



522122

LEGISLATIVE ACTION

Senate	.	House
	.	
	.	
Floor: 1/AE/2R	.	Floor: C
05/01/2019 02:28 PM	.	05/03/2019 11:40 AM
	.	

---

Senator Diaz moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (b) of subsection (2) of section  
20.23, Florida Statutes, is amended to read:

20.23 Department of Transportation.—There is created a  
Department of Transportation which shall be a decentralized  
agency.

(2)

(b) The commission shall:



522122

- 12           1. Recommend major transportation policies for the  
13 Governor's approval and assure that approved policies and any  
14 revisions are properly executed.
- 15           2. Periodically review the status of the state  
16 transportation system including highway, transit, rail, seaport,  
17 intermodal development, and aviation components of the system  
18 and recommend improvements to the Governor and the Legislature.
- 19           3. Perform an in-depth evaluation of the annual department  
20 budget request, the Florida Transportation Plan, and the  
21 tentative work program for compliance with all applicable laws  
22 and established departmental policies. Except as specifically  
23 provided in s. 339.135(4)(c)2., (d), and (f), the commission may  
24 not consider individual construction projects, but shall  
25 consider methods of accomplishing the goals of the department in  
26 the most effective, efficient, and businesslike manner.
- 27           4. Monitor the financial status of the department on a  
28 regular basis to assure that the department is managing revenue  
29 and bond proceeds responsibly and in accordance with law and  
30 established policy.
- 31           5. Monitor on at least a quarterly basis, the efficiency,  
32 productivity, and management of the department using performance  
33 and production standards developed by the commission pursuant to  
34 s. 334.045.
- 35           6. Perform an in-depth evaluation of the factors causing  
36 disruption of project schedules in the adopted work program and  
37 recommend to the Governor and the Legislature methods to  
38 eliminate or reduce the disruptive effects of these factors.
- 39           7. Recommend to the Governor and the Legislature  
40 improvements to the department's organization in order to



522122

41 streamline and optimize the efficiency of the department. In  
42 reviewing the department's organization, the commission shall  
43 determine if the current district organizational structure is  
44 responsive to this state's changing economic and demographic  
45 development patterns. The initial report by the commission must  
46 be delivered to the Governor and the Legislature by December 15,  
47 2000, and each year thereafter, as appropriate. The commission  
48 may retain experts as necessary to carry out this subparagraph,  
49 and the department shall pay the expenses of the experts.

50 8. Monitor the efficiency, productivity, and management of  
51 the agencies and authorities created under chapters 348 and 349,  
52 ~~including any authority formed using part I of chapter 348~~; the  
53 Mid-Bay Bridge Authority re-created pursuant to chapter 2000-  
54 411, Laws of Florida; and any authority formed under chapter  
55 343. The commission shall also conduct periodic reviews of each  
56 agency's and authority's operations and budget, acquisition of  
57 property, management of revenue and bond proceeds, and  
58 compliance with applicable laws and generally accepted  
59 accounting principles.

60 Section 2. Subsection (1) of section 112.3144, Florida  
61 Statutes, is amended to read:

62 112.3144 Full and public disclosure of financial  
63 interests.—

64 (1) (a) An officer who is required by s. 8, Art. II of the  
65 State Constitution to file a full and public disclosure of his  
66 or her financial interests for any calendar or fiscal year shall  
67 file that disclosure with the Florida Commission on Ethics.  
68 Additionally, ~~beginning January 1, 2015~~, an officer who is  
69 required to complete annual ethics training pursuant to s.



522122

70 112.3142 must certify on his or her full and public disclosure  
71 of financial interests that he or she has completed the required  
72 training.

73 (b) A member of an expressway authority, transportation  
74 authority, bridge authority, toll authority, or expressway  
75 agency created pursuant to chapter 343, chapter 348, or any  
76 other general law shall comply with the applicable financial  
77 disclosure requirements of s. 8, Art. II of the State  
78 Constitution.

79 Section 3. Effective October 1, 2022, paragraph (d) of  
80 subsection (1) of section 212.055, Florida Statutes, is amended  
81 to read:

82 212.055 Discretionary sales surtaxes; legislative intent;  
83 authorization and use of proceeds.—It is the legislative intent  
84 that any authorization for imposition of a discretionary sales  
85 surtax shall be published in the Florida Statutes as a  
86 subsection of this section, irrespective of the duration of the  
87 levy. Each enactment shall specify the types of counties  
88 authorized to levy; the rate or rates which may be imposed; the  
89 maximum length of time the surtax may be imposed, if any; the  
90 procedure which must be followed to secure voter approval, if  
91 required; the purpose for which the proceeds may be expended;  
92 and such other requirements as the Legislature may provide.  
93 Taxable transactions and administrative procedures shall be as  
94 provided in s. 212.054.

95 (1) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM  
96 SURTAX.—

97 (d) 1. Except as set forth in subparagraph 2., proceeds from  
98 the surtax shall be applied to as many or as few of the uses



522122

99 enumerated below in whatever combination the county commission  
100 deems appropriate:

101 ~~a.1.~~ Deposited by the county in the trust fund and shall be  
102 used for the purposes of development, construction, equipment,  
103 maintenance, operation, supportive services, including a  
104 countywide bus system, on-demand transportation services, and  
105 related costs of a fixed guideway rapid transit system;

106 ~~b.2.~~ Remitted by the governing body of the county to an  
107 expressway, transit, or transportation authority created by law  
108 to be used, at the discretion of such authority, for the  
109 development, construction, operation, or maintenance of roads or  
110 bridges in the county, for the operation and maintenance of a  
111 bus system, for the operation and maintenance of on-demand  
112 transportation services, for the payment of principal and  
113 interest on existing bonds issued for the construction of such  
114 roads or bridges, and, upon approval by the county commission,  
115 such proceeds may be pledged for bonds issued to refinance  
116 existing bonds or new bonds issued for the construction of such  
117 roads or bridges;

118 ~~3.~~ ~~Used by the county for the development, construction,~~  
119 ~~operation, and maintenance of roads and bridges in the county;~~  
120 ~~for the expansion, operation, and maintenance of bus and fixed~~  
121 ~~guideway systems; for the expansion, operation, and maintenance~~  
122 ~~of on-demand transportation services; and for the payment of~~  
123 ~~principal and interest on bonds issued for the construction of~~  
124 ~~fixed guideway rapid transit systems, bus systems, roads, or~~  
125 ~~bridges; and such proceeds may be pledged by the governing body~~  
126 ~~of the county for bonds issued to refinance existing bonds or~~  
127 ~~new bonds issued for the construction of such fixed guideway~~



522122

128 ~~rapid transit systems, bus systems, roads, or bridges and no~~  
129 ~~more than 25 percent used for nontransit uses;~~ and

130 c.4. Used by the county for the planning, development,  
131 construction, operation, and maintenance of roads and bridges in  
132 the county; for the planning, development, expansion, operation,  
133 and maintenance of bus and fixed guideway systems; for the  
134 planning, development, construction, expansion, operation, and  
135 maintenance of on-demand transportation services; and for the  
136 payment of principal and interest on bonds issued for the  
137 construction of fixed guideway rapid transit systems, bus  
138 systems, roads, or bridges; and such proceeds may be pledged by  
139 the governing body of the county for bonds issued to refinance  
140 existing bonds or new bonds issued for the construction of such  
141 fixed guideway rapid transit systems, bus systems, roads, or  
142 bridges. Pursuant to an interlocal agreement entered into  
143 pursuant to chapter 163, the governing body of the county may  
144 distribute proceeds from the tax to a municipality, or an  
145 expressway or transportation authority created by law to be  
146 expended for the purpose authorized by this paragraph. Any  
147 county that has entered into interlocal agreements for  
148 distribution of proceeds to one or more municipalities in the  
149 county shall revise such interlocal agreements no less than  
150 every 5 years in order to include any municipalities that have  
151 been created since the prior interlocal agreements were  
152 executed.

153 2.a. To the extent not prohibited by contracts or bond  
154 covenants in effect on that date, a county as defined in s.  
155 125.011(1) shall use proceeds from the surtax only for the  
156 following purposes:



522122

157       (I) The planning, design, engineering, or construction of  
158 fixed guideway rapid transit systems, rail systems, and bus  
159 systems, including bus rapid transit systems, and for the  
160 development of dedicated facilities for autonomous vehicles as  
161 defined in s. 316.003.

162       (II) The acquisition of rights-of-way for fixed guideway  
163 rapid transit systems, rail systems, and bus systems, including  
164 bus rapid transit systems, and for the development of dedicated  
165 facilities for autonomous vehicles as defined in s. 316.003.

166       (III) The purchase of buses or other capital costs for bus  
167 systems, including bus rapid transit systems.

168       (IV) The payment of principal and interest on bonds  
169 previously issued related to fixed guideway rapid transit  
170 systems, rail systems, or bus systems.

171       (V) As security by the governing body of the county to  
172 refinance existing bonds or to issue new bonds for the planning,  
173 design, engineering, or construction of fixed guideway rapid  
174 transit systems, rail systems, bus rapid transit systems, or bus  
175 systems.

176       (VI) For the operation and maintenance of fixed guideway  
177 rapid transit systems and bus routes or extensions thereof,  
178 including bus rapid transit systems, which were implemented or  
179 constructed subsequent to the passage of the surtax, and for  
180 operation and maintenance of services authorized by electors in  
181 passing the surtax or included in the ordinance authorizing the  
182 levy of the surtax subject to the electorate's approval.

183       b. To the extent not prohibited by contracts or bond  
184 covenants in effect on October 1, 2022, no more than 25 percent  
185 of the surtax proceeds may be distributed to municipalities in



522122

186 total in a county as defined in s. 125.011(1). Such  
187 municipalities may use the surtax proceeds to plan, develop,  
188 construct, operate, and maintain roads and bridges in the  
189 municipality and to pay the principal and interest on bonds  
190 issued to construct roads or bridges. The governing body of the  
191 municipality may pledge the proceeds for bonds issued to  
192 refinance existing bonds or new bonds issued to construct such  
193 roads or bridges. Additionally, each such municipality may use  
194 surtax proceeds for transit systems within the municipality.

195 Section 4. Subsection (2) of section 215.68, Florida  
196 Statutes, is amended to read:

197 215.68 Issuance of bonds; form; maturity date, execution,  
198 sale.—

199 (2) Such bonds may:

200 (a) Be issued in either coupon form or registered form or  
201 both;

202 (b) Have such date or dates of issue and such maturities,  
203 not exceeding in any event 40 years from the date of issuance  
204 thereof;

205 (c) Bear interest at a rate or rates not exceeding the  
206 interest rate limitation set forth in s. 215.84(3);

207 (d) Have such provisions for registration of coupon bonds  
208 and conversion and reconversion of bonds from coupon to  
209 registered form or from registered form to coupon form;

210 (e) Have such provisions for payment at maturity and  
211 redemption before ~~prior to~~ maturity at such time or times and at  
212 such price or prices; and

213 (f) Be payable at such place or places within or without  
214 the state as the board shall determine by resolution.





522122

215  
216 ~~The foregoing terms and conditions do not supersede the~~  
217 ~~limitations provided in chapter 348, part I, relating to the~~  
218 ~~issuance of bonds.~~

219       Section 5. Notwithstanding the repeal of section 319.141,  
220 Florida Statutes, which occurred on July 1, 2018, that section  
221 is revived, reenacted, and amended to read:

222       319.141 ~~Pilot~~ Rebuilt motor vehicle inspection program.—

223       (1) As used in this section, the term:

224       (a) "Facility" means a rebuilt motor vehicle inspection  
225 facility authorized and operating under this section.

226       (b) "Rebuilt inspection services" means an examination of a  
227 rebuilt vehicle and a properly endorsed certificate of title,  
228 salvage certificate of title, or manufacturer's statement of  
229 origin and an application for a rebuilt certificate of title, a  
230 rebuilder's affidavit, a photograph of the junk or salvage  
231 vehicle taken before repairs began, if available, a photograph  
232 of the interior driver and passenger sides of the vehicle if  
233 airbags were previously deployed and replaced, receipts or  
234 invoices for all major component parts, as defined in s. 319.30,  
235 and repairs which were changed, and proof that notice of  
236 rebuilding of the vehicle has been reported to the National  
237 Motor Vehicle Title Information System.

238       (2) By October 1, 2019 ~~July 1, 2015~~, the department shall  
239 implement ~~oversee~~ a ~~pilot~~ program in Miami-Dade County ~~to~~  
240 ~~evaluate alternatives~~ for rebuilt inspection services offered by  
241 ~~existing~~ private sector participants ~~operators, including the~~  
242 ~~continued use of private facilities, the cost impact to~~  
243 ~~consumers, and the potential savings to the department.~~



522122

244           (3) Upon selection by the department, each participant  
245 shall enter into ~~The department shall establish~~ a memorandum of  
246 understanding with the department that allows such participant  
247 ~~private parties participating in the pilot program~~ to conduct  
248 rebuilt motor vehicle inspections and specifies requirements for  
249 oversight, bonding and insurance, procedures, and forms and  
250 requires the electronic transmission of documents. The  
251 department may examine all records pertaining to any inspection  
252 or related service performed under the rebuilt motor vehicle  
253 inspection program.

