

Tab 1	SB 106 by Brodeur ; Florida Shared-Use Nonmotorized Trail Network
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Tab 2	SB 198 by DiCeglie ; (Similar to H 00155) Tampa Bay Area Regional Transit Authority
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

TRANSPORTATION
Senator DiCeglie, Chair
Senator Davis, Vice Chair

MEETING DATE: Tuesday, February 7, 2023
TIME: 9:30—11:30 a.m.
PLACE: Toni Jennings Committee Room, 110 Senate Building

MEMBERS: Senator DiCeglie, Chair; Senator Davis, Vice Chair; Senators Boyd, Broxson, Burton, Gruters, Hooper, Pizzo, Torres, and Trumbull

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 106 Brodeur	Florida Shared-Use Nonmotorized Trail Network; Authorizing the Department of Environmental Protection to establish a program to recognize specified local communities as trail towns; revising the membership of the Florida Tourism Industry Marketing Corporation; extending the Florida Shared-Use Nonmotorized Trail Network to lands of the Florida wildlife corridor; increasing the amount the Department of Transportation is required to allocate for purposes of funding and maintaining projects within the Florida Shared-Use Nonmotorized Trail Network, etc. TR 02/07/2023 Favorable AP	Favorable Yeas 9 Nays 0
2	SB 198 DiCeglie (Similar H 155)	Tampa Bay Area Regional Transit Authority; Repealing provisions relating to the creation and operation of the authority; dissolving the authority and requiring the authority to discharge its liabilities, settle and close its activities and affairs, and provide for the distribution of the authority's assets, etc. TR 02/07/2023 Fav/CS ATD AP	Fav/CS Yeas 9 Nays 0

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: SB 106

INTRODUCER: Senator Brodeur

SUBJECT: Florida Shared-Use Nonmotorized Trail Network

DATE: January 7, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Price	Vickers	TR	Favorable
2.			AP	

I. Summary:

SB 106 expands the existing Shared-Use Nonmotorized (SUN) Trail Network and enhances coordination of the state's trail system with the Florida Wildlife Corridor. Specifically, the bill:

- Prioritizes the development of "regionally significant trails" which are defined as trails crossing multiple counties; serving economic and ecotourism development; showcasing the state's wildlife areas, ecology, and natural resources; and serving as main corridors for trail connectedness across the state.
- Enhances the planning, coordination, and marketing of the state's bicycle and pedestrian trail system and the Wildlife Corridor.
- Stipulates that trails developed within the Wildlife Corridor maximize the use of previously disturbed lands, such as abandoned roads and railroads, canal corridors, and drainage berms, and be compatible with applicable land use provisions.
- Requires the Florida Department of Transportation (FDOT) to erect uniform signage identifying trails that are part of the SUN Trail Network and to submit a periodic report on the status of the SUN Trail Network.
- Authorizes the FDOT and local governments to enter into sponsorship agreements for trails and to use associated revenues for maintenance, signage, and related amenities.
- Recognizes "trail town" communities and directs specified entities to promote the use of trails as economic assets, including the promotion of trail-based tourism.
- Increases recurring funding for the SUN Trail Network from \$25 million to \$50 million and provides a non-recurring appropriation of \$200 million to plan, design, and construct the SUN Trail Network.

The additional fiscal impact of the bill is unknown. See the "Fiscal Impact Statement" heading for more information.

II. Present Situation:

For ease of organization and readability, following an overview, the present situation is discussed in conjunction with the effect of the proposed changes.

Florida Greenways and Trails System

In 1995, the Legislature created the Florida Greenways Coordinating Council (FGCC), tasking the FGCC with promoting the creation of a statewide greenways and trails system and designating the FDEP as the lead agency of the system.¹ The FGCC published a five-year implementation plan for the Florida Greenways and Trails System (FGTS) in 1998.² The plan contained a multiuse recreational Opportunity Trail Map for connecting Florida's greenways and trails, providing a review of existing greenways and trails and making recommendations to complete the system.

In 1999, the Legislature created the Florida Greenways and Trails Council (the Council) as recommended by the 1998 Plan. Among other duties, the Council, then and now, facilitates establishment and expansion of a statewide system of greenways and trails for recreational and conservation purposes, including:

- Recommending priorities for critical links in the FGTS;
- Reviewing recommendations for acquisition funding;
- Reviewing proposals for lands to be designated as part of the FGTS; and
- Recommending updates to the implementation plan for the FGTS.³

In 2013, the FDEP published the *2013-2017 Florida Greenways and Trails System Plan*, the first update to the FGTS since the 1998 Plan was published.⁴ The Office of Greenways and Trails (OGT)⁵ within the FDEP, using the 1998 Land Trails Opportunity Map, established criteria to help identify priority land trail corridors within the FGTS, as opposed to priority segments, allowing for identification of potential long-distance trail corridors. The multi-county approach assisted in identification of gaps in connectivity across jurisdictional boundaries and in encouraging regional planning to close those gaps.⁶ The FGTS Plan and Maps are currently undergoing a third update for the 2024-2028 Fiscal Years.⁷

¹ Chapter 95-260, L.O.F.

² Executive Summary available at FDEP, *Connecting Florida Communities with Greenways and Trails Plan: A Summary of the Five Year Implementation Plan for the Florida Greenways and Trails System* (1998), available at [1998FGTSPanExecutiveSummary_0.pdf \(floridadep.gov\)](#) (last visited August 19, 2022).

³ Section 260.0142(4), F.S.

⁴ FDEP, *Florida Greenways & Trails System Plan 2019-2023*, at p. 6, available at [FL-Greenway+Trails-System-Plan-\(floridadep.gov\)](#) (last visited August 19, 2022).

⁵ The OGT is tasked with fulfilling Chapter 260, F.S., the Florida Greenways and Trails Act. The Office leads, plans, and facilitates the development of an interconnected FGTS, through coordinated efforts with state and local partners, to compile local trails data from cities, counties, and other land managing entities into one inclusive system. *Id.* at p. 4.

⁶ *Supra*, note 7. The FDEP's resulting Land Trails Opportunity Maps are "the state companion to community greenways and trails and bicycle and pedestrian master plans, and [encompass] a combination of paved and unpaved, multiple and single-use trails."

