

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
3 BILL NO. 1365

By: Bush, Cornwell, Frix,
Humphrey and McDugle of the
House

4
5 and

6 Standridge of the Senate
7

8 [transportation - creating the Office of Mobility
9 and Public Transit - certain responsibilities and
10 programs - effective date -

11 emergency]
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15 AUTHOR: Add the following Senate Coauthor: Silk

16 AMENDMENT NO. 1. Page 1, strike the (stricken) title, enacting
17 clause and entire bill and insert:

18 "An Act relating to transportation; creating the
19 Office of Mobility and Public Transit; transferring
20 certain responsibilities and programs; specifying
21 duties of the Office; authorizing implementation of
22 certain programs; authorizing implementation of
23 expansion of certain call center; authorizing joint
24 development of certain plan; providing for certain
plan requirements; transferring the Transit Division
within the Department of Transportation, including
oversight and management of Federal Transit
Administration grants and resources and the State
Management Plan, to the Office of Mobility and Public
Transit; providing for assumption of
responsibilities; defining term; providing for

1 transfer of property; providing for transfer of
2 functions, powers, duties and obligations; providing
3 for transfer of all rules, regulations, acts, orders,
4 contracts, determinations and decisions; transferring
5 from the Aging Services Division within the
6 Department of Human Services the oversight and
7 management of Federal Transit Administration grants
8 and resources to the Office of Mobility and Public
9 Transit; providing for assumptions of
10 responsibilities; defining term; providing for
11 transfer of property; providing for transfer of
12 functions, powers, duties and obligations; providing
13 for transfer of all rules, regulations, acts, orders,
14 contracts, determinations and decisions; providing
15 for codification; providing an effective date; and
16 declaring an emergency.

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19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 322 of Title 69, unless there is
22 created a duplication in numbering, reads as follows:

23 A. There is hereby created the Office of Mobility and Public
24 Transit within the Department of Transportation. All current
Transit Division responsibilities, including oversight and
management of Federal Transit Administration (FTA) grants and
resources and the State Management Plan, are moved to the Office of
Mobility and Public Transit. Notwithstanding this subsection, the
Office of Mobility and Public Transit will not be responsible for
oversight and management of FTA grants and resources received by
transit agencies as a direct recipient of the FTA as that is not a
current responsibility of the Transit Division. All Federal Transit

1 Administration program implementations not currently managed by the
2 Department of Transportation shall be moved to the Office of
3 Mobility and Public Transit from other state agencies and other
4 state programs. The Office of Mobility and Public Transit is
5 charged with overseeing a network of public transit systems that
6 receive adequate funding to ensure the mobility needs of all
7 Oklahomans are met in a safe, affordable, reliable, consistent and
8 coordinated fashion.

9 B. The Office of Mobility and Public Transit shall promulgate
10 rules and procedures to:

11 1. Implement innovative pilot programs including, but not
12 limited to, microtransit and autonomous vehicles in the following
13 systems:

14 a. EMBARK,
15 b. Tulsa Transit,
16 c. Little Dixie Transit, and
17 d. other transit systems as determined by the Department
18 of Transportation;

19 2. Implement expansion of the current Veterans' Ride Connect
20 call center at Pelivan Transit to create a "one call/one click"
21 statewide system for all citizens; and

22 3. Develop the Oklahoma Public Transit Policy Plan. The plan
23 will be developed jointly by the Department of Transportation and
24 the Oklahoma Transit Association.