254           (4) Before a participant ~~an applicant~~ is authorized to  
255 perform such rebuilt inspection services ~~approved~~, the  
256 department shall ensure that the participant ~~applicant~~ meets  
257 basic criteria designed to protect the public. At a minimum, the  
258 participant ~~applicant~~ shall meet all of the following  
259 requirements:

260           (a) Have and maintain a surety bond or irrevocable letter  
261 of credit in the amount of \$100,000 executed in favor of the  
262 department. Such surety bond or letter of credit shall be issued  
263 by entities licensed to do business in this state ~~by the~~  
264 ~~applicant.~~

265           (b) Secure and maintain a facility at a permanent fixed  
266 structure, as evidenced by proof of ownership or written lease  
267 at an address recognized by the United States Postal Service  
268 where the only services provided on such property are rebuilt  
269 inspection services. The facility must have permanent signage  
270 which advertises that only private rebuilt inspection services  
271 are provided at that location; posted business hours; a  
272 designated office area and customer waiting area; a rebuilt



522122

273 inspection area separate and visually obstructed from any area  
274 accessible to the customer; surveillance cameras with recording  
275 capabilities for the rebuilt inspection areas; and sufficient  
276 onsite customer parking. The location must be large enough to  
277 accommodate all of the vehicles being inspected and have a  
278 covered area to accommodate at least two vehicles during  
279 inclement weather. The participant ~~operator of a facility~~ shall  
280 annually attest that he or she does not have a direct or  
281 indirect interest in any motor vehicle that a facility has  
282 inspected or proposes to inspect; he or she is not employed by  
283 or does not have an ownership interest in or other financial  
284 arrangement with the owner, operator, manager, or employee of a  
285 motor vehicle repair shop as defined in s. 559.903, a motor  
286 vehicle dealer as defined in s. 320.27(1)(c), a towing company,  
287 a vehicle storage company, a vehicle auction, an insurance  
288 company, a salvage yard, a metal retailer, or a metal rebuilder,  
289 from which he or she receives remuneration, directly or  
290 indirectly, for the referral of customers for rebuilt inspection  
291 services; there have been no changes to the ownership structure  
292 of the approved facility; and the only services being provided  
293 by such participant at the facility are rebuilt inspection  
294 services. Only a participant selected and approved by the  
295 department may charge or receive a fee for providing or  
296 facilitating such services.

297 (c) Have and maintain garage liability with a minimum of  
298 \$100,000 single-limit liability coverage including bodily injury  
299 and property damage protection and any other insurance required  
300 by the department.

301 (d) Have completed criminal background checks of the



522122

302 owners, partners, and corporate officers and the inspectors  
303 employed by the facility which demonstrate that such persons  
304 have not been convicted of a felony, pled guilty to a felony,  
305 pled nolo contendere to a felony, or been incarcerated for a  
306 felony in the previous 10 years.

307 (e) Meet any additional criteria the department determines  
308 necessary to conduct proper inspections.

309 (5) A participant may not conduct an inspection of a  
310 vehicle in complete rebuilt condition without prior approval by  
311 the department. A person or entity other than the department or  
312 a participant authorized by the department may not conduct  
313 rebuilt inspection services.

314 (6) ~~(5)~~ A participant in the program shall access vehicle  
315 and title information and enter inspection results through an  
316 electronic filing system authorized by the department and shall  
317 maintain records of each rebuilt vehicle inspection processed at  
318 such facility for at least 5 years.

319 (7) A vehicle owner who fails an initial rebuilt inspection  
320 may only have that vehicle reinspected by the department or the  
321 facility that conducted the original inspection.

322 (8) ~~(6)~~ The department shall conduct an onsite facility  
323 inspection at least once per quarter and shall immediately  
324 terminate any participant ~~operator~~ from the program who fails to  
325 meet the minimum eligibility requirements specified in  
326 subsection (4). Before a change in ownership of a rebuilt  
327 inspection facility, the current operator must give the  
328 department 45 days' written notice of the intended sale or  
329 transfer. The prospective owner must meet the eligibility  
330 requirements of this section and execute a new memorandum of



522122

331 understanding with the department before operating the facility.

332 (9) The department may adopt rules pursuant to ss.  
333 120.536(1) and 120.54 to implement and enforce this section.

334 (10) On or before July 1, 2021, the department shall submit  
335 a written report to the President of the Senate and the Speaker  
336 of the House of Representatives evaluating the effectiveness of  
337 the program and whether to expand the program to other counties.

338 ~~(7) This section is repealed on July 1, 2018, unless saved~~  
339 ~~from repeal through reenactment by the Legislature.~~

340 Section 6. Section 320.0605, Florida Statutes, is amended  
341 to read:

342 320.0605 Certificate of registration; possession required;  
343 exception.-

344 (1) (a) The registration certificate or an official copy  
345 thereof, a true copy or an electronic copy of rental or lease  
346 documentation issued for a motor vehicle or issued for a  
347 replacement vehicle in the same registration period, a temporary  
348 receipt printed upon self-initiated electronic renewal of a  
349 registration via the Internet, or a cab card issued for a  
350 vehicle registered under the International Registration Plan  
351 shall, at all times while the vehicle is being used or operated  
352 on the roads of this state, be in the possession of the operator  
353 thereof or be carried in the vehicle for which issued and shall  
354 be exhibited upon demand of any authorized law enforcement  
355 officer or any agent of the department, except for a vehicle  
356 registered under s. 320.0657. ~~The provisions of~~ This section  
357 does ~~de~~ not apply during the first 30 days after purchase of a  
358 replacement vehicle. A violation of this section is a  
359 noncriminal traffic infraction, punishable as a nonmoving



522122

360 violation as provided in chapter 318.

361 (b)1. The act of presenting to a law enforcement officer or  
362 agent of the department an electronic device displaying an  
363 electronic copy of rental or lease documentation does not  
364 constitute consent for the officer or agent to access any  
365 information on the device other than the displayed rental or  
366 lease documentation.

367 2. The person who presents the device to the officer or  
368 agent assumes the liability for any resulting damage to the  
369 device.

370 (2) Rental or lease documentation that is sufficient to  
371 satisfy the requirement in subsection (1) includes the  
372 following:

373 (a) ~~Date of rental and time of exit from rental facility;~~

374 ~~(b) Rental station identification;~~

375 ~~(b)(e)~~ Rental agreement number;

376 ~~(c)(d)~~ Rental vehicle identification number;

377 ~~(d)(e)~~ Rental vehicle license plate number and state of  
378 registration;

379 ~~(e)(f)~~ Vehicle's make, model, and color;

380 ~~(f)(g)~~ Vehicle's mileage; and

381 ~~(g)(h)~~ Authorized renter's name.

382 Section 7. Section 322.38, Florida Statutes, is amended to  
383 read:

384 322.38 Renting motor vehicle to another.—

385 (1) A ~~No~~ person may not shall rent a motor vehicle to any  
386 other person unless the other latter person is ~~then~~ duly  
387 licensed~~, or, if a nonresident, he or she shall be~~ is licensed  
388 under the laws of the state or country of his or her residence,



522122

389 except a nonresident whose home state or country does not  
390 require that an operator be licensed.

391 (2) A ~~No~~ person may not ~~shall~~ rent a motor vehicle to  
392 another until he or she has inspected the driver license of the  
393 person to whom the vehicle is to be rented, and has compared and  
394 verified that the driver license is unexpired signature thereon  
395 with the signature of such person written in his or her  
396 presence.

397 (3) Every person renting a motor vehicle to another shall  
398 keep a record of the registration number of the motor vehicle so  
399 rented, the name and address of the person to whom the vehicle  
400 is rented, the number of the license of said latter person, and  
401 the ~~date and place when and where the said~~ license was issued.  
402 Such record shall be open to inspection by any police officer,  
403 or officer or employee of the department.

404 (4) If a rental car company rents a motor vehicle to a  
405 person through digital, electronic, or other means which allows  
406 the renter to obtain possession of the motor vehicle without  
407 direct contact with an agent or employee of the rental car  
408 company, or if the renter does not execute a rental contract at  
409 the time he or she takes possession of the vehicle, the rental  
410 car company is deemed to have met all obligations of subsections  
411 (1) and (2) when the rental car company, at the time the renter  
412 enrolls in a membership program, master agreement, or other  
413 means of establishing use of the rental car company's services,  
414 or any time thereafter, requires the renter to verify that he or  
415 she is duly licensed and that the license is unexpired.

416 Section 8. Section 334.175, Florida Statutes, is amended to  
417 read:



522122

418 334.175 Certification of project design plans and surveys.-

419 (1) All design plans and surveys prepared by or for the  
420 department shall be signed, sealed, and certified by the  
421 professional engineer or surveyor or architect or landscape  
422 architect in responsible charge of the project work. Such  
423 professional engineer, surveyor, architect, or landscape  
424 architect must be duly registered in this state.

425 (2) For portions of transportation projects on, under, or  
426 over a department-owned right-of-way, and regardless of funding  
427 source, the department shall review the project's design plans  
428 for compliance with departmental design standards.

429 Section 9. Subsection (1) of section 337.025, Florida  
430 Statutes, is amended to read:

431 337.025 Innovative transportation ~~highway~~ projects;  
432 department to establish program.-

433 (1) The department may ~~is authorized to~~ establish a program  
434 for transportation ~~highway~~ projects demonstrating innovative  
435 techniques of highway and bridge design, construction,  
436 maintenance, and finance which have the intended effect of  
437 measuring resiliency and structural integrity and controlling  
438 time and cost increases on construction projects. Such  
439 techniques may include, but are not limited to, state-of-the-art  
440 technology for pavement, safety, and other aspects of highway  
441 and bridge design, construction, and maintenance; innovative  
442 bidding and financing techniques; accelerated construction  
443 procedures; and those techniques that have the potential to  
444 reduce project life cycle costs. To the maximum extent  
445 practical, the department must use the existing process to award  
446 and administer construction and maintenance contracts. When





522122

447 specific innovative techniques are to be used, the department is  
448 not required to adhere to those provisions of law that would  
449 prevent, preclude, or in any way prohibit the department from  
450 using the innovative technique. However, before ~~prior to~~ using  
451 an innovative technique that is inconsistent with another  
452 provision of law, the department must document in writing the  
453 need for the exception and identify what benefits the traveling  
454 public and the affected community are anticipated to receive.  
455 The department may enter into no more than \$120 million in  
456 contracts annually for the purposes authorized by this section.

457 Section 10. Subsections (2) and (5) of section 338.165,  
458 Florida Statutes, are amended to read:

459 338.165 Continuation of tolls.—

460 (2) If the revenue-producing project is on the State  
461 Highway System, any remaining toll revenue shall be used for the  
462 construction, maintenance, or improvement of any road on the  
463 State Highway System within the county or counties in which the  
464 revenue-producing project is located, ~~except as provided in s.~~  
465 ~~348.0004.~~

466 (5) If the revenue-producing project is on the county road  
467 system, any remaining toll revenue shall be used for the  
468 construction, maintenance, or improvement of any other state or  
469 county road within the county or counties in which the revenue-  
470 producing project is located, ~~except as provided in s. 348.0004.~~

471 Section 11. Paragraph (d) of subsection (3) and paragraph  
472 (f) of subsection (6) of section 339.175, Florida Statutes, are  
473 amended to read:

474 339.175 Metropolitan planning organization.—

475 (3) VOTING MEMBERSHIP.—



522122

476 (d) Any other provision of this section to the contrary  
477 notwithstanding, any county as defined in s. 125.011(1)  
478 ~~chartered under s. 6(c), Art. VIII of the State Constitution~~ may  
479 elect to have its county commission serve as the M.P.O., if the  
480 M.P.O. jurisdiction is wholly contained within the county. Any  
481 charter county that elects to exercise the provisions of this  
482 paragraph shall so notify the Governor in writing. Upon receipt  
483 of such notification, the Governor must designate the county  
484 commission as the M.P.O. The Governor must appoint four  
485 additional voting members to the M.P.O., one of whom must be an  
486 elected official representing a municipality within the county,  
487 one of whom must be an expressway authority member, one of whom  
488 must be a person who does not hold elected public office and who  
489 resides in the unincorporated portion of the county, and one of  
490 whom must be a school board member.

491 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,  
492 privileges, and authority of an M.P.O. are those specified in  
493 this section or incorporated in an interlocal agreement  
494 authorized under s. 163.01. Each M.P.O. shall perform all acts  
495 required by federal or state laws or rules, now and subsequently  
496 applicable, which are necessary to qualify for federal aid. It  
497 is the intent of this section that each M.P.O. shall be involved  
498 in the planning and programming of transportation facilities,  
499 including, but not limited to, airports, intercity and high-  
500 speed rail lines, seaports, and intermodal facilities, to the  
501 extent permitted by state or federal law.

502 (f)1. The department shall allocate to each M.P.O., for the  
503 purpose of accomplishing its transportation planning and  
504 programming duties, an appropriate amount of federal



522122

505 transportation planning funds.

506 2. In a county as defined in s. 125.011(1), the M.P.O. may  
507 not assess any fees for municipalities, counties, or other  
508 governmental entities that are members of the M.P.O.