⁷ See the 2024-2028 FGTS Plan and Maps Update Schedule at FDEP, *Florida Greenways and Trails System Plan and Maps*, available at [Florida Greenways and Trails System Plan and Maps | Florida Department of Environmental Protection](#) (last visited January 10, 2023).

The FDEP is authorized to acquire lands, both public and private, to establish and expand a statewide system of greenways and trails for recreational and conservation purposes, using funds from the Florida Forever Trust Fund distributed to the FDEP for acquisition of lands under the Florida Greenways and Trails Program, and to designate lands as part of the FGTS.⁸ According to the *2019-2023 Florida Greenways and Trails System Plan*, “Since January 2013, 59 projects totaling over 225,000 acres and 756 trail miles have been designated in the statewide Greenways and Trails System including state trails and parks, national forest lands and trails, locally managed greenways and trails, blueways and many other areas.”⁹

Florida Shared-Use Nonmotorized (SUN) Trail Network

The Legislature continued working on trail connectivity in 2014 by authorizing the FDOT to use appropriated funds to support establishment of a statewide system of interconnected multiuse trails and to pay the costs of planning, land acquisition, design, and construction of trail projects and related facilities.¹⁰

The FDOT must include projects to be funded under that law in the FDOT’s work program. However, a funded project must be operated and maintained by an entity other than the FDOT upon completion of construction. The FDOT is not obligated to provide funds for the operation and maintenance of a trails project.¹¹

In 2015, the Legislature formally created the Florida Shared-Use Nonmotorized Trail Network (SUN Trail Network)¹² *as a component of the FGTS*. The SUN Trail Network “consists of multiuse trails or shared-use paths physically separated from motor vehicle traffic and constructed with asphalt, concrete, or another hard surface which, by virtue of design, location, extent of connectivity or potential connectivity, and allowable uses, provides nonmotorized transportation opportunities for bicyclists and pedestrians statewide between and within a wide range of points of origin and destinations, including, but not limited to, communities, conservation areas, state parks, beaches, and other natural or cultural attractions for a variety of trip purposes, including work, school, shopping, and other personal business, as well as social, recreational, and personal fitness purposes.”¹³

⁸ Chapter 260 and s. 259.105(3)(h), F.S. “Designation” of lands means the identification and inclusion of specific lands and waterways as part of the statewide system of greenways and trails pursuant to a formal public process, including the specific written consent of the landowner when private property is to be used for trail purposes. When the FDEP determines that public access is appropriate for greenways and trails, written authorization must be granted by the landowner to the FDEP permitting public access to all or a specified part of the landowner’s property. Section 260.013(3), F.S. The processes for solicitation, application, evaluation, and selection of lands to be acquired or developed, and for designation of public conservation or recreational lands and waterways and for private lands and waterways, are set out in Fla. Admin. Code R. 62S-1.

⁹ *Supra*, note 7.

¹⁰ Chapters 2014-50 and 2014-53, L.O.F.

¹¹ Section 335.065(4)(b), F.S.

¹² Chapter 2015-228, L.O.F.

¹³ Section 339.81(2), F.S. The FDOT describes the network as follows: “The SUN Trail Network is the statewide system of high-priority (strategic) paved trail corridors for bicyclists and pedestrians. Today, the SUN Trail network includes a combination of existing, planned, and conceptual multiple-use trails; it is a refined version of the Florida Greenways and Trails System (FGTS) Plan’s Land Trails Priority Network. The FGTS is developed and overseen by the Florida Department of Environmental Protection. Not all trails are within the SUN Trail Network. Implementing projects in the SUN Trail Network increases the reliability of Florida’s transportation system. FDOT Systems Implementation Office, *Shared-Use*

The FDOT is currently required to allocate a minimum of \$25 million annually for purposes of funding and maintaining projects within the network and must include network projects in its work program.¹⁴ The FDOT is also authorized to enter into an agreement with a local government or other agency of the state to transfer maintenance responsibilities, or with a not-for-profit entity or private sector business or entity to provide maintenance services, on an individual network component.¹⁵

The FDOT advises that the full network will encompass approximately 4,000 miles of trails, with one-third currently open for use. Since 2015, 25 projects have been completed, 38 are funded in the current work program, and 45 are planned for future development. From 2017 to 2027, over \$303 million in project phases have been funded by the SUN Trail program.¹⁶

Florida Wildlife Corridor

The 2021 Legislature created the Florida Wildlife Corridor Act to “create incentives for conservation and sustainable development while sustaining and conserving green infrastructure that acts as the foundation of the state’s economy and quality of life[.]”¹⁷ The Legislature also appropriated \$300 million,¹⁸ directing the FDEP to encourage and promote investments in areas that protect and enhance the Wildlife Corridor by establishing a “network of connected wildlife habitats required for the long-term survival of and genetic exchange amongst regional wildlife populations which serves to prevent fragmentation by providing ecological connectivity of the lands needed to furnish adequate habitats and allow safe movement and dispersal.”¹⁹

The Florida Wildlife Corridor (Wildlife Corridor) is statutorily defined as “the conserved lands”²⁰ and “opportunity areas”²¹ defined by the FDEP as priority one, two, and three categories of the Florida Ecological Greenways Network (FEGN).²² The FEGN “is the primary data layer used to inform the Florida Forever [] and other state, federal, and regional land acquisition programs regarding the most important ecological corridors and intact landscapes across the state

Nonmotorized (SUN) Trail Program, available at [Shared-Use Nonmotorized \(SUN\) Trail Program \(fdot.gov\)](https://www.fdot.gov/sun-trail-program) (last visited October 26, 2022).

¹⁴ Section 339.81(5), F.S.

¹⁵ Section 339.81(6), F.S.

¹⁶ See the Senate Transportation Committee Meeting Packet, January 17, 2023, p.16, FDOT SUN Trail Program Presentation, available at [10027 MeetingPacket 5583 3.pdf \(flsenate.gov\)](#) (last visited January 21, 2023).

¹⁷ Section 259.1055(3), F.S.

¹⁸ Chapter 2021-37, L.O.F., s. 152.

