc. (including all transportation agencies that were included in the MPO on June 1, 1991, and
- appropriate State officials
- where agencies that operate other major modes of transportation do not already have a voice on existing MPOs, the MPOs (in cooperation with the States) are encouraged to provide such agencies a voice in the decision-making process, including representation/membership on the policy body and/or other

appropriate committees

- where appropriate, existing MPOs should increase the representation of local elected officials on the policy board and other committees as a mean for encouraging their greater involvement in the MPO processes.

adding membership (e.g., local elected officials and operators of major modes or systems of transportation or representative of newly urbanized areas) to the policy body or expansion of the metropolitan planning area does not automatically require redesignation of the MPO. 23 CFR 450.306(i) and (k)

### State Law(s):

- The Governor, in accordance with 23 U.S.C. s. 134, may provide for MPO members who represent municipalities to alternate with representatives from other municipalities with the metropolitan planning area that do not have member on the MPO.
- County commissioners shall compose not less than one-third of the MPO membership, except for -
  - an MPO with more than 15 members located in a county with a five-member county commission, or
  - an MPO with 19 members located in a county with no more than 6 county commissioners, in which case county commission members may compose less than one-third of the MPO membership, but all county commissioners must be members.
- May include –
  - a member of a statutorily authorized planning board,
  - an official of an agency that operates or administers a major mode of transportation, or
  - an official of the Florida Space Authority

The county commission shall compose not less than 20 percent of the MPO membership if an official of an agency that operates or administers a major mode of transportation has been appointed to an MPO. 339.175(2)(a). F.S.

In metropolitan areas in which authorities or other agencies have been or may be created by law to perform transportation functions *and are performing transportation functions* that are not under the jurisdiction of a general purpose local government represented on the MPO, they shall be provided voting membership on the MPO. In all other MPOs where transportation authorities or agencies are to be represented by elected officials from general purpose local governments, the MPO shall establish a process by which the collective interests of such authorities or other agencies are expressed and conveyed.

339.175(2)(b) F.S.

*Italics* was added by 2003 Florida Legislature

Any other provision of this section to the contrary notwithstanding, a charter county with over 1 million population may elect to reapportion the membership of an MPO whose jurisdiction is wholly within the county. The charter county may exercise the provisions of this paragraph if:

- The MPO approves the reapportionment plan by a three-fourths vote of its membership;
- The MPO and the charter county determine that the reapportionment plan is needed to fulfill specific goals and policies applicable to that metropolitan planning area; and
- The charter county determines the reapportionment plan otherwise complies with all federal requirements pertaining to MPO membership.

Any charter county that elects to exercise the provisions of this paragraph shall notify the Governor in writing. 339.175(2)(c) F.S.

Any other provision of this section to the contrary notwithstanding, any county chartered under s. 6(e, Art. VIII of the State Constitution may elect to have its county commission serve as the MPO, if the MPO jurisdiction is wholly contained within the county. Any charter county that elects to exercise the provisions of this paragraph shall so notify the Governor in writing. Upon receipt of such notification, the Governor must designate the county commission as the MPO. The Governor must appoint four additional voting members to the MPO, one of whom must be an elected official representing a municipality within the county, one of whom must be an expressway authority member, one of whom must be a person who does not hold elected public office and who resides in the unincorporated portion of the county, and one whom must be a school board member. 339.175(2)(d) F.S.

Voting membership of any MPO whose geographical boundaries include any county as defined in s. 125.011(1) must include an additional voting member appointed by that city's governing body for each city with a population of 50,000 or more residents. 339.176 F.S.

**Comment(s):**

Federal Law and regulation requirements pertain to metropolitan planning organization that serves an area designated as a transportation management area (urbanized area with a population greater than 200,000). The following MPOs were designated as TMAs prior to the 2000 census:

Brevard County	Broward County	First Coast
Hillsborough County	Lee County	Metroplan
Orlando		
Palm Beach County	Pasco County	Pensacola
Pinellas County	Sarasota/Manatee County	Volusia
County		

The following MPOs were new areas designated as TMAs in the 2000 census:

Collier County	Martin County*	St. Lucie*
Tallahassee/Leon County		

\* Martin and St. Lucie Counties designated as a single TMA.

**Subject:**

**Membership of MPO – Nonvoting Members**

**Federal Law(s):**

None

**Federal  
Regulation(s):  
State Law(s):**

None

Representatives of the department shall serve as nonvoting member of the MPO. Nonvoting advisers may be appointed by the MPO as deemed necessary. 339.175(3)(a) F.S.