509 Section 12. Subsection (6) of section 343.1003, Florida  
510 Statutes, is amended to read:

511 343.1003 Northeast Florida Regional Transportation  
512 Commission.—

513 (6) Notwithstanding s. 112.3144(1)(b) ~~s. 348.0003(4)(e)~~,  
514 members of the board shall file a statement of financial  
515 interests ~~interest~~ with the Commission on Ethics pursuant to s.  
516 112.3145.

517 Section 13. Part I of chapter 348, Florida Statutes,  
518 consisting of sections 348.0001, 348.0002, 348.0003, 348.0004,  
519 348.0005, 348.0007, 348.0008, 348.0009, 348.0010, 348.0011,  
520 348.00115, and 348.0012, is repealed.

521 Section 14. Part I of chapter 348, Florida Statutes,  
522 consisting of sections 348.0301, 348.0302, 348.0303, 348.0304,  
523 348.0305, 348.0306, 348.0307, 348.0308, 348.0309, 348.0310,  
524 348.0311, 348.0312, 348.0313, 348.0314, 348.0315, 348.0316,  
525 348.0317, and 348.0318, Florida Statutes, is created to read:

526 CHAPTER 348

527 EXPRESSWAY AND BRIDGE AUTHORITIES

528 PART I

529 GREATER MIAMI EXPRESSWAY AGENCY

530 348.0301 Short title.—This part may be cited as the  
531 “Greater Miami Expressway Agency Act.”

532 348.0302 Applicability.—This part applies only to a county  
533 as defined in s. 125.011(1).



522122

534           348.0303 Definitions.—As used in the this part, the term:  
535           (1) "Agency" means the body politic, corporate, and agency  
536 of the state created by this part.  
537           (2) "Agency of the state" means and includes the state and  
538 any department of, or corporation, agency, or instrumentality  
539 created, designated, or established by, the state.  
540           (3) "Bonds" means and includes the notes, bonds, refunding  
541 bonds, or other evidences of indebtedness or obligations, in  
542 either temporary or definitive form, which the agency issues  
543 pursuant to this part.  
544           (4) "County" means a county as defined in s. 125.011(1).  
545           (5) "County gasoline tax funds" means all of the 80-percent  
546 surplus gasoline tax funds accruing in each year to the  
547 department for use within the geographic boundaries of the  
548 agency under s. 9, Art. XII of the State Constitution, after the  
549 deduction of any amounts of such gasoline tax funds heretofore  
550 pledged by the department or a county for outstanding  
551 obligations.  
552           (6) "Department" means the Department of Transportation.  
553           (7) "Express written consent" means prior express written  
554 consent given in the form of a resolution adopted by a board of  
555 county commissioners.  
556           (8) "Expressway" means a street or highway especially  
557 designed for through traffic and over, from, or to which owners  
558 or occupants of abutting land or other persons have no right or  
559 easement or only a limited right or easement of access, light,  
560 air, or view by reason of the fact that their property abuts  
561 upon such limited access facility or for any other reason. An  
562 expressway may be a facility from which trucks, buses, and other



522122

563 commercial vehicles are excluded or may be a facility open to  
564 use by all customary forms of street and highway traffic.

565 (9) "Expressway system" means any and all expressways not  
566 owned by the department which fall within the geographic  
567 boundaries of the agency established pursuant to this act and  
568 appurtenant facilities thereto, including but not limited to,  
569 all approaches, roads, bridges, and avenues of access for such  
570 expressway. The term includes a public transportation facility.

571 (10) "Federal agency" means and includes the United States,  
572 the President of the United States, and any department of, or  
573 corporation, agency, or instrumentality created, designated, or  
574 established by, the United States.

575 (11) "Members" means the governing body of the agency, and  
576 the term "member" means one of the individuals constituting such  
577 governing body.

578 (12) "Public transportation facility" means real and  
579 personal property, structures, improvements, buildings,  
580 personnel, equipment, plants, vehicle parking or other  
581 facilities, rights-of-way, or any combination thereof used or  
582 useful for the purposes of transporting passengers by means of a  
583 street railway, elevated railway or guideway, subway, motor  
584 vehicle, motor bus, or any bus or other means of conveyance  
585 operating as a common carrier.

586 348.0304 Greater Miami Expressway Agency.-

587 (1) There is hereby created and established a body politic  
588 and corporate, an agency of the state, to be known as the  
589 "Greater Miami Expressway Agency."

590 (2) (a) The governing body of the agency shall consist of  
591 nine voting members. Except for the district secretary of the



522122

592 department, each member must be a permanent resident of the  
593 county and may not hold, or have held in the previous 2 years,  
594 elected or appointed office in the county. Each member may only  
595 serve two terms of 4 years each. Three members shall be  
596 appointed by the Governor. Two members, who must be residents of  
597 an unincorporated portion of the county residing within 15 miles  
598 of an area with the highest amount of agency toll roads, shall  
599 be appointed by the board of county commissioners of the county.  
600 Three members, who must be residents of incorporated  
601 municipalities within the county, shall be appointed by the  
602 metropolitan planning organization for the county. The district  
603 secretary of the department serving in the district that  
604 contains the county shall serve as an ex officio voting member  
605 of the governing body.

606 (b) Initial appointments to the governing body of the  
607 agency shall be made by July 31, 2019. For the initial  
608 appointments:

609 1. The Governor shall appoint one member for a term of 2  
610 years, one member for a term of 3 years, and one member for a  
611 term of 4 years.

612 2. The board of county commissioners shall appoint one  
613 member for a term of 1 year and one member for a term of 3  
614 years.

615 3. The metropolitan planning organization shall appoint one  
616 member for a term of 1 year, one member for a term of 2 years,  
617 and one member for a term of 4 years.

618 (c) Persons who, on or after July 1, 2009, were members of  
619 the governing body or employees of the former Miami-Dade County  
620 Expressway Authority may not be appointed members of the



522122

621 governing body of the agency. This paragraph does not apply to  
622 appointments to the governing body of the agency made by the  
623 Governor or to the district secretary of the department serving  
624 in an ex officio role pursuant to paragraph (a).

625 (3) (a) The governing body of the agency shall elect one of  
626 its members as chair and shall elect a secretary and a treasurer  
627 who need not be members of the governing body. The chair,  
628 secretary, and treasurer shall hold their offices at the will of  
629 the governing body. A simple majority of the governing body  
630 constitutes a quorum, and the vote of a majority of those  
631 members present is necessary for the governing body to take any  
632 action. A vacancy shall not impair the right of a quorum of the  
633 governing body to exercise all of the rights and perform all of  
634 the duties of the governing body.

635 (b) Upon the effective date of his or her appointment, or  
636 as soon thereafter as practicable, each member of the governing  
637 body of the agency shall enter upon his or her duties. The  
638 governing body's initial board meeting must take place within 15  
639 days after the initial appointments.

640 (c) Each member of the governing body of the agency, before  
641 entering upon his or her official duties, shall take and  
642 subscribe to an oath before some official authorized by law to  
643 administer oaths that he or she will honestly, faithfully, and  
644 impartially perform the duties devolving upon him or her in  
645 office as a member of the governing body and that he or she will  
646 not neglect any duties imposed upon him or her by this part.

647 (4) (a) The governing body of the agency may employ an  
648 executive secretary, an executive director, its own counsel and  
649 legal staff, technical experts, and such engineers and



522122

650 employees, permanent or temporary, as it may require and shall  
651 determine the qualifications and fix the compensation of such  
652 persons, firms, or corporations. The governing body may employ a  
653 fiscal agent or agents; however, the governing body must solicit  
654 sealed proposals from at least three persons, firms, or  
655 corporations for the performance of any services as fiscal  
656 agents. The governing body may delegate to one or more of its  
657 agents or employees such of its power as it deems necessary to  
658 carry out the purposes of this act, subject always to the  
659 supervision and control of the governing body. Members of the  
660 governing body may be removed from office by the Governor for  
661 misconduct, malfeasance, misfeasance, or nonfeasance in office.

662 (b) Employees of the agency shall serve at the pleasure of  
663 the governing body of the agency. The governing body of the  
664 agency shall review the employment of all employees of the  
665 former Miami-Dade County Expressway Authority to determine  
666 whether each employee will continue employment with the agency.  
667 In the hiring of an executive director of the agency, the  
668 governing body of the agency shall conduct a nationwide search  
669 in order to identify the most qualified candidate.

670 (5) The members of the governing body of the agency shall  
671 not be entitled to compensation but shall be entitled to receive  
672 per diem and travel expenses as provided in s. 112.061.

673 348.0305 Ethics requirements.—

674 (1) Notwithstanding any other provision of law to the  
675 contrary, members and employees of the agency are subject to  
676 part III of chapter 112. As used in this section, the term:

677 (a) "Agency" means the Greater Miami Expressway Agency.

678 (b) "Lobby" means to seek to influence the agency, on





522122

679 behalf of another person, with respect to a decision of the  
680 agency in an area of policy or procurement or to attempt to  
681 obtain the goodwill of an officer, employee, or consultant of  
682 the agency. The term does not include representing a client in  
683 any stage of applying for or seeking approval of any  
684 administrative action, or opposition to such action, provided  
685 such action does not require legislative discretion and is  
686 subject to judicial review by petitioning for writ of  
687 certiorari.

688 (c) "Lobbyist" means a person who is employed and receives  
689 payment, or who contracts for economic consideration, to lobby  
690 or a person who is principally employed for governmental affairs  
691 by another person or entity to lobby on behalf of such person or  
692 entity. The term does not include a person who:

693 1. Represents a client in a judicial proceeding or in a  
694 formal administrative proceeding before the agency.

695 2. Is an officer or employee of any governmental entity  
696 acting in the normal course of his or her duties.

697 3. Consults under contract with the agency and communicates  
698 with the agency regarding issues related to the scope of  
699 services in his or her contract.

700 4. Is an expert witness who is retained or employed by an  
701 employer, principal, or client to provide only scientific,  
702 technical, or other specialized information provided in agenda  
703 materials or testimony only in public hearings, provided the  
704 expert identifies such employer, principal, or client at such  
705 hearing.

706 5. Seeks to procure a contract that is less than \$20,000 or  
707 a contract pursuant s. 287.056.



522122

708           (d) "Officer" means a member of the governing body of the  
709 agency.

710           (e) "Principal" has the same meaning as in s. 112.3215.

711           (f) "Relative" has the same meaning as in s. 112.312.

712           (2) (a) A lobbyist may not be appointed or serve as a member  
713 of the governing body of the agency.

714           (b) A person may not be appointed or serve as an officer if  
715 that person currently represents or has in the previous 4 years  
716 lobbied the agency or the former Miami-Dade County Expressway  
717 Authority.

718           (c) A person may not be appointed or serve as an officer if  
719 that person has in the previous 4 years done business, or been  
720 an employee of a person or entity that has done business, with  
721 the agency or the former Miami-Dade County Expressway Authority.

722           (d) A person may not be appointed or serve as an officer if  
723 that person has in the previous 2 years been an employee of the  
724 agency.

725           (3) An officer, employee, or consultant of the agency or of  
726 the former Miami-Dade County Expressway Authority may not, for a  
727 period of 4 years after vacation of his or her position with the  
728 agency:

729           (a) Lobby the agency.

730           (b) Have an employment or contractual relationship with a  
731 business entity in connection with a contract in which the  
732 officer, employee, or consultant personally and substantially  
733 participated through decision, approval, disapproval,  
734 recommendation, rendering of advice, or investigation while he  
735 or she was an officer, employee, or consultant of the agency.  
736 When an agency employee's position is eliminated and his or her



522122

737 former duties are performed by the business entity, this  
738 paragraph does not prohibit him or her from employment or a  
739 contractual relationship with the business entity if the  
740 employee's participation in the contract was limited to  
741 recommendation, rendering of advice, or investigation and if the  
742 executive director of the agency determines that the best  
743 interests of the agency will be served thereby and provides  
744 prior written approval for the particular employee.

745 (c) Have or hold any employment or contractual relationship  
746 with a business entity in connection with any contract for  
747 contractual services which was within his or her responsibility  
748 while an officer, employee, or consultant. If an agency  
749 employee's position is eliminated and his or her former duties  
750 are performed by the business entity, this paragraph may be  
751 waived by the executive director of the agency through prior  
752 written approval for the particular employee if the executive  
753 director determines that the best interests of the agency will  
754 be served thereby.

755 (4) Each officer, employee, and consultant of the agency  
756 must promptly disclose:

757 (a) Every relationship that may create a conflict between  
758 his or her private interests and the performance of his or her  
759 duties to the agency or that would impede the full and faithful  
760 discharge of his or her duties to the agency.

761 (b) Any relative and any employment or contractual  
762 relationship of such relative which, if held by the officer,  
763 employee, or consultant, would violate any provision of s.  
764 112.313.

765 (c) Any relative who is a lobbyist and such lobbyist's



522122

766 principal.

767 (d) Any direct or indirect interest in real property and  
768 such interest of any relative if such property is located within  
769 one-half mile of any actual or prospective agency project. The  
770 executive director of the agency shall provide a corridor map  
771 and a property ownership list reflecting the ownership of all  
772 real property within the disclosure area, or an alignment map  
773 with a list of associated owners, to all officers, employees,  
774 and consultants.

775 (5) The disclosures required under subsection (4) must be  
776 filed with the agency general counsel in the manner specified by  
777 the general counsel. When the disclosure is filed by the general  
778 counsel, a copy must be provided to the executive director of  
779 the agency.