¹⁹ Section 259.1055(4)(g), F.S.

²⁰ Defined in s. 259.1055(4)(a), F.S., to mean “federal, state, or local lands owned or managed for conservation purposes, including, but not limited to, federal, state, and local parks; federal and state forests; wildlife management areas; wildlife refuges; military bases and airports with conservation lands; properties owned by land trust and managed for conservation; and privately owned land with a conservation easement, including, but not limited to, ranches, forestry operations, and groves.”

²¹ “[T]hose lands and waters within the Florida wildlife corridor which are not conserved lands and the green spaces within the Florida wildlife corridor which lack conservation status, are contiguous to or between conserved lands, and provide an opportunity to develop the Florida wildlife corridor into a statewide conservation network.” Section 259.1055(4)(e), F.S.

²² Section 259.1055(4)(d), F.S. For a 2021 layered map reflecting the Wildlife Corridor, Florida Forever Projects and Acquisitions, and FEGN Priority Levels 1-3, see the FDEP’s map available at [Florida Forever and Florida Ecological Greenways Network \(FEGN\) \(floridadep.gov\)](#) (last visited November 15, 2022).

for protection of Florida’s native wildlife, ecosystem services, and ecological resiliency.”²³ The priority-category lands “are the most important for protecting [an] ecologically functional connected statewide network of public and private conservation lands.”^{24, 25}

The Governor and Cabinet, sitting as the Board of Trustees of the Internal Improvement Trust Fund (the Board) are currently authorized to spend appropriated funds to acquire the fee or less-than-fee interest in lands for a variety of conservation and recreational purposes.²⁶ Among the authorized uses of the funds is the provision of recreational trails for natural resource-based recreation and other outdoor recreation on any part of any site compatible with conservation purposes.²⁷

The Acquisition and Restoration Council²⁸ provides assistance to the Board in reviewing the recommendations and plans for state-owned lands acquired under s. 253.034 (State-owned lands; uses) and Chapter 259 (Land Acquisitions for Conservation and Recreation).²⁹ A proposal for a project may be implemented only if adopted by the council and approved by the Board.³⁰

The FDEP notes that the existing Wildlife Corridor “encompasses nearly 17.7 million acres – 9.6 million acres (54%) that are already protected and 8.1 million acres (46%) of remaining opportunity areas that do not have conservation status.”³¹ Further, “There are 1.46 million acres within the Florida Wildlife Corridor opportunity area that are a high priority for conservation through the State’s Florida Forever program.”³²

Currently, the FDEP is tasked with a number of statutory duties relative to the Wildlife Corridor. Among them, the FDEP is directed to encourage state and local agencies with economic and ecotourism development responsibilities to recognize the importance of the Wildlife Corridor in encouraging public access to wildlife areas and bringing nature-based tourism to local

²³ FDEP, *Florida Wildlife Corridor*, available at https://floridadep.gov/sites/default/files/Florida_Wildlife_Corridor.pdf (last visited November 14, 2022).

²⁴ Florida Natural Areas Inventory (FNAI), *Florida Natural Areas Inventory Geospatial Open Data, Summary*, available at [FEG2021 | Florida Natural Areas Inventory \(fnai.org\)](https://feg2021.org/Florida-Natural-Areas-Inventory-fnai.org) (last visited November 15, 2022). The FNAI provides scientific support to the FDEP.

²⁵ Section 259.1055(4)(c), F.S., defines the FEGN as “a periodically updated model developed to delineate large connected areas of statewide ecological significance.”

²⁶ Section 259.032(2), F.S.

²⁷ Section 259.032(2)(g), F.S.

²⁸ Created in s. 259.035, F.S. For additional information about the Acquisition and Restoration Council, see FDEP, *Acquisition and Restoration Council (ARC)*, available at [Acquisition and Restoration Council \(ARC\) | Florida Department of Environmental Protection](https://floridadep.gov/sites/default/files/ARC_Florida_Department_of_Environmental_Protection.pdf) (last visited November 15, 2022).

²⁹ Section 259.035(3), F.S.

³⁰ Section 259.035(6), F.S. The procedures, standards, and criteria for evaluation and selection of lands proposed for acquisition, restoration, and other capital improvements with funds from the Florida Forever Trust Fund or funds deposited into the Land Acquisition Trust Fund are set out in Fla. Admin. Code R. 18-24. The procedures for voluntary, negotiated acquisitions under agreements for purchase, option, or exchange are found in Fla. Admin. Code R. 18-1.

³¹ Florida Wildlife Corridor Foundation, *About the Corridor*, available at [About The Corridor - The Florida Wildlife Corridor](https://floridawildlifecorridor.org/about-the-corridor) (last visited November 14, 2022).

³² Section 259.105, F.S., sets out the Florida Forever Act. “Florida Forever is Florida’s premier conservation and recreation lands acquisition program; a blueprint for conserving Florida’s natural and cultural heritage.” See FDEP, *Florida Forever*, for additional information, available at [Florida Forever | Florida Department of Environmental Protection](https://floridadep.gov/sites/default/files/Florida_Forever_Florida_Department_of_Environmental_Protection.pdf) (last visited November 14, 2022).

communities.³³ Aside from such encouragement, however, current law appears to contain no specific direction relative to coordination or integration of the FGTS, its component SUN Trail Network, and the Wildlife Corridor. Opportunities may exist to close gaps in the FGTS and the SUN Trail Network; enhance expansion, preservation, and connectivity of the Wildlife Corridor; and promote economic development by providing enhanced public access to publicly-funded recreation and conservation lands.

III. Effect of Proposed Changes:

SUN Trail Legislative Findings, Declarations, and Intent (Section 9)

Present Situation

Among others, current law recites the Legislature's finding that significant challenges to providing additional capacity to the conventional transportation system exist and will require enhanced accommodation of alternative travel modes to meet the needs of residents and visitors.³⁴

Current law also recites the Legislature's declaration that the development of a nonmotorized trail network will increase mobility and recreational alternatives for Florida's residents and visitors, enhance economic prosperity, enrich quality of life, enhance safety, and reflect responsible environmental stewardship. Additionally, current law expresses the Legislature's intent that the FDOT make use of its expertise in efficiently providing transportation projects to develop the SUN Trail Network.³⁵

Effect of Proposed Changes

The bill amends s. 339.81(1), F.S., to revise legislative findings, declarations, and intent to provide a more specific focus on the importance of accommodating alternative travel modes and providing trails for bicyclist and pedestrian travel that allow for appreciation of conservation and stewardship of environmentally important lands.

