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LEGISLATIVE ACTION

Senate

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House

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Senator Brandes moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (5) is added to section 288.1097,  
Florida Statutes, to read:

288.1097 Qualified job training organizations;  
certification; duties.—

(5) Notwithstanding s. 624.4625(1)(b), any member of a  
qualified job training organization that is both certified under  
this section and has at least one roadside cleaning service



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12 contract with a state agency among its membership may  
13 participate in a self-insurance fund authorized under s.  
14 624.4625.

15 Section 2. Subsections (5) and (6) are added to section  
16 311.12, Florida Statutes, to read:

17 311.12 Seaport security.—

18 (5) ADVISORY COMMITTEE.—

19 (a) There is created the Seaport Security Advisory  
20 Committee, which shall be under the direction of the Florida  
21 Seaport Transportation and Economic Development Council.

22 (b) The committee shall consist of the following members:

23 1. Five or more port security directors appointed by the  
24 council chair shall serve as voting members. The council chair  
25 shall designate one member of the committee to serve as  
26 committee chair.

27 2. A designee from the United States Coast Guard shall  
28 serve ex officio as a nonvoting member.

29 3. A designee from United States Customs and Border  
30 Protection shall serve ex officio as a nonvoting member.

31 4. Two representatives from local law enforcement agencies  
32 providing security services at a Florida seaport shall serve ex  
33 officio as nonvoting members.

34 (c) The committee shall meet at the call of the chair but  
35 at least annually. A majority of the voting members constitutes  
36 a quorum for the purpose of transacting business of the  
37 committee, and a vote of the majority of the voting members  
38 present is required for official action by the committee.

39 (d) The committee shall provide a forum for discussion of  
40 seaport security issues, including, but not limited to, matters



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41 such as national and state security strategy and policy, actions  
42 required to meet current and future security threats, statewide  
43 cooperation on security issues, and security concerns of the  
44 state's maritime industry.

45 (6) GRANT PROGRAM.—

46 (a) The Florida Seaport Transportation and Economic  
47 Development Council shall establish a Seaport Security Grant  
48 Program for the purpose of assisting in the implementation of  
49 security plans and security measures at the seaports listed in  
50 s. 311.09(1). Funds may be used for the purchase of equipment,  
51 infrastructure needs, cybersecurity programs, and other security  
52 measures identified in a seaport's approved federal security  
53 plan. Such grants may not exceed 75 percent of the total cost of  
54 the request and are subject to legislative appropriation.

55 (b) The Seaport Security Advisory Committee shall review  
56 applications for the grant program and make recommendations to  
57 the council for grant approvals. The council shall adopt by rule  
58 criteria to implement this subsection.

59 Section 3. Section 316.003, Florida Statutes, is reordered  
60 and amended to read:

61 316.003 Definitions.—The following words and phrases, when  
62 used in this chapter, shall have the meanings respectively  
63 ascribed to them in this section, except where the context  
64 otherwise requires:

65 (1) AUTHORIZED EMERGENCY VEHICLES.—Vehicles of the fire  
66 department (fire patrol), police vehicles, and such ambulances  
67 and emergency vehicles of municipal departments, public service  
68 corporations operated by private corporations, the Fish and  
69 Wildlife Conservation Commission, the Department of



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70 Environmental Protection, the Department of Health, the  
71 Department of Transportation, and the Department of Corrections  
72 as are designated or authorized by their respective department  
73 or the chief of police of an incorporated city or any sheriff of  
74 any of the various counties.

75 (2)~~(90)~~ AUTONOMOUS VEHICLE.—Any vehicle equipped with  
76 autonomous technology. The term “autonomous technology” means  
77 technology installed on a motor vehicle that has the capability  
78 to drive the vehicle on which the technology is installed  
79 without the active control or monitoring by a human operator.  
80 The term excludes a motor vehicle enabled with active safety  
81 systems or driver assistance systems, including, without  
82 limitation, a system to provide electronic blind spot  
83 assistance, crash avoidance, emergency braking, parking  
84 assistance, adaptive cruise control, lane keep assistance, lane  
85 departure warning, or traffic jam and queuing assistant, unless  
86 any such system alone or in combination with other systems  
87 enables the vehicle on which the technology is installed to  
88 drive without ~~the~~ active control or monitoring by a human  
89 operator.

90 (3)~~(2)~~ BICYCLE.— Every vehicle propelled solely by human  
91 power, and every motorized bicycle propelled by a combination of  
92 human power and an electric helper motor capable of propelling  
93 the vehicle at a speed of not more than 20 miles per hour on  
94 level ground upon which any person may ride, having two tandem  
95 wheels, and including any device generally recognized as a  
96 bicycle though equipped with two front or two rear wheels. The  
97 term does not include such a vehicle with a seat height of no  
98 more than 25 inches from the ground when the seat is adjusted to



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99 its highest position or a scooter or similar device. A ~~No~~ person  
100 under the age of 16 may not operate or ride upon a motorized  
101 bicycle.

102 (4) ~~(63)~~ BICYCLE PATH.—Any road, path, or way that is open  
103 to bicycle travel, which road, path, or way is physically  
104 separated from motorized vehicular traffic by an open space or  
105 by a barrier and is located either within the highway right-of-  
106 way or within an independent right-of-way.

107 (5) ~~(76)~~ BRAKE HORSEPOWER.—The actual unit of torque  
108 developed per unit of time at the output shaft of an engine, as  
109 measured by a dynamometer.

110 (6) ~~(3)~~ BUS.—Any motor vehicle designed for carrying more  
111 than 10 passengers and used for the transportation of persons  
112 and any motor vehicle, other than a taxicab, designed and used  
113 for the transportation of persons for compensation.

114 (7) ~~(4)~~ BUSINESS DISTRICT.—The territory contiguous to, and  
115 including, a highway when 50 percent or more of the frontage  
116 thereon, for a distance of 300 feet or more, is occupied by  
117 buildings in use for business.

118 (8) ~~(5)~~ CANCELLATION.—Declaration of Cancellation means that  
119 a license ~~which was~~ issued through error or fraud as is declared  
120 void and terminated. A new license may be obtained only as  
121 permitted in this chapter.

122 (9) ~~(64)~~ CHIEF ADMINISTRATIVE OFFICER.—The head, or his or  
123 her designee, of any law enforcement agency which is authorized  
124 to enforce traffic laws.

125 (10) ~~(65)~~ CHILD.—A child as defined in s. 39.01, s. 984.03,  
126 or s. 985.03.

127 (11) COMMERCIAL MEGACYCLE.—A vehicle that has fully



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128 operational pedals for propulsion entirely by human power and  
129 meets all of the following requirements:

130 (a) Has four wheels and is operated in a manner similar to  
131 a bicycle.

132 (b) Has at least five but no more than 15 seats for  
133 passengers.

134 (c) Is primarily powered by pedaling but may have an  
135 auxiliary motor capable of propelling the vehicle at no more  
136 than 15 miles per hour.

137 (12)-(66) COMMERCIAL MOTOR VEHICLE.—Any self-propelled or  
138 towed vehicle used on the public highways in commerce to  
139 transport passengers or cargo, if such vehicle:

140 (a) Has a gross vehicle weight rating of 10,000 pounds or  
141 more;

142 (b) Is designed to transport more than 15 passengers,  
143 including the driver; or

144 (c) Is used in the transportation of materials found to be  
145 hazardous for the purposes of the Hazardous Materials  
146 Transportation Act, as amended (49 U.S.C. ss. 1801 et seq.).

147  
148 A vehicle that occasionally transports personal property to and  
149 from a closed-course motorsport facility, as defined in s.  
150 549.09(1)(a), is not a commercial motor vehicle if it is not  
151 used for profit and corporate sponsorship is not involved. As  
152 used in this subsection, the term "corporate sponsorship" means  
153 a payment, donation, gratuity, in-kind service, or other benefit  
154 provided to or derived by a person in relation to the underlying  
155 activity, other than the display of product or corporate names,  
156 logos, or other graphic information on the property being



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157 transported.

158 (13)~~(67)~~ COURT.—The court having jurisdiction over traffic  
159 offenses.

160 (14)~~(6)~~ CROSSWALK.—

161 (a) That part of a roadway at an intersection included  
162 within the connections of the lateral lines of the sidewalks on  
163 opposite sides of the highway, measured from the curbs or, in  
164 the absence of curbs, from the edges of the traversable roadway.

165 (b) Any portion of a roadway at an intersection or  
166 elsewhere distinctly indicated for pedestrian crossing by lines  
167 or other markings on the surface.

168 (15)~~(7)~~ DAYTIME.—The period from a half hour before sunrise  
169 to a half hour after sunset. The term "nighttime" means at any  
170 other hour.

171 (16)~~(8)~~ DEPARTMENT.—The Department of Highway Safety and  
172 Motor Vehicles as defined in s. 20.24. Any reference herein to  
173 the Department of Transportation shall be construed as referring  
174 to the Department of Transportation as~~r~~ defined in s. 20.23~~r~~ or  
175 the appropriate division thereof.

176 (17)~~(9)~~ DIRECTOR.—The Director of the Division of the  
177 Florida Highway Patrol of the Department of Highway Safety and  
178 Motor Vehicles.

179 (18)~~(10)~~ DRIVER.—Any person who drives or is in actual  
180 physical control of a vehicle on a highway or who is exercising  
181 control of a vehicle or steering a vehicle being towed by a  
182 motor vehicle.

183 (19) DRIVER-ASSISTIVE TRUCK PLATOONING TECHNOLOGY.—Vehicle  
184 automation and safety technology that integrates sensor array,  
185 wireless vehicle-to-vehicle communications, active safety



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186 systems, and specialized software to link safety systems and  
187 synchronize acceleration and braking between two vehicles while  
188 leaving each vehicle's steering control and systems command in  
189 the control of the vehicle's driver in compliance with the  
190 National Highway Traffic Safety Administration rules regarding  
191 vehicle-to-vehicle communications.

192 (20)~~(83)~~ ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE.—Any  
193 self-balancing, two-nontandem-wheeled device, designed to  
194 transport only one person, with an electric propulsion system  
195 with average power of 750 watts (1 horsepower), the maximum  
196 speed of which, on a paved level surface when powered solely by  
197 such a propulsion system while being ridden by an operator who  
198 weighs 170 pounds, is less than 20 miles per hour. Electric  
199 personal assistive mobility devices are not vehicles as defined  
200 in this section.

201 (21)~~(41)~~ EXPLOSIVE.—Any chemical compound or mechanical  
202 mixture that is commonly used or intended for the purpose of  
203 producing an explosion and which contains any oxidizing and  
204 combustive units or other ingredients in such proportions,  
205 quantities, or packing that an ignition by fire, friction,  
206 concussion, percussion, or detonator of any part of the compound  
207 or mixture may cause such a sudden generation of highly heated  
208 gases that the resultant gaseous pressures are capable of  
209 producing destructive effect on contiguous objects or of  
210 destroying life or limb.

211 (22)~~(62)~~ FARM LABOR VEHICLE.—Any vehicle equipped and used  
212 for the transportation of nine or more migrant or seasonal farm  
213 workers, in addition to the driver, to or from a place of  
214 employment or employment-related activities. The term does not





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215 include:

216 (a) Any vehicle carrying only members of the immediate  
217 family of the owner or driver.

218 (b) Any vehicle being operated by a common carrier of  
219 passengers.

220 (c) Any carpool as defined in s. 450.28(3).

221 (23)~~(12)~~ FARM TRACTOR.—Any motor vehicle designed and used  
222 primarily as a farm implement for drawing plows, mowing  
223 machines, and other implements of husbandry.

224 (24)~~(13)~~ FLAMMABLE LIQUID.—Any liquid which has a flash  
225 point of 70 degrees Fahrenheit or less, as determined by a  
226 Tagliabue or equivalent closed-cup test device.

227 (25)~~(68)~~ GOLF CART.—A motor vehicle designed and  
228 manufactured for operation on a golf course for sporting or  
229 recreational purposes.

230 (26)~~(14)~~ GROSS WEIGHT.—The weight of a vehicle without load  
231 plus the weight of any load thereon.

232 (27)~~(69)~~ HAZARDOUS MATERIAL.—Any substance or material  
233 which has been determined by the secretary of the United States  
234 Department of Transportation to be capable of imposing an  
235 unreasonable risk to health, safety, and property. This term  
236 includes hazardous waste as defined in s. 403.703(13).

237 (28)~~(15)~~ HOUSE TRAILER.—

238 (a) A trailer or semitrailer which is designed,  
239 constructed, and equipped as a dwelling place, living abode, or  
240 sleeping place, ~~(either permanently or temporarily,)~~ and is  
241 equipped for use as a conveyance on streets and highways; ~~or~~

242 (b) A trailer or a semitrailer the chassis and exterior  
243 shell of which is designed and constructed for use as a house



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244 trailer, as defined in paragraph (a), but which is used instead,  
245 permanently or temporarily, for the advertising, sales, display,  
246 or promotion of merchandise or services or for any other  
247 commercial purpose except the transportation of property for  
248 hire or the transportation of property for distribution by a  
249 private carrier.

250 (29)~~(16)~~ IMPLEMENT OF HUSBANDRY.—Any vehicle designed and  
251 adapted exclusively for agricultural, horticultural, or  
252 livestock-raising operations or for lifting or carrying an  
253 implement of husbandry and in either case not subject to  
254 registration if used upon the highways.

255 (30)~~(17)~~ INTERSECTION.—

256 (a) The area embraced within the prolongation or connection  
257 of the lateral curblines; or, if none, then the lateral boundary  
258 lines of the roadways of two highways which join one another at,  
259 or approximately at, right angles; or the area within which  
260 vehicles traveling upon different highways joining at any other  
261 angle may come in conflict.

262 (b) Where a highway includes two roadways 30 feet or more  
263 apart, ~~then~~ every crossing of each roadway of such divided  
264 highway by an intersecting highway shall be regarded as a  
265 separate intersection. If the ~~In the event such~~ intersecting  
266 highway also includes two roadways 30 feet or more apart, ~~then~~  
267 every crossing of two roadways of such highways shall be  
268 regarded as a separate intersection.

269 (31)~~(18)~~ LANED HIGHWAY.—A highway the roadway of which is  
270 divided into two or more clearly marked lanes for vehicular  
271 traffic.

272 (32)~~(19)~~ LIMITED ACCESS FACILITY.—A street or highway



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273 especially designed for through traffic and over, from, or to  
274 which owners or occupants of abutting land or other persons have  
275 no right or easement, or only a limited right or easement, of  
276 access, light, air, or view by reason of the fact that their  
277 property abuts upon such limited access facility or for any  
278 other reason. Such highways or streets may be parkways from  
279 which trucks, buses, and other commercial vehicles are excluded,  
280 or ~~they~~ may be freeways open to use by all customary forms of  
281 street and highway traffic.

282 (33)~~(20)~~ LOCAL AUTHORITIES.—~~Includes~~ All officers and  
283 public officials of the several counties and municipalities of  
284 this state.

285 (34)~~(91)~~ LOCAL HEARING OFFICER.—The person, designated by a  
286 department, county, or municipality that elects to authorize  
287 traffic infraction enforcement officers to issue traffic  
288 citations under s. 316.0083(1)(a), who is authorized to conduct  
289 hearings related to a notice of violation issued pursuant to s.  
290 316.0083. The charter county, noncharter county, or municipality  
291 may use its currently appointed code enforcement board or  
292 special magistrate to serve as the local hearing officer. The  
293 department may enter into an interlocal agreement to use the  
294 local hearing officer of a county or municipality.

295 (35)~~(80)~~ MAXI-CUBE VEHICLE.—A specialized combination  
296 vehicle consisting of a truck carrying a separable cargo-  
297 carrying unit combined with a semitrailer designed so that the  
298 separable cargo-carrying unit is to be loaded and unloaded  
299 through the semitrailer. The entire combination may not exceed  
300 65 feet in length, and a single component of that combination  
301 may not exceed 34 feet in length.



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302           ~~(36)~~~~(61)~~ MIGRANT OR SEASONAL FARM WORKER.—Any person  
303 employed in hand labor operations in planting, cultivation, or  
304 harvesting agricultural crops.

305           ~~(37)~~~~(77)~~ MOPED.—Any vehicle with pedals to permit  
306 propulsion by human power, having a seat or saddle for the use  
307 of the rider and designed to travel on not more than three  
308 wheels,~~+~~ with a motor rated not in excess of 2 brake horsepower  
309 and not capable of propelling the vehicle at a speed greater  
310 than 30 miles per hour on level ground~~+~~ and with a power-drive  
311 system that functions directly or automatically without  
312 clutching or shifting gears by the operator after the drive  
313 system is engaged. If an internal combustion engine is used, the  
314 displacement may not exceed 50 cubic centimeters.

315           ~~(38)~~~~(86)~~ MOTOR CARRIER TRANSPORTATION CONTRACT.—

316           (a) A contract, agreement, or understanding covering:

317           1. The transportation of property for compensation or hire  
318 by the motor carrier;

319           2. Entrance on property by the motor carrier for the  
320 purpose of loading, unloading, or transporting property for  
321 compensation or hire; or

322           3. A service incidental to activity described in  
323 subparagraph 1. or subparagraph 2., including, but not limited  
324 to, storage of property.

325           (b) "Motor carrier transportation contract" does not  
326 include the Uniform Intermodal Interchange and Facilities Access  
327 Agreement administered by the Intermodal Association of North  
328 America or other agreements providing for the interchange, use,  
329 or possession of intermodal chassis, containers, or other  
330 intermodal equipment.



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331           ~~(39)~~~~(21)~~ MOTOR VEHICLE.—Except when used in s. 316.1001, a  
332 self-propelled vehicle not operated upon rails or guideway, but  
333 not including any bicycle, motorized scooter, electric personal  
334 assistive mobility device, swamp buggy, or moped. For purposes  
335 of s. 316.1001, “motor vehicle” has the same meaning as provided  
336 in s. 320.01(1)(a).

337           ~~(40)~~~~(22)~~ MOTORCYCLE.—Any motor vehicle having a seat or  
338 saddle for the use of the rider and designed to travel on not  
339 more than three wheels in contact with the ground, but excluding  
340 a tractor or a moped.

341           ~~(41)~~~~(82)~~ MOTORIZED SCOOTER.—Any vehicle not having a seat  
342 or saddle for the use of the rider, designed to travel on not  
343 more than three wheels, and not capable of propelling the  
344 vehicle at a speed greater than 30 miles per hour on level  
345 ground.

346           ~~(42)~~~~(78)~~ NONPUBLIC SECTOR BUS.—Any bus which is used for  
347 the transportation of persons for compensation and which is not  
348 owned, leased, operated, or controlled by a municipal, county,  
349 or state government or a governmentally owned or managed  
350 nonprofit corporation.

351           ~~(43)~~~~(23)~~ OFFICIAL TRAFFIC CONTROL DEVICES.—All signs,  
352 signals, markings, and devices, not inconsistent with this  
353 chapter, placed or erected by authority of a public body or  
354 official having jurisdiction for the purpose of regulating,  
355 warning, or guiding traffic.

356           ~~(44)~~~~(24)~~ OFFICIAL TRAFFIC CONTROL SIGNAL.—Any device,  
357 whether manually, electrically, or mechanically operated, by  
358 which traffic is alternately directed to stop and permitted to  
359 proceed.



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360            ~~(45)(25)~~ OPERATOR.—Any person who is in actual physical  
361 control of a motor vehicle upon the highway~~7~~ or who is  
362 exercising control over or steering a vehicle being towed by a  
363 motor vehicle.

364            ~~(46)(26)~~ OWNER.—A person who holds the legal title of a  
365 vehicle. ~~If, or, in the event~~ a vehicle is the subject of an  
366 agreement for the conditional sale or lease thereof with the  
367 right of purchase upon performance of the conditions stated in  
368 the agreement and with an immediate right of possession vested  
369 in the conditional vendee or lessee, or ~~if in the event~~ a  
370 mortgagor of a vehicle is entitled to possession, ~~then~~ such  
371 conditional vendee~~7~~ or lessee~~7~~ or mortgagor shall be deemed the  
372 owner~~7~~ for the purposes of this chapter.

373            ~~(47)(27)~~ PARK OR PARKING.—The standing of a vehicle,  
374 whether occupied or not occupied, otherwise than temporarily for  
375 the purpose of and while actually engaged in loading or  
376 unloading merchandise or passengers as may be permitted by law  
377 under this chapter.

378            ~~(48)(28)~~ PEDESTRIAN.—Any person afoot.

379            ~~(49)(29)~~ PERSON.—Any natural person, firm, copartnership,  
380 association, or corporation.

381            ~~(50)(30)~~ PNEUMATIC TIRE.—Any tire in which compressed air  
382 is designed to support the load.

383            ~~(51)(31)~~ POLE TRAILER.—Any vehicle without motive power  
384 designed to be drawn by another vehicle and attached to the  
385 towing vehicle by means of a reach or pole, or by being boomed  
386 or otherwise secured to the towing vehicle, and ordinarily used  
387 for transporting long or irregularly shaped loads such as poles,  
388 pipes, or structural members capable, generally, of sustaining



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389 themselves as beams between the supporting connections.

390 (52)~~(32)~~ POLICE OFFICER.—Any officer authorized to direct  
391 or regulate traffic or to make arrests for violations of traffic  
392 regulations, including Florida highway patrol officers,  
393 sheriffs, deputy sheriffs, and municipal police officers.

394 (53)~~(33)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise  
395 provided in paragraph (75) (b) ~~(53) (b)~~, any privately owned way  
396 or place used for vehicular travel by the owner and those having  
397 express or implied permission from the owner, but not by other  
398 persons.

399 (54)~~(34)~~ RADIOACTIVE MATERIALS.—Any materials or  
400 combination of materials which emit ionizing radiation  
401 spontaneously in which the radioactivity per gram of material,  
402 in any form, is greater than 0.002 microcuries.

403 (55)~~(35)~~ RAILROAD.—A carrier of persons or property upon  
404 cars operated upon stationary rails.

405 (56)~~(36)~~ RAILROAD SIGN OR SIGNAL.—Any sign, signal, or  
406 device erected by authority of a public body or official, or by  
407 a railroad, and intended to give notice of the presence of  
408 railroad tracks or the approach of a railroad train.

409 (57)~~(37)~~ RAILROAD TRAIN.—A steam engine, electric or other  
410 motor, with or without cars coupled thereto, operated upon  
411 rails, except a streetcar.

412 (58)~~(38)~~ RESIDENCE DISTRICT.—The territory contiguous to,  
413 and including, a highway, not comprising a business district,  
414 when the property on such highway, for a distance of 300 feet or  
415 more, is, in the main, improved with residences or residences  
416 and buildings in use for business.

417 (59)~~(39)~~ REVOCATION.—Termination of ~~Revocation means that a~~



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418 licensee's privilege to drive a motor vehicle ~~is terminated~~. A  
419 new license may be obtained only as permitted by law.

420 (60)~~(40)~~ RIGHT-OF-WAY.—The right of one vehicle or  
421 pedestrian to proceed in a lawful manner in preference to  
422 another vehicle or pedestrian approaching under such  
423 circumstances of direction, speed, and proximity as to give rise  
424 to danger of collision unless one grants precedence to the  
425 other.

426 (61)~~(41)~~ ROAD TRACTOR.—Any motor vehicle designed and used  
427 for drawing other vehicles and not so constructed as to carry  
428 any load thereon, either independently or as any part of the  
429 weight of a vehicle or load so drawn.

430 (62)~~(42)~~ ROADWAY.—That portion of a highway improved,  
431 designed, or ordinarily used for vehicular travel, exclusive of  
432 the berm or shoulder. If ~~In the event~~ a highway includes two or  
433 more separate roadways, the term "roadway" ~~as used herein~~ refers  
434 to any such roadway separately, but not to all such roadways  
435 collectively.