780 (6) A violation of this section shall be considered a  
781 violation of the violator's official, employment, or contractual  
782 duties to the agency.

783 (7) Officers, employees, and consultants of the agency  
784 shall be adequately informed and trained on the provisions of  
785 this section and the state code of ethics and shall receive  
786 ongoing ethics training.

787 (8) The state code of ethics shall apply to officers,  
788 employees, and consultants of the agency, and this section shall  
789 be enforced by the Commission on Ethics as part of the state  
790 code of ethics.

791 (9) For purposes of this section, "consultant" does not  
792 include firms or individuals retained by the agency to provide  
793 architectural, engineering, landscape architecture, or  
794 registered surveying and mapping services as described in s.



522122

795 287.055.

796 348.0306 Purposes and powers.—

797 (1) (a) The agency created and established pursuant to this  
798 act may acquire, hold, construct, improve, maintain, operate,  
799 and own an expressway system.

800 (b) The agency, in the construction of an expressway  
801 system, shall construct expressways. Construction of an  
802 expressway system may be completed in segments, phases, or  
803 stages in a manner that will permit the expansion of these  
804 segments, phases, or stages to the desired expressway  
805 configuration. The agency, in the construction of an expressway  
806 system, may construct any extensions of, additions to, or  
807 improvements to the expressway system or appurtenant facilities,  
808 including all necessary approaches, roads, bridges, and avenues  
809 of access, with such changes, modifications, or revisions of the  
810 project that are deemed desirable and proper. For new capacity  
811 projects, the agency shall use the department's design standards  
812 and, to the maximum extent practicable, design facilities such  
813 as the department would for high-speed limited access  
814 facilities. The agency may only add additional expressways to an  
815 expressway system, under the terms and conditions set forth in  
816 this act, with the prior express written consent of the board of  
817 county commissioners of the county, and only if such additional  
818 expressways lack adequate committed funding for implementation,  
819 are financially feasible, and are compatible with the existing  
820 plans, projects, and programs of the agency.

821 (2) The agency may exercise all powers necessary,  
822 appurtenant, convenient, or incidental to the carrying out of  
823 its purposes, including, but not limited to, the following



522122

824 rights and powers:

825 (a) To sue and be sued, implead and be impleaded, and  
826 complain and defend in all courts.

827 (b) To adopt, use, and alter at will a corporate seal.

828 (c) To acquire, purchase, hold, lease as lessee, and use  
829 any franchise or property, real, personal, or mixed, tangible or  
830 intangible, or any interest therein necessary or desirable for  
831 carrying out the purposes of the agency and to sell, lease as  
832 lessor, transfer, and dispose of any property or interest  
833 therein at any time acquired by it.

834 (d) To enter into and make leases, either as lessee or as  
835 lessor, in order to carry out the right to lease as set forth in  
836 this act.

837 (e) To fix, alter, charge, establish, and collect tolls,  
838 rates, fees, rentals, and other charges for the services and  
839 facilities system, which tolls, rates, fees, rentals, and other  
840 charges must always be sufficient to comply with any covenants  
841 made with the holders of any bonds secured by the net revenues  
842 of the expressway system, including any additions, extensions,  
843 or improvements thereof. However, such right and power may be  
844 assigned or delegated by the agency to the department.

845 1. Notwithstanding any other provision of law to the  
846 contrary, the agency may not increase its toll rates until July  
847 1, 2029, including any increase to the extent necessary to  
848 adjust for inflation pursuant to the procedure for toll rate  
849 adjustments provided in s. 338.165, except:

850 a. As may be necessary to comply with covenants in the  
851 trust indentures or resolutions adopted in connection with the  
852 agency's bonds secured by the net revenues of the expressway



522122

853 system; or

854 b. On or after July 1, 2024, as approved by a supermajority  
855 vote of the governing body of the agency.

856 2. A toll rate increase must be approved by a two-thirds  
857 vote of the members of the governing body of the agency.

858 3. The amount of toll revenues used for administrative  
859 costs by the agency may not be greater than 10 percent above the  
860 annual state average of administrative costs determined as  
861 provided in this subparagraph. The Florida Transportation  
862 Commission shall determine the annual state average of  
863 administrative costs based on the annual administrative costs of  
864 all the expressway authorities in this state. For purposes of  
865 this subparagraph, administrative costs include, but are not  
866 limited to, employee salaries and benefits, small business  
867 outreach, insurance, professional service contracts not directly  
868 related to the operation and maintenance of the expressway  
869 system, and other overhead costs.

870 4. There must be a distance of at least 5 miles between  
871 main through-lane tolling points. The distance requirement of  
872 this subparagraph does not apply to entry and exit ramps.  
873 However, the agency may establish toll rates such that the toll  
874 rate per mile is equal to the rates in effect on July 1, 2019.

875 (f) To borrow money, make and issue negotiable notes,  
876 bonds, refund bonds, and other evidence of indebtedness of the  
877 agency, which bonds or other evidence of indebtedness may be  
878 issued pursuant to the State Bond Act or, in the alternative,  
879 pursuant to s. 348.0309(2) to finance or refinance additions,  
880 extensions, or improvements to the expressway system within the  
881 geographic boundaries of the agency, and to provide for the



522122

882 security of the bonds or other evidence of indebtedness and the  
883 rights and remedies of the holders of the bonds or other  
884 evidence of indebtedness. Any bonds or other evidence of  
885 indebtedness pledging the full faith and credit of the state may  
886 only be issued pursuant to the State Bond Act.

887 1. The agency shall reimburse the county in which it exists  
888 for any sums expended from any county gasoline tax funds used  
889 for payment of such obligations. Any county gasoline tax funds  
890 so disbursed shall be repaid in accordance with the terms of any  
891 lease-purchase or interlocal agreement with any county or the  
892 department together with interest, at the rate agreed to in such  
893 agreement. In no event shall any county gasoline tax funds be  
894 more than a secondary pledge of revenues for repayment of any  
895 obligations issued pursuant to this part.

896 2. The agency may refund any bonds previously issued, to  
897 the extent allowable by federal tax laws, to finance or  
898 refinance an expressway system located within the geographic  
899 boundaries of the agency regardless of whether the bonds being  
900 refunded were issued by such agency, an agency of the state, or  
901 a county.

902 (g) To enter contracts and to execute all instruments  
903 necessary or convenient for the carrying on of its business.  
904 Notwithstanding any other provision of law to the contrary, the  
905 agency is subject to the procurement and contracting  
906 requirements applicable to the department contained in chapters  
907 287 and 337.

908 (h) Without limitation of the foregoing, to borrow money  
909 and accept grants from, and to enter into contracts, leases, or  
910 other transactions with, any federal agency, the state, any





522122

911 agency of the state, any county, or any other public body of the  
912 state.

913 (i) To have the power of eminent domain, including the  
914 procedural powers granted under chapters 73 and 74.

915 (j) To pledge, hypothecate, or otherwise encumber all or  
916 any part of the revenues, tolls, rates, fees, rentals, or other  
917 charges or receipts of the agency, including all or any portion  
918 of county gasoline tax funds received by the agency pursuant to  
919 the terms of any lease-purchase agreement between the agency and  
920 the department, as security for all or any of the obligations of  
921 the agency.

922 (k) To do all acts and things necessary or convenient for  
923 the conduct of its business and the general welfare of the  
924 agency in order to carry out the powers granted to it by law.

925 (3) Notwithstanding any other provision of law to the  
926 contrary, the consent of any municipality is not necessary for  
927 any project of the agency, regardless of whether the project  
928 lies in whole or in part within the boundaries of the  
929 municipality, if the project is consistent with the locally  
930 adopted comprehensive plan. However, if a project is  
931 inconsistent with the affected municipal comprehensive plan, the  
932 project may not proceed without a hearing pursuant to ss.  
933 120.569 and 120.57 at which it is determined that the project is  
934 consistent with the adopted metropolitan planning organization  
935 transportation improvement plan, if any, and the applicable  
936 strategic regional plan, and at which regional interests are  
937 determined to clearly override the interests of the  
938 municipality.

939 (4) The use or pledge of all or any portion of county



522122

940 gasoline tax funds may not be made without the prior express  
941 written consent of the board of county commissioners of each  
942 county located within the geographic boundaries of the agency.

943 (5) The agency shall comply with all statutory requirements  
944 of general application which relate to the filing of any report  
945 or documentation required by law, including the requirements of  
946 ss. 189.015, 189.016, 189.051, and 189.08.

947 (6) Notwithstanding subsection (3) or any other provision  
948 of law to the contrary, the agency may not undertake any  
949 construction that is not consistent with both the metropolitan  
950 planning organization's transportation improvement program and  
951 the county's comprehensive plan.

952 (7) The agency may finance or refinance the planning,  
953 design, acquisition, construction, extension, rehabilitation,  
954 equipping, preservation, maintenance, or improvement of a public  
955 transportation facility or transportation facilities owned or  
956 operated by such county, an intermodal facility or facilities,  
957 multimodal corridor or corridors, including, but not limited to,  
958 bicycle facilities or greenways that will improve transportation  
959 services within the county, or any programs or projects that  
960 will improve the levels of service on an expressway system,  
961 subject to approval of the governing body of the county after  
962 public hearing.

963 (8) The governing body of the county may enter into an  
964 interlocal agreement with the agency pursuant to s. 163.01 for  
965 the joint performance or performance by either governmental  
966 entity of any corporate function of the county or agency  
967 necessary or appropriate to enable the agency to fulfill the  
968 powers and purposes of this part and promote the efficient and



522122

969 effective transportation of persons and goods in such county.

970 (9) The agency must have an annual financial audit  
971 conducted by an independent certified public accountant licensed  
972 pursuant to chapter 473, and the audit report must be made  
973 available on the agency's website.

974 348.0307 Greater Miami Toll Rebate Program.—There is  
975 created by the agency the Greater Miami Toll Rebate Program.

976 (1) The agency shall develop and implement a monthly rebate  
977 program for the month beginning January 1, 2020, subject to:

978 (a) Compliance with any covenants made with the holders of  
979 the agency's bonds which are in the trust indentures or  
980 resolutions adopted in connection with the issuance of the  
981 agency's bonds;

982 (b) Consideration of the financial feasibility of such a  
983 program as reported by the Auditor General as required by this  
984 act; and

985 (c) Consideration of the impact of such a program to the  
986 financial feasibility of prioritized projects that have been  
987 allocated funds for a project development and an environmental  
988 study but are not contained in the 5-year work program on July  
989 1, 2019.

990 (2) Monthly rebates shall be credited to the account of  
991 each SunPass holder who incurs \$12.50 or more in tolls on the  
992 expressway system each month and whose SunPass is registered to  
993 a motor vehicle registered to an address in the county.

994 (3) In developing its rebate program, the agency shall have  
995 a goal of rebating 25 percent of tolls paid by eligible SunPass  
996 holders. Following initiation of the program, the agency, once  
997 every 5 years, shall review the amount of the toll rebate and



522122

998 may adjust the amount of the toll rebate.

999 (4) The agency may not impose additional requirements for  
1000 receipt of the toll rebate.

1001 348.0308 Public-private partnership.—The Legislature  
1002 declares that there is a public need for the rapid construction  
1003 of safe and efficient transportation facilities for traveling  
1004 within the state and that it is in the public's interest to  
1005 provide for public-private partnership agreements to effectuate  
1006 the construction of additional safe, convenient, and economical  
1007 transportation facilities.

1008 (1) The agency may receive or solicit proposals and enter  
1009 into agreements with private entities, or consortia thereof, for  
1010 the building, operation, ownership, or financing of agency  
1011 transportation facilities or new transportation facilities  
1012 within the jurisdiction of the agency which increase  
1013 transportation capacity. The agency may not sell or lease any  
1014 transportation facility owned by the agency without providing  
1015 the analysis required in s. 334.30(6)(e)2. to the Legislative  
1016 Budget Commission created pursuant to s. 11.90 for review and  
1017 approval before awarding a contract on a lease of an existing  
1018 toll facility. The agency may adopt rules to implement this  
1019 section and shall, by rule, establish an application fee for the  
1020 submission of unsolicited proposals under this section. The fee  
1021 must be sufficient to pay the costs of evaluating the proposals.  
1022 The agency may engage private consultants to assist in the  
1023 evaluation. Before approval, the agency must determine that a  
1024 proposed project:

1025 (a) Is in the public's best interest.

1026 (b) Would not require state funds to be used unless the



522122

1027 project is on or provides increased mobility on the State  
1028 Highway System.

1029 (c) Would have adequate safeguards to ensure that no  
1030 additional costs or service disruptions would be realized by the  
1031 traveling public and residents of the state in the event of  
1032 default or the cancellation of the agreement by the agency.

1033 (d) Would have adequate safeguards in place to ensure that  
1034 the department, the agency, or the private entity has the  
1035 opportunity to add capacity to the proposed project and other  
1036 transportation facilities serving similar origins and  
1037 destinations.

1038 (e) Would be owned by the agency upon completion or  
1039 termination of the agreement.

