

Committee on Transportation

CS/CS/CS/SB 218 — Transportation, Utilities, and Outdoor Advertising

by Transportation Committee; Appropriations Committee; and Senator Grimsley

Authority of FDOT

The bill authorizes, but does not require the Florida Department of Transportation (FDOT or department) to provide for the monetization of the revenue stream from leases for wireless communication facilities on property owned, or controlled by the FDOT, and to seek investors to purchase the monetized streams.

The bill authorizes the department to use appropriated funds to support the development of a statewide system of interconnected multiuse trails. Operation and maintenance of such trails is not an obligation of the FDOT.

The FDOT is also authorized, but not required, to improve and maintain a city or county road that is part of the city or county road system, and which provides access to a state park.

Utility Relocation

The bill also provides an exception for certain publicly-owned utilities in rural areas of critical economic concern (RACEC), from the requirement to pay the cost to remove or relocate utility lines on the State Highway System in certain circumstances, and allows municipalities within a RACEC or a RACEC community, to compete for project funding using the Small County Outreach Program criteria.

The bill revises the responsibility of utility providers to remove water, sewage, gas, power, telephone, other utility, and television lines at no cost to a county, if the county widens, repairs, or reconstructs a road. The bill requires the county to find such lines to be “unreasonably interfering” in order to invoke the no-cost removal. The county, or other authority, may be responsible for utility relocation costs, even if the utility provider certifies the utility does not have evidence of a compensable property right where the utility is located. Also, with the exception of SunRail, utility relocation costs for commuter or high-speed rail projects drawing down federal funds, shall be paid using federal funds in the proportion to which they were drawn.

Outdoor Advertising

In addition, the bill revises provisions relating to outdoor advertising permit exemptions as follows:

- Repeals unnecessary rulemaking authority relating to lighting restrictions for certain outdoor advertising signs.
- Exempts certain signs placed by tourist-oriented businesses, farm signs placed during harvest seasons, “acknowledgement signs” on public school premises, and displays on specific sports facilities from permitting requirements.

- Provides certain exemptions from sign permitting may not be implemented if such exemptions will adversely impact the allocation of federal funds to the FDOT.
- Directs the FDOT to notify a sign owner that a sign must be removed if federal funds are adversely impacted, and authorizes the FDOT to remove the sign and assess costs to the sign owner if the sign is not removed.
- Expands the tourist-oriented directional sign program to all rural and conventional roads and clarifies provisions relating to the program.

Other Transportation Issues

The bill authorizes the Tampa-Hillsborough Expressway Authority to provide managed lanes and other transit support facilities and to expand its service area into adjacent counties with the consent of those counties.

The bill provides a process for disposing of personal property found on a public transportation system.

Lastly, the bill authorizes the display of an amber light on a commercial vehicle or trailer designed for transporting unprocessed logs or pulpwood.

If approved by the Governor, these provisions take effect July 1, 2014.

Vote: Senate 36-0; House 117-0