436 (63)~~(43)~~ SADDLE MOUNT; FULL MOUNT.—An arrangement whereby  
437 the front wheels of one vehicle rest in a secured position upon  
438 another vehicle. All of the wheels of the towing vehicle are  
439 upon the ground, and only the rear wheels of the towed vehicle  
440 rest upon the ground. Such combinations may include one full  
441 mount, whereby a smaller transport vehicle is placed completely  
442 on the last towed vehicle.

443 (64)~~(44)~~ SAFETY ZONE.—The area or space officially set  
444 apart within a roadway for the exclusive use of pedestrians and  
445 protected or so marked by adequate signs or authorized pavement  
446 markings as to be plainly visible at all times while set apart





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447 as a safety zone.

448 ~~(65)(92)~~ SANITATION VEHICLE.—A motor vehicle that bears an  
449 emblem that is visible from the roadway and clearly identifies  
450 that the vehicle belongs to or is under contract with a person,  
451 entity, cooperative, board, commission, district, or unit of  
452 local government that provides garbage, trash, refuse, or  
453 recycling collection.

454 ~~(66)(45)~~ SCHOOL BUS.—Any motor vehicle that complies with  
455 the color and identification requirements of chapter 1006 and is  
456 used to transport children to or from public or private school  
457 or in connection with school activities, but not including buses  
458 operated by common carriers in urban transportation of school  
459 children. The term "school" includes all preelementary,  
460 elementary, secondary, and postsecondary schools.

461 ~~(67)(46)~~ SEMITRAILER.—Any vehicle with or without motive  
462 power, other than a pole trailer, designed for carrying persons  
463 or property and for being drawn by a motor vehicle and so  
464 constructed that some part of its weight and that of its load  
465 rests upon, or is carried by, another vehicle.

466 ~~(68)(47)~~ SIDEWALK.—That portion of a street between the  
467 curblines, or the lateral lines, of a roadway and the adjacent  
468 property lines, intended for use by pedestrians.

469 ~~(69)(48)~~ SPECIAL MOBILE EQUIPMENT.—Any vehicle not designed  
470 or used primarily for the transportation of persons or property  
471 and only incidentally operated or moved over a highway,  
472 including, but not limited to, ditchdigging apparatus, well-  
473 boring apparatus, and road construction and maintenance  
474 machinery, such as asphalt spreaders, bituminous mixers, bucket  
475 loaders, tractors other than truck tractors, ditchers, leveling



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476 graders, finishing machines, motor graders, road rollers,  
477 scarifiers, earthmoving carryalls and scrapers, power shovels  
478 and draglines, and self-propelled cranes and earthmoving  
479 equipment. The term does not include house trailers, dump  
480 trucks, truck-mounted transit mixers, cranes or shovels, or  
481 other vehicles designed for the transportation of persons or  
482 property to which machinery has been attached.

483 ~~(70)(49)~~ STAND OR STANDING.—The halting of a vehicle,  
484 whether occupied or not occupied, otherwise than temporarily,  
485 for the purpose of, and while actually engaged in, receiving or  
486 discharging passengers, as may be permitted by law under this  
487 chapter.

488 ~~(71)(50)~~ STATE ROAD.—Any highway designated as a state-  
489 maintained road by the Department of Transportation.

490 ~~(72)(51)~~ STOP.—When required, complete cessation from  
491 movement.

492 ~~(73)(52)~~ STOP OR STOPPING.—When prohibited, any halting,  
493 even momentarily, of a vehicle, whether occupied or not  
494 occupied, except when necessary to avoid conflict with other  
495 traffic or to comply with the directions of a law enforcement  
496 officer or traffic control sign or signal.

497 ~~(74)(70)~~ STRAIGHT TRUCK.—Any truck on which the cargo unit  
498 and the motive power unit are located on the same frame so as to  
499 form a single, rigid unit.

500 ~~(75)(53)~~ STREET OR HIGHWAY.—

501 (a) The entire width between the boundary lines of every  
502 way or place of whatever nature when any part thereof is open to  
503 the use of the public for purposes of vehicular traffic;

504 (b) The entire width between the boundary lines of any



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505 privately owned way or place used for vehicular travel by the  
506 owner and those having express or implied permission from the  
507 owner, but not by other persons, or any limited access road  
508 owned or controlled by a special district, whenever, by written  
509 agreement entered into under s. 316.006(2)(b) or (3)(b), a  
510 county or municipality exercises traffic control jurisdiction  
511 over said way or place;

512 (c) Any area, such as a runway, taxiway, ramp, clear zone,  
513 or parking lot, within the boundary of any airport owned by the  
514 state, a county, a municipality, or a political subdivision,  
515 which area is used for vehicular traffic but which is not open  
516 for vehicular operation by the general public; or

517 (d) Any way or place used for vehicular traffic on a  
518 controlled access basis within a mobile home park recreation  
519 district which has been created under s. 418.30 and the  
520 recreational facilities of which district are open to the  
521 general public.

522 ~~(76)(54)~~ SUSPENSION.—Temporary withdrawal of a licensee's  
523 privilege to drive a motor vehicle.

524 ~~(77)(89)~~ SWAMP BUGGY.—A motorized off-road vehicle that is  
525 designed or modified to travel over swampy or varied terrain and  
526 that may use large tires or tracks operated from an elevated  
527 platform. The term does not include any vehicle defined in  
528 chapter 261 or otherwise defined or classified in this chapter.

529 ~~(78)(81)~~ TANDEM AXLE.—Any two axles the whose centers of  
530 which are more than 40 inches but not more than 96 inches apart  
531 and are individually attached to or articulated from, or both, a  
532 common attachment to the vehicle, including a connecting  
533 mechanism designed to equalize the load between axles.



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534        (79)~~(71)~~ TANDEM TRAILER TRUCK.—Any combination of a truck  
535 tractor, semitrailer, and trailer coupled together so as to  
536 operate as a complete unit.

537        (80)~~(72)~~ TANDEM TRAILER TRUCK HIGHWAY NETWORK.—A highway  
538 network consisting primarily of four or more lanes, including  
539 all interstate highways; highways designated by the United  
540 States Department of Transportation as elements of the National  
541 Network; and any street or highway designated by the Florida  
542 Department of Transportation for use by tandem trailer trucks,  
543 in accordance with s. 316.515, except roads on which truck  
544 traffic was specifically prohibited on January 6, 1983.

545        (81)~~(73)~~ TERMINAL.—Any location where:

546            (a) Freight ~~either~~ originates, terminates, or is handled in  
547 the transportation process; or

548            (b) Commercial motor carriers maintain operating  
549 facilities.

550        (82)~~(55)~~ THROUGH HIGHWAY.—Any highway or portion thereof on  
551 which vehicular traffic is given the right-of-way and at the  
552 entrances to which vehicular traffic from intersecting highways  
553 is required to yield right-of-way to vehicles on such through  
554 highway in obedience to ~~either~~ a stop sign or yield sign, or  
555 otherwise in obedience to law.

556        (83)~~(56)~~ TIRE WIDTH.—~~The Tire width is that~~ width stated on  
557 the surface of the tire by the manufacturer of the tire, if the  
558 width stated does not exceed 2 inches more than the width of the  
559 tire contacting the surface.

560        (84)~~(57)~~ TRAFFIC.—Pedestrians, ridden or herded animals,  
561 and vehicles, streetcars, and other conveyances ~~either~~ singly or  
562 together while using any street or highway for purposes of



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563 travel.

564 ~~(85)-(87)~~ TRAFFIC INFRACTION DETECTOR.—A vehicle sensor  
565 installed to work in conjunction with a traffic control signal  
566 and a camera or cameras synchronized to automatically record two  
567 or more sequenced photographic or electronic images or streaming  
568 video of only the rear of a motor vehicle at the time the  
569 vehicle fails to stop behind the stop bar or clearly marked stop  
570 line when facing a traffic control signal steady red light. Any  
571 notification under s. 316.0083(1)(b) or traffic citation issued  
572 by the use of a traffic infraction detector must include a  
573 photograph or other recorded image showing both the license tag  
574 of the offending vehicle and the traffic control device being  
575 violated.

576 ~~(86)-(84)~~ TRAFFIC SIGNAL PREEMPTION SYSTEM.—Any system or  
577 device with the capability of activating a control mechanism  
578 mounted on or near traffic signals which alters a traffic  
579 signal's timing cycle.

580 ~~(87)-(58)~~ TRAILER.—Any vehicle with or without motive power,  
581 other than a pole trailer, designed for carrying persons or  
582 property and for being drawn by a motor vehicle.

583 ~~(88)-(74)~~ TRANSPORTATION.—The conveyance or movement of  
584 goods, materials, livestock, or persons from one location to  
585 another on any road, street, or highway open to travel by the  
586 public.

587 ~~(89)-(88)~~ TRI-VEHICLE.—An enclosed three-wheeled passenger  
588 vehicle that:

589 (a) Is designed to operate with three wheels in contact  
590 with the ground;

591 (b) Has a minimum unladen weight of 900 pounds;



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- 592 (c) Has a single, completely enclosed, occupant  
593 compartment;
- 594 (d) Is produced in a minimum quantity of 300 in any  
595 calendar year;
- 596 (e) Is capable of a speed greater than 60 miles per hour on  
597 level ground; and
- 598 (f) Is equipped with:
- 599 1. Seats that are certified by the vehicle manufacturer to  
600 meet the requirements of Federal Motor Vehicle Safety Standard  
601 No. 207, "Seating systems" (49 C.F.R. s. 571.207);
- 602 2. A steering wheel used to maneuver the vehicle;
- 603 3. A propulsion unit located forward or aft of the enclosed  
604 occupant compartment;
- 605 4. A seat belt for each vehicle occupant certified to meet  
606 the requirements of Federal Motor Vehicle Safety Standard No.  
607 209, "Seat belt assemblies" (49 C.F.R. s. 571.209);
- 608 5. A windshield and an appropriate windshield wiper and  
609 washer system that are certified by the vehicle manufacturer to  
610 meet the requirements of Federal Motor Vehicle Safety Standard  
611 No. 205, "Glazing materials" (49 C.F.R. s. 571.205) and Federal  
612 Motor Vehicle Safety Standard No. 104, "Windshield wiping and  
613 washing systems" (49 C.F.R. s. 571.104); and
- 614 6. A vehicle structure certified by the vehicle  
615 manufacturer to meet the requirements of Federal Motor Vehicle  
616 Safety Standard No. 216, "Rollover crush resistance" (49 C.F.R.  
617 s. 571.216).
- 618 (90)~~(59)~~ TRUCK.—Any motor vehicle designed, used, or  
619 maintained primarily for the transportation of property.
- 620 (91)~~(60)~~ TRUCK TRACTOR.—Any motor vehicle designed and used



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621 primarily for drawing other vehicles and not so constructed as  
622 to carry a load other than a part of the weight of the vehicle  
623 and load so drawn.

624 (92)~~(93)~~ UTILITY SERVICE VEHICLE.—A motor vehicle that  
625 bears an emblem that is visible from the roadway and clearly  
626 identifies that the vehicle belongs to or is under contract with  
627 a person, entity, cooperative, board, commission, district, or  
628 unit of local government that provides electric, natural gas,  
629 water, wastewater, cable, telephone, or communications services.

630 (93)~~(75)~~ VEHICLE.—Every device, in, upon, or by which any  
631 person or property is or may be transported or drawn upon a  
632 highway, except ~~excepting~~ devices used exclusively upon  
633 stationary rails or tracks.

634 (94)~~(85)~~ VICTIM SERVICES PROGRAMS.—Any community-based  
635 organization the ~~whose~~ primary purpose of which is to act as an  
636 advocate for the victims and survivors of traffic crashes and  
637 for their families. The victims services offered by these  
638 programs may include grief and crisis counseling, assistance  
639 with preparing victim compensation claims excluding third-party  
640 legal action, or connecting persons with other service  
641 providers, and providing emergency financial assistance.

642 (95)~~(79)~~ WORK ZONE AREA.—The area and its approaches on any  
643 state-maintained highway, county-maintained highway, or  
644 municipal street where construction, repair, maintenance, or  
645 other street-related or highway-related work is being performed  
646 or where one or more lanes are ~~is~~ closed to traffic.

647 Section 4. Subsection (7) of section 316.0745, Florida  
648 Statutes, is amended to read:

649 316.0745 Uniform signals and devices.—



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650           (7) The Department of Transportation may, upon receipt and  
651 investigation of reported noncompliance and ~~is authorized,~~ after  
652 hearing pursuant to 14 days' notice, ~~to~~ direct the removal of  
653 any purported traffic control device that fails to meet the  
654 requirements of this section, wherever the device is located and  
655 without regard to assigned responsibility under s. 316.1895  
656 ~~which fails to meet the requirements of this section.~~ The public  
657 agency erecting or installing the same shall immediately bring  
658 it into compliance with the requirements of this section or  
659 remove said device or signal upon the direction of the  
660 Department of Transportation and may not, for a period of 5  
661 years, install any replacement or new traffic control devices  
662 paid for in part or in full with revenues raised by the state  
663 unless written prior approval is received from the Department of  
664 Transportation. Any additional violation by a public body or  
665 official shall be cause for the withholding of state funds for  
666 traffic control purposes until such public body or official  
667 demonstrates to the Department of Transportation that it is  
668 complying with this section.

669           Section 5. Section 316.2069, Florida Statutes, is created  
670 to read:

671           316.2069 Commercial Megacycles.—The governing body of a  
672 municipality, or the governing board of a county with respect to  
673 an unincorporated portion of the county, may authorize the  
674 operation of a commercial megacycle on roads or streets within  
675 the respective jurisdictions if the requirements of subsections  
676 (1) through (3) are met:

677           (1) Prior to authorizing such operation, the responsible  
678 local governmental entity must first determine that commercial





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679 megacycles may safely travel on or cross the public road or  
680 street, considering factors including, but not limited to, the  
681 speed, volume, and character of motor vehicle traffic using the  
682 road or street. Upon such determination, the responsible  
683 governmental entity shall post appropriate signs to indicate  
684 that such operation is allowed.

685 (2) The authorization by the governing body must clearly  
686 identify the roads or streets under the governing body's  
687 jurisdiction on or across which operation of commercial  
688 megacycles is permitted.

689 (3) The governing body's authorization, at a minimum, must  
690 require that a commercial megacycle be:

691 (a) Operated at all times by its owner or lessee or an  
692 employee of the owner or lessee.

693 (b) Operated by a driver at least 18 years of age who  
694 possess a Class E driver license.

695 (c) Occupied by a safety monitor at least 18 years of age,  
696 who shall supervise the passengers while the commercial  
697 megacycle is in motion.

698 (d) Insured with minimum commercial general liability  
699 insurance of not less than \$1,000,000, prior to and at all times  
700 of operation, satisfactory proof of which shall be provided to  
701 the appropriate governing body.

702 (4) The Department of Transportation may prohibit the  
703 operation of commercial megacycles on or across any road under  
704 its jurisdiction if it determines that such prohibition is  
705 necessary in the interest of safety.

706 (5) Section 316.1936 does not apply to the passengers being  
707 transported in a commercial megacycle while operating in



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708 accordance with this section.

709 (6) This section does not prohibit use of an auxiliary  
710 motor to move the commercial megacycle from the roadway under  
711 emergency circumstances or while no passenger is on board.

712 Section 6. Subsection (5) of section 316.235, Florida  
713 Statutes, is amended to read:

714 316.235 Additional lighting equipment.-

715 (5) A bus, ~~as defined in s. 316.003(3),~~ may be equipped  
716 with a deceleration lighting system that ~~which~~ cautions  
717 following vehicles that the bus is slowing, is preparing to  
718 stop, or is stopped. Such lighting system shall consist of red  
719 or amber lights mounted in horizontal alignment on the rear of  
720 the vehicle at ~~or near~~ the vertical centerline of the vehicle,  
721 no greater than 12 inches apart, not higher than the lower edge  
722 of the rear window or, if the vehicle has no rear window, not  
723 higher than 100 ~~72~~ inches from the ground. Such lights shall be  
724 visible from a distance of not less than 300 feet to the rear in  
725 normal sunlight. Lights are permitted to light and flash during  
726 deceleration, braking, or standing and idling of the bus.  
727 Vehicular hazard warning flashers may be used in conjunction  
728 with or in lieu of a rear-mounted deceleration lighting system.

729 Section 7. Subsections (1) and (3) of section 316.303,  
730 Florida Statutes, are amended to read:

731 316.303 Television receivers.-

732 (1) No motor vehicle may be operated on the highways of  
733 this state if the vehicle is actively displaying moving  
734 television broadcast or pre-recorded video entertainment content  
735 that is ~~shall be equipped with television-type receiving~~  
736 ~~equipment so located that the viewer or screen is visible from~~



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737 the driver's seat while the vehicle is in motion, unless the  
738 vehicle is equipped with autonomous technology, as defined in s.  
739 316.003(2), and is being operated in autonomous mode, as  
740 provided in s. 316.85(2).

741 (3) This section does not prohibit the use of an electronic  
742 display used in conjunction with a vehicle navigation system; an  
743 electronic display used by an operator of a vehicle equipped  
744 with autonomous technology, as defined in s. 316.003(2); or an  
745 electronic display used by an operator of a vehicle equipped and  
746 operating with driver-assistive truck platooning technology, as  
747 defined in s. 316.003(19).

748 Section 8. Paragraph (c) of subsection (3) of section  
749 316.640, Florida Statutes, is amended to read:

750 316.640 Enforcement.—The enforcement of the traffic laws of  
751 this state is vested as follows:

752 (3) MUNICIPALITIES.—

753 (c)1. A chartered municipality or its authorized agency or  
754 instrumentality may employ as a parking enforcement specialist  
755 any individual who successfully completes a training program  
756 established and approved by the Criminal Justice Standards and  
757 Training Commission for parking enforcement specialists, but who  
758 does not otherwise meet the uniform minimum standards  
759 established by the commission for law enforcement officers or  
760 auxiliary or part-time officers under s. 943.12.

761 2. A parking enforcement specialist employed by a chartered  
762 municipality or its authorized agency or instrumentality is  
763 authorized to enforce all state, county, and municipal laws and  
764 ordinances governing parking within the boundaries of the  
765 municipality employing the specialist, or, pursuant to a



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766 memorandum of understanding between the county and the  
767 municipality, within the boundaries of the county in which the  
768 chartered municipality or its authorized agency or  
769 instrumentality is located, by appropriate state, county, or  
770 municipal traffic citation.

771 3. A parking enforcement specialist employed pursuant to  
772 this subsection may not carry firearms or other weapons or have  
773 arrest authority.

774 Section 9. Subsection (1) of section 316.85, Florida  
775 Statutes, is amended to read:

776 316.85 Autonomous vehicles; operation.-

777 (1) A person who possesses a valid driver license may  
778 operate an autonomous vehicle in autonomous mode on roads in  
779 this state if the vehicle is equipped with autonomous  
780 technology, as defined in s. 316.003(2).

781 Section 10. Section 316.86, Florida Statutes, is amended to  
782 read:

783 ~~316.86 Operation of vehicles equipped with autonomous~~  
784 ~~technology on roads for testing purposes; financial~~  
785 ~~responsibility; Exemption from liability for manufacturer when~~  
786 ~~third party converts vehicle.-~~

787 ~~(1) Vehicles equipped with autonomous technology may be~~  
788 ~~operated on roads in this state by employees, contractors, or~~  
789 ~~other persons designated by manufacturers of autonomous~~  
790 ~~technology, or by research organizations associated with~~  
791 ~~accredited educational institutions, for the purpose of testing~~  
792 ~~the technology. For testing purposes, a human operator shall be~~  
793 ~~present in the autonomous vehicle such that he or she has the~~  
794 ~~ability to monitor the vehicle's performance and intervene, if~~



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795 ~~necessary, unless the vehicle is being tested or demonstrated on~~  
796 ~~a closed course. Before the start of testing in this state, the~~  
797 ~~entity performing the testing must submit to the department an~~  
798 ~~instrument of insurance, surety bond, or proof of self insurance~~  
799 ~~acceptable to the department in the amount of \$5 million.~~

800       ~~(2)~~ The original manufacturer of a vehicle converted by a  
801 third party into an autonomous vehicle is ~~shall~~ not be liable  
802 in, and shall have a defense to and be dismissed from, any legal  
803 action brought against the original manufacturer by any person  
804 injured due to an alleged vehicle defect caused by the  
805 conversion of the vehicle, or by equipment installed by the  
806 converter, unless the alleged defect was present in the vehicle  
807 as originally manufactured.

808       Section 11. Subsection (1) of section 319.145, Florida  
809 Statutes, is amended to read:

810       319.145 Autonomous vehicles.—

811       (1) An autonomous vehicle registered in this state must  
812 continue to meet applicable federal standards and regulations  
813 for such a motor vehicle. The vehicle must ~~shall~~:

814       (a) Have a system to safely alert the operator if an  
815 autonomous technology failure is detected while the autonomous  
816 technology is engaged. When an alert is given, the system must:

817       1. Require the operator to take control of the autonomous  
818 vehicle; or

819       2. If the operator does not, or is not able to, take  
820 control of the autonomous vehicle, be capable of bringing the  
821 vehicle to a complete stop ~~Have a means to engage and disengage~~  
822 ~~the autonomous technology which is easily accessible to the~~  
823 ~~operator.~~



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824 (b) Have a means, inside the vehicle, to visually indicate  
825 when the vehicle is operating in autonomous mode.

826 ~~(c) Have a means to alert the operator of the vehicle if a~~  
827 ~~technology failure affecting the ability of the vehicle to~~  
828 ~~safely operate autonomously is detected while the vehicle is~~  
829 ~~operating autonomously in order to indicate to the operator to~~  
830 ~~take control of the vehicle.~~

831 ~~(c)~~ ~~(d)~~ Be capable of being operated in compliance with the  
832 applicable traffic and motor vehicle laws of this state.

833 Section 12. Paragraph (b) of subsection (3) of section  
834 319.30, Florida Statutes, is amended, and paragraph (c) is added  
835 to that subsection, to read:

836 319.30 Definitions; dismantling, destruction, change of  
837 identity of motor vehicle or mobile home; salvage.-

838 (3)

839 (b) The owner, including persons who are self-insured, of a  
840 motor vehicle or mobile home that is considered to be salvage  
841 shall, within 72 hours after the motor vehicle or mobile home  
842 becomes salvage, forward the title to the motor vehicle or  
843 mobile home to the department for processing. However, an  
844 insurance company that pays money as compensation for the total  
845 loss of a motor vehicle or mobile home shall obtain the  
846 certificate of title for the motor vehicle or mobile home, make  
847 the required notification to the National Motor Vehicle Title  
848 Information System, and, within 72 hours after receiving such  
849 certificate of title, forward such title to the department for  
850 processing. The owner or insurance company, as applicable, may  
851 not dispose of a vehicle or mobile home that is a total loss  
852 before it obtains a salvage certificate of title or certificate



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853 of destruction from the department. Effective July 1, 2023:

854 1. Thirty days after payment of a claim for compensation  
855 pursuant to this paragraph, the insurance company may receive a  
856 salvage certificate of title or certificate of destruction from  
857 the department if the insurance company is unable to obtain a  
858 properly assigned certificate of title from the owner or  
859 lienholder of the motor vehicle or mobile home, if the motor  
860 vehicle or mobile home does not carry an electronic lien on the  
861 title and the insurance company:

862 a. Has obtained the release of all liens on the motor  
863 vehicle or mobile home;

864 b. Has provided proof of payment of the total loss claim;  
865 and

866 c. Has provided an affidavit on letterhead signed by the  
867 insurance company or its authorized agent stating the attempts  
868 that have been made to obtain the title from the owner or  
869 lienholder and further stating that all attempts are to no  
870 avail. The affidavit must include a request that the salvage  
871 certificate of title or certificate of destruction be issued in  
872 the insurance company's name due to payment of a total loss  
873 claim to the owner or lienholder. The attempts to contact the  
874 owner may be by written request delivered in person or by first-  
875 class mail with a certificate of mailing to the owner's or  
876 lienholder's last known address.