- 1 a. A copy of the plan shall be submitted to the Governor,
2 the Speaker of the House of Representatives and the
3 President Pro Tempore of the Senate by July 1, 2020.
- 4 b. The plan shall:
- 5 (1) be all-inclusive of the public transit systems in
6 the state,
- 7 (2) reflect the results of the 2018 Oklahoma Transit
8 Needs Assessment conducted by the Small Urban and
9 Rural Transit Center,
- 10 (3) include all stakeholder input,
- 11 (4) provide for future collaboration and coordination
12 of an effective network of public transit systems
13 across the state,
- 14 (5) provide for future collaboration and coordination
15 among all public transit agencies and systems and
16 all stakeholders with an interest in public
17 transit, and
- 18 (6) provide for future collaboration and coordination
19 among all state agencies with an interest in
20 public transit including, but not limited to,
21 the:
- 22 (a) Oklahoma Department of Commerce,
- 23 (b) Oklahoma Department of Rehabilitation
24 Services,

- (c) Oklahoma Department of Human Services,
- (d) Oklahoma Department of Mental Health and Substance Abuse Services,
- (e) Oklahoma Department of Veterans Affairs,
- (f) Oklahoma Association of Centers for Independent Living,
- (g) Oklahoma Health Care Authority,
- (h) Oklahoma Employment Security Commission,
- (i) Oklahoma State Department of Education,
- (j) Oklahoma Department of Environmental Quality, and
- (k) Oklahoma Department of Labor.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 323 of Title 69, unless there is created a duplication in numbering, reads as follows:

A. The Transit Division within the Department of Transportation, including oversight and management of Federal Transit Administration grants and resources and the State Management Plan, is transferred into the Office of Mobility and Public Transit. The Executive Director of the Department of Transportation shall assume all executive-level responsibilities for the Office of Mobility and Public Transit and shall function as and possess the powers of the director for the Office of Mobility and Public Transit. For the purposes of this section, the term "transferring

1 agency" shall mean the Transit Division within the Department of
2 Transportation, including oversight and management of Federal
3 Transit Administration grants and resources and the State Management
4 Plan. Any funds appropriated to, in the possession of or allocated
5 to the transferring agency shall be deemed to be funds of the Office
6 of Mobility and Public Transit.

7 B. Upon request of the Executive Director of the Department of
8 Transportation, the personnel of the transferring agency shall
9 deliver to the Office of Mobility and Public Transit all books,
10 papers, records and property.

11 C. All functions, powers, duties and obligations previously
12 assigned to the transferring agency are hereby transferred to the
13 Office of Mobility and Public Transit.

14 D. All rules, regulations, acts, orders, contracts,
15 determinations and decisions of the transferring agency pertaining
16 to the functions and powers herein transferred and assigned to the
17 Office of Mobility and Public Transit in force at the time of such
18 transfer, assignment, assumption or devolution shall continue in
19 force and effect as rules, regulations, acts, orders, contracts,
20 determinations and decisions of the Office of Mobility and Public
21 Transit until duly modified or abrogated by the appropriate body or
22 until otherwise provided by law.

1 SECTION 3. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 324 of Title 69, unless there is
3 created a duplication in numbering, reads as follows:

4 A. The Aging Services Division within the Department of Human
5 Services shall transfer responsibilities regarding oversight and
6 management of Federal Transit Administration grants and resources
7 under 49 U.S.C., Section 5310 into the Office of Mobility and Public
8 Transit. The Executive Director of the Department of Transportation
9 shall assume all executive-level responsibilities for management and
10 oversight of the Federal Transit Administration grants and
11 resources. For the purposes of this section, the term "transferring
12 agency" shall mean the Aging Services Division within the Department
13 of Human Services. Any federal 49 U.S.C., Section 5310 funds or
14 funds in the possession of or allocated to the transferring agency
15 related to 49 U.S.C., Section 5310 transportation services shall be
16 deemed to be funds of the Office of Mobility and Public Transit.

17 B. Upon request of the Executive Director of the Department of
18 Transportation, the personnel of the transferring agency shall
19 deliver to the Office of Mobility and Public Transit all books,
20 papers, records and property related to Federal Transit
21 Administration grants and resources.

22 C. All functions, powers, duties and obligations related to
23 Federal Transit Administration grants and resources previously
24

1 assigned to the transferring agency are hereby transferred to the
2 Office of Mobility and Public Transit.