Further, this section of the bill expresses the Legislature's finding that the investment of the state in the Wildlife Corridor is of significant interest to the public and that provisions of paved multiuse trails within or between the Wildlife Corridor would enable the public to enjoy Florida's natural resources, bring ecotourism and economic opportunities to local trail town communities,³⁶ and facilitate support for the protection, preservation, and enhancement of the natural and recreational value of the Wildlife Corridor by providing minimally invasive public access to it when feasible and compatible with the lands.

Additionally, the bill revises Legislative intent that the FDOT make use of its expertise to develop *and construct* the SUN Trail Network, consistent with current practice.

³³ Section 259.1055(5)(h), F.S.

³⁴ Section 339.81(1), F.S.

³⁵ *Id.*

³⁶ Trail towns are discussed below on pp. 13-14.

SUN Trail Description, Requirements, and Components (Section 9)

Present Situation

The SUN Trail Network is statutorily described as consisting of a statewide network of nonmotorized trails which allows nonmotorized vehicles and pedestrians to access a variety of origins and destinations with limited exposure to motorized vehicles.³⁷

The network must be physically separated from motor vehicle traffic and constructed with asphalt, concrete, or another hard surface which, by virtue of design, location, extent of connectivity or potential connectivity, and allowable uses, provides nonmotorized transportation opportunities for bicyclists and pedestrians statewide between and within a wide range of points of origin and destinations, including, but not limited to, communities, conservation areas, state parks, beaches, and other natural or cultural attractions for a variety of trip purposes, including work, school, shopping, and other personal business, as well as social, recreational, and personal fitness purposes.³⁸

Network components currently do not include sidewalks, nature trails, loop trails wholly within a single park or natural area, or on-road facilities, such as bicycle lanes or routes other than:

- On-road facilities that are no longer than one-half mile connecting two or more nonmotorized trails, if the provision of non-road facilities is infeasible and if such on-road facilities are signed and marked for nonmotorized use; or
- On-road components of the Florida Keys Overseas Heritage Trail.³⁹

Effect of Proposed Changes

The bill amends s. 339.81(2), F.S., to relocate the SUN Trail Network description and otherwise make editorial revisions to improve readability. The bill also includes lands of the Wildlife Corridor as a point of origin or destination, thereby extending the SUN Trail Network to lands of the Wildlife Corridor.

This section of the bill also amends s. 339.81(3), F.S., to provide that network components that connect to nature trails, loop trails, or other points of public access wholly within a single park or natural area may be included in the network. This revision would allow “in-and-out” pedestrian or bicycle trips within a single park or natural area.

SUN Trail Project Requirements (Section 9)

Present Situation

The current SUN Trail statute contains no provisions specifically relating to trail projects to be constructed within the Wildlife Corridor or on conservations lands or other lands subject to conservation easements, land management plans,⁴⁰ or agreements. Additionally, while current

³⁷ Section 339.81(2), F.S.

³⁸ *Id.*

³⁹ Section 339.81(3), F.S.

⁴⁰ A land management plan is required for any instrument authorizing the use of state lands owned by the Board of Trustees of the Internal Improvement Trust Fund. Section 253.04, F.S.

law requires the FDOT to include SUN Trail projects in its work program,⁴¹ no provision speaks to how specific projects are to be programmed.

Effect of Proposed Changes

The bill amends s. 339.81(5), F.S., adding new requirements for trail projects as follows:

- The FDOT is required, to the greatest extent possible, to ensure that trail projects constructed within the Wildlife Corridor, or on conservations lands or other lands subject to conservation easements, land management plans, or agreements, are constructed using previously disturbed lands, such as abandoned roads and railroads, utility rights-of-way, canal corridors and drainage berms, permanent fire lines, and other lands having appropriate potential to serve the purposes of the SUN Trail Network and the Wildlife Corridor. In developing the planning and design of trails, the FDOT is required to coordinate with other state agencies to ensure that appropriate recreation or public access is available for such projects.⁴²
- The FDOT is required, to the greatest extent practical, to program trail projects in its work program to plan for development of the entire trail and to minimize the creation of gaps between trail segments. At a minimum, the FDOT is required to ensure that local support exists for projects and trail segments, including the availability or dedication of local funding sources and of contributions by private landowners who agree to make their land, or property interests in such land, available for public use as a trail.⁴³

SUN Trail Signage and Sponsorship Agreements (Section 9)

Present Situation

The FDOT's *SUN Trail Program Style Guide* "standardizes the use of the [] program's "style" including the logo; color palette; and other identifying marks for visual, digital, and written communications to maintain consistency between audiences."⁴⁴ The SUN Trail logo (two versions) "is available for use on plans, signage, and related materials for any segment of the SUN Trail Network that will be – or is already open for public use."⁴⁵

The FDOT is currently authorized to enter into a concession agreement with a not-for-profit entity or private sector business or entity for commercial sponsorship displays on multiuse trails and related facilities along state roads and transportation facilities and to use any concession agreement revenues for the maintenance of the trails and facilities. Such displays are subject to the requirements of the Highway Beautification Act of 1965⁴⁶ and all federal laws and

⁴¹ *Supra* note 18.

⁴² The FDOT and the FDEP are currently required to coordinate their evaluations of potential acquisitions and acquisition priorities with respect to abandoned railroad rights-of-way as provided in s. 260.0161, F.S.

⁴³ Section 260.0125, F.S., limits the liability of a private landowner who makes their land available for public use as a trail under certain conditions. For example, such a landowner is not presumed to assure that such land is safe for any purpose, has no duty of care to a person who goes on the land, and does not become liable for any personal or property injury or damage caused by a person who goes on the land.

⁴⁴ Available at [SUN Trail Style and Logo Guide \(windows.net\)](#) (last visited December 15, 2022).