877 2. If the owner or lienholder is notified of the request  
878 for title in person, the insurance company must provide an  
879 affidavit attesting to the in-person request for a certificate  
880 of title.

881 3. The request to the owner or lienholder for the



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882 certificate of title must include a complete description of the  
883 motor vehicle or mobile home and the statement that a total loss  
884 claim has been paid on the motor vehicle or mobile home.

885 (c) When applying for a salvage certificate of title or  
886 certificate of destruction, the owner or insurance company must  
887 provide the department with an estimate of the costs of  
888 repairing the physical and mechanical damage suffered by the  
889 vehicle for which a salvage certificate of title or certificate  
890 of destruction is sought. If the estimated costs of repairing  
891 the physical and mechanical damage to the mobile home are equal  
892 to 80 percent or more of the current retail cost of the mobile  
893 home, as established in any official used mobile home guide, the  
894 department shall declare the mobile home unrebuildable and print  
895 a certificate of destruction, which authorizes the dismantling  
896 or destruction of the mobile home. For a late model vehicle with  
897 a current retail cost of at least \$7,500 just prior to  
898 sustaining the damage that resulted in the total loss, as  
899 established in any official used car guide or valuation service,  
900 if the owner or insurance company determines that the estimated  
901 costs of repairing the physical and mechanical damage to the  
902 vehicle are equal to 90 percent or more of the current retail  
903 cost of the vehicle, as established in any official used motor  
904 vehicle guide or valuation service, the department shall declare  
905 the vehicle unrebuildable and print a certificate of  
906 destruction, which authorizes the dismantling or destruction of  
907 the motor vehicle. However, if the damaged motor vehicle is  
908 equipped with custom-lowered floors for wheelchair access or a  
909 wheelchair lift, the insurance company may, upon determining  
910 that the vehicle is repairable to a condition that is safe for





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911 operation on public roads, submit the certificate of title to  
912 the department for reissuance as a salvage rebuildable title and  
913 the addition of a title brand of "insurance-declared total  
914 loss." The certificate of destruction shall be reassignable a  
915 maximum of two times before dismantling or destruction of the  
916 vehicle is required, and shall accompany the motor vehicle or  
917 mobile home for which it is issued, when such motor vehicle or  
918 mobile home is sold for such purposes, in lieu of a certificate  
919 of title. The department may not issue a certificate of title  
920 for that vehicle. This subsection is not applicable if a mobile  
921 home is worth less than \$1,500 retail just prior to sustaining  
922 the damage that resulted in the total loss in any official used  
923 mobile home guide or when a stolen motor vehicle or mobile home  
924 is recovered in substantially intact condition and is readily  
925 resalable without extensive repairs to or replacement of the  
926 frame or engine. If a motor vehicle has a current retail cost of  
927 less than \$7,500 just prior to sustaining the damage that  
928 resulted in the total loss, as established in any official used  
929 motor vehicle guide or valuation service, or if the vehicle is  
930 not a late model vehicle, the owner or insurance company that  
931 pays money as compensation for the total loss of the motor  
932 vehicle shall obtain a certificate of destruction, if the motor  
933 vehicle is damaged, wrecked, or burned to the extent that the  
934 only residual value of the motor vehicle is as a source of parts  
935 or scrap metal, or if the motor vehicle comes into this state  
936 under a title or other ownership document that indicates that  
937 the motor vehicle is not repairable, is junked, or is for parts  
938 or dismantling only. A person who knowingly violates this  
939 paragraph or falsifies documentation to avoid the requirements



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940 of this paragraph commits a misdemeanor of the first degree,  
941 punishable as provided in s. 775.082 or s. 775.083.

942 Section 13. Subsection (1) of section 320.525, Florida  
943 Statutes, is amended to read:

944 320.525 Port vehicles and equipment; definition;  
945 exemption.—

946 (1) As used in this section, the term "port vehicles and  
947 equipment" means trucks, tractors, trailers, truck cranes, top  
948 loaders, fork lifts, hostling tractors, chassis, or other  
949 vehicles or equipment used for transporting cargo, containers,  
950 or other equipment. The term includes motor vehicles being  
951 relocated within a port facility or via designated port district  
952 roads.

953 Section 14. Paragraph (c) is added to subsection (8) of  
954 section 322.051, Florida Statutes, to read:

955 322.051 Identification cards.—

956 (8)

957 (c) The international symbol for the deaf and hard of  
958 hearing shall be exhibited on the identification card of a  
959 person who is deaf or hard of hearing upon the payment of an  
960 additional \$1 fee for the identification card and the  
961 presentation of sufficient proof that the person is deaf or hard  
962 of hearing as determined by the department. Until a person's  
963 identification card is next renewed, the person may have the  
964 symbol added to his or her identification card upon surrender of  
965 his or her current identification card, payment of a \$2 fee to  
966 be deposited into the Highway Safety Operating Trust Fund, and  
967 presentation of sufficient proof that the person is deaf or hard  
968 of hearing as determined by the department. If the applicant is



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969 not conducting any other transaction affecting the  
970 identification card, a replacement identification card may be  
971 issued with the symbol without payment of the fee required in s.  
972 322.21(1)(f)3. For purposes of this paragraph, the international  
973 symbol for the deaf and hard of hearing is substantially as  
974 follows:

975  
976       ... (International Symbol of Access for Hearing Loss) ...

977  
978       Section 15. Paragraph (c) of subsection (1) of section  
979 322.14, Florida Statutes, is redesignated as paragraph (d), and  
980 a new paragraph (c) is added to that subsection to read:

981       322.14 Licenses issued to drivers.—

982       (1)

983       (c) The international symbol for the deaf and hard of  
984 hearing provided in s. 322.051(8)(c) shall be exhibited on the  
985 driver license of a person who is deaf or hard of hearing upon  
986 the payment of an additional \$1 fee for the license and the  
987 presentation of sufficient proof that the person is deaf or hard  
988 of hearing as determined by the department. Until a person's  
989 license is next renewed, the person may have the symbol added to  
990 his or her license upon the surrender of his or her current  
991 license, payment of a \$2 fee to be deposited into the Highway  
992 Safety Operating Trust Fund, and presentation of sufficient  
993 proof that the person is deaf or hard of hearing as determined  
994 by the department. If the applicant is not conducting any other  
995 transaction affecting the driver license, a replacement license  
996 may be issued with the symbol without payment of the fee  
997 required in s. 322.21(1)(e).



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998           Section 16. The amendments made by this act to ss. 322.051  
999 and 322.14, Florida Statutes, shall apply upon implementation of  
1000 new designs for the driver license and identification card by  
1001 the Department of Highway Safety and Motor Vehicles.

1002           Section 17. Paragraph (c) of subsection (1) of section  
1003 332.08, Florida Statutes, is amended to read:

1004           332.08 Additional powers.—

1005           (1) In addition to the general powers in ss. 332.01-332.12  
1006 conferred and without limitation thereof, a municipality that  
1007 has established or may hereafter establish airports, restricted  
1008 landing areas, or other air navigation facilities, or that has  
1009 acquired or set apart or may hereafter acquire or set apart real  
1010 property for such purposes, is authorized:

1011           (c) To lease for a term not exceeding 50 ~~30~~ years such  
1012 airports or other air navigation facilities, or real property  
1013 acquired or set apart for airport purposes, to private parties,  
1014 any municipal or state government or the national government, or  
1015 any department of either thereof, for operation; to lease or  
1016 assign for a term not exceeding 50 ~~30~~ years to private parties,  
1017 any municipal or state government or the national government, or  
1018 any department of either thereof, for operation or use  
1019 consistent with the purposes of ss. 332.01-332.12, space, area,  
1020 improvements, or equipment on such airports; to sell any part of  
1021 such airports, other air navigation facilities, or real property  
1022 to any municipal or state government, or the United States or  
1023 any department or instrumentality thereof, for aeronautical  
1024 purposes or purposes incidental thereto, and to confer the  
1025 privileges of concessions of supplying upon its airports goods,  
1026 commodities, things, services, and facilities; provided, that in



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1027 each case in so doing the public is not deprived of its rightful  
1028 equal and uniform use thereof.

1029 Section 18. Section 333.01, Florida Statutes, is amended to  
1030 read:

1031 333.01 Definitions.—~~As used in For the purpose of this~~  
1032 ~~chapter, the term following words, terms, and phrases shall have~~  
1033 ~~the meanings herein given, unless otherwise specifically~~  
1034 ~~defined, or unless another intention clearly appears, or the~~  
1035 ~~context otherwise requires:~~

1036 (1) "Aeronautical study" means a Federal Aviation  
1037 Administration study, conducted in accordance with the standards  
1038 of 14 C.F.R. part 77, subpart C, and Federal Aviation  
1039 Administration policy and guidance, on the effect of proposed  
1040 construction or alteration upon the operation of air navigation  
1041 facilities and the safe and efficient use of navigable airspace.

1042 ~~(1) "Aeronautics" means transportation by aircraft; the~~  
1043 ~~operation, construction, repair, or maintenance of aircraft,~~  
1044 ~~aircraft power plants and accessories, including the repair,~~  
1045 ~~packing, and maintenance of parachutes; the design,~~  
1046 ~~establishment, construction, extension, operation, improvement,~~  
1047 ~~repair, or maintenance of airports, restricted landing areas, or~~  
1048 ~~other air navigation facilities, and air instruction.~~

1049 (2) "Airport" means any area of land or water designed and  
1050 set aside for the landing and taking off of aircraft and used  
1051 ~~utilized~~ or to be used ~~utilized~~ in the interest of the public  
1052 for such purpose.

1053 (3) "Airport hazard" means an obstruction to air navigation  
1054 which affects the safe and efficient use of navigable airspace  
1055 or the operation of planned or existing air navigation and



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1056 communication facilities ~~any structure or tree or use of land~~  
1057 ~~which would exceed the federal obstruction standards as~~  
1058 ~~contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29~~  
1059 ~~and which obstructs the airspace required for the flight of~~  
1060 ~~aircraft in taking off, maneuvering, or landing or is otherwise~~  
1061 ~~hazardous to such taking off, maneuvering, or landing of~~  
1062 ~~aircraft and for which no person has previously obtained a~~  
1063 ~~permit or variance pursuant to s. 333.025 or s. 333.07.~~

1064 (4) "Airport hazard area" means any area of land or water  
1065 upon which an airport hazard might be established ~~if not~~  
1066 ~~prevented as provided in this chapter.~~

1067 (5) "Airport land use compatibility zoning" means airport  
1068 zoning regulations governing ~~restricting~~ the use of land on,  
1069 adjacent to, or in the immediate vicinity of airports in the  
1070 ~~manner enumerated in s. 333.03(2) to activities and purposes~~  
1071 ~~compatible with the continuation of normal airport operations~~  
1072 ~~including landing and takeoff of aircraft in order to promote~~  
1073 ~~public health, safety, and general welfare.~~

1074 (6) "Airport layout plan" means a set of scaled drawings  
1075 that provide a graphic representation of the existing and future  
1076 development plan for the airport and demonstrate the  
1077 preservation and continuity of safety, utility, and efficiency  
1078 of the airport ~~detailed, scale engineering drawing, including~~  
1079 ~~pertinent dimensions, of an airport's current and planned~~  
1080 ~~facilities, their locations, and runway usage.~~

1081 (7) "Airport master plan" means a comprehensive plan of an  
1082 airport which typically describes current and future plans for  
1083 airport development designed to support existing and future  
1084 aviation demand.



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1085 (8) "Airport protection zoning regulations" means airport  
1086 zoning regulations governing airport hazards.

1087 (9) "Department" means the Department of Transportation as  
1088 created under s. 20.23.

1089 (10) "Educational facility" means any structure, land, or  
1090 use that includes a public or private kindergarten through 12th  
1091 grade school, charter school, magnet school, college campus, or  
1092 university campus. The term does not include space used for  
1093 educational purposes within a multi-tenant building.

1094 (11) "Landfill" has the same meaning as provided in s.  
1095 403.703.

1096 (12) ~~(7)~~ "Obstruction" means any existing or proposed  
1097 ~~manmade object or object, of natural growth or terrain, or~~  
1098 structure construction or alteration that exceeds ~~violates~~ the  
1099 federal obstruction standards contained in 14 C.F.R. part 77,  
1100 subpart C ss. 77.21, 77.23, 77.25, 77.28, and 77.29. The term  
1101 includes:

1102 (a) Any object of natural growth or terrain;

1103 (b) Permanent or temporary construction or alteration,  
1104 including equipment or materials used and any permanent or  
1105 temporary apparatus; or

1106 (c) Alteration of any permanent or temporary existing  
1107 structure by a change in the structure's height, including  
1108 appurtenances, lateral dimensions, and equipment or materials  
1109 used in the structure.

1110 (13) ~~(8)~~ "Person" means any individual, firm, copartnership,  
1111 corporation, company, association, joint-stock association, or  
1112 body politic, and includes any trustee, receiver, assignee, or  
1113 other similar representative thereof.



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1114           ~~(14)-(9)~~ "Political subdivision" means the local government  
1115 of any county, municipality ~~city~~, town, village, or other  
1116 subdivision or agency thereof, or any district or special  
1117 district, port commission, port authority, or other such agency  
1118 authorized to establish or operate airports in the state.

1119           (15) "Public-use airport" means an airport, publicly or  
1120 privately owned, licensed by the state, which is open for use by  
1121 the public.

1122           ~~(16)-(10)~~ "Runway protection clear zone" means an area at  
1123 ground level beyond the runway end to enhance the safety and  
1124 protection of people and property on the ground ~~a runway clear~~  
1125 ~~zone as defined in 14 C.F.R. s. 151.9(b).~~

1126           ~~(17)-(11)~~ "Structure" means any object, constructed,  
1127 erected, altered, or installed by humans, including, but not  
1128 limited to without limitation thereof, buildings, towers,  
1129 smokestacks, utility poles, power generation equipment, and  
1130 overhead transmission lines.

1131           (18) "Substantial modification" means any repair,  
1132 reconstruction, rehabilitation, or improvement of a structure  
1133 when the actual cost of the repair, reconstruction,  
1134 rehabilitation, or improvement of the structure equals or  
1135 exceeds 50 percent of the market value of the structure.

1136           Section 19. Section 333.025, Florida Statutes, is amended  
1137 to read:

1138           333.025 Permit required for obstructions ~~structures~~  
1139 ~~exceeding federal obstruction standards.~~

1140           (1) A person proposing the construction or alteration in  
1141 order to prevent the erection of an obstruction must obtain a  
1142 permit from the department ~~structures dangerous to air~~





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1143 ~~navigation, subject to the provisions of subsections (2), (3),~~  
1144 ~~and (4), each person shall secure from the Department of~~  
1145 ~~Transportation a permit for the erection, alteration, or~~  
1146 ~~modification of any structure the result of which would exceed~~  
1147 ~~the federal obstruction standards as contained in 14 C.F.R. ss.~~  
1148 ~~77.21, 77.23, 77.25, 77.28, and 77.29. However, permits from the~~  
1149 ~~department of Transportation will be required only within an~~  
1150 ~~airport hazard area where federal obstruction standards are~~  
1151 ~~exceeded and if the proposed construction or alteration is~~  
1152 ~~within a 10-nautical-mile radius of the airport reference point,~~  
1153 ~~located at the approximate geometric geographical center of all~~  
1154 ~~usable runways of a public-use airport or a publicly owned or~~  
1155 ~~operated airport, a military airport, or an airport licensed by~~  
1156 ~~the state for public use.~~

1157       (2) Existing, planned, and proposed Affected airports will  
1158 ~~be considered as having those facilities on public-use airports~~  
1159 ~~contained in an which are shown on the airport master plan, in~~  
1160 ~~or an airport layout plan submitted to the Federal Aviation~~  
1161 ~~Administration, Airport District Office or in comparable~~  
1162 ~~military documents shall, and will be so protected from airport~~  
1163 ~~hazards. Planned or proposed public-use airports which are the~~  
1164 ~~subject of a notice or proposal submitted to the Federal~~  
1165 ~~Aviation Administration or to the Department of Transportation~~  
1166 ~~shall also be protected.~~

1167       (3) A permit is not required for existing structures that  
1168 ~~requirements of subsection (1) shall not apply to projects which~~  
1169 ~~received construction permits from the Federal Communications~~  
1170 ~~Commission for structures exceeding federal obstruction~~  
1171 ~~standards before prior to May 20, 1975, provided such structures~~



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1172 ~~now exist; a permit is not required for nor shall it apply to~~  
1173 ~~previously approved structures now existing, or any necessary~~  
1174 ~~replacement or repairs to such existing structures if, so long~~  
1175 ~~as the height and location are is unchanged.~~

1176 (4) If ~~When~~ political subdivisions have, in compliance with  
1177 this chapter, adopted adequate airport airspace protection  
1178 zoning regulations, placed in compliance with s. 333.03, and  
1179 such regulations are on file with the department's aviation  
1180 office, and established a permitting process Department of  
1181 Transportation, a permit for the construction or alteration of  
1182 an obstruction is such structure shall not be required from the  
1183 department of Transportation. Upon receipt of a complete permit  
1184 application, the local government shall provide a copy of the  
1185 application to the department's aviation office by certified  
1186 mail, return receipt requested, or by a delivery service that  
1187 provides a receipt evidencing delivery. To evaluate technical  
1188 consistency with this subsection, the department shall have a  
1189 15-day review period following receipt of the application, which  
1190 must run concurrently with the local government permitting  
1191 process. Cranes, construction equipment, and other temporary  
1192 structures in use or in place for a period not to exceed 18  
1193 consecutive months are exempt from the department's review,  
1194 unless such review is requested by the department.

1195 (5) The department ~~of Transportation~~ shall, within 30 days  
1196 ~~after of the~~ receipt of an application for a permit, issue or  
1197 deny a permit for the construction or erection, alteration, or  
1198 modification of an obstruction any structure the result of which  
1199 would exceed federal obstruction standards as contained in 14  
1200 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29. The department



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1201 shall review permit applications in conformity with s. 120.60.  
1202       (6) In determining whether to issue or deny a permit, the  
1203 department shall consider:  
1204       (a) The safety of persons on the ground and in the air.  
1205       (b) The safe and efficient use of navigable airspace.  
1206       (c) ~~(a)~~ The nature of the terrain and height of existing  
1207 structures.  
1208       ~~(b) Public and private interests and investments.~~  
1209       (d) The effect of the construction or alteration of an  
1210 obstruction on the state licensing standards for a public-use  
1211 airport contained in chapter 330 and rules adopted thereunder.  
1212       (e) ~~(c)~~ The character of existing and planned flight ~~flying~~  
1213 operations and ~~planned~~ developments at public-use ~~of~~ airports.  
1214       (f) ~~(d)~~ Federal airways, visual flight rules, flyways and  
1215 corridors, and instrument approaches as designated by the  
1216 Federal Aviation Administration.  
1217       (g) ~~(e)~~ The effect of ~~Whether~~ the construction or alteration  
1218 of an obstruction on the ~~proposed structure would cause an~~  
1219 ~~increase in~~ the minimum descent altitude or the decision height  
1220 at the affected airport.  
1221       ~~(f) Technological advances.~~  
1222       ~~(g) The safety of persons on the ground and in the air.~~  
1223       ~~(h) Land use density.~~  
1224       ~~(i) The safe and efficient use of navigable airspace.~~  
1225       (h) ~~(j)~~ The cumulative effects on navigable airspace of all  
1226 existing obstructions ~~structures, proposed structures identified~~  
1227 in the applicable jurisdictions' ~~comprehensive plans,~~ and all  
1228 ~~other~~ known proposed obstructions ~~structures~~ in the area.  
1229       (7) When issuing a permit under this section, the



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1230 department of ~~Transportation~~ shall, ~~as a specific condition of~~  
1231 ~~such permit,~~ require the owner ~~obstruction marking and lighting~~  
1232 of the obstruction to install, operate, and maintain, at the  
1233 owner's expense, marking and lighting in conformance with the  
1234 specific standards established by the Federal Aviation  
1235 Administration ~~permitted structure as provided in s.~~  
1236 ~~333.07(3)(b).~~

1237 (8) The department may ~~of Transportation shall~~ not approve  
1238 a permit for the construction or alteration ~~erection of an~~  
1239 obstruction ~~a structure~~ unless the applicant submits ~~both~~  
1240 documentation showing both compliance with the federal  
1241 requirement for notification of proposed construction or  
1242 alteration and a valid aeronautical study. ~~A evaluation, and no~~  
1243 permit may not ~~shall~~ be approved solely on the basis that the  
1244 Federal Aviation Administration determined that the such  
1245 proposed construction or alteration of an obstruction was not an  
1246 airport hazard ~~structure will not exceed federal obstruction~~  
1247 ~~standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25,~~  
1248 ~~77.28, or 77.29, or any other federal aviation regulation.~~

1249 (9) The denial of a permit under this section is subject to  
1250 administrative review pursuant to chapter 120.

1251 Section 20. Section 333.03, Florida Statutes, is amended to  
1252 read:

1253 333.03 Requirement ~~Power~~ to adopt airport zoning  
1254 regulations.-

1255 (1) (a) ~~In order to prevent the creation or establishment of~~  
1256 ~~airport hazards,~~ Every political subdivision having an airport  
1257 hazard area within its territorial limits shall, ~~by October 1,~~  
1258 ~~1977,~~ adopt, administer, and enforce, under the police power and



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1259 in the manner and upon the conditions ~~hereinafter~~ prescribed in  
1260 this section, airport protection zoning regulations for such  
1261 airport hazard area.

1262 (b) If ~~Where~~ an airport is owned or controlled by a  
1263 political subdivision and if any other political subdivision has  
1264 land upon which an obstruction may be constructed or altered  
1265 which underlies any surface of the airport as provided in 14  
1266 C.F.R. part 77, subpart C, the political subdivisions ~~airport~~  
1267 ~~hazard area appertaining to such airport is located wholly or~~  
1268 ~~partly outside the territorial limits of said political~~  
1269 ~~subdivision, the political subdivision owning or controlling the~~  
1270 ~~airport and the political subdivision within which the airport~~  
1271 ~~hazard area is located,~~ shall either:

1272 1. By interlocal agreement, ~~in accordance with the~~  
1273 ~~provisions of chapter 163,~~ adopt, administer, and enforce a set  
1274 of airport protection zoning regulations ~~applicable to the~~  
1275 ~~airport hazard area in question;~~ or

1276 2. By ordinance, regulation, or resolution duly adopted,  
1277 create a joint airport protection zoning board ~~that, which board~~  
1278 ~~shall have the same power to~~ adopt, administer, and enforce a  
1279 set of airport protection zoning regulations ~~applicable to the~~  
1280 ~~airport hazard area in question as that vested in paragraph (a)~~  
1281 ~~in the political subdivision within which such area is located.~~  
1282 The ~~Each such~~ joint airport protection zoning board shall have  
1283 as voting members two representatives appointed by each  
1284 participating political subdivision ~~participating in its~~  
1285 ~~creation and in addition~~ a chair elected by a majority of the  
1286 members so appointed. ~~However,~~ The airport manager or a  
1287 representative of each airport in ~~managers of~~ the affected



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1288 participating political subdivisions shall serve on the board in  
1289 a nonvoting capacity.