**Comment(s):**

None

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<b>Subject:</b>	<b>Membership of MPO – Alternate Members</b>
<b>Federal Law(s):</b>	None
<b>Federal Regulation(s):</b>	None
<b>State Law(s):</b>	The Governor, with the agreement of the affected units of general-purpose local government as required by federal rules and regulations, apportion the membership of the applicable MPO among the various governmental entities within the area and shall prescribe a method of appointing alternate members who may vote at any MPO meeting that an alternate attends in place of a regular member. The alternate member must be an elected official serving the same governmental entity or a general-purpose local government with jurisdiction within all or part of the area that the regular member serves. 339.175(3)(a) F.S.
<b>Comment(s):</b>	None

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<b>Subject:</b>	<b>MPO Planning Boundaries</b>
<b>Federal Law(s):</b>	<p>The boundaries of a metropolitan planning area shall be determined by agreement between the MPO and Governor – 23 U.S.C. s. 134(c)(1)</p> <p>Each metropolitan planning area:</p> <ul style="list-style-type: none"> <li>• Shall encompass at least the existing urbanized area and the contiguous area expected to become urbanized within a 20-year forecast period; and</li> <li>• May encompass the entire metropolitan statistical area or consolidated metropolitan statistical area, as defined by the Bureau of Census</li> </ul> <p>23 U.S.C. s. 134(c)(2)(A) &amp; (B)</p> <p>U.S.C addresses planning areas in Non-attainment areas and multistate areas.</p>
<b>Federal Regulation(s):</b>	<p>The metropolitan planning area boundary shall, as a minimum, cover the urbanized area(s) and the contiguous geographic area(s) likely to become urbanized within the 20-year forecast period covered by the transportation plan. The boundary may encompass the entire metropolitan statistical area or consolidated metropolitan statistical area, as defined by the Bureau of Census. 23CFR 450.308(a)</p> <p>The planning area currently in use for all transportation modes should be reviewed before establishing the metropolitan planning area boundary. Where appropriate, adjustments should be made to reflect the most comprehensive boundary to foster an effective planning process that ensures connectivity between modes, reduces access disadvantages experienced by modal systems, and promotes efficient overall transportation investment strategies. 23CFR 450.308(c)</p> <p>Approval of metropolitan planning area boundaries by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) is not required. However, metropolitan planning area boundary maps must be submitted to the FHWA and the FTA after their approval</p>

by the MPO and Governor. 23CFR 450.308(d)

Federal Regulation addresses planning areas in Non-attainment areas and multistate areas.

**State Law(s):**

The jurisdictional boundaries of an MPO shall be determined by agreement between the Governor and the applicable MPO. The boundaries must include at least the metropolitan planning area, which is the existing urbanized and contiguous area expected to become urbanized within a 20-year forecast period, and may encompass the entire metropolitan statistical area or the consolidated metropolitan statistical area. 339.175(1)(c) F.S.

State Law addresses planning areas in Non-attainment areas.

**Comment(s):**

Florida has no non-attainment areas for ozone or carbon monoxide as defined under the Clean Air Act.

Federal Regulation also addresses multistate MPOs, which presently one urbanized area (Pensacola FL-AL) designated in Florida. The Pensacola Urbanized Area became multistate as a result of the 2000 Census.



## Definitions:

### ***Consolidated Metropolitan Statistical Area (CMSA)***

US Bureau of  
Census:

A geographic entity designated by the federal Office of Management and Budget (OMB) for use by federal statistical agencies. An area becomes a consolidated metropolitan statistical area (CMSA) if it qualifies as a metropolitan area (MA), has a census population of 1,000,000 or more, has component parts that qualify as primary metropolitan statistical areas (PMSAs) based on official standards, and local opinion favors the designation. CMSAs consist of whole counties except in New England, where they consist of county subdivisions (primarily cities and towns). See central city, metropolitan area, metropolitan statistical area, New England County Metropolitan Area, primary metropolitan statistical area, statistical entity.

State Law(s):

Two or more metropolitan statistical areas that are socially and economically interrelated as defined by the United States Bureau of the Census. 334.03(6) F.S.