⁴⁵ *Id.* at p. 1.

⁴⁶ The Act allows the location of certain outdoor signs in commercial or industrial areas, mandates a state compliance program, requires the development of state standards, promotes the expeditious removal of illegal signs, and requires just compensation for takings. The Act mandates state compliance and the development of standards for certain signs as well as the removal of others. While the states are not directly forced to control signs, failure to impose the required controls can

agreements, when applicable.⁴⁷ The FDOT must administer a concession agreement, and the agreement must include the requirements of s. 335.065, F.S.⁴⁸

Commercial sponsorship signage or displays on bicycle and pedestrian ways along state roads and transportation facilities must comply with s. 337.407, F.S.,⁴⁹ and Chapter 479, F.S.⁵⁰ In addition, the following limitations apply to signs or displays:

- One large sign or display, not exceeding 16 square feet in area, may be located at each trailhead or parking area.
- One small sign or display, not exceeding four square feet in area, may be located at each designated trail public access point.⁵¹

The FDOT must approve each name or sponsorship display before installation⁵² and must ensure that the size, color, materials, construction, and location of all signs are consistent with the management plan for the property and the FDOT's standards, do not intrude on natural and historic settings, and contain only a sponsor-selected logo and specified wording.⁵³ The concessionaire is required to pay all costs of a display, including development, construction, installation, operation, maintenance, and removal costs.⁵⁴

The term of a concession agreement must be for one year, but may be for a longer period under a multiyear agreement. Upon 60 days' advance notice, the FDOT may terminate an agreement for just cause, including, but not limited to, violation of the terms of the agreement or of s. 335.065, F.S.⁵⁵

Effect of Proposed Changes

The bill amends s. 339.81(7), F.S., requiring the FDOT to create uniform signage to identify trails that are part of the statewide network and shall, when feasible and permissible, erect signage on all such trails open to public use, regardless of when the trail was first opened. Consistent with current law,⁵⁶ the bill re-states that the FDOT is not otherwise obligated to provide funds for the operation and maintenance of any trail on the statewide network.

result in a substantial penalty. The penalty for noncompliance with the Act is a 10 percent reduction of the state's annual federal-aid highway apportionment. For a copy of the agreement between the State of Florida and the United States Department of Transportation, see scenic.org at [Florida Agreement \(scenic.org\)](https://www.scenic.org/Florida%20Agreement) (last visited December 15, 2022).

⁴⁷ Section 335.065(3), F.S.

⁴⁸ Section 335.065(3)(a), F.S.

⁴⁹ That section generally prohibits erection of any sign or light within the right-of-way limits of any road on the interstate highway system, the State Highway System, or the State Park Road System.

⁵⁰ That chapter regulates and controls signs in areas adjacent to the highways of this state, consistent with the Highway Beautification Act. A "sign" is any combination of structure and message in the form of an outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard, advertising structure, advertisement, logo, symbol, or other form, whether placed individually or on a V-type, back-to-back, side-to-side, stacked, or double-faced display or automatic changeable facing, designed, intended, or used to advertise or inform, any part of the advertising message or informative contents of which is visible from any place on the main-traveled way. Section 479.01(19), F.S.

⁵¹ Section 335.065(3)(b)1., F.S.

⁵² Section 335.065(3)(b)2., F.S.

⁵³ Section 335.065(3)(b)3., F.S.

⁵⁴ Section 335.065(3)(b)4., F.S.

⁵⁵ Section 335.065(3)(c), F.S. Similar provisions, almost identical in some cases, are contained in s. 260.0144, F.S., with respect to concession agreements and commercial sponsorship displays on state greenways and trails.

⁵⁶ *Supra* note 14.

In addition, this section of the bill lifts the provisions of s. 335.065(3)(b) and (c), F.S., currently applicable to signage and concession agreements for commercial sponsorship displays on bicycle and pedestrian ways along state roads and transportation facilities, as discussed above, and places them in a new subsection (8) of s. 339.81, F.S., making the provisions expressly applicable to signage and sponsorship agreements with respect to trails and related facilities on the SUN Trail Network.

The bill authorizes the FDOT and local governments to enter into sponsorship (instead of “concession”) agreements⁵⁷ and to use the revenues for maintenance, signage, and provision of amenities on the multiuse trails and related facilities. The FDOT or local government, as appropriate, must administer a sponsorship agreement and ensure that such an agreement complies with the provisions of s. 335.065(3)(b) and (c), F.S.

Should the FDOT or a local government enter into an agreement relating to commercial sponsorship displays on the SUN Trail Network, the agreement will, for example, be subject to the Highway Beautification Act, when applicable, and to the sign or display-size limitations, as well as to the provisions regarding costs of a display and terms of such an agreement.

SUN Trail Reporting Requirement (Section 9)

Present Situation

Current law contains no reporting requirement relative to the SUN Trail Network. The FDOT conducted and has posted a SUN Trail Transportation Use Study of five selected trails in Florida in 2019, as well as two other “SUN Trail Reports” on the relevant web page.⁵⁸ The FDOT also maintains a Statewide Non-Motorized Traffic Monitoring Program⁵⁹ aimed at providing bicycle and pedestrian volume counts, supporting statistics, and information that can be used for analyses such as safety studies, planning and programming of FDOT facilities, and road and trail maintenance and enhancements.

Effect of Proposed Changes

The bill adds a new SUN Trail Network reporting requirement, creating subsection (9) of s. 339.81, F.S. By June 30, 2026, and every third year on June 30 thereafter, the bill requires the FDOT, in coordination with the FDEP, to submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives summarizing the status of the SUN Trail Network. The report may include recommendations for any legislative revisions deemed appropriate to facilitate connectivity of the statewide network.

⁵⁷ No apparent distinction exists between the terms “concession agreement” and “sponsorship agreement.” The FDOT currently offers participation in its “Statewide Sponsorship Program” under which an organization, business, or individual provides maintenance, operation, or enhancement of an FDOT program, service, or facility in exchange for a sign or plaque acknowledging the sponsor installed at an appropriate location. The program is operated in accordance with Federal Highway Administration Policy. FDOT, *Statewide Sponsorship Program*, available at [Statewide Sponsorship Program \(fdot.gov\)](https://www.flhwy.com/statewide-sponsorship-program/) (last visited January 11, 2023).