1290 (c) Airport protection zoning regulations adopted under  
1291 paragraph (a) must ~~shall~~, at ~~as~~ a minimum, require:

1292 1. A permit ~~variance~~ for the construction or erection,  
1293 ~~alteration, or modification~~ of any obstruction ~~structure~~ which  
1294 ~~would cause the structure to exceed the federal obstruction~~  
1295 ~~standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25,~~  
1296 ~~77.28, and 77.29;~~

1297 2. Obstruction marking and lighting for obstructions  
1298 ~~structures as specified in s. 333.07(3);~~

1299 3. Documentation showing compliance with the federal  
1300 requirement for notification of proposed construction or  
1301 alteration of structures and a valid aeronautical study  
1302 ~~evaluation~~ submitted by each person applying for a permit  
1303 ~~variance;~~

1304 4. Consideration of the criteria in s. 333.025(6), when  
1305 determining whether to issue or deny a permit ~~variance;~~ and

1306 5. That approval of a permit not be based ~~no variance shall~~  
1307 ~~be approved~~ solely on the determination by the Federal Aviation  
1308 Administration ~~basis~~ that the ~~such~~ proposed structure is not an  
1309 airport hazard ~~will not exceed federal obstruction standards as~~  
1310 ~~contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, or 77.29,~~  
1311 ~~or any other federal aviation regulation.~~

1312 (d) The department shall be available to provide assistance  
1313 to political subdivisions regarding federal obstruction  
1314 standards ~~shall issue copies of the federal obstruction~~  
1315 ~~standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25,~~  
1316 ~~77.28, and 77.29 to each political subdivision having airport~~



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1317 ~~hazard areas and, in cooperation with political subdivisions,~~  
1318 ~~shall issue appropriate airport zoning maps depicting within~~  
1319 ~~each county the maximum allowable height of any structure or~~  
1320 ~~tree. Material distributed pursuant to this subsection shall be~~  
1321 ~~at no cost to authorized recipients.~~

1322       (2) In the manner provided in subsection (1), political  
1323 subdivisions shall adopt, administer, and enforce interim  
1324 airport land use compatibility zoning regulations shall be  
1325 adopted. Airport land use compatibility zoning ~~When political~~  
1326 ~~subdivisions have adopted land development regulations shall, at~~  
1327 ~~a minimum, in accordance with the provisions of chapter 163~~  
1328 ~~which address the use of land in the manner consistent with the~~  
1329 ~~provisions herein, adoption of airport land use compatibility~~  
1330 ~~regulations pursuant to this subsection shall not be required.~~  
1331 ~~Interim airport land use compatibility zoning regulations shall~~  
1332 ~~consider the following:~~

1333       (a) The prohibition of new landfills and the restriction of  
1334 existing landfills ~~Whether sanitary landfills are located within~~  
1335 ~~the following areas:~~

1336           1. Within 10,000 feet from the nearest point of any runway  
1337 used or planned to be used by turbine ~~turbojet or turboprop~~  
1338 ~~aircraft.~~

1339           2. Within 5,000 feet from the nearest point of any runway  
1340 used ~~only~~ by only nonturbine ~~piston-type~~ aircraft.

1341           3. Outside the perimeters defined in subparagraphs 1. and  
1342 2., but still within the lateral limits of the civil airport  
1343 imaginary surfaces defined in 14 C.F.R. s. 77.19 ~~part 77.25.~~  
1344 Case-by-case review of such landfills is advised.

1345       (b) Where ~~Whether~~ any landfill is located and constructed



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1346 in a manner ~~so~~ that ~~it~~ attracts or sustains hazardous bird  
1347 movements from feeding, water, or roosting areas into, or  
1348 across, the runways or approach and departure patterns of  
1349 aircraft. The landfill operator must ~~political subdivision shall~~  
1350 ~~request from the airport authority or other governing body~~  
1351 ~~operating the airport a report on such bird feeding or roosting~~  
1352 ~~areas that at the time of the request are known to the airport.~~  
1353 ~~In preparing its report, the authority, or other governing body,~~  
1354 ~~shall consider whether the landfill will incorporate bird~~  
1355 ~~management techniques or other practices to minimize bird~~  
1356 ~~hazards to airborne aircraft. The airport authority or other~~  
1357 ~~governing body shall respond to the political subdivision no~~  
1358 ~~later than 30 days after receipt of such request.~~

1359 (c) Where an airport authority or other governing body  
1360 operating a ~~publicly owned,~~ public-use airport has conducted a  
1361 noise study in accordance with ~~the provisions of~~ 14 C.F.R. part  
1362 150, or where a public-use airport owner has established noise  
1363 contours pursuant to another public study approved by the  
1364 Federal Aviation Administration, the prohibition of incompatible  
1365 uses, as established in the noise study in 14 C.F.R. part 150,  
1366 Appendix A or as a part of an alternative Federal Aviation  
1367 Administration-approved public study, within the noise contours  
1368 established by any of these studies, except if such uses are  
1369 specifically contemplated by such study with appropriate  
1370 mitigation or similar techniques described in the study ~~neither~~  
1371 ~~residential construction nor any educational facility as defined~~  
1372 ~~in chapter 1013, with the exception of aviation school~~  
1373 ~~facilities, shall be permitted within the area contiguous to the~~  
1374 ~~airport defined by an outer noise contour that is considered~~





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1375 ~~incompatible with that type of construction by 14 C.F.R. part~~  
1376 ~~150, Appendix A or an equivalent noise level as established by~~  
1377 ~~other types of noise studies.~~

1378 (d) Where an airport authority or other governing body  
1379 operating a ~~publicly owned,~~ public-use airport has not conducted  
1380 a noise study, the prohibition of neither residential  
1381 construction and nor any educational facility ~~as defined in~~  
1382 ~~chapter 1013,~~ with the exception of aviation school facilities,  
1383 ~~shall be permitted~~ within an area contiguous to the airport  
1384 measuring one-half the length of the longest runway on either  
1385 side of and at the end of each runway centerline.

1386 (e) (3) The restriction of ~~In the manner provided in~~  
1387 ~~subsection (1), airport zoning regulations shall be adopted~~  
1388 ~~which restrict~~ new incompatible uses, activities, or substantial  
1389 modifications to existing incompatible uses ~~construction~~ within  
1390 runway protection clear zones, ~~including uses, activities, or~~  
1391 ~~construction in runway clear zones which are incompatible with~~  
1392 ~~normal airport operations or endanger public health, safety, and~~  
1393 ~~welfare by resulting in congregations of people, emissions of~~  
1394 ~~light or smoke, or attraction of birds. Such regulations shall~~  
1395 ~~prohibit the construction of an educational facility of a public~~  
1396 ~~or private school at either end of a runway of a publicly owned,~~  
1397 ~~public-use airport within an area which extends 5 miles in a~~  
1398 ~~direct line along the centerline of the runway, and which has a~~  
1399 ~~width measuring one half the length of the runway. Exceptions~~  
1400 ~~approving construction of an educational facility within the~~  
1401 ~~delineated area shall only be granted when the political~~  
1402 ~~subdivision administering the zoning regulations makes specific~~  
1403 ~~findings detailing how the public policy reasons for allowing~~



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1404 ~~the construction outweigh health and safety concerns prohibiting~~  
1405 ~~such a location.~~

1406 ~~(4) The procedures outlined in subsections (1), (2), and~~  
1407 ~~(3) for the adoption of such regulations are supplemental to any~~  
1408 ~~existing procedures utilized by political subdivisions in the~~  
1409 ~~adoption of such regulations.~~

1410 ~~(3)(5) Political subdivisions shall provide The Department~~  
1411 ~~of Transportation shall provide technical assistance to any~~  
1412 ~~political subdivision requesting assistance in the preparation~~  
1413 ~~of an airport zoning code. a copy of all local airport~~  
1414 ~~protection zoning codes, rules, and regulations and airport land~~  
1415 ~~use compatibility zoning regulations, and any related amendments~~  
1416 ~~and proposed and granted variances thereto, to shall be filed~~  
1417 ~~with the department's aviation office within 30 days after~~  
1418 ~~adoption department.~~

1419 ~~(4)(6) Nothing in Subsection (2) may not or subsection (3)~~  
1420 ~~shall be construed to require the removal, alteration, sound~~  
1421 ~~conditioning, or other change, or to interfere with the~~  
1422 ~~continued use or adjacent expansion of any educational facility~~  
1423 ~~structure or site in existence on July 1, 1993, or be construed~~  
1424 ~~to prohibit the construction of any new structure for which a~~  
1425 ~~site has been determined as provided in former s. 235.19, as of~~  
1426 ~~July 1, 1993.~~

1427 ~~(5) This section does not prohibit an airport authority, a~~  
1428 ~~political subdivision or its administrative agency, or any other~~  
1429 ~~governing body operating a public-use airport from establishing~~  
1430 ~~airport zoning regulations more restrictive than prescribed in~~  
1431 ~~this section in order to protect the health, safety, and welfare~~  
1432 ~~of the public in the air and on the ground.~~



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1433 Section 21. Section 333.04, Florida Statutes, is amended to  
1434 read:

1435 333.04 Comprehensive zoning regulations; most stringent to  
1436 prevail where conflicts occur.—

1437 (1) INCORPORATION.—In the event that a political  
1438 subdivision has adopted, or hereafter adopts, a comprehensive  
1439 plan or policy ~~zoning ordinance~~ regulating, among other things,  
1440 the height of buildings, structures, and natural objects, and  
1441 uses of property, any airport zoning regulations applicable to  
1442 the same area or portion thereof may be incorporated in and made  
1443 a part of such comprehensive plan or policy ~~zoning regulations~~,  
1444 and be administered and enforced in connection therewith.

1445 (2) CONFLICT.—In the event of conflict between any airport  
1446 zoning regulations adopted under this chapter and any other  
1447 regulations applicable to the same area, whether the conflict be  
1448 with respect to the height of structures or vegetation ~~trees~~,  
1449 the use of land, or any other matter, and whether such  
1450 regulations were adopted by the political subdivision that ~~which~~  
1451 adopted the airport zoning regulations or by some other  
1452 political subdivision, the more stringent limitation or  
1453 requirement shall govern and prevail.

1454 Section 22. Section 333.05, Florida Statutes, is amended to  
1455 read:

1456 333.05 Procedure for adoption of airport zoning  
1457 regulations.—

1458 (1) NOTICE AND HEARING.—~~No~~ Airport zoning regulations may  
1459 not ~~shall~~ be adopted, amended, or repealed ~~changed~~ under this  
1460 chapter except by action of the legislative body of the  
1461 political subdivision or affected subdivisions ~~in question~~, or



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1462 the joint board provided in s. 333.03(1)(b)2. ~~s. 333.03(1)(b)~~ by  
1463 the political subdivisions ~~bodies~~ therein provided and set  
1464 forth, after a public hearing in relation thereto, at which  
1465 parties in interest and citizens shall have an opportunity to be  
1466 heard. Notice of the hearing shall be published at least once a  
1467 week for 2 consecutive weeks in a newspaper ~~an official paper,~~  
1468 ~~or a paper~~ of general circulation, in the political subdivision  
1469 or subdivisions where ~~in which are located~~ the airport zoning  
1470 regulations are ~~areas~~ to be adopted, amended, or repealed ~~zoned~~.

1471 (2) AIRPORT ZONING COMMISSION. ~~Before~~ Prior to the initial  
1472 zoning of any airport area under this chapter, the political  
1473 subdivision or joint airport zoning board that ~~which~~ is to  
1474 adopt, administer, and enforce the regulations must ~~shall~~  
1475 appoint a commission, to be known as the airport zoning  
1476 commission, to recommend the boundaries of the various zones to  
1477 be established and the regulations to be adopted therefor. Such  
1478 commission shall make a preliminary report and hold public  
1479 hearings thereon before submitting its final report, and the  
1480 legislative body of the political subdivision or the joint  
1481 airport zoning board may ~~shall~~ not hold its public hearings or  
1482 take any action until it has received the final report of such  
1483 commission, and at least 15 days shall elapse between the  
1484 receipt of the final report of the commission and the hearing to  
1485 be held by the latter board. If ~~Where~~ a planning ~~city plan~~  
1486 commission, an airport commission, or a comprehensive zoning  
1487 commission already exists, it may be appointed as the airport  
1488 zoning commission.

1489 Section 23. Section 333.06, Florida Statutes, is amended to  
1490 read:



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1491 333.06 Airport zoning regulation requirements.-

1492 (1) REASONABLENESS.-All airport zoning regulations adopted  
1493 under this chapter shall be reasonable and may not ~~none shall~~  
1494 impose any requirement or restriction which is not reasonably  
1495 necessary to effectuate the purposes of this chapter. In  
1496 determining what regulations it may adopt, each political  
1497 subdivision and joint airport zoning board shall consider, among  
1498 other things, the character of the flying operations expected to  
1499 be conducted at the airport, the nature of the terrain within  
1500 the airport hazard area and runway protection ~~clear~~ zones, the  
1501 character of the neighborhood, the uses to which the property to  
1502 be zoned is put and adaptable, and the impact of any new use,  
1503 activity, or construction on the airport's operating capability  
1504 and capacity.

1505 (2) INDEPENDENT JUSTIFICATION.-The purpose of all airport  
1506 zoning regulations adopted under this chapter is to provide both  
1507 airspace protection and land uses ~~use~~ compatible with airport  
1508 operations. Each aspect of this purpose requires independent  
1509 justification in order to promote the public interest in safety,  
1510 health, and general welfare. Specifically, construction in a  
1511 runway protection ~~clear~~ zone which does not exceed airspace  
1512 height restrictions is not conclusive ~~evidence per se~~ that such  
1513 use, activity, or construction is compatible with airport  
1514 operations.

1515 (3) NONCONFORMING USES.-An ~~No~~ airport protection zoning  
1516 regulation ~~regulations~~ adopted under this chapter may not ~~shall~~  
1517 require the removal, lowering, or other change or alteration of  
1518 any obstruction ~~structure or tree~~ not conforming to the  
1519 regulation ~~regulations~~ when adopted or amended, or otherwise



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1520 interfere with the continuance of any nonconforming use, except  
1521 as provided in s. 333.07(1) and (3).

1522 (4) ADOPTION OF AIRPORT MASTER PLAN AND NOTICE TO AFFECTED  
1523 LOCAL GOVERNMENTS.—An airport master plan shall be prepared by  
1524 each public-use ~~publicly owned and operated~~ airport licensed by  
1525 the department ~~of Transportation~~ under chapter 330. The  
1526 authorized entity having responsibility for governing the  
1527 operation of the airport, when either requesting from or  
1528 submitting to a state or federal governmental agency with  
1529 funding or approval jurisdiction a “finding of no significant  
1530 impact,” an environmental assessment, a site-selection study, an  
1531 airport master plan, or any amendment to an airport master plan,  
1532 shall submit simultaneously a copy of said request, submittal,  
1533 assessment, study, plan, or amendments by certified mail to all  
1534 affected local governments. As used in ~~For the purposes of this~~  
1535 subsection, the term “affected local government” is defined as  
1536 any municipality ~~city~~ or county having jurisdiction over the  
1537 airport and any municipality ~~city~~ or county located within 2  
1538 miles of the boundaries of the land subject to the airport  
1539 master plan.

1540 Section 24. Section 333.065, Florida Statutes, is repealed.

1541 Section 25. Section 333.07, Florida Statutes, is amended to  
1542 read:

1543 333.07 Local government permitting of airspace obstructions  
1544 Permits and variances.—

1545 (1) PERMITS.—

1546 (a) A person proposing to construct, alter, or allow an  
1547 airport obstruction in an airport hazard area in violation of  
1548 the airport protection zoning regulations adopted under this



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1549 chapter must apply for a permit. A ~~Any airport zoning~~  
1550 ~~regulations adopted under this chapter may require that a permit~~  
1551 ~~be obtained before any new structure or use may be constructed~~  
1552 ~~or established and before any existing use or structure may be~~  
1553 ~~substantially changed or substantially altered or repaired. In~~  
1554 ~~any event, however, all such regulations shall provide that~~  
1555 ~~before any nonconforming structure or tree may be replaced,~~  
1556 ~~substantially altered or repaired, rebuilt, allowed to grow~~  
1557 ~~higher, or replanted, a permit must be secured from the~~  
1558 ~~administrative agency authorized to administer and enforce the~~  
1559 ~~regulations, authorizing such replacement, change, or repair. No~~  
1560 ~~permit may not shall be issued if it granted that~~ would allow  
1561 the establishment or creation of an airport hazard or if it  
1562 would permit a nonconforming obstruction structure or tree or  
1563 ~~nonconforming use to be made or become higher or to become a~~  
1564 greater hazard to air navigation than it was when the applicable  
1565 airport protection zoning regulation was adopted which allowed  
1566 the establishment or creation of the obstruction, or than it is  
1567 when the application for a permit is made.

1568 (b) If Whenever the political subdivision or its  
1569 administrative agency determines that a nonconforming  
1570 obstruction use or nonconforming structure or tree has been  
1571 abandoned or is more than 80 percent torn down, destroyed,  
1572 deteriorated, or decayed, a no permit may not shall be granted  
1573 if it that would allow the obstruction said structure or tree to  
1574 exceed the applicable height limit or otherwise deviate from the  
1575 airport protection zoning regulations.; ~~and,~~ Whether or not an  
1576 application is made for a permit under this subsection ~~or not,~~  
1577 ~~the said agency may by appropriate action, compel~~ the owner of



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1578 the nonconforming obstruction may be required ~~structure or tree,~~  
1579 at his or her own expense, to lower, remove, reconstruct, alter,  
1580 or equip such obstruction ~~object~~ as may be necessary to conform  
1581 to the current airport protection zoning regulations. If the  
1582 owner of the nonconforming obstruction ~~neglects or refuses~~  
1583 ~~structure or tree shall neglect or refuse~~ to comply with such  
1584 requirement ~~order~~ for 10 days after notice ~~thereof,~~ the  
1585 administrative ~~said~~ agency may report the violation to the  
1586 political subdivision involved ~~therein,~~ which subdivision,  
1587 through its appropriate agency, may proceed to have the  
1588 obstruction ~~object~~ so lowered, removed, reconstructed, altered,  
1589 or equipped, and assess the cost and expense thereof upon the  
1590 owner of the obstruction ~~object~~ or the land whereon it is or was  
1591 located, and, unless such an assessment is paid within 90 days  
1592 from the service of notice thereof on the owner or the owner's  
1593 agent, of such object or land, the sum shall be a lien on said  
1594 land, and shall bear interest thereafter at the rate of 6  
1595 percent per annum until paid, and shall be collected in the same  
1596 manner as taxes on real property are collected by said political  
1597 subdivision, or, at the option of said political subdivision,  
1598 said lien may be enforced in the manner provided for enforcement  
1599 of liens by chapter 85.

1600 ~~(c) Except as provided herein, applications for permits~~  
1601 ~~shall be granted, provided the matter applied for meets the~~  
1602 ~~provisions of this chapter and the regulations adopted and in~~  
1603 ~~force hereunder.~~

1604 (2) CONSIDERATIONS WHEN ISSUING OR DENYING PERMITS.-In  
1605 determining whether to issue or deny a permit, the political  
1606 subdivision or its administrative agency must consider the





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1607 following, as applicable:

1608 (a) The safety of persons on the ground and in the air.

1609 (b) The safe and efficient use of navigable airspace.

1610 (c) The nature of the terrain and height of existing  
1611 structures.

1612 (d) The effect of the construction or alteration on the  
1613 state licensing standards for a public-use airport contained in  
1614 chapter 330 and rules adopted thereunder.

1615 (e) The character of existing and planned flight operations  
1616 and developments at public-use airports.

1617 (f) Federal airways, visual flight rules, flyways and  
1618 corridors, and instrument approaches as designated by the  
1619 Federal Aviation Administration.

1620 (g) The effect of the construction or alteration of the  
1621 proposed structure on the minimum descent altitude or the  
1622 decision height at the affected airport.

1623 (h) The cumulative effects on navigable airspace of all  
1624 existing structures and all other known proposed structures in  
1625 the area.

1626 (i) Additional requirements adopted by the political  
1627 subdivision or administrative agency pertinent to evaluation and  
1628 protection of airspace and airport operations.

1629 ~~(2) VARIANCES.—~~

1630 ~~(a) Any person desiring to erect any structure, increase~~  
1631 ~~the height of any structure, permit the growth of any tree, or~~  
1632 ~~otherwise use his or her property in violation of the airport~~  
1633 ~~zoning regulations adopted under this chapter or any land~~  
1634 ~~development regulation adopted pursuant to the provisions of~~  
1635 ~~chapter 163 pertaining to airport land use compatibility, may~~



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1636 ~~apply to the board of adjustment for a variance from the zoning~~  
1637 ~~regulations in question. At the time of filing the application,~~  
1638 ~~the applicant shall forward to the department by certified mail,~~  
1639 ~~return receipt requested, a copy of the application. The~~  
1640 ~~department shall have 45 days from receipt of the application to~~  
1641 ~~comment and to provide its comments or waiver of that right to~~  
1642 ~~the applicant and the board of adjustment. The department shall~~  
1643 ~~include its explanation for any objections stated in its~~  
1644 ~~comments. If the department fails to provide its comments within~~  
1645 ~~45 days of receipt of the application, its right to comment is~~  
1646 ~~waived. The board of adjustment may proceed with its~~  
1647 ~~consideration of the application only upon the receipt of the~~  
1648 ~~department's comments or waiver of that right as demonstrated by~~  
1649 ~~the filing of a copy of the return receipt with the board.~~  
1650 ~~Noncompliance with this section shall be grounds to appeal~~  
1651 ~~pursuant to s. 333.08 and to apply for judicial relief pursuant~~  
1652 ~~to s. 333.11. Such variances may only be allowed where a literal~~  
1653 ~~application or enforcement of the regulations would result in~~  
1654 ~~practical difficulty or unnecessary hardship and where the~~  
1655 ~~relief granted would not be contrary to the public interest but~~  
1656 ~~would do substantial justice and be in accordance with the~~  
1657 ~~spirit of the regulations and this chapter. However, any~~  
1658 ~~variance may be allowed subject to any reasonable conditions~~  
1659 ~~that the board of adjustment may deem necessary to effectuate~~  
1660 ~~the purposes of this chapter.~~

1661 ~~(b) The Department of Transportation shall have the~~  
1662 ~~authority to appeal any variance granted under this chapter~~  
1663 ~~pursuant to s. 333.08, and to apply for judicial relief pursuant~~  
1664 ~~to s. 333.11.~~



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1665 (3) OBSTRUCTION MARKING AND LIGHTING.—  
1666 ~~(a) In issuing a granting any permit or variance under this~~  
1667 ~~section, the political subdivision or its administrative agency~~  
1668 ~~or board of adjustment shall require the owner of the~~  
1669 ~~obstruction structure or tree in question to install, operate,~~  
1670 ~~and maintain thereon, at his or her own expense, such marking~~  
1671 ~~and lighting in conformance with the specific standards~~  
1672 ~~established by the Federal Aviation Administration as may be~~  
1673 ~~necessary to indicate to aircraft pilots the presence of an~~  
1674 ~~obstruction.~~

1675 ~~(b) Such marking and lighting shall conform to the specific~~  
1676 ~~standards established by rule by the Department of~~  
1677 ~~Transportation.~~

1678 ~~(c) Existing structures not in compliance on October 1,~~  
1679 ~~1988, shall be required to comply whenever the existing marking~~  
1680 ~~requires refurbishment, whenever the existing lighting requires~~  
1681 ~~replacement, or within 5 years of October 1, 1988, whichever~~  
1682 ~~occurs first.~~

1683 Section 26. Section 333.08, Florida Statutes, is repealed.

1684 Section 27. Section 333.09, Florida Statutes, is amended to  
1685 read:

1686 333.09 Administration of airport protection zoning  
1687 regulations.—

1688 (1) ADMINISTRATION.—All airport protection zoning  
1689 regulations adopted under this chapter shall provide for the  
1690 administration and enforcement of such regulations by the  
1691 political subdivision or its administrative agency ~~an~~  
1692 ~~administrative agency which may be an agency created by such~~  
1693 ~~regulations or any official, board, or other existing agency of~~



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1694 ~~the political subdivision adopting the regulations or of one of~~  
1695 ~~the political subdivisions which participated in the creation of~~  
1696 ~~the joint airport zoning board adopting the regulations, if~~  
1697 ~~satisfactory to that political subdivision, but in no case shall~~  
1698 ~~such administrative agency be or include any member of the board~~  
1699 ~~of adjustment. The duties of any administrative agency~~  
1700 ~~designated pursuant to this chapter must ~~shall~~ include that of~~  
1701 ~~hearing and deciding all permits under s. 333.07 ~~s. 333.07(1)~~,~~  
1702 ~~deciding all matters under s. 333.07(3), as they pertain to such~~  
1703 ~~agency, and all other matters under this chapter applying to~~  
1704 ~~said agency, but such agency shall not have or exercise any of~~  
1705 ~~the powers herein delegated to the board of adjustment.~~

1706 (2) LOCAL GOVERNMENT PROCESS.—

1707 (a) A political subdivision required to adopt airport  
1708 zoning regulations under this chapter shall provide a process  
1709 to:

1710 1. Issue or deny permits consistent with s. 333.07.