3 D. All rules, regulations, acts, orders, contracts,
4 determinations and decisions of the transferring agency pertaining
5 to the functions and powers herein transferred and assigned to the
6 Office of Mobility and Public Transit in force at the time of such
7 transfer, assignment, assumption or devolution shall continue in
8 force and effect as rules, regulations, acts, orders, contracts,
9 determinations and decisions of the Office of Mobility and Public
10 Transit until duly modified or abrogated by the appropriate body or
11 until otherwise provided by law.

12 SECTION 4. This act shall become effective July 1, 2019.

13 SECTION 5. It being immediately necessary for the preservation
14 of the public peace, health or safety, an emergency is hereby
15 declared to exist, by reason whereof this act shall take effect and
16 be in full force from and after its passage and approval."

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1 Passed the Senate the 16th day of April, 2019.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2019.

7
8 _____
9 Presiding Officer of the House
10 of Representatives

1 ENGROSSED HOUSE
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10 programs - effective date -
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15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 6. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 322 of Title 69, unless there is
18 created a duplication in numbering, reads as follows:

19 A. There is hereby created the Office of Mobility and Public
20 Transit within the Department of Transportation. All current
21 Transit Division responsibilities, including oversight and
22 management of Federal Transit Administration (FTA) grants and
23 resources and the State Management Plan, are moved to the Office of
24 Mobility and Public Transit. All Federal Transit Administration

1 program implementations not currently managed by the Department of
2 Transportation shall be moved to the Office of Mobility and Public
3 Transit from other state agencies and programs. The Office of
4 Mobility and Public Transit is charged with overseeing a network of
5 public transit systems that receive adequate funding to ensure the
6 mobility needs of all Oklahomans are met in a safe, affordable,
7 reliable, consistent and coordinated fashion.

8 B. The Office of Mobility and Public Transit shall promulgate
9 rules and procedures to:

10 1. Implement innovative pilot programs including, but not
11 limited to, microtransit and autonomous vehicles in the following
12 systems:

- 13 a. EMBARK,
- 14 b. Tulsa Transit,
- 15 c. Little Dixie Transit, and
- 16 d. other transit systems as determined by the Department
17 of Transportation;

18 2. Implement expansion of the current Veterans' Ride Connect
19 call center at Pelivan Transit to create a "one call/one click"
20 statewide system for all citizens; and

21 3. Develop the Oklahoma Public Transit Policy Plan. The plan
22 will be developed jointly by the Department of Transportation and
23 the Oklahoma Transit Association.

- 1 a. A copy of the plan shall be submitted to the Governor,
2 the Speaker of the House of Representatives and the
3 President Pro Tempore of the Senate by July 1, 2020.
- 4 b. The plan shall:
- 5 (1) be all-inclusive of the public transit systems in
6 the state,
- 7 (2) reflect the results of the 2018 Oklahoma Transit
8 Needs Assessment conducted by the Small Urban and
9 Rural Transit Center,
- 10 (3) include all stakeholder input,
- 11 (4) provide for future collaboration and coordination
12 of an effective network of public transit systems
13 across the state,
- 14 (5) provide for future collaboration and coordination
15 among all public transit agencies and systems and
16 all stakeholders with an interest in public
17 transit, and
- 18 (6) provide for future collaboration and coordination
19 among all state agencies with an interest in
20 public transit including, but not limited to,
21 the:
- 22 (a) Oklahoma Department of Commerce,
- 23 (b) Oklahoma Department of Rehabilitation
24 Services,

- (c) Oklahoma Department of Human Services,
- (d) Oklahoma Department of Mental Health and
Substance Abuse Services,
- (e) Oklahoma Department of Veterans Affairs,
- (f) Oklahoma Association of Centers for
Independent Living,
- (g) Oklahoma Health Care Authority,
- (h) Oklahoma Employment Security Commission,
- (i) Oklahoma State Department of Education,
- (j) Oklahoma Department of Environmental
Quality, and
- (k) Oklahoma Department of Labor.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 323 of Title 69, unless there is created a duplication in numbering, reads as follows:

A. The Transit Division within the Department of Transportation, including oversight and management of Federal Transit Administration grants and resources and the State Management Plan, is transferred into the Office of Mobility and Public Transit. The Executive Director of the Department of Transportation shall assume all executive-level responsibilities for the Office of Mobility and Public Transit and shall function as and possess the powers of the director for the Office of Mobility and Public Transit. For the purposes of this section, the term "transferring

1 agency" shall mean the Transit Division within the Department of
2 Transportation, including oversight and management of Federal
3 Transit Administration grants and resources and the State Management
4 Plan. Any funds appropriated to, in the possession of or allocated
5 to the transferring agency shall be deemed to be funds of the Office
6 of Mobility and Public Transit.

7 B. Upon request of the Executive Director of the Department of
8 Transportation, the personnel of the transferring agency shall
9 deliver to the Office of Mobility and Public Transit all books,
10 papers, records and property.

11 C. All functions, powers, duties and obligations previously
12 assigned to the transferring agency are hereby transferred to the
13 Office of Mobility and Public Transit.

14 D. All rules, regulations, acts, orders, contracts,
15 determinations and decisions of the transferring agency pertaining
16 to the functions and powers herein transferred and assigned to the
17 Office of Mobility and Public Transit in force at the time of such
18 transfer, assignment, assumption or devolution shall continue in
19 force and effect as rules, regulations, acts, orders, contracts,
20 determinations and decisions of the Office of Mobility and Public
21 Transit until duly modified or abrogated by the appropriate body or
22 until otherwise provided by law.

1 SECTION 8. NEW LAW A new section of law to be codified in
2 the Oklahoma Statutes as Section 324 of Title 69, unless there is
3 created a duplication in numbering, reads as follows:

4 A. The Aging Services Division within the Department of Human
5 Services shall transfer responsibilities regarding oversight and
6 management of Federal Transit Administration grants and resources
7 under 49 U.S.C., Section 5310 into the Office of Mobility and Public
8 Transit. The Executive Director of the Department of Transportation
9 shall assume all executive-level responsibilities for management and
10 oversight of the Federal Transit Administration grants and
11 resources. For the purposes of this section, the term "transferring
12 agency" shall mean the Aging Services Division within the Department
13 of Human Services. Any federal 49 U.S.C., Section 5310 funds or
14 funds in the possession of or allocated to the transferring agency
15 related to 49 U.S.C., Section 5310 transportation services shall be
16 deemed to be funds of the Office of Mobility and Public Transit.

17 B. Upon request of the Executive Director of the Department of
18 Transportation, the personnel of the transferring agency shall
19 deliver to the Office of Mobility and Public Transit all books,
20 papers, records and property related to Federal Transit
21 Administration grants and resources.

22 C. All functions, powers, duties and obligations related to
23 Federal Transit Administration grants and resources previously
24

1 assigned to the transferring agency are hereby transferred to the
2 Office of Mobility and Public Transit.

3 D. All rules, regulations, acts, orders, contracts,
4 determinations and decisions of the transferring agency pertaining
5 to the functions and powers herein transferred and assigned to the
6 Office of Mobility and Public Transit in force at the time of such
7 transfer, assignment, assumption or devolution shall continue in
8 force and effect as rules, regulations, acts, orders, contracts,
9 determinations and decisions of the Office of Mobility and Public
10 Transit until duly modified or abrogated by the appropriate body or
11 until otherwise provided by law.

12 SECTION 9. This act shall become effective July 1, 2019.

13 SECTION 10. It being immediately necessary for the preservation
14 of the public peace, health or safety, an emergency is hereby
15 declared to exist, by reason whereof this act shall take effect and
16 be in full force from and after its passage and approval.

1 Passed the House of Representatives the 5th day of March, 2019.

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4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2019.

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8 Presiding Officer of the Senate