⁵⁸ See FDOT, *Systems Implementation Office, Other Resources, SUN Trail Reports*, available at [SUN Trail - Other Resources \(fdot.gov\)](https://www.flhwy.com/sun-trail-reports/) (last visited December 15, 2022).

⁵⁹ See FDOT, *Statewide Non-Motorized Traffic Monitoring Program*, available at [Florida Non-Motorized Traffic Monitoring \(fdot.gov\)](https://www.flhwy.com/non-motorized-traffic-monitoring-program/) (last visited December 15, 2022).

The report must include, at a minimum, all of the following:

- The total number of completed miles of nonmotorized trails on the network.
- The total number of completed miles of nonmotorized trails on the network not adjacent to a roadway facility.
- The total number of completed miles of nonmotorized trails on the network adjacent to a roadway facility.
- The total number of completed miles of nonmotorized trails on the network which are within or between areas of the Florida wildlife corridor.
- The total remaining miles of nonmotorized trails on the network which are planned for acquisition and construction.
- The total expenditures, by funding source, associated with implementing the network.
- The total expenditures, by project phase, including preliminary and environmental planning, design, acquisition of right-of-way, and new construction of trail surfaces and bridges on the network.

The FDOT is required to coordinate with the Florida Tourism Industry Marketing Corporation, local governments, or other entities with related information, to include in the report, for each existing trail on the network which is open to public use, identified by the FDOT's trailway identification number, segment name, segment length, and county of location, specified operational and performance measures.

Funding and Project Priorities (Sections 6, 7, and 9 - 11)

Present Situation

Current law imposes a fee of \$225 upon the initial application for registration of certain motor vehicles.⁶⁰ After authorized refunds,⁶¹ 85.7 percent of such funds must be deposited into the State Transportation Trust Fund (STTF), and the FDOT must use \$25 million of those funds for the SUN Trail Network.⁶² Correspondingly, the FDOT is currently required to allocate a minimum of \$25 million annually for purposes of funding and maintaining projects within the SUN Trail Network and must include network projects in its work program.⁶³

The FDOT must give funding priority to projects that:

- Are identified by the FGTC as a priority within the FGTS.
- Support the transportation needs of bicyclists and pedestrians.
- Have national, statewide, or regional importance.
- Facilitate an interconnected system of trails by completing gaps in existing trails.⁶⁴

⁶⁰ Section 320.072, F.S.

⁶¹ See s. 320.072(3), F.S.

⁶² Section 320.072(4)(a), F.S.

⁶³ Section 339.81(5), F.S.

⁶⁴ Section 335.065(4), F.S.

As noted by the FDOT, multi-use trails happen in Florida through the collaboration of multiple partners.⁶⁵ Other funding sources; e.g., the FDEP, local governments, and private foundations, may be used for a given SUN Trail project in conjunction with SUN Trail funding. “There is no single model for how trails are funded, developed and managed in Florida.”⁶⁶

Effect of Proposed Changes

The bill amends ss. 320.072(4)(a) and ss. 339.81(5), F.S., to increase from \$25 million to \$50 million the statutorily required amount of funding for the SUN Trail Network.

The bill amends ss. 335.065(4) and ss. 339.81(5), F.S., to revise the funding priorities for SUN Trail Network projects, requiring the FDOT to give funding priority to projects that:

- Are recommended priorities by the FGTC as regionally significant trails.
- Have national, statewide, or regional importance.
- Are otherwise identified by the FGTC as a priority for critical linkage and trail connectedness within the FGTS.
- Facilitate an interconnected system of trails by completing gaps between existing trails.
- Support the transportation needs of bicyclists and pedestrians.

The bill appropriates to the FDOT for the 2023-2024 fiscal year \$200 million in nonrecurring funds from the General Revenue Fund to plan, design, and construct projects on the SUN Trail Network.

The bill also recites that the amendments to the SUN Trail statute⁶⁷ are not intended to delete, defer, delay, or otherwise revise SUN Trail projects programmed in the FDOT’s tentative⁶⁸ five-year work program for Fiscal Year 2023-2024 through 2027-2028. The FDOT is authorized to maintain such projects in development of the adopted work program. For the additional funding provided in the bill, the FDOT is directed to work with the MPOs, boards of county commissioners, and districts, where appropriate, to revise any year of the five-year adopted work program to identify new SUN Trail projects to be added, or projects or phases thereof that may be moved up from the portion of the tentative work program for the following four fiscal years.

⁶⁵ See FDOT, *Shared-Use Nonmotorized (SUN) Trail Program Funding Requests, Developing the next new fifth year of the Work Program (Fiscal Years 2028/2029) for adoption, July 1, 2024*, at p. 2, available at [Shared-Use Nonmotorized \(SUN\) Trail Program Funding Requests \(windows.net\)](#) (last visited December 16, 2022). This document sets out project eligibility criteria, the FDOT’s process for its most recent solicitation of requests for program funding, the grant application process, and additional detailed program information.

⁶⁶ *Id.*

⁶⁷ Section 339.81, F.S.

⁶⁸ Essentially, as the first year of the annually-adopted five-year work program is completed, the second year becomes the first year of the next adopted five-year work program, and a new fifth year is added based on projects in the tentative work program, which is the 5-year listing of all transportation projects planned for each fiscal year, developed by the FDOT central office based on the district work programs.

Metropolitan Planning Organization Long-Range Transportation Plans and Project Priority Lists (Sections 8 and 9)

Present Situation

Metropolitan Planning Organizations (MPOs), or the boards of county commissioners serving as the MPO in those counties which are not located in an MPO, are required, in cooperation with the state and public transit operators, to develop transportation plans and programs for metropolitan areas.⁶⁹ As part of the transportation planning process and among other duties, each MPO is required to develop a long-range transportation plan addressing at least a 20-year horizon.⁷⁰

Among other minimum requirements, the long-range plan must indicate, as appropriate, proposed transportation enhancement activities which include, but are not limited to, pedestrian and bicycle facilities, scenic easements, landscaping, historic preservation, mitigation of water pollution due to highway safety runoff, and control or outdoor advertising.