1711 2. Provide the department with a copy of a complete  
1712 application consistent with s. 333.025(4).

1713 3. Enforce the issuance or denial of a permit or other  
1714 determination made by the administrative agency with respect to  
1715 airport zoning regulations.

1716 (b) If a zoning board or permitting body already exists  
1717 within a political subdivision, the zoning board or permitting  
1718 body may implement the airport zoning regulation permitting and  
1719 appeals processes.

1720 (3) APPEALS.—

1721 (a) A person, a political subdivision or its administrative  
1722 agency, or a joint airport zoning board that contends a decision



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1723 made by a political subdivision or its administrative agency is  
1724 an improper application of airport zoning regulations may use  
1725 the process established for an appeal.

1726 (b) All appeals taken under this section must be taken  
1727 within a reasonable time, as provided by the political  
1728 subdivision or its administrative agency, by filing with the  
1729 entity from which the appeal is taken a notice of appeal  
1730 specifying the grounds for appeal.

1731 (c) An appeal shall stay all proceedings in the underlying  
1732 action appealed from, unless the entity from which the appeal is  
1733 taken certifies pursuant to the rules for appeal that by reason  
1734 of the facts stated in the certificate a stay would, in its  
1735 opinion, cause imminent peril to life or property. In such  
1736 cases, proceedings may not be stayed except by order of the  
1737 political subdivision or its administrative agency on notice to  
1738 the entity from which the appeal is taken and for good cause  
1739 shown.

1740 (d) The political subdivision or its administrative agency  
1741 shall set a reasonable time for the hearing of appeals, give  
1742 public notice and due notice to the parties in interest, and  
1743 decide the same within a reasonable time. Upon the hearing, any  
1744 party may appear in person, by agent, or by attorney.

1745 (e) The political subdivision or its administrative agency  
1746 may, in conformity with this chapter, affirm, reverse, or modify  
1747 the decision on the permit or other determination from which the  
1748 appeal is taken.

1749 Section 28. Section 333.10, Florida Statutes, is repealed.

1750 Section 29. Section 333.11, Florida Statutes, is amended to  
1751 read:



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1752 333.11 Judicial review.-

1753 (1) Any person, ~~aggrieved, or taxpayer affected, by any~~  
1754 ~~decision of a board of adjustment, or any governing body of a~~  
1755 ~~political subdivision, or the Department of Transportation or~~  
1756 ~~any joint airport zoning board affected by a decision of a~~  
1757 ~~political subdivision,~~ or its ~~of any~~ administrative agency  
1758 ~~hereunder,~~ may apply for judicial relief to the circuit court in  
1759 the judicial circuit where the political subdivision ~~board of~~  
1760 ~~adjustment~~ is located within 30 days after rendition of the  
1761 decision ~~by the board of adjustment.~~ Review shall be by petition  
1762 for writ of certiorari, which shall be governed by the Florida  
1763 Rules of Appellate Procedure.

1764 ~~(2) Upon presentation of such petition to the court, it may~~  
1765 ~~allow a writ of certiorari, directed to the board of adjustment,~~  
1766 ~~to review such decision of the board. The allowance of the writ~~  
1767 ~~shall not stay the proceedings upon the decision appealed from,~~  
1768 ~~but the court may, on application, on notice to the board, on~~  
1769 ~~due hearing and due cause shown, grant a restraining order.~~

1770 ~~(3) The board of adjustment shall not be required to return~~  
1771 ~~the original papers acted upon by it, but it shall be sufficient~~  
1772 ~~to return certified or sworn copies thereof or of such portions~~  
1773 ~~thereof as may be called for by the writ. The return shall~~  
1774 ~~concisely set forth such other facts as may be pertinent and~~  
1775 ~~material to show the grounds of the decision appealed from and~~  
1776 ~~shall be verified.~~

1777 ~~(2)(4)~~ The court has ~~shall have~~ exclusive jurisdiction to  
1778 affirm, reverse, or modify, ~~or set aside~~ the decision on the  
1779 permit or other determination from which the appeal is taken  
1780 ~~brought up for review, in whole or in part,~~ and, if appropriate



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1781 ~~need be~~, to order further proceedings by the political  
1782 subdivision or its administrative agency board of adjustment.  
1783 The findings of fact by the political subdivision or its  
1784 administrative agency board, if supported by substantial  
1785 evidence, shall be accepted by the court as conclusive, and an  
1786 ~~ne~~ objection to a decision of the political subdivision or its  
1787 administrative agency may not board shall be considered by the  
1788 court unless such objection was raised in the underlying  
1789 proceeding shall have been urged before the board, or, if it was  
1790 not so urged, unless there were reasonable grounds for failure  
1791 to do so.

1792 (3)(5) ~~If In any case in which~~ airport zoning regulations  
1793 adopted under this chapter, ~~although generally reasonable,~~ are  
1794 held by a court to interfere with the use and enjoyment of a  
1795 particular structure or parcel of land to such an extent, or to  
1796 be so onerous in their application to such a structure or parcel  
1797 of land, as to constitute a taking or deprivation of that  
1798 property in violation of the State Constitution or the  
1799 Constitution of the United States, such holding shall not affect  
1800 the application of such regulations to other structures and  
1801 parcels of land, or such regulations as are not involved in the  
1802 particular decision.

1803 (4)(6) ~~A judicial~~ Ne appeal to any court may not shall be  
1804 ~~or is~~ permitted under this section until the appellant has  
1805 exhausted all of its remedies through application for local  
1806 government permits, exceptions, and appeals, to any courts, as  
1807 ~~herein provided, save and except an appeal from a decision of~~  
1808 ~~the board of adjustment, the appeal herein provided being from~~  
1809 ~~such final decision of such board only, the appellant being~~



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1810 ~~hereby required to exhaust his or her remedies hereunder of~~  
1811 ~~application for permits, exceptions and variances, and appeal to~~  
1812 ~~the board of adjustment, and gaining a determination by said~~  
1813 ~~board, before being permitted to appeal to the court hereunder.~~

1814 Section 30. Section 333.12, Florida Statutes, is amended to  
1815 read:

1816 333.12 Acquisition of air rights. ~~If In any case which: it~~  
1817 ~~is desired to remove, lower or otherwise terminate a~~  
1818 nonconforming obstruction is determined to be an airport hazard  
1819 and the owner will not remove, lower, or otherwise eliminate it  
1820 ~~structure or use; or~~ the approach protection necessary cannot,  
1821 because of constitutional limitations, be provided by airport  
1822 zoning regulations under this chapter; or it appears advisable  
1823 that the necessary approach protection be provided by  
1824 acquisition of property rights rather than by airport zoning  
1825 regulations, the political subdivision within which the property  
1826 or nonconforming obstruction use is located, or the political  
1827 subdivision owning or operating the airport or being served by  
1828 it, may acquire, by purchase, grant, or condemnation in the  
1829 manner provided by chapter 73, such property, air right,  
1830 avigation navigation easement, or other estate, portion, or  
1831 interest in the property or nonconforming obstruction structure  
1832 ~~or use~~ or such interest in the air above such property, ~~tree,~~  
1833 ~~structure, or use,~~ in question, as may be necessary to  
1834 effectuate the purposes of this chapter, and in so doing, if by  
1835 condemnation, to have the right to take immediate possession of  
1836 the property, interest in property, air right, or other right  
1837 sought to be condemned, at the time, and in the manner and form,  
1838 and as authorized by chapter 74. In the case of the purchase of





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1839 any property, ~~or any easement,~~ or estate or interest therein or  
1840 the acquisition of the same by the power of eminent domain, the  
1841 political subdivision making such purchase or exercising such  
1842 power shall, in addition to the damages for the taking, injury,  
1843 or destruction of property, also pay the cost of the removal and  
1844 relocation of any structure or any public utility that ~~which~~ is  
1845 required to be moved to a new location.

1846 Section 31. Section 333.13, Florida Statutes, is amended to  
1847 read:

1848 333.13 Enforcement and remedies.—

1849 (1) Each violation of this chapter or of any airport zoning  
1850 regulations, orders, or rulings adopted ~~promulgated~~ or made  
1851 pursuant to this chapter shall constitute a misdemeanor of the  
1852 second degree, punishable as provided in s. 775.082 or s.  
1853 775.083, and each day a violation continues to exist shall  
1854 constitute a separate offense.

1855 (2) In addition, the political subdivision or agency  
1856 adopting the airport zoning regulations under this chapter may  
1857 institute in any court of competent jurisdiction an action to  
1858 prevent, restrain, correct, or abate any violation of this  
1859 chapter or of airport zoning regulations adopted under this  
1860 chapter or of any order or ruling made in connection with their  
1861 administration or enforcement, and the court shall adjudge to  
1862 the plaintiff such relief, by way of injunction, ~~(which may be~~  
1863 ~~mandatory,~~) or otherwise, as may be proper under all the facts  
1864 and circumstances of the case in order to fully effectuate the  
1865 purposes of this chapter and of the regulations adopted and  
1866 orders and rulings made pursuant thereto.

1867 (3) The department ~~of Transportation~~ may institute a civil



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1868 action for injunctive relief in the appropriate circuit court to  
1869 prevent violation of any provision of this chapter.

1870 Section 32. Section 333.135, Florida Statutes, is created  
1871 to read:

1872 333.135 Transition provisions.-

1873 (1) Any airport zoning regulation in effect on July 1,  
1874 2016, which includes provisions in conflict with this chapter  
1875 shall be amended to conform to the requirements of this chapter  
1876 by July 1, 2017.

1877 (2) Any political subdivision having an airport within its  
1878 territorial limits which has not adopted airport zoning  
1879 regulations shall, by July 1, 2017, adopt airport zoning  
1880 regulations consistent with this chapter.

1881 (3) For those political subdivisions that have not yet  
1882 adopted airport zoning regulations pursuant to this chapter, the  
1883 department shall administer the permitting process as provided  
1884 in s. 333.025.

1885 Section 33. Section 333.14, Florida Statutes, is repealed.

1886 Section 34. Section 335.085, Florida Statutes, is created  
1887 to read:

1888 335.085 Installation of roadside barriers along certain  
1889 water bodies contiguous with state roads.-

1890 (1) This section shall be cited as "Chloe's Law."

1891 (2) By June 30, 2018, the department shall install roadside  
1892 barriers to shield water bodies contiguous with state roads at  
1893 locations where a death due to drowning resulted from a motor  
1894 vehicle accident in which a vehicle departed the adjacent state  
1895 road during the period between July 1, 2006, and July 1, 2016.  
1896 This requirement does not apply to any location at which the



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1897 department's chief engineer determines, based on engineering  
1898 principles, that installation of a barrier would increase the  
1899 risk of injury to motorists traveling on the adjacent state  
1900 road.

1901 Section 35. The Department of Transportation shall review  
1902 all motor vehicle accidents that resulted in death due to  
1903 drowning in a water body contiguous with a state road and that  
1904 occurred during the period between July 1, 2006, and July 1,  
1905 2016. The department shall use the reconciled crash data  
1906 received from the Department of Highway Safety and Motor  
1907 Vehicles and shall submit a report to the President of the  
1908 Senate and the Speaker of the House of Representatives by  
1909 January 3, 2017, providing recommendations regarding any  
1910 necessary changes to state laws and department rules to enhance  
1911 traffic safety.

1912 Section 36. Subsection (3) of section 337.0261, Florida  
1913 Statutes, is amended to read:

1914 337.0261 Construction aggregate materials.-

1915 (3) LOCAL GOVERNMENT DECISIONMAKING.-~~A~~ ~~No~~ local government  
1916 may not ~~shall~~ approve or deny a proposed land use zoning change,  
1917 comprehensive plan amendment, land use permit, ordinance, or  
1918 order regarding construction aggregate materials without  
1919 considering any information provided by the Department of  
1920 Transportation regarding the effect such change, amendment,  
1921 permit decision, ordinance, or order would have on the  
1922 availability, transportation, cost, and potential extraction of  
1923 construction aggregate materials on the local area, the region,  
1924 and the state. The failure of the Department of Transportation  
1925 to provide this information shall not be a basis for delay or



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1926 invalidation of the local government action. A ~~No~~ local  
1927 government may not impose a moratorium, or combination of  
1928 moratoria, of more than 12 months' duration on the mining or  
1929 extraction of construction aggregate materials, commencing on  
1930 the date the vote was taken to impose the moratorium. January 1,  
1931 2007, shall serve as the commencement of the 12-month period for  
1932 moratoria already in place as of July 1, 2007.

1933 Section 37. Paragraph (a) of subsection (1) of section  
1934 337.18, Florida Statutes, is amended to read:

1935 337.18 Surety bonds for construction or maintenance  
1936 contracts; requirement with respect to contract award; bond  
1937 requirements; defaults; damage assessments.—

1938 (1) (a) A surety bond shall be required of the successful  
1939 bidder in an amount equal to the awarded contract price.  
1940 However, the department may choose, in its discretion and  
1941 applicable only to multiyear maintenance contracts, to allow for  
1942 incremental annual contract bonds that cumulatively total the  
1943 full, awarded, multiyear contract price.

1944 1. The department may waive the requirement for all or a  
1945 portion of a surety bond if:

1946 a. ~~For a project for which~~ The contract price is \$250,000  
1947 or less ~~and,~~ the department may waive the requirement for all or  
1948 a ~~portion of a surety bond if it~~ determines that the project is  
1949 of a noncritical nature and that nonperformance will not  
1950 endanger public health, safety, or property;

1951 b. The prime contractor is a qualified nonprofit agency for  
1952 the blind or for the other severely handicapped under s.  
1953 413.036(2); or

1954 c. The prime contractor is using a subcontractor that is a



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1955 qualified nonprofit agency for the blind or for the other  
1956 severely handicapped under s. 413.036(2). However, the  
1957 department may not waive more than the amount of the  
1958 subcontract.

1959       2. If the Secretary of Transportation or the secretary's  
1960 designee determines that it is in the best interests of the  
1961 department to reduce the bonding requirement for a project and  
1962 that to do so will not endanger public health, safety, or  
1963 property, the department may waive the requirement of a surety  
1964 bond in an amount equal to the awarded contract price for a  
1965 project having a contract price of \$250 million or more and, in  
1966 its place, may set a surety bond amount that is a portion of the  
1967 total contract price and provide an alternate means of security  
1968 for the balance of the contract amount that is not covered by  
1969 the surety bond or provide for incremental surety bonding and  
1970 provide an alternate means of security for the balance of the  
1971 contract amount that is not covered by the surety bond. Such  
1972 alternative means of security may include letters of credit,  
1973 United States bonds and notes, parent company guarantees, and  
1974 cash collateral. The department may require alternate means of  
1975 security if a surety bond is waived. The surety on such bond  
1976 shall be a surety company authorized to do business in the  
1977 state. All bonds shall be payable to the department and  
1978 conditioned for the prompt, faithful, and efficient performance  
1979 of the contract according to plans and specifications and within  
1980 the time period specified, and for the prompt payment of all  
1981 persons defined in s. 713.01 furnishing labor, material,  
1982 equipment, and supplies for work provided in the contract;  
1983 however, whenever an improvement, demolition, or removal



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1984 contract price is \$25,000 or less, the security may, in the  
1985 discretion of the bidder, be in the form of a cashier's check,  
1986 bank money order of any state or national bank, certified check,  
1987 or postal money order. The department shall adopt rules to  
1988 implement this subsection. Such rules shall include provisions  
1989 under which the department shall refuse to accept bonds on  
1990 contracts when a surety wrongfully fails or refuses to settle or  
1991 provide a defense for claims or actions arising under a contract  
1992 for which the surety previously furnished a bond.

1993 Section 38. Subsection (4) of section 338.165, Florida  
1994 Statutes, is amended, and subsection (11) is added to that  
1995 section, to read:

1996 338.165 Continuation of tolls.—

1997 (4) Notwithstanding any other law to the contrary, pursuant  
1998 to s. 11, Art. VII of the State Constitution, and subject to the  
1999 requirements of subsection (2), the Department of Transportation  
2000 may request the Division of Bond Finance to issue bonds secured  
2001 by toll revenues collected on the Alligator Alley and, the  
2002 Sunshine Skyway Bridge, ~~the Beeline East Expressway, the Navarre~~  
2003 ~~Bridge, and the Pinellas Bayway~~ to fund transportation projects  
2004 located within the county or counties in which the project is  
2005 located and contained in the adopted work program of the  
2006 department.

2007 (11) The department's Pinellas Bayway System may be  
2008 transferred by the department and become part of the turnpike  
2009 system under the Florida Turnpike Enterprise Law. The transfer  
2010 does not affect the rights of the parties, or their successors  
2011 in interest, under the settlement agreement and final judgment  
2012 in Leonard Lee Ratner, Esther Ratner, and Leeco Gas and Oil Co.



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2013 v. State Road Department of the State of Florida, No. 67-1081  
2014 (Fla. 2nd Cir. Ct. 1968). Upon transfer of the Pinellas Bayway  
2015 System to the turnpike system, the department shall also  
2016 transfer to the Florida Turnpike Enterprise the funds deposited  
2017 in the reserve account established by chapter 85-364, Laws of  
2018 Florida, as amended by chapters 95-382 and 2014-223, Laws of  
2019 Florida, which funds shall be used by the Florida Turnpike  
2020 Enterprise solely to help fund the costs of repair or  
2021 replacement of the transferred facilities.

2022 Section 39. Chapter 85-364, Laws of Florida, as amended by  
2023 chapter 95-382 and section 48 of chapter 2014-223, Laws of  
2024 Florida, is repealed.

2025 Section 40. Subsections (5) and (6) of section 338.231,  
2026 Florida Statutes, are amended to read:

2027 338.231 Turnpike tolls, fixing; pledge of tolls and other  
2028 revenues.—The department shall at all times fix, adjust, charge,  
2029 and collect such tolls and amounts for the use of the turnpike  
2030 system as are required in order to provide a fund sufficient  
2031 with other revenues of the turnpike system to pay the cost of  
2032 maintaining, improving, repairing, and operating such turnpike  
2033 system; to pay the principal of and interest on all bonds issued  
2034 to finance or refinance any portion of the turnpike system as  
2035 the same become due and payable; and to create reserves for all  
2036 such purposes.

2037 ~~(5) In each fiscal year while any of the bonds of the~~  
2038 ~~Broward County Expressway Authority series 1984 and series 1986-~~  
2039 ~~A remain outstanding, the department is authorized to pledge~~  
2040 ~~revenues from the turnpike system to the payment of principal~~  
2041 ~~and interest of such series of bonds and the operation and~~



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2042 ~~maintenance expenses of the Sawgrass Expressway, to the extent~~  
2043 ~~gross toll revenues of the Sawgrass Expressway are insufficient~~  
2044 ~~to make such payments. The terms of an agreement relative to the~~  
2045 ~~pledge of turnpike system revenue will be negotiated with the~~  
2046 ~~parties of the 1984 and 1986 Broward County Expressway Authority~~  
2047 ~~lease-purchase agreements, and subject to the covenants of those~~  
2048 ~~agreements. The agreement must establish that the Sawgrass~~  
2049 ~~Expressway is subject to the planning, management, and operating~~  
2050 ~~control of the department limited only by the terms of the~~  
2051 ~~lease-purchase agreements. The department shall provide for the~~  
2052 ~~payment of operation and maintenance expenses of the Sawgrass~~  
2053 ~~Expressway until such agreement is in effect. This pledge of~~  
2054 ~~turnpike system revenues is subordinate to the debt service~~  
2055 ~~requirements of any future issue of turnpike bonds, the payment~~  
2056 ~~of turnpike system operation and maintenance expenses, and~~  
2057 ~~subject to any subsequent resolution or trust indenture relating~~  
2058 ~~to the issuance of such turnpike bonds.~~

2059       (5)-(6) The use and disposition of revenues pledged to bonds  
2060 are subject to ss. 338.22-338.241 and such regulations as the  
2061 resolution authorizing the issuance of the bonds or such trust  
2062 agreement may provide.

2063       Section 41. Paragraph (i) of subsection (6) and paragraph  
2064 (c) of subsection (7) of section 339.175, Florida Statutes, are  
2065 amended to read:

2066       339.175 Metropolitan planning organization.—

2067       (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,  
2068 privileges, and authority of an M.P.O. are those specified in  
2069 this section or incorporated in an interlocal agreement  
2070 authorized under s. 163.01. Each M.P.O. shall perform all acts





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2071 required by federal or state laws or rules, now and subsequently  
2072 applicable, which are necessary to qualify for federal aid. It  
2073 is the intent of this section that each M.P.O. shall be involved  
2074 in the planning and programming of transportation facilities,  
2075 including, but not limited to, airports, intercity and high-  
2076 speed rail lines, seaports, and intermodal facilities, to the  
2077 extent permitted by state or federal law.

2078 (i) The Tampa Bay Area Regional Transportation Authority  
2079 Metropolitan Planning Organization Chairs ~~A chair's~~ Coordinating  
2080 Committee is created within the Tampa Bay Area Regional  
2081 Transportation Authority, composed of the M.P.O.'s serving  
2082 Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, Polk,  
2083 and Sarasota Counties. The authority shall provide  
2084 administrative support and direction to the committee. The  
2085 committee must, at a minimum:

2086 1. Coordinate transportation projects deemed to be  
2087 regionally significant by the committee.

2088 2. Review the impact of regionally significant land use  
2089 decisions on the region.

2090 3. Review all proposed regionally significant  
2091 transportation projects in the respective transportation  
2092 improvement programs which affect more than one of the M.P.O.'s  
2093 represented on the committee.

2094 4. Institute a conflict resolution process to address any  
2095 conflict that may arise in the planning and programming of such  
2096 regionally significant projects.

2097 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must  
2098 develop a long-range transportation plan that addresses at least  
2099 a 20-year planning horizon. The plan must include both long-



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2100 range and short-range strategies and must comply with all other  
2101 state and federal requirements. The prevailing principles to be  
2102 considered in the long-range transportation plan are: preserving  
2103 the existing transportation infrastructure; enhancing Florida's  
2104 economic competitiveness; and improving travel choices to ensure  
2105 mobility. The long-range transportation plan must be consistent,  
2106 to the maximum extent feasible, with future land use elements  
2107 and the goals, objectives, and policies of the approved local  
2108 government comprehensive plans of the units of local government  
2109 located within the jurisdiction of the M.P.O. Each M.P.O. is  
2110 encouraged to consider strategies that integrate transportation  
2111 and land use planning to provide for sustainable development and  
2112 reduce greenhouse gas emissions. The approved long-range  
2113 transportation plan must be considered by local governments in  
2114 the development of the transportation elements in local  
2115 government comprehensive plans and any amendments thereto. The  
2116 long-range transportation plan must, at a minimum:

2117 (c) Assess capital investment and other measures necessary  
2118 to:

- 2119 1. Ensure the preservation of the existing metropolitan  
2120 transportation system including requirements for the operation,  
2121 resurfacing, restoration, and rehabilitation of major roadways  
2122 and requirements for the operation, maintenance, modernization,  
2123 and rehabilitation of public transportation facilities; and  
2124 2. Make the most efficient use of existing transportation  
2125 facilities to relieve vehicular congestion, improve safety, and  
2126 maximize the mobility of people and goods. Such efforts must  
2127 include, but are not limited to, consideration of infrastructure  
2128 and technological improvements necessary to accommodate advances



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2129 in vehicle technology, such as autonomous technology and other  
2130 developments.

