

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 48-5103, Arizona Revised Statutes, is amended to read:

3 48-5103. Public transportation fund

4 A. A public transportation fund is established for the authority. The fund consists of:

5 1. Monies appropriated by each municipality that is a member of the authority or the county, if it elected  
6 to enter into the authority. Each member municipality and member county shall appropriate monies to the public  
7 transportation fund in an amount determined by the board.

8 2. Monies appropriated by a county that has not elected to enter into the authority in an amount  
9 determined by the county board of supervisors.

10 3. Transportation excise tax revenues that are allocated to the fund pursuant to section 42-6104 or 42-  
11 6105. The board shall separately account for monies from transportation excise tax revenues allocated pursuant to  
12 section 42-6105, subsection E, paragraph 3 for:

13 (a) A light rail public transit system.

14 (b) Capital costs for other public transportation.

15 (c) Operation and maintenance costs for other public transportation.

16 4. Monies distributed under title 28, chapter 17, article 1.

17 5. Grants, gifts or donations from public or private sources.

18 6. Monies granted by the federal government or appropriated by the legislature.

19 7. Fares or other revenues collected in operating a public transportation system.

20 8. Local transportation assistance monies that are distributed to each member under section 28-8102 and  
21 as provided in section 48-5104.

22 9. Local transportation assistance monies that are distributed to a member pursuant to section 28-8102  
23 and that must be used for public transportation.

24 10. Local transportation assistance monies that are distributed pursuant to section 28-8103, subsection A,  
25 paragraph 1.

26 B. On behalf of the authority, the fiscal agent shall administer monies paid into the public transportation  
27 fund. Monies in the fund may be spent pursuant to or to implement the regional public transportation ~~system~~  
28 ELEMENTS plan, including reimbursement for utility relocation costs as prescribed in section 48-5107, adopted  
29 pursuant to section 48-5121 and for WHICH IMPLEMENTS REGIONAL PUBLIC TRANSPORTATION ELEMENTS  
30 ~~projects~~ identified in the regional transportation plan adopted by the regional planning agency pursuant to section  
31 28-6308.

32 C. Monies in the fund shall not be spent to promote or advocate a position, alternative or outcome of an  
33 election, to influence public opinion or to pay or contract for consultants or advisors to influence public opinion  
34 with respect to an election regarding taxes or other sources of revenue for the fund or regarding the regional  
35 public transportation ~~system plan~~ ELEMENTS OF THE REGIONAL TRANSPORTATION PLAN ADOPTED PURSUANT TO  
36 SECTION 28-6308.

37 Section 2. Section 48-5106, Arizona Revised Statutes, is amended to read:

38 48-5106. Budget process

39 The board shall adopt a budget process, IN COORDINATION WITH THE REGIONAL PLANNING AGENCY, that  
40 ensures that the estimated cost of the regional public transportation system, including corridors, corridor  
41 segments and bus purchase and operating costs, does not exceed the total amount of revenues estimated to be  
42 available for the regional public transportation system.

1 Section 3. Section 48-5121, Arizona Revised Statutes, is amended to read:

2 ~~48-5121. Regional public transportation system plan~~ PLANNING

3 A. In counties with a population of one million two hundred thousand persons or more, the board shall  
4 ~~develop a~~CONDUCT regional public transportation ~~system plan~~PLANNING that ~~is coordinated with~~ IMPLEMENTS  
5 THE REGIONAL PUBLIC TRANSPORTATION ELEMENTS INCLUDED IN the regional transportation plan adopted  
6 pursuant to section 28-6308.

7 B. Among other things, ~~the~~ regional public transportation ~~system plan~~PLANNING shall:

8 1. ~~Define and identify~~DEVELOP THE regional public transportation corridors IDENTIFIED IN THE REGIONAL  
9 TRANSPORTATION PLAN ADOPTED PURSUANT TO SECTION 28-6308.

10 2. Define the public transportation problems, goals and needs for each IDENTIFIED corridor.

11 ~~3. Define land use goals.~~

12 ~~43. Determine~~INCORPORATE environmental, economic, energy and social policies IDENTIFIED IN THE  
13 REGIONAL TRANSPORTATION PLAN ADOPTED PURSUANT TO SECTION 28-6308 to guide public transportation  
14 investment decisions.