MPOs⁷¹ are also required to develop an annual list of transportation project priorities and submit the list to the appropriate FDOT district.⁷² District work programs are developed based on these lists and submitted to the FDOT Central Office, resulting in the annual adoption of the FDOT's five-year work program.⁷³

Effect of Proposed Changes

The bill amends s. 339.175(7)(d), F.S., to include trails or facilities that are regionally significant or critical linkages for the SUN Trail Network in the list of transportation enhancement activities described above. This revision encourages MPOs to begin long-range planning for regionally significant or critical-linkage trails or facilities by requiring their indication, as appropriate, in long-range plans as a proposed transportation enhancement activity.

The bill also amends s. 339.81(5), F.S., to require that each MPO or the board of county commissioners, as appropriate, include in its list of project priorities one or more SUN Trail projects that are a priority under the revisions to the statutory funding priorities,⁷⁴ particularly, and to the SUN Trail statute, generally. When developing the FDOT district work programs, each district must include such projects.

Trail Towns (Section 1)

Present Situation

According to the FDEP, in Florida, a trail town “is a community located along or in proximity to one or more long-distance non-motorized recreational trails. Whether on a paved or unpaved

⁶⁹ See generally, s. 339.175, F.S.

⁷⁰ Section 339.175(7), F.S.

⁷¹ Or the board of county commissioners serving as the MPO in those counties which are not located in a metropolitan planning organization, per s. 339.135(4)(c)1., F.S.

⁷² Section 339.175(8), F.S.

⁷³ *Id.*

⁷⁴ Described on pp. 11-12 above.

multi-use trail, paddling, equestrian or hiking trail, recreational users can venture off the main path to enjoy the services and unique heritage of the nearby community. The town is a safe place where both town residents and trail users can walk, bike, jog etc., find the goods and services they need, and easily access both the trail and the town. In such a town, the trail is an integral and important part of the community.”⁷⁵

According to the FDEO:⁷⁶

The combined benefit of all Florida state trails is \$95 million to their host communities. The three trails located in Orange County contribute \$42.6 million to the local economy and create 516 jobs. In North Florida, the St. Marks Trail in Tallahassee provides a \$1.9 million economic benefit to Tallahassee businesses. The Pinellas Trail in Dunedin, Florida is another success story. Downtown Dunedin was transformed with the arrival of the trail, with a pre-trail store-front vacancy rate of 35% which rocketed to a 100% post-trail occupancy rate, with a waiting list.⁵ Dunedin's economic development director describes the trail as an "economic engine.”⁷⁷

Florida’s FDEP-recognized trail towns currently include: Dunedin, Titusville, Malabar, Vilano Beach, Clermont, Palatka, Inverness, Deltona, Everglades City, Winter Garden, Gainesville, and Debary. Signs, stickers, and publicity are provided free of charge to recognized trail towns.⁷⁸ While the FDEP is generally authorized to establish, develop, and publicize greenways and trails in the FGTS, no statutory authority is identified that expressly authorizes the FDEP to designate or recognize trail towns in Florida.

Effect of Proposed Changes

The bill amends s. 260.014, F.S., expressly authorizing the FDEP to establish a program to recognize local communities located along or in proximity to one or more long-distance nonmotorized recreational trails as trail towns.

Florida Greenways and Trails Council Membership (Section 2)

Present Situation

The FGTC is currently composed of 20 members, five of which are appointed by the Governor.⁷⁹ Of the five, two members each must represent the trail user community and the greenway user

⁷⁵ FDEP, *Trail Towns Guidelines and Self-Assessment*, p. 3, available at [Trail Town Assessment and Guidelines \(floridadep.gov\)](https://floridadep.gov/trail-town-assessment-and-guidelines) (last visited December 15, 2022). The FDEP notes that “Studies show that the longer a trail is, the farther people will travel to visit it, the longer they will stay, and the more money they will spend” and that “a day-user on a trail will spend four times the amount of a local user, and is likely to make a return trip to the Trail Town. An overnight visitor may spend twice the amount of a day-user.” *Id.*

⁷⁶ For example, the Paradise Coast Trail Corridor in Naples, connecting Collier County with Florida’s Paradise Coast, is estimated to create 425 jobs directly. See rails.to/trails-conservancy, *SUN Trail – Paradise Cost Trail Corridor*, available at [SUN Trail – Paradise Coast Trail Corridor, Naples, FL | Rails-to-Trails Conservancy \(railstotrails.org\)](https://rails.to/trails-conservancy) (last visited December 15, 2022).

⁷⁷ FDEO, *The Economic Benefits of Ecotourism*, (citations omitted) available at [The Economic Benefits of Ecotourism - FloridaJobs.org](https://floridajobs.org) (last visited December 15, 2022).

⁷⁸ See FDEP, *Trail Town Program*, available at [Trail Town Program | Florida Department of Environmental Protection](https://floridadep.gov/trail-town-program) (last visited December 15, 2022).

⁷⁹ See s. 260.0142(1), F.S.

community, and one member must represent private landowners. The Florida Wildlife Corridor Foundation (Foundation) is a Florida-based nonprofit corporation⁸⁰ with the mission “to champion a collaborative campaign to permanently connect, protect and restore the Florida Wildlife Corridor,” By combining science, imagery, and storytelling to increase the Corridor’s visibility and encourage its protection, and through citizen education and involvement, the Foundation “advocates for the protection of the missing links needed to connect conservation lands in the Corridor.”⁸¹ The FGTC membership currently does not include a member from the Foundation.

Effect of Proposed Changes

The bill amends s. 260.0142(1)(a)1., F.S., to add a member from the board of the Florida Wildlife Corridor Foundation, appointed by the Governor, to the membership of the FGTC, increasing the Governor’s appointees to six and the total number of FGTC members to 21.

Florida Greenways and Trails Council Duties and Powers (Sections 2 and 3)

Present Situation

The FGTC is currently directed to advise the FDEP in the execution of the FDEP’s powers and duties under Chapter 260, F.S.,⁸² and is charged with a number of attendant duties. The FDEP is also statutorily granted a number of general powers. Among them, the FDEP is required to develop and disseminate criteria for designation of specific lands and waterways as part of the FGTS.