2131  
2132 In the development of its long-range transportation plan, each  
2133 M.P.O. must provide the public, affected public agencies,  
2134 representatives of transportation agency employees, freight  
2135 shippers, providers of freight transportation services, private  
2136 providers of transportation, representatives of users of public  
2137 transit, and other interested parties with a reasonable  
2138 opportunity to comment on the long-range transportation plan.

2139 The long-range transportation plan must be approved by the  
2140 M.P.O.

2141 Section 42. Subsection (2) of section 339.2818, Florida  
2142 Statutes, is amended to read:

2143 339.2818 Small County Outreach Program.—

2144 (2)(a) For the purposes of this section, the term "small  
2145 county" means any county that has a population of 170,000  
2146 ~~150,000~~ or less as determined by the most recent official  
2147 estimate pursuant to s. 186.901.

2148 ~~(b) Notwithstanding paragraph (a), for the 2015-2016 fiscal~~  
2149 ~~year, for purposes of this section, the term "small county"~~  
2150 ~~means any county that has a population of 165,000 or less as~~  
2151 ~~determined by the most recent official estimate pursuant to s.~~  
2152 ~~186.901. This paragraph expires July 1, 2016.~~

2153 Section 43. Subsections (1) and (2) of section 339.55,  
2154 Florida Statutes, are amended to read:

2155 339.55 State-funded infrastructure bank.—

2156 (1) There is created within the Department of  
2157 Transportation a state-funded infrastructure bank for the



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2158 purpose of providing loans and credit enhancements to government  
2159 units and private entities for use in constructing and improving  
2160 transportation facilities or ancillary facilities that produce  
2161 or distribute natural gas or fuel.

2162 (2) The bank may lend capital costs or provide credit  
2163 enhancements for:

2164 (a) A transportation facility project that is on the State  
2165 Highway System or that provides for increased mobility on the  
2166 state's transportation system or provides intermodal  
2167 connectivity with airports, seaports, rail facilities, and other  
2168 transportation terminals, pursuant to s. 341.053, for the  
2169 movement of people and goods.

2170 (b) Projects of the Transportation Regional Incentive  
2171 Program which are identified pursuant to s. 339.2819(4).

2172 (c)1. Emergency loans for damages incurred to public-use  
2173 commercial deepwater seaports, public-use airports, and other  
2174 public-use transit and intermodal facilities that are within an  
2175 area that is part of an official state declaration of emergency  
2176 pursuant to chapter 252 and all other applicable laws. Such  
2177 loans:

2178 a. May not exceed 24 months in duration except in extreme  
2179 circumstances, for which the Secretary of Transportation may  
2180 grant up to 36 months upon making written findings specifying  
2181 the conditions requiring a 36-month term.

2182 b. Require application from the recipient to the department  
2183 that includes documentation of damage claims filed with the  
2184 Federal Emergency Management Agency or an applicable insurance  
2185 carrier and documentation of the recipient's overall financial  
2186 condition.



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2187 c. Are subject to approval by the Secretary of  
2188 Transportation and the Legislative Budget Commission.

2189 2. Loans provided under this paragraph must be repaid upon  
2190 receipt by the recipient of eligible program funding for damages  
2191 in accordance with the claims filed with the Federal Emergency  
2192 Management Agency or an applicable insurance carrier, but no  
2193 later than the duration of the loan.

2194 (d) Beginning July 1, 2017, applications for the  
2195 development and construction of natural gas fuel production or  
2196 distribution facilities used primarily to support the  
2197 transportation activities at seaports or intermodal facilities.  
2198 Loans under this paragraph may be used to refinance outstanding  
2199 debt.

2200 Section 44. Paragraph (c) is added to subsection (3) of  
2201 section 339.64, Florida Statutes, and paragraph (a) of  
2202 subsection (4) of that section is amended, to read:

2203 339.64 Strategic Intermodal System Plan.—

2204 (3)

2205 (c) The department shall coordinate with federal, regional,  
2206 and local partners, as well as industry representatives, to  
2207 consider infrastructure and technological improvements necessary  
2208 to accommodate advances in vehicle technology, such as  
2209 autonomous technology and other developments, in Strategic  
2210 Intermodal System facilities.

2211 (4) The Strategic Intermodal System Plan shall include the  
2212 following:

2213 (a) A needs assessment that must include, but is not  
2214 limited to, consideration of infrastructure and technological  
2215 improvements necessary to accommodate advances in vehicle



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2216 technology, such as autonomous technology and other  
2217 developments.

2218 Section 45. Section 341.0532, Florida Statutes, is  
2219 repealed.

2220 Section 46. Paragraphs (a) and (b) of subsection (2) of  
2221 section 343.92, Florida Statutes, are amended to read:

2222 343.92 Tampa Bay Area Regional Transportation Authority.-

2223 (2) The governing board of the authority shall consist of  
2224 15 voting ~~16~~ members.

2225 (a) ~~There shall be one nonvoting, ex officio member of the~~  
2226 ~~board who shall be appointed by~~ The secretary of the department  
2227 shall appoint two advisors to the board ~~but~~ who must be the  
2228 district secretary for each ~~one~~ of the department districts  
2229 within the seven-county area of the authority, ~~at the discretion~~  
2230 ~~of the secretary of the department.~~

2231 (b) ~~The~~ There shall be 15 voting members of the board shall  
2232 be as follows:

2233 1. The county commissions of Citrus, Hernando,  
2234 Hillsborough, Pasco, Pinellas, Manatee, and Sarasota Counties  
2235 shall each appoint one elected official to the board. Members  
2236 appointed under this subparagraph shall serve 2-year terms with  
2237 not more than three consecutive terms being served by any  
2238 person. If a member under this subparagraph leaves elected  
2239 office, a vacancy exists on the board to be filled as provided  
2240 in this subparagraph.

2241 2. The Tampa Bay Area Regional Transportation Authority  
2242 (TBARTA) Metropolitan Planning Organization ~~West Central Florida~~  
2243 ~~M.P.O.~~ Chairs Coordinating Committee shall appoint one member to  
2244 the board who must be a chair of one of the six metropolitan



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2245 planning organizations in the region. The member appointed under  
2246 this subparagraph shall serve a 2-year term with not more than  
2247 three consecutive terms being served by any person.

2248         3.a. Two members of the board shall be the mayor, or the  
2249 mayor's designee, of the largest municipality within the service  
2250 area of each of the following independent transit agencies or  
2251 their legislatively created successor agencies: Pinellas  
2252 Suncoast Transit Authority and Hillsborough Area Regional  
2253 Transit Authority. The largest municipality is that municipality  
2254 with the largest population as determined by the most recent  
2255 United States Decennial Census.

2256         b. Should a mayor choose not to serve, his or her designee  
2257 must be an elected official selected by the mayor from that  
2258 largest municipality's city council or city commission. A mayor  
2259 or his or her designee shall serve a 2-year term with not more  
2260 than three consecutive terms being served by any person.

2261         c. A designee's term ends if the mayor leaves office for  
2262 any reason. If a designee leaves elected office on the city  
2263 council or commission, a vacancy exists on the board to be  
2264 filled by the mayor of that municipality as provided in sub-  
2265 subparagraph a.

2266         d. A mayor who has served three consecutive terms on the  
2267 board must designate an elected official from that largest  
2268 municipality's city council or city commission to serve on the  
2269 board for at least one term.

2270         4.a. One membership on the board shall rotate every 2 years  
2271 between the mayor, or his or her designee, of the largest  
2272 municipality within Manatee County and the mayor, or his or her  
2273 designee, of the largest municipality within Sarasota County.



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2274 The mayor, or his or her designee, from the largest municipality  
2275 within Manatee County shall serve the first 2-year term. The  
2276 largest municipality is that municipality with the largest  
2277 population as determined by the most recent United States  
2278 Decennial Census.

2279       b. Should a mayor choose not to serve, his or her designee  
2280 must be an elected official selected by the mayor from that  
2281 municipality's city council or city commission.

2282       5. The Governor shall appoint to the board four business  
2283 representatives, each of whom must reside in one of the seven  
2284 counties governed by the authority, none of whom may be elected  
2285 officials, and at least one but not more than two of whom shall  
2286 represent counties within the federally designated Tampa Bay  
2287 Transportation Management Area. Members appointed by the  
2288 Governor shall serve 3-year terms with not more than two  
2289 consecutive terms being served by any person.

2290       Section 47. Paragraphs (d), (e), and (f) of subsection (3)  
2291 of section 343.922, Florida Statutes, are amended, and paragraph  
2292 (g) is added to that subsection, to read:

2293       343.922 Powers and duties.—

2294       (3)

2295       (d) After its adoption, the master plan shall be updated  
2296 every 5 ~~2~~ years before July 1.

2297       (e) The authority shall present the original master plan  
2298 and updates to the governing bodies of the counties within the  
2299 seven-county region, to the TBARTA Metropolitan Planning  
2300 Organization ~~West Central Florida M.P.O.~~ Chairs Coordinating  
2301 Committee, and to the legislative delegation members  
2302 representing those counties within 90 days after adoption.





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2303 (f) The authority shall coordinate plans and projects with  
2304 the TBARTA Metropolitan Planning Organization ~~West Central~~  
2305 ~~Florida M.P.O.~~ Chairs Coordinating Committee, to the extent  
2306 practicable, and participate in the regional M.P.O. planning  
2307 process to ensure regional comprehension of the authority's  
2308 mission, goals, and objectives.

2309 (g) The authority shall provide administrative support and  
2310 direction to the TBARTA Metropolitan Planning Organization  
2311 Chairs Coordinating Committee as provided in s. 339.175(6)(i).

2312 Section 48. Subsection (3) of section 348.565, Florida  
2313 Statutes, is amended, and subsection (5) is added to that  
2314 section, to read:

2315 348.565 Revenue bonds for specified projects.—The existing  
2316 facilities that constitute the Tampa-Hillsborough County  
2317 Expressway System are hereby approved to be refinanced by  
2318 revenue bonds issued by the Division of Bond Finance of the  
2319 State Board of Administration pursuant to s. 11(f), Art. VII of  
2320 the State Constitution and the State Bond Act or by revenue  
2321 bonds issued by the authority pursuant to s. 348.56(1)(b). In  
2322 addition, the following projects of the Tampa-Hillsborough  
2323 County Expressway Authority are approved to be financed or  
2324 refinanced by the issuance of revenue bonds in accordance with  
2325 this part and s. 11(f), Art. VII of the State Constitution:

2326 (3) Lee Roy Selmon Crosstown Expressway System widening,  
2327 and any extensions thereof.

2328 (5) Capital projects that the authority is authorized to  
2329 acquire, construct, reconstruct, equip, operate, and maintain  
2330 pursuant to this part, including, without limitation, s.  
2331 348.54(15), provided that any financing of such projects does



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2332 not pledge the full faith and credit of the state.

2333 Section 49. Subsection (20) is added to section 479.16,  
2334 Florida Statutes, to read:

2335 479.16 Signs for which permits are not required.—The  
2336 following signs are exempt from the requirement that a permit  
2337 for a sign be obtained under this chapter but are required to  
2338 comply with s. 479.11(4)-(8), and ~~the provisions of subsections~~  
2339 ~~(15)-(20)~~ ~~(15)~~ ~~(19)~~ may not be implemented or continued if the  
2340 Federal Government notifies the department that implementation  
2341 or continuation will adversely affect the allocation of federal  
2342 funds to the department:

2343 (20) Signs that are located within the controlled area of a  
2344 federal-aid primary highway but that are on a parcel adjacent to  
2345 an off-ramp to the termination point of a turnpike system, if  
2346 there is no directional decision to be made by a driver, the  
2347 signs are primarily facing the off-ramp, and the signs have been  
2348 in existence since at least 1995.

2349  
2350 If the exemptions in subsections (15)-(20) ~~(15)~~ ~~(19)~~ are not  
2351 implemented or continued due to notification from the Federal  
2352 Government that the allocation of federal funds to the  
2353 department will be adversely impacted, the department shall  
2354 provide notice to the sign owner that the sign must be removed  
2355 within 30 days after receipt of the notice. If the sign is not  
2356 removed within 30 days after receipt of the notice by the sign  
2357 owner, the department may remove the sign, and the costs  
2358 incurred in connection with the sign removal shall be assessed  
2359 against and collected from the sign owner.

2360 Section 50. Section 563.13, Florida Statutes, is created to



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2361 read:

2362 563.13 Florida brewery directional signs; fees.—Upon the  
2363 request of a brewery licensed under s. 561.221(2) or (3) which  
2364 produces a minimum of 2,500 barrels per year on the premises, is  
2365 open to the public at least 30 hours per week, and is available  
2366 for tours, the Department of Transportation shall install  
2367 directional signs for the brewery on the rights-of-way of  
2368 interstate highways and primary and secondary roads in  
2369 accordance with Florida’s Highway Guide Sign Program as provided  
2370 in chapter 14-51, Florida Administrative Code. A brewery  
2371 licensed in this state which requests placement of a directional  
2372 sign through the department’s permit process shall pay all  
2373 associated costs.

2374 Section 51. Paragraph (a) of subsection (2) of section  
2375 812.014, Florida Statutes, is amended to read:

2376 812.014 Theft.—

2377 (2) (a) 1. If the property stolen is valued at \$100,000 or  
2378 more or is a semitrailer that was deployed by a law enforcement  
2379 officer; or

2380 2. If the property stolen is cargo valued at \$50,000 or  
2381 more that has entered the stream of interstate or intrastate  
2382 commerce from the shipper’s loading platform to the consignee’s  
2383 receiving dock; or

2384 3. If the offender commits any grand theft and:

2385 a. In the course of committing the offense the offender  
2386 uses a motor vehicle as an instrumentality, other than merely as  
2387 a getaway vehicle, to assist in committing the offense and  
2388 thereby damages the real property of another; ~~or~~

2389 b. In the course of committing the offense the offender



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2390 causes damage to the real or personal property of another in  
2391 excess of \$1,000; or

2392 c. In the course of committing the offense the offender  
2393 uses any type of device to defeat, block, disable, jam, or  
2394 interfere with a global positioning system or similar system  
2395 designed to identify the location of the cargo or the vehicle or  
2396 trailer carrying the cargo,

2397  
2398 the offender commits grand theft in the first degree, punishable  
2399 as a felony of the first degree, as provided in s. 775.082, s.  
2400 775.083, or s. 775.084.

2401 Section 52. The Department of Transportation, in  
2402 consultation with the Department of Highway Safety and Motor  
2403 Vehicles, shall study the use and safe operation of driver-  
2404 assistive truck platooning technology, as defined in s. 316.003,  
2405 Florida Statutes, for the purpose of developing a pilot project  
2406 to test vehicles that are equipped to operate using driver-  
2407 assistive truck platooning technology.

2408 (1) Upon conclusion of the study, the Department of  
2409 Transportation, in consultation with the Department of Highway  
2410 Safety and Motor Vehicles, may conduct a pilot project to test  
2411 the use and safe operation of vehicles equipped with driver-  
2412 assistive truck platooning technology.

2413 (2) Notwithstanding ss. 316.0895 and 316.303, Florida  
2414 Statutes, the Department of Transportation may conduct the pilot  
2415 project in such a manner and at such locations as determined by  
2416 the Department of Transportation based on the study.

2417 (3) Before the start of the pilot project, manufacturers of  
2418 driver-assistive truck platooning technology being tested in the



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2419 pilot project must submit to the Department of Highway Safety  
2420 and Motor Vehicles an instrument of insurance, a surety bond, or  
2421 proof of self-insurance acceptable to the department in the  
2422 amount of \$5 million.

2423 (4) Upon conclusion of the pilot project, the Department of  
2424 Transportation, in consultation with the Department of Highway  
2425 Safety and Motor Vehicles, shall submit the results of the study  
2426 and any findings or recommendations from the pilot project to  
2427 the Governor, the President of the Senate, and the Speaker of  
2428 the House of Representatives.

2429 Section 53. (1) (a) The Office of Economic and Demographic  
2430 Research shall evaluate and determine the economic benefits, as  
2431 defined in s. 288.005(1), Florida Statutes, of the state's  
2432 investment in the Department of Transportation's adopted work  
2433 program developed in accordance with s. 339.135(5), Florida  
2434 Statutes, for fiscal year 2016-2017 and the following 4 fiscal  
2435 years. At a minimum, a separate return on investment shall be  
2436 projected for each of the following areas:

- 2437 1. Roads and highways.
- 2438 2. Rails.
- 2439 3. Public transit.
- 2440 4. Aviation.
- 2441 5. Seaports.

2442 (b) The evaluation shall be limited to the funding  
2443 anticipated by the adopted work program but may address the  
2444 continuing economic impact for those transportation projects in  
2445 the 5 years after the conclusion of the adopted work program.  
2446 The evaluation must also determine the number of jobs created,  
2447 the increase or decrease in personal income, and the impact on



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2448 gross domestic product from the direct, indirect, and induced  
2449 effects on the state's investment in each area.

2450 (2) The Department of Transportation and each of its  
2451 district offices shall provide the Office of Economic and  
2452 Demographic Research full access to all data necessary to  
2453 complete the evaluation, including any confidential data.

2454 (3) The Office of Economic and Demographic Research shall  
2455 submit the evaluation to the President of the Senate and the  
2456 Speaker of the House of Representatives by January 1, 2017.

2457 Section 54. Section 316.87, Florida Statutes, is created to  
2458 read:

2459 316.87 Nonemergency medical transportation services.—To  
2460 ensure the availability of nonemergency medical transportation  
2461 services throughout the state, a provider licensed by the county  
2462 or operating under a permit issued by the county may not be  
2463 required to use a vehicle that is larger than needed to  
2464 transport the number of persons being transported or that is  
2465 inconsistent with the medical condition of the individuals  
2466 receiving the nonemergency medical transportation services. This  
2467 section does not apply to the procurement, contracting, or  
2468 provision of paratransit transportation services, directly or  
2469 indirectly, by a county or an authority, pursuant to the  
2470 Americans with Disabilities Act of 1990, as amended.

2471 Section 55. Transportation facility designations;  
2472 Department of Transportation to erect suitable markers.—

2473 (1) That portion of C.R. 155/Meridian Road between Meridian  
2474 Hills Road and the Georgia state line in Leon County is  
2475 designated as "Dubose Ausley Highway."

2476 (2) The Department of Transportation is directed to erect



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2477 suitable markers designating the transportation facilities as  
2478 described in this section.

2479 Section 56. Transportation facility designations;  
2480 Department of Transportation to erect suitable markers.-

2481 (1) Bridge number 429958 on S.R. 842/Broward Boulevard at  
2482 North Fork New River in Broward County is designated as the  
2483 "Senator Christopher L. Smith Bridge."

2484 (2) The Department of Transportation is directed to erect  
2485 suitable markers designating the transportation facility as  
2486 described in this section.

2487 Section 57. Transportation facility designations;  
2488 Department of Transportation to erect suitable markers.-

2489 (1) That portion of S.R. 922 from N.E. 10th Avenue east to  
2490 the North Miami City Limits in Miami-Dade County is designated  
2491 as "Stanley G. Tate Boulevard."

2492 (2) That portion of Miami Avenue between N.E. 5th Street  
2493 and U.S. 41/S.R. 90/S.E. 7th Street in Miami-Dade County is  
2494 designated as "Robert L. Shevin Memorial Boulevard."

2495 (3) Bridge number 870054 on S.R. 112/W. 41st Street/Arthur  
2496 Godfrey Road in Miami Beach is designated as the "Senator Paul  
2497 B. Steinberg Bridge."

2498 (4) The Department of Transportation is directed to erect  
2499 suitable markers designating the transportation facilities as  
2500 described in this section.

2501 Section 58. Section 1 of chapter 26497, Laws of Florida,  
2502 1951, is amended to read:

2503 Section 1. That the following described route be and the  
2504 same is hereby declared, designated and established as a State  
2505 Road, forming a part of the connecting system of the State of



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2506 Florida, and shall be known as the SHEPARD BROAD CAUSEWAY  
2507 ~~BOULEVARD~~.

2508         Beginning at the intersection of State Road AIA and 96th  
2509 Street in Dade County, Florida, and running in a Westerly  
2510 direction, as near as possible in a direct line, through the  
2511 Town of Bay Harbor Islands, Florida, across Broad Causeway,  
2512 spanning Biscayne Bay, and through the Town of North Miami,  
2513 Florida, to the point where such highway shall intersect with  
2514 State Road Number 7, along the most practicable and feasible  
2515 route to be determined by the State Road Department.

2516         Section 59. Paragraph (c) of subsection (1) of section  
2517 212.05, Florida Statutes, is amended to read:

2518         212.05 Sales, storage, use tax.—It is hereby declared to be  
2519 the legislative intent that every person is exercising a taxable  
2520 privilege who engages in the business of selling tangible  
2521 personal property at retail in this state, including the  
2522 business of making mail order sales, or who rents or furnishes  
2523 any of the things or services taxable under this chapter, or who  
2524 stores for use or consumption in this state any item or article  
2525 of tangible personal property as defined herein and who leases  
2526 or rents such property within the state.

2527         (1) For the exercise of such privilege, a tax is levied on  
2528 each taxable transaction or incident, which tax is due and  
2529 payable as follows:

2530         (c) At the rate of 6 percent of the gross proceeds derived  
2531 from the lease or rental of tangible personal property, as  
2532 defined herein; however, the following special provisions apply  
2533 to the lease or rental of motor vehicles:

2534         1. When a motor vehicle is leased or rented for a period of





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2535 less than 12 months:

2536 a. If the motor vehicle is rented in Florida, the entire  
2537 amount of such rental is taxable, even if the vehicle is dropped  
2538 off in another state.

2539 b. If the motor vehicle is rented in another state and  
2540 dropped off in Florida, the rental is exempt from Florida tax.

2541 2. Except as provided in subparagraph 3., for the lease or  
2542 rental of a motor vehicle for a period of not less than 12  
2543 months, sales tax is due on the lease or rental payments if the  
2544 vehicle is registered in this state; provided, however, that no  
2545 tax shall be due if the taxpayer documents use of the motor  
2546 vehicle outside this state and tax is being paid on the lease or  
2547 rental payments in another state.

2548 3. The tax imposed by this chapter does not apply to the  
2549 lease or rental of a commercial motor vehicle as defined in s.  
2550 316.003(12)(a) ~~316.003(66)(a)~~ to one lessee or rentee for a  
2551 period of not less than 12 months when tax was paid on the  
2552 purchase price of such vehicle by the lessor. To the extent tax  
2553 was paid with respect to the purchase of such vehicle in another  
2554 state, territory of the United States, or the District of  
2555 Columbia, the Florida tax payable shall be reduced in accordance  
2556 with the provisions of s. 212.06(7). This subparagraph shall  
2557 only be available when the lease or rental of such property is  
2558 an established business or part of an established business or  
2559 the same is incidental or germane to such business.

2560 Section 60. Subsection (1) of section 316.1303, Florida  
2561 Statutes, is amended to read:

2562 316.1303 Traffic regulations to assist mobility-impaired  
2563 persons.-



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2564 (1) Whenever a pedestrian who is mobility impaired is in  
2565 the process of crossing a public street or highway with the  
2566 assistance of a guide dog or service animal designated as such  
2567 with a visible means of identification, a walker, a crutch, an  
2568 orthopedic cane, or a wheelchair, the driver of a vehicle  
2569 approaching the intersection, ~~as defined in s. 316.003(17),~~  
2570 shall bring his or her vehicle to a full stop before arriving at  
2571 the intersection and, before proceeding, shall take precautions  
2572 necessary to avoid injuring the pedestrian.