15 ~~54. Order~~DEVELOP the priority of regional public transportation corridors ~~for development~~BASED ON THE  
16 PRIORITIES IDENTIFIED IN THE REGIONAL TRANSPORTATION PLAN ADOPTED PURSUANT TO SECTION 28-6308.

17 ~~65. Determine~~RECOMMEND TO THE REGIONAL PLANNING AGENCY the mix of alternative public  
18 transportation modes appropriate for development in light of the public transportation goals and needs for each  
19 IDENTIFIED corridor.

20 ~~76. Select~~RECOMMEND TO THE REGIONAL PLANNING AGENCY appropriate public transportation  
21 technology ~~including high occupancy vehicle lanes and related facilities~~FOR IDENTIFIED CORRIDORS.

22 ~~87. Determine~~ the capacity for exclusive public transportation technology FOR IDENTIFIED CORRIDORS.

23 ~~98. Determine~~ operating performance criteria and costs for public transportation systems.

24 ~~109. Locate~~ routes and access points to the public transportation systems.

25 ~~110. Determine~~ the ridership of public transportation systems.

26 C. ~~The~~ Regional public transportation ~~system plan~~PLANNING shall include, in addition to the appropriate  
27 items prescribed in subsection B of this section, the following items presented on an individual fiscal year basis:

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

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

31 D. If the plan includes a rail component and if the board adopts estimates of capital and maintenance and  
32 operation costs of the rail system, each member municipality in which the rail system is constructed shall pay to  
33 the public transportation fund amounts by which the actual capital, maintenance and operation costs exceed the  
34 estimated costs by more than fifteen per cent, computed in constant dollars. The excess costs shall be allocated  
35 among the affected member municipalities according to the proportion of the rail system facilities that are located  
36 in each municipality. The affected member municipalities shall:

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

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

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

1 E. The board may modify ~~the regional public transportation system plan~~ ELEMENTS to reflect changes in  
2 ~~population density or technological advances in the approved public transportation modes~~ THE REGIONAL  
3 TRANSPORTATION PLAN ADOPTED PURSUANT TO SECTION 28-6308. A majority of the members of the board  
4 voting at a public ~~hearing~~ MEETING called for that purpose must approve a modification to ~~the plan~~ REGIONAL  
5 PUBLIC TRANSPORTATION ELEMENTS.

6 Section 4. Section 48-5122, Arizona Revised Statutes, is amended to read:

7 48-5122 Board powers and duties

8 The board shall:

9 1. ~~Determine~~ ACQUIRE AND CONSTRUCT the ~~exclusive~~ public transportation systems ~~to be acquired and~~  
10 ~~constructed~~ IDENTIFIED IN THE REGIONAL TRANSPORTATION PLAN ADOPTED PURSUANT TO SECTION 28-6308,  
11 DETERMINE the means to finance the systems and whether to operate the systems or to let contracts for their  
12 operation.

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

14 3. Adopt an administrative code by ordinance that:

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

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

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

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

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

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

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

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

28 6. Appoint advisory commissions as it deems necessary.

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

30 Section 5. Section 48-5141, Arizona Revised Statutes, is amended to read:

31 48-5141. Regional bus system

32 A. The board shall establish and operate a regional bus system THAT IS COORDINATED WITH THE  
33 REGIONAL TRANSPORTATION PLAN ADOPTED PURSUANT TO SECTION 28-6308. ~~The monies distributed under~~  
34 ~~section 28-6305, subsection B shall be spent for incremental increases in a regional bus system and for community~~  
35 ~~funded transportation services including dial-a-ride programs and special needs transportation services and shall~~  
36 ~~not be used to supplant any existing sources of monies currently being used in operating an existing bus system.~~  
37 ~~The monies shall only be spent for community funded transportation services including dial-a-ride programs and~~  
38 ~~special needs transportation services and to establish and operate a regional bus system, including extending~~  
39 ~~existing bus routes into regional routes, adding new regional routes, increasing the service on existing regional~~  
40 ~~routes and capital expenditures.~~

41 B. The board may contract with a public agency or with a person on the terms and conditions the board  
42 finds in its best interest to operate a regional bus system.