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### ***Metropolitan Area (MA)***

US Bureau of  
Census:

A core areas with a large population nucleus, together with adjacent communities that have a high degree of economic and social integration with that core. (Some MAs are defined around two or more nuclei.) MAs are designated by the federal Office of Management and Budget (OMB) in terms of one or more counties or, in New England, county subdivisions (primarily cities and towns). The OMB defines and designates metropolitan areas based on a set of official standards that are published in the Federal Register. "Metropolitan area" is a collective term established by the OMB in 1990 to refer to metropolitan statistical areas (MSAs), consolidated metropolitan statistical areas (CMSAs), primary metropolitan statistical areas (PMSAs), and New England County Metropolitan Areas (NECMAs).

State Law(s):

A geographic region comprising as a minimum the existing urbanized area and the contiguous area projected to become urbanized within a 20-year forecast period. The boundaries of a metropolitan area may be designated so as to encompass a metropolitan statistical area or a consolidated metropolitan statistical area. If a metropolitan area, or any part thereof, is located within a nonattainment area, the boundaries of the metropolitan area must be designated so as to include the boundaries of the entire nonattainment area, unless otherwise provided by agreement between the applicable MPO and the Governor. 334.03(16) F.S.

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### ***Metropolitan Statistical Area (MSA)***

US Bureau of  
Census:

A geographic entity designated by the federal Office of Management and Budget for use by federal statistical agencies. A metropolitan statistical area (MSA) is a metropolitan area (MA) that is not closely associated with another MA. An MSA consists of one or more counties, except in New England, where MSAs are defined in terms of county subdivisions (primarily cities and towns). See central city, consolidated metropolitan statistical area, metropolitan area, New England County Metropolitan Area, primary metropolitan statistical area, statistical entity.

<b>State Law(s):</b>	An area that includes a municipality of 50,000 persons or more, or an urbanized area of at least 50,000 persons as defined by the United States Bureau of the Census, provided that the component county or counties have a total population of at least 100,000. 334.03(17) F.S.
<b>Urban Area</b> <b>US Bureau of</b> <b>Census:</b> <b>Federal Law:</b>	<p>A generic term that refers to both urbanized area and urban clusters.</p> <p>An urbanized area or, in the case of an urbanized area encompassing more than one State, that part of the urbanized area in each such State, or urban place as designed by the Bureau of Census having a population of 5,000 or more and not within any urbanized area, within boundaries to be fixed by responsible State and local officials in cooperation with each other, subject to approval by the U.S. Secretary of Transportation. Such boundaries shall encompass, at a minimum, the entire urban place designated by the Bureau of Census, except in the case of cities in the State of Maine and in the State of New Hampshire. 23 U.S.C. s.101(a)(36)</p>
<b>Federal Regulations:</b>	An area including and adjacent to a municipality or other urban place having a population of 5,000 or more, as determined by the latest available published official Federal census, decennial or special, within boundaries to be fixed by a State highway department, subject to the approval of the FHWA administrator. 23 CFR 1.2(b)
<b>State Law(s):</b>	A geographic region comprising as a minimum the area inside the United States Bureau of Census boundary of an urban place with a population of 5,000 or more persons, expanded to include adjacent developed areas as provided for by Federal Highway Administration regulations. 334.03(32) F.S

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**Urbanized Area (UA)**

<b>US Bureau of</b> <b>Census:</b>	A densely settled area that has a census population of at least 50,000. A unbanized area generally consists of a geographic core of block groups or blocks that have a population density of at least 1,000 people per square mile, and adjacent block groups and blocks with at least 500 people per square mile. A urbanized area consists of all or part of one or more incorporated places and/or census designated places, and may include additional territory outside of any place. See central place, extended place, urban, urban cluster.
<b>Federal Law:</b>	An area with a population of 50,000 or more designated by the Bureau of the Census, within the boundaries to be fixed by responsible State and local officials in cooperation with each other, subject to approval by the U.S. Secretary of Transportation. Such boundaries shall encompass, at a minimum, the entire urbanized area within a State as designated by the Bureau of Census. 23 U.S.C. s.101(a)(37)

**State Law(s):**

A geographic region comprising as a minimum the area inside an urban place of 50,000 or more persons, as designated by the United States Bureau of the Census, expanded to include adjacent developed areas as provided for by Federal Highway Administration regulations. Urban areas with a population of fewer than 50,000 persons which are located within the expanded boundary of an urbanized area are not separately recognized. 334.03(36) F.S

Prepared By:

Bill Ham Transportation Policy Consultant, LLC

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