1040 (2) The agency shall ensure that all reasonable costs to  
1041 the state which are related to transportation facilities that  
1042 are not part of the State Highway System are borne by the  
1043 private entity. The agency shall also ensure that all reasonable  
1044 costs to the state and substantially affected local governments  
1045 and utilities related to the private transportation facility are  
1046 borne by the private entity for transportation facilities that  
1047 are owned by private entities. For projects on the State Highway  
1048 System, the department may use state resources to participate in  
1049 funding and financing the project as provided for under the  
1050 department's enabling legislation.

1051 (3) The agency may request proposals for public-private  
1052 transportation projects or, if it receives an unsolicited  
1053 proposal, it must publish a notice in the Florida Administrative  
1054 Register and a newspaper of general circulation in the county in  
1055 which it is located at least once a week for 2 weeks stating



522122

1056 that it has received the proposal and will accept, for 60 days  
1057 after the initial date of publication, other proposals for the  
1058 same project purpose. A copy of the notice must be mailed to  
1059 each local government in the affected areas. After the public  
1060 notification period has expired, the agency shall rank the  
1061 proposals in order of preference. In ranking the proposals, the  
1062 agency shall consider professional qualifications, general  
1063 business terms, innovative engineering or cost-reduction terms,  
1064 finance plans, and the need for state funds to deliver the  
1065 proposal. If the agency is not satisfied with the results of the  
1066 negotiations, it may, at its sole discretion, terminate  
1067 negotiations with the proposer. If these negotiations are  
1068 unsuccessful, the agency may go to the second and lower-ranked  
1069 firms, in order, using the same procedure. If only one proposal  
1070 is received, the agency may negotiate in good faith, and if it  
1071 is not satisfied with the results, it may, at its sole  
1072 discretion, terminate negotiations with the proposer. The agency  
1073 may, at its discretion, reject all proposals at any point in the  
1074 process up to completion of a contract with the proposer.

1075 (4) Agreements entered into pursuant to this section may  
1076 authorize the public-private entity to impose tolls or fares for  
1077 the use of the facility. However, the amount and use of toll or  
1078 fare revenues shall be regulated by the agency to avoid  
1079 unreasonable costs to users of the facility.

1080 (5) Each public-private transportation facility constructed  
1081 pursuant to this section shall comply with all requirements of  
1082 federal, state, and local laws; state, regional, and local  
1083 comprehensive plans; the agency's rules, policies, procedures,  
1084 and standards for transportation facilities; and any other



522122

1085 conditions that the agency determines to be in the public's best  
1086 interest.

1087 (6) The agency may exercise any power possessed by it,  
1088 including eminent domain, to facilitate the development and  
1089 construction of transportation projects pursuant to this  
1090 section. The agency may pay all or part of the cost of operating  
1091 and maintaining the facility or may provide services to the  
1092 private entity for which it receives full or partial  
1093 reimbursement for services rendered.

1094 (7) Except as herein provided, this section is not intended  
1095 to amend existing laws by granting additional powers to or  
1096 further restricting the governmental entities from regulating  
1097 and entering into cooperative arrangements with the private  
1098 sector for the planning, construction, and operation of  
1099 transportation facilities.

1100 348.0309 Bonds.—

1101 (1) Bonds may be issued on behalf of the agency as provided  
1102 by the State Bond Act.

1103 (2) (a) The agency may issue bonds pursuant to this part  
1104 which do not pledge the full faith and credit of the state in  
1105 such principal amount as, in the opinion of the agency, is  
1106 necessary to provide sufficient moneys for achieving its  
1107 corporate purposes.

1108 (b) The bonds of the agency issued pursuant to this part,  
1109 whether on original issuance or refunding, must be authorized by  
1110 resolution of the agency after approval of the issuance of the  
1111 bonds at a public hearing and may be either term or serial  
1112 bonds, shall bear such date or dates, mature at such time or  
1113 times, bear interest at such rate or rates, be payable



522122

1114 semiannually, be in such denominations, be in such form, either  
1115 coupon or fully registered, shall carry such registration,  
1116 exchangeability, and interchangeability privileges, be payable  
1117 in such medium of payment and at such place or places, be  
1118 subject to such terms of redemption, and be entitled to such  
1119 priorities on the revenues, rates, fees, rentals, or other  
1120 charges or receipts of the agency, including any county gasoline  
1121 tax funds received by the agency pursuant to the terms of any  
1122 interlocal or lease-purchase agreement between the agency or a  
1123 county, as such resolution or any resolution subsequent thereto  
1124 may provide. The bonds must be executed by such officers as the  
1125 agency determines under s. 279.06.

1126 (c) Such bonds shall be sold by the agency at public sale  
1127 by competitive bid. However, if the agency, after receipt of a  
1128 written recommendation from a financial adviser, determines by  
1129 official action after public hearing by a two-thirds vote of all  
1130 voting members of the agency that a negotiated sale of the bonds  
1131 is in the best interest of the agency, the agency may negotiate  
1132 for sale of the bonds with the underwriter or underwriters  
1133 designated by the agency and the county in which the agency  
1134 exists. The agency shall provide specific findings in a  
1135 resolution as to the reasons requiring the negotiated sale,  
1136 which resolution shall incorporate and have attached thereto the  
1137 written recommendation of the financial adviser required by this  
1138 subsection.

1139 (d) Any such resolution or resolutions authorizing any  
1140 bonds hereunder which do not pledge the full faith and credit of  
1141 the state may contain provisions that are part of the contract  
1142 with the holders of the bonds, as the agency determines proper.





522122

1143 In addition, the agency may enter into trust indentures or other  
1144 agreements with its fiscal agent, or with any bank or trust  
1145 company within or without the state, as security for such bonds,  
1146 and may, under the agreements, assign and pledge the revenues,  
1147 rates, fees, rentals, tolls, or other charges or receipts of the  
1148 agency, including any county gasoline tax funds received by the  
1149 agency.

1150 (e) Any of the bonds issued pursuant to this part are  
1151 negotiable instruments and have all the qualities and incidents  
1152 of negotiable instruments under the law merchant and the  
1153 negotiable instruments law of the state.

1154 (f) Each project, building, or facility that has been or  
1155 will be financed by the issuance of bonds or other evidence of  
1156 indebtedness and that does not pledge the full faith and credit  
1157 of the state under this part and any refinancing thereof are  
1158 subject to review and approval by the Legislative Budget  
1159 Commission.

1160 348.0310 Department may be appointed agent of agency for  
1161 construction.—The department may be appointed by the agency as  
1162 its agent for the purpose of constructing improvements and  
1163 extensions to an expressway system and for the completion  
1164 thereof. In such event, the agency shall provide the department  
1165 with complete copies of all documents, agreements, resolutions,  
1166 contracts, and instruments relating thereto; shall request the  
1167 department to do such construction work, including the planning,  
1168 surveying, and actual construction of the completion of and  
1169 extensions and improvements to the expressway system; and shall  
1170 transfer to the credit of an account of the department in the  
1171 State Treasury the necessary funds therefor. The department



522122

1172 shall thereupon proceed with such construction and use the funds  
1173 for such purpose in the same manner as it is now authorized to  
1174 use the funds otherwise provided by law for its use in the  
1175 construction of roads and bridges.

1176 348.0311 Acquisition of lands and property.-

1177 (1) For the purposes of this act, the agency may acquire  
1178 such rights, title, or interest in private or public property  
1179 and such property rights, including easements, rights of access,  
1180 air, view, and light, by gift, devise, purchase, or condemnation  
1181 by eminent domain proceedings, as the agency may deem necessary  
1182 for any of the purposes of this act, including, but not limited  
1183 to, any lands reasonably necessary for securing applicable  
1184 permits, areas necessary for management of access, borrow pits,  
1185 drainage ditches, water retention areas, rest areas, replacement  
1186 access for landowners whose access is impaired due to the  
1187 construction of an expressway system, and replacement rights-of-  
1188 way for relocated rail and utility facilities; for existing,  
1189 proposed, or anticipated transportation facilities on the  
1190 expressway system or in a transportation corridor designated by  
1191 the agency; or for the purposes of screening, relocation,  
1192 removal, or disposal of junkyards and scrap metal processing  
1193 facilities. The agency may also condemn any material and  
1194 property necessary for such purposes.

1195 (2) The agency and its authorized agents, contractors, and  
1196 employees are authorized to enter upon any lands, waters, and  
1197 premises, upon giving reasonable notice to the landowner, for  
1198 the purpose of making surveys, soundings, drillings, appraisals,  
1199 environmental assessments including phase I and phase II  
1200 environmental surveys, archaeological assessments, and such



522122

1201 other examinations as are necessary for the acquisition of  
1202 private or public property and property rights, including rights  
1203 of access, air, view, and light, by gift, devise, purchase, or  
1204 condemnation by eminent domain proceedings or as are necessary  
1205 for the agency to perform its duties and functions, and any such  
1206 entry shall not be deemed a trespass or an entry that would  
1207 constitute a taking in an eminent domain proceeding. The agency  
1208 shall make reimbursement for any actual damage to such lands,  
1209 water, and premises as a result of such activities. Any entry  
1210 authorized by this subsection shall be in compliance with the  
1211 premises protections and landowner liability provisions  
1212 contained in s. 472.029.

1213 (3) The right of eminent domain conferred by this act must  
1214 be exercised by the agency in the manner provided by law.

1215 (4) When the agency acquires property for an expressway  
1216 system or in a transportation corridor as defined in s. 334.03,  
1217 it is not subject to any liability imposed by chapter 376 or  
1218 chapter 403 for preexisting soil or groundwater contamination  
1219 due solely to its ownership. This subsection does not affect the  
1220 rights or liabilities of any past or future owners of the  
1221 acquired property, nor does it affect the liability of any  
1222 governmental entity for the results of its actions which create  
1223 or exacerbate a pollution source. The agency and the Department  
1224 of Environmental Protection may enter into interagency  
1225 agreements for the performance, funding, and reimbursement of  
1226 the investigative and remedial acts necessary for property  
1227 acquired by the agency.

1228 348.0312 Cooperation with other units, boards, agencies,  
1229 and individuals.-Express authority and power is given and



522122

1230 granted to any county, municipality, drainage district, road and  
1231 bridge district, school district, or other political  
1232 subdivision, board, commission, or individual in or of this  
1233 state to enter into contracts, leases, conveyances, or other  
1234 agreements within the provisions and purposes of this act with  
1235 the agency. The agency may enter into contracts, leases,  
1236 conveyances, and other agreements, to the extent consistent with  
1237 chapters 334, 335, 338, and 339 and other provisions of the laws  
1238 of the state and with 23 U.S.C. ss. 101 et seq., with any  
1239 political subdivision, agency, or instrumentality of the state  
1240 and any and all federal agencies, corporations, and individuals  
1241 for the purpose of carrying out the provisions of this act.

1242 348.0313 Covenant of the state.—The state does hereby  
1243 pledge to, and agrees with, any person, firm, corporation, or  
1244 federal or state agency subscribing to or acquiring the bonds to  
1245 be issued by the agency for the purposes of this act that the  
1246 state will not limit or alter the rights hereby vested in the  
1247 agency and the department until all bonds at any time issued,  
1248 together with the interest thereon, are fully paid and  
1249 discharged, insofar as the same affects the rights of the  
1250 holders of bonds issued hereunder. The state does further pledge  
1251 to, and agrees with, the United States that, in the event any  
1252 federal agency constructs, or contributes any funds for the  
1253 completion, extension, or improvement of, an expressway system  
1254 or any part or portion thereof, the state will not alter or  
1255 limit the rights and powers of the agency and the department in  
1256 any manner which would be inconsistent with the continued  
1257 maintenance and operation of the expressway system or the  
1258 completion, extension, or improvement thereof or which would be



522122

1259 inconsistent with the due performance of any agreement between  
1260 the agency and any such federal agency, and the agency and the  
1261 department shall continue to have and may exercise all powers  
1262 granted so long as the same shall be necessary or desirable for  
1263 carrying out the purposes of this act and the purposes of the  
1264 United States in the completion, extension, or improvement of  
1265 the expressway system or any part or portion thereof.

1266 348.0314 Exemption from taxation.—The effectuation of the  
1267 authorized purposes of the agency is in all respects for the  
1268 benefit of the people of the state, for the increase of their  
1269 commerce and prosperity, and for the improvement of their health  
1270 and living conditions. For this reason, the agency is not  
1271 required to pay any taxes or assessments of any kind or nature  
1272 whatsoever upon any property acquired by it or used by it for  
1273 such purposes or upon any revenues at any time received by it.  
1274 The bonds issued by or on behalf of the agency, their transfer,  
1275 and the income therefrom, including any profits made on the sale  
1276 thereof, are exempt from taxation of any kind by the state or by  
1277 any political subdivision or other taxing agency or  
1278 instrumentality thereof. The exemption granted by this section  
1279 does not apply to any tax imposed under chapter 220 on interest,  
1280 income, or profits on debt obligations owned by corporations.

1281 348.0315 Public accountability.—

1282 (1) The agency shall post the following information on its  
1283 website:

1284 (a) Audited financial statements and any interim financial  
1285 reports.

1286 (b) Board and committee meeting agendas, meeting packets,  
1287 and minutes.