2573 Section 61. Paragraph (b) of subsection (2) and paragraph  
2574 (a) of subsection (4) of section 316.545, Florida Statutes, are  
2575 amended to read:

2576 316.545 Weight and load unlawful; special fuel and motor  
2577 fuel tax enforcement; inspection; penalty; review.-

2578 (2)

2579 (b) The officer or inspector shall inspect the license  
2580 plate or registration certificate of the commercial vehicle, ~~as~~  
2581 ~~defined in s. 316.003(66),~~ to determine whether ~~if~~ its gross  
2582 weight is in compliance with the declared gross vehicle weight.  
2583 If its gross weight exceeds the declared weight, the penalty  
2584 shall be 5 cents per pound on the difference between such  
2585 weights. In those cases when the commercial vehicle, ~~as defined~~  
2586 ~~in s. 316.003(66),~~ is being operated over the highways of the  
2587 state with an expired registration or with no registration from  
2588 this or any other jurisdiction or is not registered under the  
2589 applicable provisions of chapter 320, the penalty herein shall  
2590 apply on the basis of 5 cents per pound on that scaled weight  
2591 which exceeds 35,000 pounds on laden truck tractor-semitrailer  
2592 combinations or tandem trailer truck combinations, 10,000 pounds



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2593 on laden straight trucks or straight truck-trailer combinations,  
2594 or 10,000 pounds on any unladen commercial motor vehicle. If the  
2595 license plate or registration has not been expired for more than  
2596 90 days, the penalty imposed under this paragraph may not exceed  
2597 \$1,000. In the case of special mobile equipment ~~as defined in s.~~  
2598 ~~316.003(48)~~, which qualifies for the license tax provided for in  
2599 s. 320.08(5)(b), being operated on the highways of the state  
2600 with an expired registration or otherwise not properly  
2601 registered under the applicable provisions of chapter 320, a  
2602 penalty of \$75 shall apply in addition to any other penalty  
2603 which may apply in accordance with this chapter. A vehicle found  
2604 in violation of this section may be detained until the owner or  
2605 operator produces evidence that the vehicle has been properly  
2606 registered. Any costs incurred by the retention of the vehicle  
2607 shall be the sole responsibility of the owner. A person who has  
2608 been assessed a penalty pursuant to this paragraph for failure  
2609 to have a valid vehicle registration certificate pursuant to the  
2610 provisions of chapter 320 is not subject to the delinquent fee  
2611 authorized in s. 320.07 if such person obtains a valid  
2612 registration certificate within 10 working days after such  
2613 penalty was assessed.

2614 (4)(a) A ~~No~~ commercial vehicle may not, ~~as defined in s.~~  
2615 ~~316.003(66)~~, ~~shall~~ be operated over the highways of this state  
2616 unless it has been properly registered under ~~the provisions of~~  
2617 s. 207.004. Whenever any law enforcement officer identified in  
2618 s. 207.023(1), upon inspecting the vehicle or combination of  
2619 vehicles, determines that the vehicle is in violation of s.  
2620 207.004, a penalty in the amount of \$50 shall be assessed, and  
2621 the vehicle may be detained until payment is collected by the



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2622 law enforcement officer.

2623 Section 62. Subsection (2) of section 316.605, Florida  
2624 Statutes, is amended to read:

2625 316.605 Licensing of vehicles.—

2626 (2) Any commercial motor vehicle, ~~as defined in s.~~  
2627 ~~316.003(66)~~, operating over the highways of this state with an  
2628 expired registration, with no registration from this or any  
2629 other jurisdiction, or with no registration under the applicable  
2630 provisions of chapter 320 shall be in violation of s. 320.07(3)  
2631 and shall subject the owner or operator of such vehicle to the  
2632 penalty provided. In addition, a commercial motor vehicle found  
2633 in violation of this section may be detained by any law  
2634 enforcement officer until the owner or operator produces  
2635 evidence that the vehicle has been properly registered and that  
2636 any applicable delinquent penalties have been paid.

2637 Section 63. Subsection (6) of section 316.6105, Florida  
2638 Statutes, is amended to read:

2639 316.6105 Violations involving operation of motor vehicle in  
2640 unsafe condition or without required equipment; procedure for  
2641 disposition.—

2642 (6) This section does not apply to commercial motor  
2643 vehicles ~~as defined in s. 316.003(66)~~ or transit buses owned or  
2644 operated by a governmental entity.

2645 Section 64. Paragraph (a) of subsection (2) of section  
2646 316.613, Florida Statutes, is amended to read:

2647 316.613 Child restraint requirements.—

2648 (2) As used in this section, the term "motor vehicle" means  
2649 a motor vehicle as defined in s. 316.003 that is operated on the  
2650 roadways, streets, and highways of the state. The term does not



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2651 include:

2652 (a) A school bus as defined in s. 316.003(66) ~~316.003(45)~~.

2653 Section 65. Subsection (8) of section 316.622, Florida  
2654 Statutes, is amended to read:

2655 316.622 Farm labor vehicles.—

2656 (8) The department shall provide to the Department of  
2657 Business and Professional Regulation each quarter a copy of each  
2658 accident report involving a farm labor vehicle, ~~as defined in s.~~  
2659 ~~316.003(62), commencing with the first quarter of the 2006-2007~~  
2660 ~~fiscal year.~~

2661 Section 66. Paragraph (b) of subsection (1) of section  
2662 316.650, Florida Statutes, is amended to read:

2663 316.650 Traffic citations.—

2664 (1)

2665 (b) The department shall prepare, and supply to every  
2666 traffic enforcement agency in the state, an appropriate  
2667 affidavit-of-compliance form that shall be issued along with the  
2668 form traffic citation for any violation of s. 316.610 and that  
2669 indicates the specific defect needing to be corrected. However,  
2670 such affidavit of compliance may ~~shall~~ not be issued in the case  
2671 of a violation of s. 316.610 by a commercial motor vehicle ~~as~~  
2672 ~~defined in s. 316.003(66)~~. Such affidavit-of-compliance form  
2673 shall be distributed in the same manner and to the same parties  
2674 as is the form traffic citation.

2675 Section 67. Subsection (1) of section 316.70, Florida  
2676 Statutes, is amended to read:

2677 316.70 Nonpublic sector buses; safety rules.—

2678 (1) The Department of Transportation shall establish and  
2679 revise standards to ensure ~~assure~~ the safe operation of



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2680 nonpublic sector buses, ~~as defined in s. 316.003(78)~~, which  
2681 standards shall be those contained in 49 C.F.R. parts 382, 385,  
2682 and 390-397 and which shall be directed toward ensuring ~~towards~~  
2683 ~~assuring~~ that:

2684 (a) Nonpublic sector buses are safely maintained, equipped,  
2685 and operated.

2686 (b) Nonpublic sector buses are carrying the insurance  
2687 required by law and carrying liability insurance on the checked  
2688 baggage of passengers not to exceed the standard adopted by the  
2689 United States Department of Transportation.

2690 (c) Florida license tags are purchased for nonpublic sector  
2691 buses pursuant to s. 320.38.

2692 (d) The driving records of drivers of nonpublic sector  
2693 buses are checked by their employers at least once each year to  
2694 ascertain whether the driver has a suspended or revoked driver  
2695 license.

2696 Section 68. Paragraph (a) of subsection (1) of section  
2697 320.01, Florida Statutes, is amended to read:

2698 320.01 Definitions, general.—As used in the Florida  
2699 Statutes, except as otherwise provided, the term:

2700 (1) "Motor vehicle" means:

2701 (a) An automobile, motorcycle, truck, trailer, semitrailer,  
2702 truck tractor and semitrailer combination, or any other vehicle  
2703 operated on the roads of this state, used to transport persons  
2704 or property, and propelled by power other than muscular power,  
2705 but the term does not include traction engines, road rollers,  
2706 special mobile equipment as defined in s. 316.003 ~~316.003(48)~~,  
2707 vehicles that run only upon a track, bicycles, swamp buggies, or  
2708 mopeds.



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2709 Section 69. Section 320.08, Florida Statutes, is amended to  
2710 read:

2711 320.08 License taxes.—Except as otherwise provided herein,  
2712 there are hereby levied and imposed annual license taxes for the  
2713 operation of motor vehicles, mopeds, motorized bicycles as  
2714 defined in s. 316.003(2) ~~316.003(2)~~, tri-vehicles as defined in  
2715 s. 316.003, and mobile homes~~r~~ as defined in s. 320.01, which  
2716 shall be paid to and collected by the department or its agent  
2717 upon the registration or renewal of registration of the  
2718 following:

2719 (1) MOTORCYCLES AND MOPEDS.—

2720 (a) Any motorcycle: \$10 flat.

2721 (b) Any moped: \$5 flat.

2722 (c) Upon registration of a motorcycle, motor-driven cycle,  
2723 or moped, in addition to the license taxes specified in this  
2724 subsection, a nonrefundable motorcycle safety education fee in  
2725 the amount of \$2.50 shall be paid. The proceeds of such  
2726 additional fee shall be deposited in the Highway Safety  
2727 Operating Trust Fund to fund a motorcycle driver improvement  
2728 program implemented pursuant to s. 322.025, the Florida  
2729 Motorcycle Safety Education Program established in s. 322.0255,  
2730 or the general operations of the department.

2731 (d) An ancient or antique motorcycle: \$7.50 flat, of which  
2732 \$2.50 shall be deposited into the General Revenue Fund.

2733 (2) AUTOMOBILES OR TRI-VEHICLES FOR PRIVATE USE.—

2734 (a) An ancient or antique automobile, as defined in s.  
2735 320.086, or a street rod, as defined in s. 320.0863: \$7.50 flat.

2736 (b) Net weight of less than 2,500 pounds: \$14.50 flat.

2737 (c) Net weight of 2,500 pounds or more, but less than 3,500



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2738 pounds: \$22.50 flat.

2739 (d) Net weight of 3,500 pounds or more: \$32.50 flat.

2740 (3) TRUCKS.—

2741 (a) Net weight of less than 2,000 pounds: \$14.50 flat.

2742 (b) Net weight of 2,000 pounds or more, but not more than  
2743 3,000 pounds: \$22.50 flat.

2744 (c) Net weight more than 3,000 pounds, but not more than  
2745 5,000 pounds: \$32.50 flat.

2746 (d) A truck defined as a "goat," or other vehicle if used  
2747 in the field by a farmer or in the woods for the purpose of  
2748 harvesting a crop, including naval stores, during such  
2749 harvesting operations, and which is not principally operated  
2750 upon the roads of the state: \$7.50 flat. The term "goat" means a  
2751 motor vehicle designed, constructed, and used principally for  
2752 the transportation of citrus fruit within citrus groves or for  
2753 the transportation of crops on farms, and which can also be used  
2754 for hauling associated equipment or supplies, including required  
2755 sanitary equipment, and the towing of farm trailers.

2756 (e) An ancient or antique truck, as defined in s. 320.086:  
2757 \$7.50 flat.

2758 (4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS  
2759 VEHICLE WEIGHT.—

2760 (a) Gross vehicle weight of 5,001 pounds or more, but less  
2761 than 6,000 pounds: \$60.75 flat, of which \$15.75 shall be  
2762 deposited into the General Revenue Fund.

2763 (b) Gross vehicle weight of 6,000 pounds or more, but less  
2764 than 8,000 pounds: \$87.75 flat, of which \$22.75 shall be  
2765 deposited into the General Revenue Fund.

2766 (c) Gross vehicle weight of 8,000 pounds or more, but less





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2767 than 10,000 pounds: \$103 flat, of which \$27 shall be deposited  
2768 into the General Revenue Fund.

2769 (d) Gross vehicle weight of 10,000 pounds or more, but less  
2770 than 15,000 pounds: \$118 flat, of which \$31 shall be deposited  
2771 into the General Revenue Fund.

2772 (e) Gross vehicle weight of 15,000 pounds or more, but less  
2773 than 20,000 pounds: \$177 flat, of which \$46 shall be deposited  
2774 into the General Revenue Fund.

2775 (f) Gross vehicle weight of 20,000 pounds or more, but less  
2776 than 26,001 pounds: \$251 flat, of which \$65 shall be deposited  
2777 into the General Revenue Fund.

2778 (g) Gross vehicle weight of 26,001 pounds or more, but less  
2779 than 35,000: \$324 flat, of which \$84 shall be deposited into the  
2780 General Revenue Fund.

2781 (h) Gross vehicle weight of 35,000 pounds or more, but less  
2782 than 44,000 pounds: \$405 flat, of which \$105 shall be deposited  
2783 into the General Revenue Fund.

2784 (i) Gross vehicle weight of 44,000 pounds or more, but less  
2785 than 55,000 pounds: \$773 flat, of which \$201 shall be deposited  
2786 into the General Revenue Fund.

2787 (j) Gross vehicle weight of 55,000 pounds or more, but less  
2788 than 62,000 pounds: \$916 flat, of which \$238 shall be deposited  
2789 into the General Revenue Fund.

2790 (k) Gross vehicle weight of 62,000 pounds or more, but less  
2791 than 72,000 pounds: \$1,080 flat, of which \$280 shall be  
2792 deposited into the General Revenue Fund.

2793 (l) Gross vehicle weight of 72,000 pounds or more: \$1,322  
2794 flat, of which \$343 shall be deposited into the General Revenue  
2795 Fund.



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2796 (m) Notwithstanding the declared gross vehicle weight, a  
2797 truck tractor used within a 150-mile radius of its home address  
2798 is eligible for a license plate for a fee of \$324 flat if:

2799 1. The truck tractor is used exclusively for hauling  
2800 forestry products; or

2801 2. The truck tractor is used primarily for the hauling of  
2802 forestry products, and is also used for the hauling of  
2803 associated forestry harvesting equipment used by the owner of  
2804 the truck tractor.

2805

2806 Of the fee imposed by this paragraph, \$84 shall be deposited  
2807 into the General Revenue Fund.

2808 (n) A truck tractor or heavy truck, not operated as a for-  
2809 hire vehicle, which is engaged exclusively in transporting raw,  
2810 unprocessed, and nonmanufactured agricultural or horticultural  
2811 products within a 150-mile radius of its home address, is  
2812 eligible for a restricted license plate for a fee of:

2813 1. If such vehicle's declared gross vehicle weight is less  
2814 than 44,000 pounds, \$87.75 flat, of which \$22.75 shall be  
2815 deposited into the General Revenue Fund.

2816 2. If such vehicle's declared gross vehicle weight is  
2817 44,000 pounds or more and such vehicle only transports from the  
2818 point of production to the point of primary manufacture; to the  
2819 point of assembling the same; or to a shipping point of a rail,  
2820 water, or motor transportation company, \$324 flat, of which \$84  
2821 shall be deposited into the General Revenue Fund.

2822

2823 Such not-for-hire truck tractors and heavy trucks used  
2824 exclusively in transporting raw, unprocessed, and



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2825 nonmanufactured agricultural or horticultural products may be  
2826 incidentally used to haul farm implements and fertilizers  
2827 delivered direct to the growers. The department may require any  
2828 documentation deemed necessary to determine eligibility prior to  
2829 issuance of this license plate. For the purpose of this  
2830 paragraph, "not-for-hire" means the owner of the motor vehicle  
2831 must also be the owner of the raw, unprocessed, and  
2832 nonmanufactured agricultural or horticultural product, or the  
2833 user of the farm implements and fertilizer being delivered.

2834 (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT;  
2835 SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

2836 (a)1. A semitrailer drawn by a GVW truck tractor by means  
2837 of a fifth-wheel arrangement: \$13.50 flat per registration year  
2838 or any part thereof, of which \$3.50 shall be deposited into the  
2839 General Revenue Fund.

2840 2. A semitrailer drawn by a GVW truck tractor by means of a  
2841 fifth-wheel arrangement: \$68 flat per permanent registration, of  
2842 which \$18 shall be deposited into the General Revenue Fund.

2843 (b) A motor vehicle equipped with machinery and designed  
2844 for the exclusive purpose of well drilling, excavation,  
2845 construction, spraying, or similar activity, and which is not  
2846 designed or used to transport loads other than the machinery  
2847 described above over public roads: \$44 flat, of which \$11.50  
2848 shall be deposited into the General Revenue Fund.

2849 (c) A school bus used exclusively to transport pupils to  
2850 and from school or school or church activities or functions  
2851 within their own county: \$41 flat, of which \$11 shall be  
2852 deposited into the General Revenue Fund.

2853 (d) A wrecker, as defined in s. 320.01, which is used to



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2854 tow a vessel as defined in s. 327.02, a disabled, abandoned,  
2855 stolen-recovered, or impounded motor vehicle as defined in s.  
2856 320.01, or a replacement motor vehicle as defined in s. 320.01:  
2857 \$41 flat, of which \$11 shall be deposited into the General  
2858 Revenue Fund.

2859 (e) A wrecker that is used to tow any nondisabled motor  
2860 vehicle, a vessel, or any other cargo unless used as defined in  
2861 paragraph (d), as follows:

2862 1. Gross vehicle weight of 10,000 pounds or more, but less  
2863 than 15,000 pounds: \$118 flat, of which \$31 shall be deposited  
2864 into the General Revenue Fund.

2865 2. Gross vehicle weight of 15,000 pounds or more, but less  
2866 than 20,000 pounds: \$177 flat, of which \$46 shall be deposited  
2867 into the General Revenue Fund.

2868 3. Gross vehicle weight of 20,000 pounds or more, but less  
2869 than 26,000 pounds: \$251 flat, of which \$65 shall be deposited  
2870 into the General Revenue Fund.

2871 4. Gross vehicle weight of 26,000 pounds or more, but less  
2872 than 35,000 pounds: \$324 flat, of which \$84 shall be deposited  
2873 into the General Revenue Fund.

2874 5. Gross vehicle weight of 35,000 pounds or more, but less  
2875 than 44,000 pounds: \$405 flat, of which \$105 shall be deposited  
2876 into the General Revenue Fund.

2877 6. Gross vehicle weight of 44,000 pounds or more, but less  
2878 than 55,000 pounds: \$772 flat, of which \$200 shall be deposited  
2879 into the General Revenue Fund.

2880 7. Gross vehicle weight of 55,000 pounds or more, but less  
2881 than 62,000 pounds: \$915 flat, of which \$237 shall be deposited  
2882 into the General Revenue Fund.



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2883           8. Gross vehicle weight of 62,000 pounds or more, but less  
2884 than 72,000 pounds: \$1,080 flat, of which \$280 shall be  
2885 deposited into the General Revenue Fund.

2886           9. Gross vehicle weight of 72,000 pounds or more: \$1,322  
2887 flat, of which \$343 shall be deposited into the General Revenue  
2888 Fund.

2889           (f) A hearse or ambulance: \$40.50 flat, of which \$10.50  
2890 shall be deposited into the General Revenue Fund.

2891           (6) MOTOR VEHICLES FOR HIRE.—

2892           (a) Under nine passengers: \$17 flat, of which \$4.50 shall  
2893 be deposited into the General Revenue Fund; plus \$1.50 per cwt,  
2894 of which 50 cents shall be deposited into the General Revenue  
2895 Fund.

2896           (b) Nine passengers and over: \$17 flat, of which \$4.50  
2897 shall be deposited into the General Revenue Fund; plus \$2 per  
2898 cwt, of which 50 cents shall be deposited into the General  
2899 Revenue Fund.

2900           (7) TRAILERS FOR PRIVATE USE.—

2901           (a) Any trailer weighing 500 pounds or less: \$6.75 flat per  
2902 year or any part thereof, of which \$1.75 shall be deposited into  
2903 the General Revenue Fund.

2904           (b) Net weight over 500 pounds: \$3.50 flat, of which \$1  
2905 shall be deposited into the General Revenue Fund; plus \$1 per  
2906 cwt, of which 25 cents shall be deposited into the General  
2907 Revenue Fund.

2908           (8) TRAILERS FOR HIRE.—

2909           (a) Net weight under 2,000 pounds: \$3.50 flat, of which \$1  
2910 shall be deposited into the General Revenue Fund; plus \$1.50 per  
2911 cwt, of which 50 cents shall be deposited into the General



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2912 Revenue Fund.

2913 (b) Net weight 2,000 pounds or more: \$13.50 flat, of which  
2914 \$3.50 shall be deposited into the General Revenue Fund; plus  
2915 \$1.50 per cwt, of which 50 cents shall be deposited into the  
2916 General Revenue Fund.

2917 (9) RECREATIONAL VEHICLE-TYPE UNITS.—

2918 (a) A travel trailer or fifth-wheel trailer, as defined by  
2919 s. 320.01(1)(b), that does not exceed 35 feet in length: \$27  
2920 flat, of which \$7 shall be deposited into the General Revenue  
2921 Fund.

2922 (b) A camping trailer, as defined by s. 320.01(1)(b)2.:  
2923 \$13.50 flat, of which \$3.50 shall be deposited into the General  
2924 Revenue Fund.

2925 (c) A motor home, as defined by s. 320.01(1)(b)4.:

2926 1. Net weight of less than 4,500 pounds: \$27 flat, of which  
2927 \$7 shall be deposited into the General Revenue Fund.

2928 2. Net weight of 4,500 pounds or more: \$47.25 flat, of  
2929 which \$12.25 shall be deposited into the General Revenue Fund.

2930 (d) A truck camper as defined by s. 320.01(1)(b)3.:

2931 1. Net weight of less than 4,500 pounds: \$27 flat, of which  
2932 \$7 shall be deposited into the General Revenue Fund.

2933 2. Net weight of 4,500 pounds or more: \$47.25 flat, of  
2934 which \$12.25 shall be deposited into the General Revenue Fund.

2935 (e) A private motor coach as defined by s. 320.01(1)(b)5.:

2936 1. Net weight of less than 4,500 pounds: \$27 flat, of which  
2937 \$7 shall be deposited into the General Revenue Fund.

2938 2. Net weight of 4,500 pounds or more: \$47.25 flat, of  
2939 which \$12.25 shall be deposited into the General Revenue Fund.

2940 (10) PARK TRAILERS; TRAVEL TRAILERS; FIFTH-WHEEL TRAILERS;



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2941 35 FEET TO 40 FEET.—  
2942 (a) Park trailers.—Any park trailer, as defined in s.  
2943 320.01(1)(b)7.: \$25 flat.  
2944 (b) A travel trailer or fifth-wheel trailer, as defined in  
2945 s. 320.01(1)(b), that exceeds 35 feet: \$25 flat.  
2946 (11) MOBILE HOMES.—  
2947 (a) A mobile home not exceeding 35 feet in length: \$20  
2948 flat.  
2949 (b) A mobile home over 35 feet in length, but not exceeding  
2950 40 feet: \$25 flat.  
2951 (c) A mobile home over 40 feet in length, but not exceeding  
2952 45 feet: \$30 flat.  
2953 (d) A mobile home over 45 feet in length, but not exceeding  
2954 50 feet: \$35 flat.  
2955 (e) A mobile home over 50 feet in length, but not exceeding  
2956 55 feet: \$40 flat.  
2957 (f) A mobile home over 55 feet in length, but not exceeding  
2958 60 feet: \$45 flat.  
2959 (g) A mobile home over 60 feet in length, but not exceeding  
2960 65 feet: \$50 flat.  
2961 (h) A mobile home over 65 feet in length: \$80 flat.  
2962 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised  
2963 motor vehicle dealer, independent motor vehicle dealer, marine  
2964 boat trailer dealer, or mobile home dealer and manufacturer  
2965 license plate: \$17 flat, of which \$4.50 shall be deposited into  
2966 the General Revenue Fund.  
2967 (13) EXEMPT OR OFFICIAL LICENSE PLATES.—Any exempt or  
2968 official license plate: \$4 flat, of which \$1 shall be deposited  
2969 into the General Revenue Fund.



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2970 (14) LOCALLY OPERATED MOTOR VEHICLES FOR HIRE.—A motor  
2971 vehicle for hire operated wholly within a city or within 25  
2972 miles thereof: \$17 flat, of which \$4.50 shall be deposited into  
2973 the General Revenue Fund; plus \$2 per cwt, of which 50 cents  
2974 shall be deposited into the General Revenue Fund.

