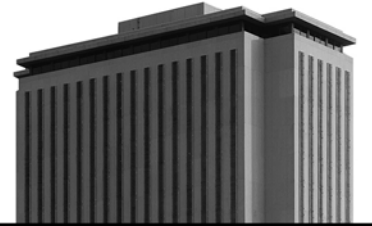




# LEGISLATIVE ISSUE BRIEFS



## Transportation Planning

**The Florida League of Cities will support legislation that prohibits the FDOT from eliminating, deferring, or delaying capacity improvement projects contained in the 5-Year Work Plan when the projects are within three years of construction and the removal of such projects will adversely impact the comprehensive plan of the local government. Furthermore, the FDOT shall establish a formalized process for local governments to appeal the decision to remove any project from the 5-Year Work Plan and shall not add new projects to the FDOT 5-Year Work Plan until all delayed, deferred or deleted projects are reincorporated into the most recent 5-Year Work Plan, unless otherwise agreed to by all impacted parties.**

### Background

The Florida Department of Transportation (FDOT) is the public works agency responsible for the development and maintenance of Florida's transportation system. The mission of FDOT is to provide a safe transportation system that ensures the mobility of people and goods, enhances economic prosperity and preserves the quality of our environment and communities.

FDOT is responsible for developing a State Transportation Five-Year Work Program. This document is a statewide project specific list of transportation activities and improvements that must meet the objectives and priorities of the Florida Transportation Plan (FTP). To build the Five-Year Work Program, the Department coordinates with its seven district offices, the Turnpike Enterprise Office (Turnpike), Metropolitan Planning Organizations (MPOs), and local governments. The intent of the Work Program is to maximize the Department's production and service capabilities through innovative use of resources, increased productivity, reduced costs, strengthened organizational effectiveness and efficiency.

In the past few years the FDOT has been experiencing unprecedented increases (20%+) due to increases in the cost of land, road building materials and a lack of bidders on certain projects. In this environment, either money is added to fund these cost increases or some projects in the Five-Year Work Plan are deferred or delayed. (Both state and federal law require a financially balanced Work Program.) The legislature did not appropriate additional revenue to balance the Work Program. Therefore, the FDOT, after consultation with MPOs, counties, cities, legislators, FDOT District offices, and other interested parties, made a decision to defer certain projects in the past few Five Year Work Plans.

In FY 06-07 FDOT deferred 49 construction/Right-of-Way project phases totaling \$644 million, from to the outer years of the plan (FY's 2009, 2010, and 2011). In addition, 13 construction/Right-of-Way project phases totaling \$360 Million were deferred beyond 2011. In FY 07-08, FDOT deferred 34 project phases totaling \$497 million in the 2008-12 5-Year Work Plan and deleted 10 projects totaling \$85 million). FDOT is currently working on deletions/ deferrals for 2009-13 plan, which is expected to be significant due to the poor state budget outlook

Many local governments have issued building permits and otherwise planned growth contingent on certain local transportation projects being included in the 5-Year Work Plan. Local governments have come to accept the 5-Year Work Plan as a commitment from FDOT being fulfilled. Because of the adverse and sometimes dire consequences of removing or deferring projects in the 5-Year Work Plan, the FDOT should look to other cost saving measures, should reprioritize later years of the 5-Year Work Plan or take other steps to ensure that projects within the 5-Year Work Plan are built according to schedule. No new projects should “leapfrog” or replace any project that once was part of the 5-Year Work Plan unless the Legislature—not a bureaucrat in Tallahassee or the FDOT District level---decides that the project should be deferred, delayed or removed from the 5-Year Work Plan.

**Status:** Currently, there are no bills filed which directly address this issue. The FLC has been meeting with key legislators and is working to amend the notification and local government impact statement language into the FDOT legislative package which has not yet been filed.

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