522122

1288        (c) Bond covenants for any outstanding bond issues.  
1289        (d) Agency budgets.  
1290        (e) Agency contracts. For purposes of this paragraph, the  
1291 term "contract" means a written agreement or purchase order  
1292 issued for the purchase of goods or services or a written  
1293 agreement for the receipt of state or federal financial  
1294 assistance.  
1295        (f) Agency expenditure data, which must include the name of  
1296 the payee, the date of the expenditure, and the amount of the  
1297 expenditure. Such data must be searchable by name of the payee,  
1298 name of the paying agency, and fiscal year and must be  
1299 downloadable in a format that allows offline analysis.  
1300        (g) Information relating to current, recently completed,  
1301 and future projects on agency facilities.  
1302        (2) Beginning October 1, 2020, and annually thereafter, the  
1303 agency shall submit to the metropolitan planning organization  
1304 for the county a report providing information regarding the  
1305 amount of tolls collected and how those tolls were used in the  
1306 agency's previous fiscal year. The report shall be posted on the  
1307 agency's website.  
1308        348.0316 Eligibility for investments and security.—Any  
1309 bonds or other obligations issued pursuant to this part shall be  
1310 and constitute legal investments for banks, savings banks,  
1311 trustees, executors, administrators, and all other fiduciaries  
1312 and for all state, municipal, and other public funds and shall  
1313 also be and constitute securities eligible for deposit as  
1314 security for all state, municipal, or other public funds,  
1315 notwithstanding the provisions of any other law or laws to the  
1316 contrary.



522122

1317           348.0317 Pledges enforceable by bondholders.—It is the  
1318 express intention of this part that any pledge by the department  
1319 of rates, fees, revenues, county gasoline tax funds, or other  
1320 funds, as rentals, to the agency, or any covenants or agreements  
1321 relative thereto, may be enforceable in any court of competent  
1322 jurisdiction against the agency or directly against the  
1323 department by any holder of bonds issued by the agency.

1324           348.0318 This part complete and additional authority.—

1325           (1) The powers conferred by this part are in addition and  
1326 supplemental to the existing powers of the department and the  
1327 governing body of the agency, and this part may not be construed  
1328 as repealing any of the provisions of any other law, general,  
1329 special, or local, but to supersede such other laws in the  
1330 exercise of the powers provided in this part and to provide a  
1331 complete method for the exercise of the powers granted in this  
1332 part. The extension and improvement of the expressway system,  
1333 and the issuance of bonds pursuant to this part to finance all  
1334 or part of the cost of the system, may be accomplished upon  
1335 compliance with the provisions of this part without regard to or  
1336 necessity for compliance with the provisions, limitations, or  
1337 restrictions contained in any other general, special, or local  
1338 law, including, but not limited to, s. 215.821, and no approval  
1339 of any bonds issued under this part by the qualified electors or  
1340 qualified electors who are freeholders in the state or in Miami-  
1341 Dade County, or in any other political subdivision of the state,  
1342 is required for the issuance of such bonds pursuant to this  
1343 part, including, but not limited to, s. 215.821.

1344           (2) This part does not repeal, rescind, or modify any other  
1345 law relating to the State Board of Administration, the



522122

1346 Department of Transportation, or the Division of Bond Finance of  
1347 the State Board of Administration, but supersedes any law that  
1348 is inconsistent with the provisions of this part, including, but  
1349 not limited to, s. 215.821.

1350 Section 15. (1) Effective upon this act becoming a law, the  
1351 governance and control of the Miami-Dade County Expressway  
1352 Authority is transferred to the Greater Miami Expressway Agency  
1353 pursuant to the terms of this section. The assets, facilities,  
1354 tangible and intangible property and any rights in such  
1355 property, and any other legal rights of the authority, including  
1356 the expressway system operated by the authority, are transferred  
1357 to the agency. The agency succeeds to all powers of the  
1358 authority, and the operations and maintenance of the expressway  
1359 system shall be under the control of the agency. Revenues  
1360 collected on the expressway system shall be considered agency  
1361 revenues but shall be subject to the lien of the trust  
1362 indentures securing the Miami-Dade County Expressway Authority  
1363 bonds. The agency also assumes all liability for bonds of the  
1364 authority pursuant to subsection (2) and the satisfaction of any  
1365 judgment against the authority that may ultimately become due as  
1366 a result of litigation commenced before the effective date of  
1367 this act. The agency shall, in consultation with the Division of  
1368 Bond Finance, review all other contracts, financial obligations,  
1369 and contractual relationships and liabilities of the authority,  
1370 and the agency may assume responsibility for the obligations  
1371 that are determined to be necessary or desirable for the  
1372 continued operation of the expressway system. Employees,  
1373 officers, and members of the authority may not sell, dispose,  
1374 encumber, transfer, or expend the assets of the authority as





1375 existed and reflected in the authority's financial statements  
1376 for the fiscal year ended June 30, 2018, other than in the  
1377 ordinary course of business. For purposes of this section,  
1378 incurring debt or issuing bonds for projects contained in the 5-  
1379 year work program approved and adopted by the authority on  
1380 December 5, 2017, is not considered the ordinary course of  
1381 business. Notwithstanding the foregoing, nothing contained  
1382 herein shall prevent the authority from designing, planning, and  
1383 constructing projects contained in the 5-year work program  
1384 approved and adopted by the authority on December 5, 2017. The  
1385 S.R. 836/Dolphin Expressway Southwest Extension to 136th Street,  
1386 commonly referred to as the Kendall Parkway, shall be a top  
1387 priority for design, planning, and construction.

1388 (2) The transfer pursuant to this section is subject to all  
1389 terms and covenants provided for the protection of the holders  
1390 of the Miami-Dade County Expressway Authority bonds in the trust  
1391 indentures or resolutions adopted in connection with the  
1392 issuance of such bonds. Further, the transfer does not impair  
1393 the terms of the contract between the authority and the  
1394 bondholders, does not act to the detriment of the bondholders,  
1395 and does not diminish the security for the bonds. After the  
1396 transfer, the agency shall operate and maintain the expressway  
1397 system and any other facilities of the authority in accordance  
1398 with the terms, conditions, and covenants contained in the trust  
1399 indentures or bond resolutions securing such bonds. The agency  
1400 shall collect toll revenues and apply them to the payment of  
1401 debt service as provided in the trust indentures or bond  
1402 resolutions securing such bonds and expressly assumes all  
1403 obligations relating to the bonds to ensure that the transfer of



522122

1404 the authority will have no adverse impact on the security for  
1405 the bonds of the authority.

1406 Section 16. Before October 1, 2019, the Auditor General  
1407 shall submit a report to the Governor, the President of the  
1408 Senate, and the Speaker of the House of Representatives  
1409 assessing the financial situation of the Greater Miami  
1410 Expressway Agency, including its assets, liabilities, revenues,  
1411 operating expenses, and bonding capacity; the financial  
1412 feasibility of the toll rebate program established in s.  
1413 348.0307; and the financial feasibility of a toll rate  
1414 reduction. In determining the financial feasibility of a toll  
1415 rate reduction, the Auditor General may consult with the  
1416 agency's bond counsel, and such counsel shall have the  
1417 opportunity to respond to such report.

1418 Section 17. The Miami-Dade County Expressway Authority is  
1419 hereby dissolved.

1420 Section 18. Section 348.635, Florida Statutes, is created  
1421 to read:

1422 348.635 Public-private partnership.—The Legislature  
1423 declares that there is a public need for the rapid construction  
1424 of safe and efficient transportation facilities for traveling  
1425 within the state and that it is in the public's interest to  
1426 provide for public-private partnership agreements to effectuate  
1427 the construction of additional safe, convenient, and economical  
1428 transportation facilities.

1429 (1) Notwithstanding any other provision of this part, the  
1430 authority may receive or solicit proposals and enter into  
1431 agreements with private entities, or consortia thereof, for the  
1432 building, operation, ownership, or financing of authority



522122

1433 transportation facilities or new transportation facilities  
1434 within the jurisdiction of the authority which increase  
1435 transportation capacity. The authority may not sell or lease any  
1436 transportation facility owned by the authority without providing  
1437 the analysis required in s. 334.30(6)(e)2. to the Legislative  
1438 Budget Commission created pursuant to s. 11.90 for review and  
1439 approval before awarding a contract on a lease of an existing  
1440 toll facility. The authority may adopt rules to implement this  
1441 section and shall, by rule, establish an application fee for the  
1442 submission of unsolicited proposals under this section. The fee  
1443 must be sufficient to pay the costs of evaluating the proposals.  
1444 The authority may engage private consultants to assist in the  
1445 evaluation. Before approval, the authority must determine that a  
1446 proposed project:  
1447 (a) Is in the public's best interest.  
1448 (b) Would not require state funds to be used unless the  
1449 project is on or provides increased mobility on the State  
1450 Highway System.  
1451 (c) Would have adequate safeguards to ensure that no  
1452 additional costs or service disruptions would be realized by the  
1453 traveling public and residents of the state in the event of  
1454 default or the cancellation of the agreement by the authority.  
1455 (d) Would have adequate safeguards in place to ensure that  
1456 the department, the authority, or the private entity has the  
1457 opportunity to add capacity to the proposed project and other  
1458 transportation facilities serving similar origins and  
1459 destinations.  
1460 (e) Would be owned by the authority upon completion or  
1461 termination of the agreement.



522122

1462       (2) The authority shall ensure that all reasonable costs to  
1463 the state which are related to transportation facilities that  
1464 are not part of the State Highway System are borne by the  
1465 private entity. The authority shall also ensure that all  
1466 reasonable costs to the state and substantially affected local  
1467 governments and utilities related to the private transportation  
1468 facility are borne by the private entity for transportation  
1469 facilities that are owned by private entities. For projects on  
1470 the State Highway System, the department may use state resources  
1471 to participate in funding and financing the project as provided  
1472 for under the department's enabling legislation.

1473       (3) The authority may request proposals for public-private  
1474 transportation projects or, if it receives an unsolicited  
1475 proposal, it must publish a notice in the Florida Administrative  
1476 Register and a newspaper of general circulation in the county in  
1477 which it is located at least once a week for 2 weeks stating  
1478 that it has received the proposal and will accept, for 60 days  
1479 after the initial date of publication, other proposals for the  
1480 same project purpose. A copy of the notice must be mailed to  
1481 each local government in the affected areas. After the public  
1482 notification period has expired, the authority shall rank the  
1483 proposals in order of preference. In ranking the proposals, the  
1484 authority shall consider professional qualifications, general  
1485 business terms, innovative engineering or cost-reduction terms,  
1486 finance plans, and the need for state funds to deliver the  
1487 proposal. If the authority is not satisfied with the results of  
1488 the negotiations, it may, at its sole discretion, terminate  
1489 negotiations with the proposer. If these negotiations are  
1490 unsuccessful, the authority may go to the second and lower-



522122

1491 ranked firms, in order, using the same procedure. If only one  
1492 proposal is received, the authority may negotiate in good faith,  
1493 and if it is not satisfied with the results, it may, at its sole  
1494 discretion, terminate negotiations with the proposer. The  
1495 authority may, at its discretion, reject all proposals at any  
1496 point in the process up to completion of a contract with the  
1497 proposer.

1498 (4) Agreements entered into pursuant to this section may  
1499 authorize the public-private entity to impose tolls or fares for  
1500 the use of the facility. However, the amount and use of toll or  
1501 fare revenues shall be regulated by the authority to avoid  
1502 unreasonable costs to users of the facility.

1503 (5) Each public-private transportation facility constructed  
1504 pursuant to this section shall comply with all requirements of  
1505 federal, state, and local laws; state, regional, and local  
1506 comprehensive plans; the authority's rules, policies,  
1507 procedures, and standards for transportation facilities; and any  
1508 other conditions that the authority determines to be in the  
1509 public's best interest.

1510 (6) The authority may exercise any power possessed by it,  
1511 including eminent domain, to facilitate the development and  
1512 construction of transportation projects pursuant to this  
1513 section. The authority may pay all or part of the cost of  
1514 operating and maintaining the facility or may provide services  
1515 to the private entity for which it receives full or partial  
1516 reimbursement for services rendered.

1517 (7) Except as herein provided, this section is not intended  
1518 to amend existing laws by granting additional powers to or  
1519 further restricting the governmental entities from regulating



522122

1520 and entering into cooperative arrangements with the private  
1521 sector for the planning, construction, and operation of  
1522 transportation facilities.

1523 Section 19. Section 348.7605, Florida Statutes, is created  
1524 to read:

1525 348.7605 Public-private partnership.—The Legislature  
1526 declares that there is a public need for the rapid construction  
1527 of safe and efficient transportation facilities for traveling  
1528 within the state and that it is in the public's interest to  
1529 provide for public-private partnership agreements to effectuate  
1530 the construction of additional safe, convenient, and economical  
1531 transportation facilities.

1532 (1) Notwithstanding any other provision of this part, the  
1533 authority may receive or solicit proposals and enter into  
1534 agreements with private entities, or consortia thereof, for the  
1535 building, operation, ownership, or financing of authority  
1536 transportation facilities or new transportation facilities  
1537 within the jurisdiction of the authority which increase  
1538 transportation capacity. The authority may not sell or lease any  
1539 transportation facility owned by the authority without providing  
1540 the analysis required in s. 334.30(6)(e)2. to the Legislative  
1541 Budget Commission created pursuant to s. 11.90 for review and  
1542 approval before awarding a contract on a lease of an existing  
1543 toll facility. The authority may adopt rules to implement this  
1544 section and shall, by rule, establish an application fee for the  
1545 submission of unsolicited proposals under this section. The fee  
1546 must be sufficient to pay the costs of evaluating the proposals.  
1547 The authority may engage private consultants to assist in the  
1548 evaluation. Before approval, the authority must determine that a



522122

1549 proposed project:

1550 (a) Is in the public's best interest.