2975 (15) TRANSPORTER.—Any transporter license plate issued to a  
2976 transporter pursuant to s. 320.133: \$101.25 flat, of which  
2977 \$26.25 shall be deposited into the General Revenue Fund.

2978 Section 70. Subsection (1) of section 320.0801, Florida  
2979 Statutes, is amended to read:

2980 320.0801 Additional license tax on certain vehicles.—

2981 (1) In addition to the license taxes specified in s. 320.08  
2982 and in subsection (2), there is hereby levied and imposed an  
2983 annual license tax of 10 cents for the operation of a motor  
2984 vehicle, as defined in s. 320.01, and moped, as defined in s.  
2985 316.003 ~~316.003(77)~~, which tax shall be paid to the department  
2986 or its agent upon the registration or renewal of registration of  
2987 the vehicle. Notwithstanding ~~the provisions of~~ s. 320.20,  
2988 revenues collected from the tax imposed in this subsection shall  
2989 be deposited in the Emergency Medical Services Trust Fund and  
2990 used solely for the purpose of carrying out ~~the provisions of~~  
2991 ss. 395.401, 395.4015, 395.404, and 395.4045 and s. 11, chapter  
2992 87-399, Laws of Florida.

2993 Section 71. Section 320.38, Florida Statutes, is amended to  
2994 read:

2995 320.38 When nonresident exemption not allowed.—The  
2996 provisions of s. 320.37 authorizing the operation of motor  
2997 vehicles over the roads of this state by nonresidents of this  
2998 state when such vehicles are duly registered or licensed under





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2999 the laws of some other state or foreign country do not apply to  
3000 any nonresident who accepts employment or engages in any trade,  
3001 profession, or occupation in this state, except a nonresident  
3002 migrant or seasonal farm worker as defined in s. 316.003  
3003 ~~316.003(61)~~. In every case in which a nonresident, except a  
3004 nonresident migrant or seasonal farm worker as defined in s.  
3005 316.003 ~~316.003(61)~~, accepts employment or engages in any trade,  
3006 profession, or occupation in this state or enters his or her  
3007 children to be educated in the public schools of this state,  
3008 such nonresident shall, within 10 days after the commencement of  
3009 such employment or education, register his or her motor vehicles  
3010 in this state if such motor vehicles are proposed to be operated  
3011 on the roads of this state. Any person who is enrolled as a  
3012 student in a college or university and who is a nonresident but  
3013 who is in this state for a period of up to 6 months engaged in a  
3014 work-study program for which academic credits are earned from a  
3015 college whose credits or degrees are accepted for credit by at  
3016 least three accredited institutions of higher learning, as  
3017 defined in s. 1005.02, is not required to have a Florida  
3018 registration for the duration of the work-study program if the  
3019 person's vehicle is properly registered in another jurisdiction.  
3020 Any nonresident who is enrolled as a full-time student in such  
3021 institution of higher learning is also exempt for the duration  
3022 of such enrollment.

3023 Section 72. Subsection (1) of section 322.031, Florida  
3024 Statutes, is amended to read:

3025 322.031 Nonresident; when license required.—

3026 (1) In each case in which a nonresident, except a  
3027 nonresident migrant or seasonal farm worker as defined in s.



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3028 316.003 ~~316.003(61)~~, accepts employment or engages in a trade,  
3029 profession, or occupation in this state or enters his or her  
3030 children to be educated in the public schools of this state,  
3031 such nonresident shall, within 30 days after beginning such  
3032 employment or education, be required to obtain a Florida driver  
3033 license if such nonresident operates a motor vehicle on the  
3034 highways of this state. The spouse or dependent child of such  
3035 nonresident shall also be required to obtain a Florida driver  
3036 license within that 30-day period before operating a motor  
3037 vehicle on the highways of this state.

3038 Section 73. For the purpose of incorporating the amendment  
3039 made by this act to section 333.01, Florida Statutes, in a  
3040 reference thereto, subsection (6) of section 350.81, Florida  
3041 Statutes, is reenacted to read:

3042 350.81 Communications services offered by governmental  
3043 entities.—

3044 (6) To ensure the safe and secure transportation of  
3045 passengers and freight through an airport facility, as defined  
3046 in s. 159.27(17), an airport authority or other governmental  
3047 entity that provides or is proposing to provide communications  
3048 services only within the boundaries of its airport layout plan,  
3049 as defined in s. 333.01(6), to subscribers which are integral  
3050 and essential to the safe and secure transportation of  
3051 passengers and freight through the airport facility, is exempt  
3052 from this section. An airport authority or other governmental  
3053 entity that provides or is proposing to provide shared-tenant  
3054 service under s. 364.339, but not dial tone enabling subscribers  
3055 to complete calls outside the airport layout plan, to one or  
3056 more subscribers within its airport layout plan which are not



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3057 integral and essential to the safe and secure transportation of  
3058 passengers and freight through the airport facility is exempt  
3059 from this section. An airport authority or other governmental  
3060 entity that provides or is proposing to provide communications  
3061 services to one or more subscribers within its airport layout  
3062 plan which are not integral and essential to the safe and secure  
3063 transportation of passengers and freight through the airport  
3064 facility, or to one or more subscribers outside its airport  
3065 layout plan, is not exempt from this section. By way of example  
3066 and not limitation, the integral, essential subscribers may  
3067 include airlines and emergency service entities, and the  
3068 nonintegral, nonessential subscribers may include retail shops,  
3069 restaurants, hotels, or rental car companies.

3070 Section 74. Subsection (3) of section 450.181, Florida  
3071 Statutes, is amended to read:

3072 450.181 Definitions.—As used in part II, unless the context  
3073 clearly requires a different meaning:

3074 (3) The term "migrant laborer" has the same meaning as  
3075 migrant or seasonal farm worker ~~workers~~ as defined in s. 316.003  
3076 ~~316.003(61)~~.

3077 Section 75. Subsection (5) of section 559.903, Florida  
3078 Statutes, is amended to read:

3079 559.903 Definitions.—As used in this act:

3080 (5) "Motor vehicle" means any automobile, truck, bus,  
3081 recreational vehicle, motorcycle, motor scooter, or other motor  
3082 powered vehicle, but does not include trailers, mobile homes,  
3083 travel trailers, trailer coaches without independent motive  
3084 power, watercraft or aircraft, or special mobile equipment as  
3085 defined in s. 316.003 ~~316.003(48)~~.



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3086 Section 76. Subsection (1) of section 655.960, Florida  
3087 Statutes, is amended to read:

3088 655.960 Definitions; ss. 655.960-655.965.—As used in this  
3089 section and ss. 655.961-655.965, unless the context otherwise  
3090 requires:

3091 (1) "Access area" means any paved walkway or sidewalk which  
3092 is within 50 feet of any automated teller machine. The term does  
3093 not include any street or highway open to the use of the public,  
3094 as defined in s. 316.003(76)(a) ~~316.003(53)(a)~~ or (b), including  
3095 any adjacent sidewalk, as defined in s. 316.003 ~~316.003(47)~~.

3096 Section 77. Paragraph (b) of subsection (2) of section  
3097 732.402, Florida Statutes, is amended to read:

3098 732.402 Exempt property.—

3099 (2) Exempt property shall consist of:

3100 (b) Two motor vehicles as defined in s. 316.003  
3101 ~~316.003(21)~~, which do not, individually as to either such motor  
3102 vehicle, have a gross vehicle weight in excess of 15,000 pounds,  
3103 held in the decedent's name and regularly used by the decedent  
3104 or members of the decedent's immediate family as their personal  
3105 motor vehicles.

3106 Section 78. Subsection (1) of section 860.065, Florida  
3107 Statutes, is amended to read:

3108 860.065 Commercial transportation; penalty for use in  
3109 commission of a felony.—

3110 (1) It is unlawful for any person to attempt to obtain,  
3111 solicit to obtain, or obtain any means of public or commercial  
3112 transportation or conveyance, including vessels, aircraft,  
3113 railroad trains, or commercial vehicles as defined in s. 316.003  
3114 ~~316.003(66)~~, with the intent to use such public or commercial



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3115 transportation or conveyance to commit any felony or to  
3116 facilitate the commission of any felony.

3117 Section 79. This act shall take effect July 1, 2016.

3118 ===== T I T L E A M E N D M E N T =====

3119 And the title is amended as follows:

3120 Delete everything before the enacting clause  
3121 and insert:

3122 A bill to be entitled  
3123 An act relating to transportation; amending s.  
3124 288.1097, F.S.; authorizing members of certain  
3125 qualified job training organizations to participate in  
3126 a self-insurance fund; amending s. 311.12, F.S.;  
3127 establishing the Seaport Security Advisory Committee  
3128 under the direction of the Florida Seaport  
3129 Transportation and Economic Development Council;  
3130 providing membership and duties; directing the council  
3131 to establish a Seaport Security Grant Program to  
3132 assist in the implementation of security at specified  
3133 seaports; directing the council to review  
3134 applications, make recommendations to the council, and  
3135 adopt rules; amending s. 316.003, F.S.; revising and  
3136 providing definitions; amending s. 316.0745, F.S.;  
3137 revising the circumstances under which the Department  
3138 of Transportation is authorized to direct the removal  
3139 of certain traffic control devices; requiring the  
3140 public agency erecting or installing such a device to  
3141 bring it into compliance with certain requirements or  
3142 remove it upon the direction of the department;  
3143 creating s. 316.2069, F.S.; authorizing the governing



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3144 body of a municipality or a county to authorize the  
3145 operation of commercial megacycles on or across  
3146 streets or roads under the specified conditions;  
3147 authorizing the Department of Transportation to  
3148 prohibit the operation of commercial megacycles on or  
3149 across any road under its jurisdiction if it  
3150 determines that such prohibition is necessary in the  
3151 interest of safety; excluding commercial megacycle  
3152 passengers from certain provisions regarding  
3153 possession of open containers of alcoholic beverages  
3154 in vehicles under specified conditions; providing that  
3155 use of an auxiliary motor under certain circumstances  
3156 is not prohibited; amending s. 316.235, F.S.; revising  
3157 specifications for bus deceleration lighting systems;  
3158 amending s. 316.303, F.S.; revising the prohibition  
3159 from operating, under certain circumstances, a motor  
3160 vehicle that is equipped with television-type  
3161 receiving equipment; providing exceptions to the  
3162 prohibition against displaying moving television  
3163 broadcast or pre-recorded video entertainment content  
3164 in vehicles; amending s. 316.640, F.S.; expanding the  
3165 authority of a chartered municipal parking enforcement  
3166 specialist to enforce state, county, and municipal  
3167 parking laws and ordinances within the boundaries of  
3168 certain counties pursuant to a memorandum of  
3169 understanding; amending s. 316.85, F.S.; revising the  
3170 circumstances under which a licensed driver is  
3171 authorized to operate an autonomous vehicle in  
3172 autonomous mode; amending s. 316.86, F.S.; deleting a



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3173 provision authorizing the operation of vehicles  
3174 equipped with autonomous technology on roads in this  
3175 state for testing purposes by certain persons or  
3176 research organizations; deleting a requirement that a  
3177 human operator be present in an autonomous vehicle for  
3178 testing purposes; deleting certain financial  
3179 responsibility requirements for entities performing  
3180 such testing; amending s. 319.145, F.S.; revising  
3181 provisions relating to required equipment and  
3182 operation of autonomous vehicles; amending s. 319.30,  
3183 F.S.; authorizing insurance companies to receive a  
3184 salvage certificate of title or certificate of  
3185 destruction from the Department of Highway Safety and  
3186 Motor Vehicles after a specified number of days after  
3187 payment of a claim as of a specified date, subject to  
3188 certain requirements; requiring insurance companies  
3189 seeking such title or certificate of destruction to  
3190 follow a specified procedure; providing requirements  
3191 for the request; amending s. 320.525, F.S.; revising  
3192 the definition of the term "port vehicles and  
3193 equipment"; amending ss. 322.051 and 322.14, F.S.;  
3194 authorizing the international symbol for the deaf and  
3195 hard of hearing to be exhibited on the driver license  
3196 or identification card of a person who is deaf or hard  
3197 of hearing; providing applicability; amending s.  
3198 332.08, F.S.; extending the authorized term of certain  
3199 airport-related leases; amending s. 333.01, F.S.;  
3200 defining and redefining terms; amending s. 333.025,  
3201 F.S.; revising the requirements relating to permits



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3202 required for obstructions; requiring certain existing,  
3203 planned, and proposed facilities to be protected from  
3204 airport hazards; requiring the local government to  
3205 provide a copy of a complete permit application to the  
3206 Department of Transportation's aviation office,  
3207 subject to certain requirements; requiring the  
3208 department to have a specified review period following  
3209 receipt of such application; providing exemptions from  
3210 such review under certain circumstances; revising the  
3211 circumstances under which the department issues or  
3212 denies a permit; revising the department's  
3213 requirements before a permit is issued; revising the  
3214 circumstances under which the department is prohibited  
3215 from approving a permit; providing that the denial of  
3216 a permit is subject to administrative review; amending  
3217 s. 333.03, F.S.; conforming provisions to changes made  
3218 by the act; revising the circumstances under which a  
3219 political subdivision owning or controlling an airport  
3220 and another political subdivision adopt, administer,  
3221 and enforce airport protection zoning regulations or  
3222 create a joint airport protection zoning board;  
3223 revising the provisions relating to airport protection  
3224 zoning regulations and joint airport protection zoning  
3225 boards; requiring the department to be available to  
3226 provide assistance to political subdivisions regarding  
3227 federal obstruction standards; deleting provisions  
3228 relating to certain duties of the department; revising  
3229 provisions relating to airport land use compatibility  
3230 zoning regulations; revising construction; providing





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3231 applicability; amending s. 333.04, F.S.; authorizing  
3232 certain airport zoning regulations to be incorporated  
3233 in and made a part of comprehensive plans and  
3234 policies, rather than a part of comprehensive zoning  
3235 regulations, under certain circumstances; revising  
3236 requirements relating to applicability; amending s.  
3237 333.05, F.S.; revising procedures for adoption of  
3238 airport zoning regulations; amending s. 333.06, F.S.;  
3239 revising airport zoning regulation requirements;  
3240 repealing s. 333.065, F.S., relating to guidelines  
3241 regarding land use near airports; amending s. 333.07,  
3242 F.S.; revising requirements relating to local  
3243 government permitting of airspace obstructions;  
3244 requiring a person proposing to construct, alter, or  
3245 allow an airport obstruction to apply for a permit  
3246 under certain circumstances; revising the  
3247 circumstances under which a permit is prohibited from  
3248 being issued; revising the circumstances under which  
3249 the owner of a nonconforming structure is required to  
3250 alter such structure to conform to the current airport  
3251 protection zoning regulations; deleting provisions  
3252 relating to variances from zoning regulations;  
3253 requiring a political subdivision or its  
3254 administrative agency to consider specified criteria  
3255 in determining whether to issue or deny a permit;  
3256 revising the requirements for marking and lighting in  
3257 conformance with certain standards; repealing s.  
3258 333.08, F.S., relating to appeals of decisions  
3259 concerning airport zoning regulations; amending s.



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3260 333.09, F.S.; revising the requirements relating to  
3261 the administration of airport protection zoning  
3262 regulations; requiring all airport protection zoning  
3263 regulations to provide for the administration and  
3264 enforcement of such regulations by the political  
3265 subdivision or its administrative agency; requiring a  
3266 political subdivision adopting airport zoning  
3267 regulations to provide a permitting process, subject  
3268 to certain requirements; requiring a zoning board or  
3269 permitting body to implement the airport zoning  
3270 regulation permitting and appeals process if such  
3271 board or body already exists within a political  
3272 subdivision; authorizing a person, a political  
3273 subdivision or its administrative agency, or a  
3274 specified joint zoning board to use the process  
3275 established for an appeal, subject to certain  
3276 requirements; repealing s. 333.10, F.S., relating to  
3277 boards of adjustment provided for by airport zoning  
3278 regulations; amending s. 333.11, F.S.; revising the  
3279 requirements relating to judicial review; amending s.  
3280 333.12, F.S.; revising requirements relating to the  
3281 acquisition of air rights; amending s. 333.13, F.S.;  
3282 conforming provisions to changes made by the act;  
3283 creating s. 333.135, F.S.; requiring conflicting  
3284 airport zoning regulations in effect on a specified  
3285 date to be amended to conform to certain requirements;  
3286 requiring certain political subdivisions to adopt  
3287 certain airport zoning regulations by a specified  
3288 date; requiring the department to administer a



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3289 specified permitting process for certain political  
3290 subdivisions; repealing s. 333.14, F.S., relating to a  
3291 short title; creating s. 335.085, F.S.; providing a  
3292 short title; requiring the department to install  
3293 roadside barriers to shield water bodies contiguous  
3294 with state roads at certain locations by a specified  
3295 date under certain circumstances; providing  
3296 applicability; requiring the department to review  
3297 specified information related to certain motor vehicle  
3298 accidents on state roads contiguous with water bodies  
3299 which occurred during a specified timeframe, subject  
3300 to certain requirements; requiring the department to  
3301 submit a report to the Legislature by a specified  
3302 date, subject to certain requirements; amending s.  
3303 337.0261, F.S.; requiring local governments to  
3304 consider information provided by the department  
3305 regarding the effect that approving or denying certain  
3306 regulations may have on the cost of construction  
3307 aggregate materials in the local area, the region, and  
3308 the state; amending s. 337.18, F.S.; revising  
3309 conditions for waiver of a required surety bond;  
3310 amending s. 338.165, F.S.; deleting an authorization  
3311 to issue certain bonds secured by toll revenues  
3312 collected on the Beeline-East Expressway, the Navarre  
3313 Bridge, and the Pinellas Bayway; authorizing the  
3314 department's Pinellas Bayway System to be transferred  
3315 by the department and become part of the turnpike  
3316 system under the Florida Turnpike Enterprise Law;  
3317 providing applicability; requiring the department to



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3318 transfer certain funds to the Florida Turnpike  
3319 Enterprise for certain purposes; repealing chapter 85-  
3320 364, Laws of Florida, as amended, relating to the  
3321 Pinellas Bayway; amending s. 338.231, F.S.; deleting  
3322 provisions relating to the use of revenues from the  
3323 turnpike system to pay the principal and interest of a  
3324 specified series of bonds and certain expenses of the  
3325 Sawgrass Expressway; amending s. 339.175, F.S.,  
3326 relating to the Tampa Bay Area Regional Transportation  
3327 Authority; revising provisions for a coordinating  
3328 committee composed of metropolitan planning  
3329 organizations; designating the committee as the  
3330 "TBARTA Metropolitan Planning Organizations Chairs  
3331 Coordinating Committee"; revising membership of the  
3332 committee; providing duties of the authority,  
3333 M.P.O.'s, and the department; requiring certain long-  
3334 range transportation plans to include assessment of  
3335 capital investment and other measures necessary to  
3336 make the most efficient use of existing transportation  
3337 facilities to improve safety; requiring the  
3338 assessments to include consideration of infrastructure  
3339 and technological improvements necessary to  
3340 accommodate advances in vehicle technology; amending  
3341 s. 339.2818, F.S.; increasing the population ceiling  
3342 in the definition of the term "small county" for  
3343 purposes of the Small County Outreach Program;  
3344 deleting an alternative definition of the term "small  
3345 county" for a specified fiscal year; amending s.  
3346 339.55, F.S.; revising the purpose of the state-funded



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3347        infrastructure bank within the department to include  
3348        constructing and improving ancillary facilities that  
3349        produce or distribute natural gas or fuel; authorizing  
3350        the department to consider applications for loans from  
3351        the bank for development and construction of natural  
3352        gas fuel production or distribution facilities used  
3353        primarily to support transportation activities at  
3354        seaports or intermodal facilities beginning on a  
3355        specified date; authorizing use of such loans to  
3356        refinance outstanding debt; amending s. 339.64, F.S.;;  
3357        requiring the department to coordinate with certain  
3358        partners and industry representatives to consider  
3359        infrastructure and technological improvements  
3360        necessary to accommodate advances in vehicle  
3361        technology in Strategic Intermodal System facilities;  
3362        requiring the Strategic Intermodal System Plan to  
3363        include a needs assessment regarding such  
3364        infrastructure and technological improvements;  
3365        repealing s. 341.0532, F.S., relating to statewide  
3366        transportation corridors; amending s. 343.92, F.S.;;  
3367        revising the membership of the governing board of the  
3368        Tampa Bay Area Regional Transportation Authority;  
3369        requiring the secretary of the department to appoint  
3370        two advisors to the board subject to certain  
3371        requirements, rather than appointing one nonvoting, ex  
3372        officio member of the board; amending s. 343.922,  
3373        F.S.;; increasing the period of time in which a master  
3374        plan must be updated; requiring the authority to  
3375        present a certain master plan and updates to, and



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3376 coordinate projects and plans with, the Tampa Bay Area  
3377 Regional Transportation Authority (TBARTA)  
3378 Metropolitan Planning Organization Chairs Coordinating  
3379 Committee, rather than the West Central Florida M.P.O.  
3380 Chairs Coordinating Committee; requiring the authority  
3381 to provide certain administrative support and  
3382 direction to the TBARTA Metropolitan Planning  
3383 Organization Chairs Coordinating Committee; amending  
3384 s. 348.565, F.S.; expanding the list of projects of  
3385 the Tampa-Hillsborough County Expressway Authority  
3386 which are approved to be financed or refinanced by the  
3387 issuance of certain revenue bonds; amending s. 479.16,  
3388 F.S.; exempting certain signs from a specified permit,  
3389 subject to certain requirements and restrictions;  
3390 creating s. 563.13, F.S.; requiring the Department of  
3391 Transportation to install directional signs for  
3392 certain breweries on the rights-of-way of interstate  
3393 highways and primary and secondary roads, subject to  
3394 certain requirements; requiring a brewery that  
3395 requests a directional sign to pay certain costs;  
3396 amending s. 812.014, F.S.; specifying a certain  
3397 criminal penalty for offenders committing any grand  
3398 theft who in the course of committing the offense use  
3399 any type of device to interfere with a global  
3400 positioning system or similar system under certain  
3401 circumstances; directing the Department of  
3402 Transportation to study the operation of driver-  
3403 assistive truck platooning technology; authorizing the  
3404 department to conduct a pilot project to test such



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3405 operation; providing security requirements; requiring  
3406 a report to the Governor and the Legislature;  
3407 directing the Office of Economic and Demographic  
3408 Research to determine the economic benefits of the  
3409 Department of Transportation's adopted work program;  
3410 directing the department to provide access to  
3411 necessary data; creating s. 316.87, F.S.; providing  
3412 that certain providers of nonemergency medical  
3413 transportation services may not be required to use  
3414 certain vehicles; providing applicability; providing  
3415 honorary designations of various transportation  
3416 facilities in specified counties; directing the  
3417 Department of Transportation to erect suitable  
3418 markers; providing an honorary designation of a  
3419 specified transportation facility in a specified  
3420 county; directing the Department of Transportation to  
3421 erect suitable markers; providing honorary  
3422 designations of various transportation facilities in  
3423 specified counties; directing the Department of  
3424 Transportation to erect suitable markers; amending  
3425 chapter 26497, Laws of Florida, 1951; revising the  
3426 name of an honorary designation of a transportation  
3427 facility in a specified county; amending ss. 212.05,  
3428 316.1303, 316.545, 316.605, 316.6105, 316.613,  
3429 316.622, 316.650, 316.70, 320.01, 320.08, 320.0801,  
3430 320.38, and 322.031, F.S.; conforming cross-  
3431 references; reenacting s. 350.81(6), F.S., relating to  
3432 the definition of the term "airport layout plan," to  
3433 incorporate the amendment made to s. 333.01, F.S., in



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3434 a reference thereto; amending ss. 450.181, 559.903,  
3435 655.960, 732.402, and 860.065, F.S.; conforming cross-  
3436 references; providing an effective date.