

REFERENCE TITLE: regional public transportation authority

State of Arizona
Senate
Forty-ninth Legislature
Second Regular Session
2010

SB 1416

Introduced by
Senator Verschoor

AN ACT

AMENDING SECTIONS 48-5103, 48-5121 AND 48-5122, ARIZONA REVISED STATUTES;
RELATING TO THE REGIONAL PUBLIC TRANSPORTATION AUTHORITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 48-5103, Arizona Revised Statutes, is amended to
3 read:
4 48-5103. Public transportation fund
5 A. A public transportation fund is established for the authority. The
6 fund consists of:
7 1. Monies appropriated by each municipality that is a member of the
8 authority or the county, if it elected to enter into the authority. Each
9 member municipality and member county shall appropriate monies to the public
10 transportation fund in an amount determined by the board.
11 2. Monies appropriated by a county that has not elected to enter into
12 the authority in an amount determined by the county board of supervisors.
13 3. Transportation excise tax revenues that are allocated to the fund
14 pursuant to section 42-6104 or 42-6105. The board shall separately account
15 for monies from transportation excise tax revenues allocated pursuant to
16 section 42-6105, subsection E, paragraph 3 for:
17 (a) A light rail public transit system.
18 (b) Capital costs for other public transportation.
19 (c) Operation and maintenance costs for other public transportation.
20 4. Monies distributed under title 28, chapter 17, article 1.
21 5. Grants, gifts or donations from public or private sources.
22 6. Monies granted by the federal government or appropriated by the
23 legislature.
24 7. Fares or other revenues collected in operating a public
25 transportation system.
26 8. Local transportation assistance monies that are distributed to each
27 member under section 28-8102 and as provided in section 48-5104.
28 9. Local transportation assistance monies that are distributed to a
29 member pursuant to section 28-8102 and that must be used for public
30 transportation.
31 10. Local transportation assistance monies that are distributed
32 pursuant to section 28-8103, subsection A, paragraph 1.
33 B. On behalf of the ~~authority~~ REGIONAL PLANNING AGENCY, the fiscal
34 agent shall administer monies paid into the public transportation fund.
35 Monies in the fund may be spent pursuant to or to implement the regional
36 ~~public~~ transportation ~~system~~ plan DEVELOPED AND APPROVED BY THE REGIONAL
37 PLANNING AGENCY, including reimbursement for utility relocation costs as
38 prescribed in section 48-5107, adopted pursuant to section 48-5121 and for
39 projects identified in the regional transportation plan adopted by the
40 regional planning agency pursuant to section 28-6308.
41 C. Monies in the fund shall not be spent to promote or advocate a
42 position, alternative or outcome of an election, to influence public opinion
43 or to pay or contract for consultants or advisors to influence public opinion
44 with respect to an election regarding taxes or other sources of revenue for
45 the fund or regarding the regional public transportation system plan.

1 Sec. 2. Section 48-5121, Arizona Revised Statutes, is amended to read:
2 48-5121. Regional public transportation system plan

3 A. In counties with a population of one million two hundred thousand
4 persons or more, the ~~board~~ REGIONAL PLANNING AGENCY shall develop, ~~a-~~ IN
5 COOPERATION WITH STATE AND LOCAL PUBLIC TRANSPORTATION OPERATORS, THE
6 regional public transportation system ELEMENT OF THE REGIONAL TRANSPORTATION
7 plan that is coordinated with the regional transportation plan adopted
8 pursuant to section 28-6308.

9 B. Among other things, the regional public transportation system
10 ELEMENT OF THE REGIONAL TRANSPORTATION plan shall:

- 11 1. Define and identify regional public transportation corridors.
12 2. Define the public transportation problems, goals and needs for each
13 corridor.

14 ~~3. Define land use goals.~~

15 ~~4.~~ 3. Determine environmental, economic, energy and social policies
16 to guide public transportation investment decisions.

17 ~~5.~~ 4. Order the priority of regional public transportation corridors
18 for development.

19 ~~6.~~ 5. Determine the mix of alternative public transportation modes
20 appropriate for development in light of the public transportation goals and
21 needs for each corridor.

22 ~~7.~~ 6. Select appropriate public transportation technology, including
23 high occupan cy vehicle lanes and related facilities.

24 ~~8.~~ 7. Determine the capacity for exclusive public transportation
25 technology.

26 ~~9.~~ 8. Determine operating performance criteria and costs for public
27 transportati on systems.

28 ~~10.~~ 9. Locate routes and access points to the public transportation
29 systems.

30 ~~11.~~ 10. Determine the ridership of public transportation systems.

31 C. The regional public transportation system ELEMENT OF THE REGIONAL
32 TRANSPORTATION plan shall include, in addition to the appropriate items
33 prescribed in subsection B of this section, the following items presented on
34 an individual fiscal year basis:

35 1. The capital and operating costs of the planned regional public
36 transportation system.

37 2. The revenue needed by source, according to section 48-5103, to fund
38 the regional public transportation system plan.

39 D. If the plan includes a rail component and if the ~~board~~ REGIONAL
40 PLANNING AGENCY adopts estimates of capital and maintenance and operation
41 costs of the rail system, each member municipality in which the rail system
42 is constructed shall pay to the public transportation fund amounts by which
43 the actual capital, maintenance and operation costs exceed the estimated
44 costs by more than fifteen per cent, computed in constant dollars. The
45 excess costs shall be allocated among the affected member municipalities

1 according to the proportion of the rail system facilities that are located in
2 each municipality. The affected member municipalities shall:

3 1. Pay the monies from their respective general funds to the public
4 transportation fund in the fiscal year following the fiscal year in which the
5 excess costs were incurred.

6 2. Not pay to the public transportation fund under this subsection
7 monies that it received from any source pursuant to title 28.

8 3. Not reduce its support of transportation projects funded by any
9 source pursuant to title 28 in order to make payments under this subsection.

10 ~~E. The board may modify the regional public transportation system plan~~
11 ~~to reflect changes in population density or technological advances in the~~
12 ~~approved public transportation modes. A majority of the members of the board~~
13 ~~voting at a public hearing called for that purpose must approve a~~
14 ~~modification to the plan.~~

15 Sec. 3. Section 48-5122, Arizona Revised Statutes, is amended to read:

16 48-5122 Board powers and duties

17 The board shall:

18 1. Determine ~~the exclusive public transportation systems to be~~
19 ~~acquired and constructed, the means to finance the systems and~~ whether to
20 operate the systems or to let contracts for their operation.

21 2. Adopt an annual budget and fix the compensation of its employees.

22 3. Adopt an administrative code by ordinance that:

23 (a) Prescribes the powers and duties of the employees of the authority
24 that are not inconsistent with this chapter.

25 (b) Prescribes the method of appointing board employees.

26 (c) Prescribes methods, procedures and systems of operating and
27 managing the board.

28 (d) May provide for, among other things, appointing a general manager
29 and organizing the employees of the board into units for administration,
30 design and construction, planning and operation, property acquisition and
31 community relations and other units as the board deems necessary.

32 4. Cause a postaudit of the financial transactions and records of the
33 board to be made at least annually by a certified public accountant.

34 5. Adopt all ordinances and make all rules proper or necessary to:

35 (a) Regulate the use, operation and maintenance of its property and
36 facilities, including its public transportation systems and related
37 transportation facilities and services operating in its area of jurisdiction.

38 (b) Carry into effect the powers granted to the board.

39 6. Appoint advisory commissions as it deems necessary.

40 7. Do all things necessary to carry out the purposes of this chapter.