1551 (b) Would not require state funds to be used unless the  
1552 project is on or provides increased mobility on the State  
1553 Highway System.

1554 (c) Would have adequate safeguards to ensure that no  
1555 additional costs or service disruptions would be realized by the  
1556 traveling public and residents of the state in the event of  
1557 default or the cancellation of the agreement by the authority.

1558 (d) Would have adequate safeguards in place to ensure that  
1559 the department, the authority, or the private entity has the  
1560 opportunity to add capacity to the proposed project and other  
1561 transportation facilities serving similar origins and  
1562 destinations.

1563 (e) Would be owned by the authority upon completion or  
1564 termination of the agreement.

1565 (2) The authority shall ensure that all reasonable costs to  
1566 the state which are related to transportation facilities that  
1567 are not part of the State Highway System are borne by the  
1568 private entity. The authority shall also ensure that all  
1569 reasonable costs to the state and substantially affected local  
1570 governments and utilities related to the private transportation  
1571 facility are borne by the private entity for transportation  
1572 facilities that are owned by private entities. For projects on  
1573 the State Highway System, the department may use state resources  
1574 to participate in funding and financing the project as provided  
1575 for under the department's enabling legislation.

1576 (3) The authority may request proposals for public-private  
1577 transportation projects or, if it receives an unsolicited



522122

1578 proposal, it must publish a notice in the Florida Administrative  
1579 Register and a newspaper of general circulation in the county in  
1580 which it is located at least once a week for 2 weeks stating  
1581 that it has received the proposal and will accept, for 60 days  
1582 after the initial date of publication, other proposals for the  
1583 same project purpose. A copy of the notice must be mailed to  
1584 each local government in the affected areas. After the public  
1585 notification period has expired, the authority shall rank the  
1586 proposals in order of preference. In ranking the proposals, the  
1587 authority shall consider professional qualifications, general  
1588 business terms, innovative engineering or cost-reduction terms,  
1589 finance plans, and the need for state funds to deliver the  
1590 proposal. If the authority is not satisfied with the results of  
1591 the negotiations, it may, at its sole discretion, terminate  
1592 negotiations with the proposer. If these negotiations are  
1593 unsuccessful, the authority may go to the second and lower-  
1594 ranked firms, in order, using the same procedure. If only one  
1595 proposal is received, the authority may negotiate in good faith,  
1596 and if it is not satisfied with the results, it may, at its sole  
1597 discretion, terminate negotiations with the proposer. The  
1598 authority may, at its discretion, reject all proposals at any  
1599 point in the process up to completion of a contract with the  
1600 proposer.

1601 (4) Agreements entered into pursuant to this section may  
1602 authorize the public-private entity to impose tolls or fares for  
1603 the use of the facility. However, the amount and use of toll or  
1604 fare revenues shall be regulated by the authority to avoid  
1605 unreasonable costs to users of the facility.

1606 (5) Each public-private transportation facility constructed





522122

1607 pursuant to this section shall comply with all requirements of  
1608 federal, state, and local laws; state, regional, and local  
1609 comprehensive plans; the authority's rules, policies,  
1610 procedures, and standards for transportation facilities; and any  
1611 other conditions that the authority determines to be in the  
1612 public's best interest.

1613 (6) The authority may exercise any power possessed by it,  
1614 including eminent domain, to facilitate the development and  
1615 construction of transportation projects pursuant to this  
1616 section. The authority may pay all or part of the cost of  
1617 operating and maintaining the facility or may provide services  
1618 to the private entity for which it receives full or partial  
1619 reimbursement for services rendered.

1620 (7) Except as herein provided, this section is not intended  
1621 to amend existing laws by granting additional powers to or  
1622 further restricting the governmental entities from regulating  
1623 and entering into cooperative arrangements with the private  
1624 sector for the planning, construction, and operation of  
1625 transportation facilities.

1626 Section 20. Pursuant to section 20 of chapter 2014-171,  
1627 Laws of Florida, part V of chapter 348, Florida Statutes,  
1628 consisting of sections 348.9950, 348.9951, 348.9952, 348.9953,  
1629 348.9954, 348.9956, 348.9957, 348.9958, 348.9959, 348.9960, and  
1630 348.9961, is repealed.

1631 Section 21. Transportation facility designations;  
1632 Department of Transportation to erect suitable markers.-

1633 (1) That portion of I-75 (26260000) between mile markers  
1634 399 and 404 in Alachua County is designated as the "Sergeant  
1635 William T. Bishop Memorial Highway."



522122

1636           (2) That portion of I-10 (27090000) between mile markers  
1637 327 and 332 in Baker County is designated as the "Trooper  
1638 Sherman L. Scott, Jr., Memorial Highway."

1639           (3) That portion of Babcock Street (70012000) between  
1640 Malabar Road and Palm Bay Road in Brevard County is designated  
1641 as the "Trooper Joseph Sawtell, Jr., Memorial Highway."

1642           (4) That portion of U.S. 1 (70030000) between E. Main  
1643 Street and Parrish Road in Brevard County is designated as the  
1644 "Trooper Halley Strickland Memorial Highway."

1645           (5) That portion of I-95 (86070000) between the N.E. 48th  
1646 Street overpass and S.W. 10th Street in Broward County is  
1647 designated as the "Trooper Phillip Black and Corporal Donald  
1648 Irwin Memorial Highway."

1649           (6) That portion of I-75 (03175000) between mile markers  
1650 100 and 102 in Collier County is designated as the "Trooper  
1651 Lindell J. Gibbons Memorial Highway."

1652           (7) That portion of I-75 (29180000) between mile markers  
1653 418 and 423 in Columbia County is designated as the "Sergeant  
1654 George A. Brown, III, Memorial Highway."

1655           (8) That portion of U.S. 19 (30010000) between C.R. 351A  
1656 and S.W. 307th Avenue in Dixie County is designated as the  
1657 "Patrolman Royston E. Walker Memorial Highway."

1658           (9) That portion of U.S. 90 (72010000) between Yellow Water  
1659 Road and Log Road in Duval County is designated as the "Trooper  
1660 Robert P. McDermon Memorial Highway."

1661           (10) That portion of U.S. 301 (72140000) between U.S. 90  
1662 and Summer Field Lane in Duval County is designated as the  
1663 "Trooper Edwin J. Gasque Memorial Highway."

1664           (11) That portion of U.S. 29/S.R. 95 (48040000) between



522122

1665 Neal Road and Nine Mile Road in Escambia County is designated as  
1666 the "Trooper Milan D. Hendrix Memorial Highway."

1667 (12) The interchange on I-10 (55320023) at U.S. 90/S.R.  
1668 10/Mahan Drive in Leon County is designated as the "Trooper  
1669 William 'Bill' H. Dyer Memorial Interchange."

1670 (13) That portion of U.S. 41 (13121000) between Tallevast  
1671 Road in Manatee County and the Sarasota County line is  
1672 designated as the "Sergeant John C. Baxter, Jr., Memorial  
1673 Highway."

1674 (14) That portion of I-75 (36210000) between mile markers  
1675 340 and 344 in Marion County is designated as the "Trooper  
1676 Chelsea Richard Memorial Highway."

1677 (15) That portion of U.S. 1/S.R. 5 (87020000) between the  
1678 Homestead Extension of Florida's Turnpike/S.R. 821 and S.W.  
1679 216th Street in Miami-Dade County is designated as the "Trooper  
1680 Luther P. Daniel Memorial Highway."

1681 (16) That portion of the Homestead Extension of Florida's  
1682 Turnpike/S.R. 821 (87471000) between mile markers 13 and 16 in  
1683 Miami-Dade County is designated as the "Trooper Alvin V. Kohler  
1684 Memorial Highway."

1685 (17) That portion of S.R. 836 (87200000) between N.W. 12th  
1686 Avenue and N.W. 27th Avenue in Miami-Dade County is designated  
1687 as the "Trooper Bradley S. Glascock Memorial Highway."

1688 (18) That portion of S.R. 836 (87200000) between N.W. 42nd  
1689 Avenue and N.W. 72nd Avenue in Miami-Dade County is designated  
1690 as the "Trooper Elmer C. Barnett Memorial Highway."

1691 (19) The interchange at I-195 and S.R. 907/Alton Road in  
1692 Miami-Dade County is designated as the "Trooper Owen K. Bender  
1693 Memorial Interchange."



522122

1694           (20) That portion of U.S. 441 between Landstreet Road and  
1695 Taft Vineland Road in Orange County is designated as the  
1696 "Trooper Richard Howell Memorial Highway."

1697           (21) That portion of S.R. 91/Florida's Turnpike (93470000)  
1698 between mile markers 100 and 105 in Palm Beach County is  
1699 designated as the "Troopers Herman T. Morris and Frederick J.  
1700 Groves, Jr., Memorial Highway."

1701           (22) That portion of I-4 (16320000) between mile markers 36  
1702 and 44 in Polk County is designated as the "Trooper John C.  
1703 Hagerty Memorial Highway."

1704           (23) That portion of W. 1st Street (77030000) between  
1705 French Avenue and S. Mellonville Avenue in Seminole County is  
1706 designated as the "Patrolman Leroy Bender Memorial Highway."

1707           (24) That portion of I-95 (78080000) between mile markers  
1708 332 and 327 in St. Johns County is designated as the "Trooper  
1709 Wilburn A. Kelly Memorial Highway."

1710           (25) That portion of U.S. 1 (78010000) between S.R. 207 and  
1711 the Matanzas River in St. Johns County is designated as the  
1712 "Troopers Merle J. Cook, Robert L. Pruitt, and Cleo L.  
1713 Tomlinson, Jr., Memorial Highway."

1714           (26) That portion of I-75 (12075000) between mile markers  
1715 130 and 133 in Lee County is designated as the "Lieutenant  
1716 Daniel Hinton Memorial Highway."

1717           (27) That portion of N. Century Boulevard/U.S. 29  
1718 (48060000) between Cox Road and Sigler Road in Escambia County  
1719 is designated as the "Maceo Perkins Parkway."

1720           (28) Upon completion of construction, the interchange at  
1721 the Homestead Extension of Florida's Turnpike/S.R. 821 and N.W.  
1722 170th Street in Miami-Dade County is designated as the



522122

- 1723 "Countyline Parkway."  
1724 (29) The intersection of S.W. 8th Street and S.W. 14th  
1725 Avenue in Miami-Dade County is designated as the "Manuel A.  
1726 Gonzalez Plaza."  
1727 (30) That portion of S.R. 1A between Bridge Road and  
1728 Fountain Street in Miami-Dade County is designated as the  
1729 "Robert L. Shevin Way."  
1730 (31) That portion of S.W. 1st Avenue/S.R. 968 between 21st  
1731 Avenue and 20th Avenue in Miami-Dade County is designated as the  
1732 "Jorge P. Castano Way."  
1733 (32) Upon completion of construction, the interchange at I-  
1734 95 and S.R. 200 in Nassau County is designated as the "Fallen  
1735 Hero Specialist Kelly J. Mixon Interchange."  
1736 (33) That portion of U.S. 19/S.R. 57 between Capps in  
1737 Jefferson County and the northern Jefferson County line is  
1738 designated as the "Sheriff David C. Hobbs Memorial Highway."  
1739 (34) The bridge on U.S. Highway 98 over the Econfina River  
1740 in Taylor County is designated as "SSGT Edward C. Sheffield  
1741 Memorial Bridge."  
1742 (35) That portion of the Coast to Coast Connector in  
1743 Brevard County is designated as the "Kurt Eichin Memorial  
1744 Trail."  
1745 (36) That portion of South Street between U.S. 1 and S.R.  
1746 50 in Brevard County is designated as "Martin Luther King, Jr.,  
1747 Boulevard."  
1748 (37) That portion of I-75 (Alligator Alley) in Broward  
1749 County between mile markers 23 and 27 is designated as the  
1750 "Sergeant Steven G. Greco Memorial Highway."  
1751 (38) That portion of N.W. 53rd Street between Hiatus Road



522122

1752 and N.W. 103rd Avenue in Broward County is designated as "Edith  
1753 Lederberg Lane."

1754 (39) That portion of 37th Avenue between N.W. 11th Street  
1755 and N.W. 2nd Street in Miami-Dade County is designated as  
1756 "Florence Hecht Lane."

1757 (40) That portion of S.R. 535 between S.R. 526 in Orange  
1758 County and the Osceola County line is designated as "Robert L.  
1759 'Bob' Billingslea Highway."

1760 (41) The Department of Transportation is directed to erect  
1761 suitable markers designating the transportation facilities as  
1762 described in this section.

1763 Section 22. Except as otherwise expressly provided in this  
1764 act and except for this section, which shall take effect upon  
1765 this act becoming a law, this act shall take effect July 1,  
1766 2019.

