

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1365

By: Bush, **Cornwell** and **Frix** of
the House

and

Standridge of the Senate

10 COMMITTEE SUBSTITUTE

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

1 for transfer of all rules, regulations, acts, orders,
2 contracts, determinations and decisions; providing
3 for codification; providing an effective date; and
4 declaring an emergency.
5

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

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

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

23 B. The Office of Mobility and Public Transit shall promulgate
24 rules and procedures to:

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

- 4 a. EMBARK,
- 5 b. Tulsa Transit,
- 6 c. Little Dixie Transit, and
- 7 d. other transit systems as determined by the Department
8 of Transportation;

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

12 3. Develop the Oklahoma Public Transit Policy Plan. The plan
13 will be developed jointly by the Department of Transportation and
14 the Oklahoma Transit Association.

- 15 a. A copy of the plan shall be submitted to the Governor,
16 the Speaker of the House of Representatives and the
17 President Pro Tempore of the Senate by July 1, 2020.

- 18 b. The plan shall:

- 19 (1) be all-inclusive of the public transit systems in
20 the state,
- 21 (2) reflect the results of the 2018 Oklahoma Transit
22 Needs Assessment conducted by the Small Urban and
23 Rural Transit Center,
- 24 (3) include all stakeholder input,

- 1 (4) provide for future collaboration and coordination
2 of an effective network of public transit systems
3 across the state,
- 4 (5) provide for future collaboration and coordination
5 among all public transit agencies and systems and
6 all stakeholders with an interest in public
7 transit, and
- 8 (6) provide for future collaboration and coordination
9 among all state agencies with an interest in
10 public transit including, but not limited to,
11 the:
- 12 (a) Oklahoma Department of Commerce,
13 (b) Oklahoma Department of Rehabilitation
14 Services,
15 (c) Oklahoma Department of Human Services,
16 (d) Oklahoma Department of Mental Health and
17 Substance Abuse Services,
18 (e) Oklahoma Department of Veterans Affairs,
19 (f) Oklahoma Association of Centers for
20 Independent Living,
21 (g) Oklahoma Health Care Authority,
22 (h) Oklahoma Employment Security Commission,
23 (i) Oklahoma State Department of Education,
24

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

B. Upon request of the Executive Director of the Department of
Transportation, the personnel of the transferring agency shall

1 deliver to the Office of Mobility and Public Transit all books,
2 papers, records and property.

3 C. All functions, powers, duties and obligations previously
4 assigned to the transferring agency are hereby transferred to the
5 Office of Mobility and Public Transit.

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

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

18 A. The Aging Services Division within the Department of Human
19 Services shall transfer responsibilities regarding oversight and
20 management of Federal Transit Administration grants and resources
21 under 49 U.S.C., Section 5310 into the Office of Mobility and Public
22 Transit. The Executive Director of the Department of Transportation
23 shall assume all executive-level responsibilities for management and
24 oversight of the Federal Transit Administration grants and

1 resources. For the purposes of this section, the term "transferring
2 agency" shall mean the Aging Services Division within the Department
3 of Human Services. Any federal 49 U.S.C., Section 5310 funds or
4 funds in the possession of or allocated to the transferring agency
5 related to 49 U.S.C., Section 5310 transportation services shall be
6 deemed to be funds of the Office 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 related to Federal Transit Authority
11 grants and resources.

12 C. All functions, powers, duties and obligations related to
13 Federal Transit Authority grants and resources previously assigned
14 to the transferring agency are hereby transferred to the Office of
15 Mobility and Public Transit.

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

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

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

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7 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 02/20/2019 -
8 DO PASS, As Amended and Coauthored.