

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 1365

By: Bush

COMMITTEE SUBSTITUTE

An Act relating to transportation; creating the Office of Mobility and Public Transit; transferring certain responsibilities and programs; specifying duties of the Office; authorizing implementation of certain programs; authorizing implementation of expansion of certain call center; authorizing joint 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 transfer of property; providing for transfer of functions, powers, duties and obligations; providing for transfer of all rules, regulations, acts, orders, contracts, determinations and decisions; transferring from the Aging Services Division within the Department of Human Services the oversight and management of Federal Transit Administration grants and resources to the Office of Mobility and Public Transit; providing for assumptions of responsibilities; defining term; providing for transfer of property; providing for transfer of functions, powers, duties and obligations; providing for transfer of all rules, regulations, acts, orders, contracts, determinations and decisions; providing for codification; providing an effective date; and declaring an emergency.

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

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

5 A. There is hereby created the Office of Mobility and Public
6 Transit within the Department of Transportation. All current
7 Transit Division responsibilities, including oversight and
8 management of Federal Transit Administration (FTA) grants and
9 resources and the State Management Plan, are moved to the Office of
10 Mobility and Public Transit. All Federal Transit Administration
11 program implementations not currently managed by the Department of
12 Transportation shall be moved to the Office of Mobility and Public
13 Transit from other state agencies and programs. The Office of
14 Mobility and Public Transit is charged with overseeing a network of
15 public transit systems that receive adequate funding to ensure the
16 mobility needs of all Oklahomans are met in a safe, affordable,
17 reliable, consistent and coordinated fashion.

18 B. The Office of Mobility and Public Transit shall promulgate
19 rules and procedures to:

20 1. Implement innovative pilot programs including, but not
21 limited to, microtransit and autonomous vehicles in the following
22 systems:

23 a. EMBARK,

24 b. Tulsa Transit,

1 c. Little Dixie Transit, and

2 d. other transit systems as determined by the Department
3 of Transportation;

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

7 3. Develop the Oklahoma Public Transit Policy Plan. The plan
8 will be developed jointly by the Department of Transportation and
9 the Oklahoma Transit Association.

10 a. A copy of the plan shall be submitted to the Governor,
11 the Speaker of the House of Representatives and the
12 President Pro Tempore of the Senate by July 1, 2020.

13 b. The plan shall:

14 (1) be all-inclusive of the public transit systems in
15 the state,

16 (2) reflect the results of the 2018 Oklahoma Transit
17 Needs Assessment conducted by the Small Urban and
18 Rural Transit Center,

19 (3) include all stakeholder input,

20 (4) provide for future collaboration and coordination
21 of an effective network of public transit systems
22 across the state,

23 (5) provide for future collaboration and coordination
24 among all public transit agencies and systems and

1 all stakeholders with an interest in public
2 transit, and

3 (6) provide for future collaboration and coordination
4 among all state agencies with an interest in
5 public transit including, but not limited to,
6 the:

7 (a) Oklahoma Department of Commerce,

8 (b) Oklahoma Department of Rehabilitation
9 Services,

10 (c) Oklahoma Department of Human Services,

11 (d) Oklahoma Department of Mental Health and
12 Substance Abuse Services,

13 (e) Oklahoma Department of Veterans Affairs,

14 (f) Oklahoma Association of Centers for
15 Independent Living,

16 (g) Oklahoma Health Care Authority,

17 (h) Oklahoma Employment Security Commission,

18 (i) Oklahoma State Department of Education,

19 (j) Oklahoma Department of Environmental
20 Quality, and

21 (k) Oklahoma Department of Labor.

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

1 A. 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, is transferred into the Office of Mobility and Public Transit.
5 The Executive Director of the Department of Transportation shall
6 assume all executive-level responsibilities for the Office of
7 Mobility and Public Transit and shall function as and possess the
8 powers of the director for the Office of Mobility and Public
9 Transit. For the purposes of this section, the term "transferring
10 agency" shall mean the Transit Division within the Department of
11 Transportation, including oversight and management of Federal
12 Transit Administration grants and resources and the State Management
13 Plan. Any funds appropriated to, in the possession of or allocated
14 to the transferring agency shall be deemed to be funds of the Office
15 of Mobility and Public Transit.

16 B. Upon request of the Executive Director of the Department of
17 Transportation, the personnel of the transferring agency shall
18 deliver to the Office of Mobility and Public Transit all books,
19 papers, records and property.

20 C. All functions, powers, duties and obligations previously
21 assigned to the transferring agency are hereby transferred to the
22 Office of Mobility and Public Transit.

23 D. All rules, regulations, acts, orders, contracts,
24 determinations and decisions of the transferring agency pertaining

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

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

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

1 B. Upon request of the Executive Director of the Department of
2 Transportation, the personnel of the transferring agency shall
3 deliver to the Office of Mobility and Public Transit all books,
4 papers, records and property related to Federal Transit Authority
5 grants and resources.

6 C. All functions, powers, duties and obligations related to
7 Federal Transit Authority grants and resources previously assigned
8 to the transferring agency are hereby transferred to the Office of
9 Mobility and Public Transit.

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

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

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

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