1767  
1768 ===== T I T L E A M E N D M E N T =====

1769 And the title is amended as follows:

1770 Delete everything before the enacting clause  
1771 and insert:

1772 A bill to be entitled

1773 An act relating to transportation; amending s. 20.23,  
1774 F.S.; conforming provisions to changes made by the  
1775 act; amending s. 112.3144, F.S.; deleting an obsolete  
1776 provision; requiring members of certain authorities  
1777 and agencies to comply with certain financial  
1778 disclosure requirements; amending s. 212.055, F.S.;  
1779 revising the authorized uses of proceeds from charter  
1780 county and regional transportation system surtaxes;



1781 requiring certain counties to use surtax proceeds only  
1782 for purposes related to fixed guideway rapid transit  
1783 systems, rail systems, bus systems, development of  
1784 dedicated facilities for autonomous vehicles, and  
1785 certain services; authorizing the use of surtax  
1786 proceeds for the purchase of rights-of-way under  
1787 certain circumstances; authorizing the use of surtax  
1788 proceeds for the payment of principal and interest on,  
1789 refinancing of, and issuance of certain bonds;  
1790 authorizing the use of surtax proceeds for operations  
1791 and maintenance of certain fixed guideway rapid  
1792 transit systems, bus routes or extensions, and  
1793 services; authorizing a percentage of surtax proceeds  
1794 to be distributed to certain municipalities to be used  
1795 for certain purposes; amending s. 215.68, F.S.;  
1796 conforming provisions to changes made by the act;  
1797 reviving, reenacting, and amending s. 319.141, F.S.;  
1798 revising the definition of the term "rebuilt  
1799 inspection services"; revising provisions relating to  
1800 the rebuilt motor vehicle inspection program; revising  
1801 participant duties and responsibilities; revising  
1802 location and insurance requirements; authorizing the  
1803 Department of Highway Safety and Motor Vehicles to  
1804 adopt rules; requiring a report to the Legislature  
1805 within a certain timeframe; amending s. 320.0605,  
1806 F.S.; authorizing an electronic copy, instead of a  
1807 true copy, of rental or lease documentation issued for  
1808 a motor vehicle or issued for a replacement vehicle in  
1809 the same registration period to be in the possession



522122

1810 of the operator or carried in the vehicle and  
1811 exhibited upon demand of any authorized law  
1812 enforcement officer or agent of the department;  
1813 providing that the act of presenting to a law  
1814 enforcement officer or agent of the department an  
1815 electronic device displaying an electronic copy of  
1816 rental or lease documentation does not constitute  
1817 consent for the officer or agent to access any  
1818 information on the device other than the displayed  
1819 rental or lease documentation; providing assumption of  
1820 liability; revising requirements for certain rental or  
1821 lease documentation; amending s. 322.38, F.S.;  
1822 prohibiting a person from renting a motor vehicle to  
1823 another until he or she has verified that the driver  
1824 license is unexpired; revising record requirements for  
1825 persons renting a motor vehicle to another; providing  
1826 that, under certain circumstances, a rental car  
1827 company is deemed to have met specified obligations  
1828 when the rental car company, at the time the renter  
1829 enrolls in a membership program, master agreement, or  
1830 other means of establishing use of the rental car  
1831 company's services, or any time thereafter, requires  
1832 the renter to verify that he or she is duly licensed  
1833 and that the license is unexpired; amending s.  
1834 334.175, F.S.; requiring the Department of  
1835 Transportation to review design plans for  
1836 transportation projects relating to department-owned  
1837 rights-of-way under certain circumstances; amending s.  
1838 337.025, F.S.; authorizing the department to establish





1839 a program for transportation projects that demonstrate  
1840 certain innovative techniques for measuring resiliency  
1841 and structural integrity and controlling time and cost  
1842 increases; amending s. 338.165, F.S.; deleting cross-  
1843 references; amending s. 339.175, F.S.; authorizing  
1844 certain counties to elect to have their county  
1845 commissions serve as the metropolitan planning  
1846 organizations under certain circumstances; prohibiting  
1847 metropolitan planning organizations in certain  
1848 counties from assessing certain fees; amending s.  
1849 343.1003, F.S.; revising a cross-reference; repealing  
1850 part I of ch. 348, F.S., relating to the creation and  
1851 operation of the Florida Expressway Authority Act;  
1852 creating part I of ch. 348, F.S., titled "Greater  
1853 Miami Expressway Agency"; creating s. 348.0301, F.S.;  
1854 providing a short title; creating s. 348.0302, F.S.;  
1855 providing applicability; creating s. 348.0303, F.S.;  
1856 providing definitions; creating s. 348.0304, F.S.;  
1857 creating the Greater Miami Expressway Agency;  
1858 providing for membership on the governing body of the  
1859 agency; providing requirements for the governing body  
1860 of the agency; requiring the initial meeting of the  
1861 governing body by a certain date; requiring an oath of  
1862 office; authorizing the governing body to employ  
1863 certain officers, staff, and agents, subject to  
1864 certain requirements; authorizing the delegation of  
1865 certain functions; providing for the removal from  
1866 office of members of the governing body under certain  
1867 circumstances; providing requirements for employment



522122

1868 with the agency; requiring the governing body to  
1869 conduct a nationwide search in the hiring of an  
1870 executive director of the agency; providing that  
1871 members of the governing body are not entitled to  
1872 compensation but are entitled to per diem and travel  
1873 expenses; creating s. 348.0305, F.S.; providing ethics  
1874 requirements for the agency; providing applicability  
1875 of certain provisions; providing definitions;  
1876 prohibiting certain persons from being appointed to  
1877 the governing body of the agency; providing certain  
1878 prohibitions for members and employees of the agency  
1879 after vacation of their positions; providing  
1880 disclosure requirements; providing that violation of  
1881 certain provisions are considered violation of  
1882 official, employment, or contractual duties; requiring  
1883 certain ethics training; providing application and  
1884 enforcement; providing applicability; creating s.  
1885 348.0306, F.S.; providing agency purposes and powers;  
1886 requiring the agency to construct expressways;  
1887 providing construction requirements; prohibiting an  
1888 increase in toll rates until a specified date, subject  
1889 to certain exceptions; requiring a supermajority vote  
1890 for an increase in toll rates; providing a limit to  
1891 administrative costs; requiring the Florida  
1892 Transportation Commission to determine the annual  
1893 state average of administrative costs; requiring a  
1894 minimum distance between tolling points; authorizing  
1895 establishment of specified toll rates; providing  
1896 agency responsibilities regarding reimbursement of



522122

1897 certain county gasoline tax funds; providing project  
1898 approval requirements; providing agency requirements  
1899 and restrictions; authorizing the governing body of a  
1900 county to enter into an interlocal agreement with the  
1901 agency for certain purposes; requiring an annual  
1902 financial audit of the agency, subject to certain  
1903 requirements; creating s. 348.0307, F.S.; creating the  
1904 Greater Miami Toll Rebate Program; requiring the  
1905 agency to develop and implement a monthly rebate  
1906 program beginning on a specified date, subject to  
1907 certain requirements; requiring monthly rebates to be  
1908 credited to the account of certain SunPass holders;  
1909 providing a goal for the amount of rebates; requiring  
1910 review of the rebate within a specified period;  
1911 authorizing adjustment of the rebate upon such review;  
1912 prohibiting the agency from imposing additional  
1913 requirements for receipt of the toll rebate; creating  
1914 s. 348.0308, F.S.; providing a legislative  
1915 declaration; authorizing the agency to enter into  
1916 certain public-private partnership agreements;  
1917 authorizing solicitation or receipt of certain  
1918 proposals; prohibiting the agency from selling or  
1919 leasing any transportation facility owned by the  
1920 agency without providing a certain analysis to the  
1921 Legislative Budget Commission for review and approval;  
1922 providing rulemaking authority; requiring the agency  
1923 to establish a certain application fee by rule;  
1924 providing approval requirements; requiring certain  
1925 costs to be borne by the private entity; providing



1926 notice requirements for requests for proposals;  
1927 providing for ranking and negotiation of proposals;  
1928 requiring the agency to regulate tolls on certain  
1929 facilities; requiring compliance with specified laws,  
1930 rules, and conditions; authorizing certain powers for  
1931 the development, construction, operation, and  
1932 maintenance of transportation projects by the agency  
1933 or private entities; providing construction; creating  
1934 s. 348.0309, F.S.; authorizing the agency to have  
1935 bonds issued as provided in the State Bond Act;  
1936 authorizing the agency to issue its own bonds;  
1937 providing requirements for the issuance of such bonds;  
1938 requiring the sale of bonds at a public sale;  
1939 providing an exception, subject to certain  
1940 requirements; providing that resolutions authorizing  
1941 certain bonds may contain certain provisions;  
1942 authorizing the agency to enter into certain trust  
1943 indentures or other agreements with specified  
1944 entities; providing that bonds are negotiable  
1945 instruments under certain provisions of law; requiring  
1946 approval by the Legislative Budget Commission for  
1947 certain projects, buildings, or facilities and any  
1948 refinancing thereof; creating s. 348.0310, F.S.;  
1949 authorizing the department to be appointed as an agent  
1950 of the agency for construction purposes; requiring the  
1951 agency to provide specified documents and funding to  
1952 the department; creating s. 348.0311, F.S.;  
1953 authorizing the agency to acquire lands and property;  
1954 authorizing the agency to condemn certain material and



522122

1955 property; authorizing the agency and specified persons  
1956 to enter upon lands, waters, and premises for certain  
1957 purposes; providing notice requirements; requiring the  
1958 agency to make reimbursement for damages to such  
1959 lands, waters, and premises; requiring such entry to  
1960 comply with certain provisions; providing requirements  
1961 for the agency's exercise of the right eminent domain;  
1962 exempting the agency from certain liability; providing  
1963 construction; authorizing interagency agreements with  
1964 the Department of Environmental Protection for certain  
1965 purposes; creating s. 348.0312, F.S.; authorizing  
1966 agency agreements with other units of government and  
1967 individuals; creating s. 348.0313, F.S.; providing a  
1968 covenant of the state that it will not limit certain  
1969 rights or powers; creating s. 348.0314, F.S.;  
1970 exempting the agency from taxation; providing an  
1971 exception; creating s. 348.0315, F.S.; requiring  
1972 specified information to be posted on the agency's  
1973 website; defining the term "contract"; requiring the  
1974 agency to submit a certain annual report, beginning on  
1975 a specified date, to the metropolitan planning  
1976 organization for the county; creating s. 348.0316,  
1977 F.S.; providing that specified bonds or obligations  
1978 are legal investments and eligible securities for  
1979 certain purposes; creating s. 348.0317, F.S.;  
1980 providing that specified pledges are enforceable by  
1981 bondholders; creating s. 348.0318, F.S.; providing  
1982 that the powers conferred by certain provisions are in  
1983 addition and supplemental to the existing powers of



1984 the Department of Transportation and the governing  
1985 body of the agency; providing construction;  
1986 transferring the governance, control, assets, and  
1987 rights of the Miami-Dade County Expressway Authority  
1988 to the Greater Miami Expressway Agency; providing that  
1989 the agency succeeds to all powers of the authority;  
1990 requiring the operations and maintenance of the  
1991 expressway system to be under the control of the  
1992 agency; providing that revenues collected on the  
1993 expressway system are agency revenues, subject to  
1994 certain liens; providing that the agency assumes  
1995 certain liabilities; requiring the agency, in  
1996 consultation with the Division of Bond Finance, to  
1997 review all other contracts, financial obligations, and  
1998 contractual relationships and liabilities of the  
1999 authority; authorizing the agency to assume  
2000 responsibility for certain obligations; prohibiting  
2001 employees, officers, and members of the authority from  
2002 taking specified actions; providing terms and  
2003 conditions of the transfer; requiring the Auditor  
2004 General to submit a financial report to the Governor  
2005 and the Legislature by a certain date; authorizing  
2006 consultation with the agency's bond counsel for  
2007 specified purposes; requiring such counsel to have the  
2008 opportunity to respond to the report; providing for  
2009 the dissolution of the Miami-Dade County Expressway  
2010 Authority; creating ss. 348.635 and 348.7605, F.S.;  
2011 providing a legislative declaration; authorizing the  
2012 Tampa-Hillsborough County Expressway Authority and the



2013 Central Florida Expressway Authority to enter into  
2014 certain public-private partnership agreements;  
2015 authorizing solicitation or receipt of certain  
2016 proposals; prohibiting the authorities from selling or  
2017 leasing any transportation facility owned by the  
2018 authorities without providing a certain analysis to  
2019 the Legislative Budget Commission for review and  
2020 approval; providing rulemaking authority; requiring  
2021 the authorities to establish a certain application fee  
2022 by rule; providing approval requirements; requiring  
2023 certain costs to be borne by the private entity;  
2024 providing notice requirements for requests for  
2025 proposals; providing for ranking and negotiation of  
2026 proposals; requiring the authorities to regulate tolls  
2027 on certain facilities; requiring compliance with  
2028 specified laws, rules, and conditions; authorizing  
2029 certain powers for the development, construction,  
2030 operation, and maintenance of transportation projects  
2031 by the authorities or private entities; providing  
2032 construction; repealing part V of ch. 348, F.S.,  
2033 relating to the Osceola County Expressway Authority  
2034 Law; providing honorary designations of certain  
2035 transportation facilities in specified counties;  
2036 directing the Department of Transportation to erect  
2037 suitable markers; providing effective dates.