Effect of Proposed Changes

The bill also amends s. 260.0142(4), F.S., to define a new term and revise the duties of the FGTC to include:

- Facilitating a statewide system of interconnected lands and waters of the Wildlife Corridor.
- Recommending priorities for “regionally significant trails” within the FGTS for inclusion by the FDOT in the Sun Trail Network, defined to mean “trails that cross multiple counties, attract national and international visitors, serve as an opportunity for economic and ecotourism development; showcase the natural value of the state’s wildlife areas, ecology, and natural resources; and serve as main corridors for critical links and trail connectedness across the state.”
- Adding the FGTC’s recommendations for prioritization of regionally significant trails within the Sun Trail Network to its recommendations for updating and revising the FGTS implementation plan.
- Coordinating and facilitating land acquisition efforts for lands to be used, in whole or in part, for regionally significant trails on the SUN Trail Network with the FDOT, the Florida Forest Service of the Department of Agriculture and Consumer Services, and other appropriate entities.

⁸⁰ See floridawildlifecorridor.org (scroll to bottom), available at [Home - The Florida Wildlife Corridor](#) (last visited December 21, 2022).

⁸¹ *Id.*, under *What We Do*.

⁸² Section 260.0142(1), F.S.

The bill amends s. 260.016(2)(d), F.S., revising the general powers of the FDEP to include development and dissemination of criteria for prioritization of regionally significant trails within or connected to the Florida Wildlife Corridor in its development and dissemination of criteria for designation.

Florida Tourism Industry Marketing Corporation Board of Directors (Section 4)

Present Situation

The Florida Tourism Industry Marketing Corporation is a not-for-profit, direct-support organization of Enterprise Florida, Inc., which is “organized and operated exclusively to request, receive, hold, invest, and administer property and to manage and make expenditures for the operation of the activities, services, functions, and programs of this state which relate to the statewide, national, and international promotion and marketing of tourism.”⁸³ Branded as VISIT FLORIDA, it is “the state’s official source for travel planning, is the premier sales and marketing organization that promotes tourism to Florida through sales, advertising, promotions, public relations and visitor services programs both domestically and internationally.”⁸⁴

VISIT FLORIDA’s Board of Directors “is the organization's private sector governing body made up of Florida tourism industry experts who, along with the members of its committees, provide guidance, input and insight into the evolution of VISIT FLORIDA programs, processes and messaging. The board, which meets three times a year, acts as a steering council for multiple committees and works directly with the VISIT FLORIDA executive staff to guide strategy.”⁸⁵

The board is composed of 31 tourism-industry-related members, appointed by Enterprise Florida, Inc., in conjunction with the FDEO. Of the 31, 15 members must be from specified industries, associations, and organizations. Of the 15, seven members must be from tourist-related statewide associations, including those that represent hotels, campgrounds, county destination marketing organizations, museums, restaurants, retail, and attractions.⁸⁶

Effect of Proposed Changes

The bill amends s. 288.1226(4), F.S., reducing from seven to six the number of representatives from tourist-related statewide associations on VISIT FLORIDA’s board and adding a representative from the nature-based tourism industry. This revision leaves the total board composition at 31 members.

Division of Tourism Marketing (Enterprise Florida) (Section 5)

Present Situation

Current law creates the Division of Tourism Marketing (the Division) within Enterprise Florida, Inc.⁸⁷ Among the Division’s responsibilities and duties is development of a four-year marketing plan that must, at a minimum, discuss the following:

⁸³ Section 288.1226(2), F.S.

⁸⁴ Visitflorida.org, *Who We Are*, available at [Who We Are \(visitflorida.org\)](https://www.visitflorida.org/who-we-are) (last visited December 16, 2022).

⁸⁵ *Id.*

⁸⁶ Section 288.1226(4), F.S.

⁸⁷ Section 288.923, F.S.

- Expansion to new or under-represented tourist markets.
- Maintenance of traditional and loyal tourist markets.
- Coordination of efforts with county destination marketing organizations, other local government marketing groups, privately owned attractions and destinations, and other private sector partners to create a seamless, four-season advertising campaign for the state and its regions.
- Development of innovative techniques or promotions to build repeat visitation by targeted segments of the tourist population.
- Consideration of innovative sources of state funding for tourism marketing.
- Promotion of nature-based tourism and heritage tourism.
- Development of a component to address emergency response to natural and manmade disasters from a marketing standpoint.⁸⁸

Enterprise Florida, Inc., is statutorily directed to contract with VISIT FLORIDA to execute tourism promotion and marketing services, functions, and programs for the state, including, but not limited to, the activities prescribed by the four-year marketing plan.⁸⁹ Among others, VISIT FLORIDA currently hosts a web page, *Florida Trails: Biking, Hiking, and Paddling*, containing an infographic with brief “fast-facts” information on specified trails, geocodes that can be used to locate trailheads, links to additional information and individual trail websites, as well as maps and videos.⁹⁰

Effect of Proposed Changes

The bill amends s. 288.923(4)(c), F.S., specifying additional requirements for the Division’s required marketing plan. The Division’s obligation to promote nature-based tourism is modified to include, without limitation, promotion of the FGTS and the SUN Trail Network. Additionally, the bill requires the Division to coordinate with the OGT and the FDEO to promote and assist local communities, including, but not limited to, communities designated as trail towns, to maximize use of nearby trails as economic assets, including specific promotion of trail-based tourism.

Effective Date (Section 12)

The bill takes effect July 1, 2023.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

⁸⁸ Section 288.923(4)(c), F.S.

⁸⁹ Section 288.93(3), F.S.

⁹⁰ Visitflorida.com, available at [Trails in Florida: Hiking, Biking, and Paddling \(visitflorida.com\)](https://www.visitflorida.com/trails) (last visited December 16, 2022).

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Users of the pedestrian and bicycle trails addressed in the bill are expected to enjoy the health benefits of exercise on the trails, which may translate to an unknown positive fiscal impact, while accessing publicly-funded recreation and conservation lands.

Private sector business, particularly within designated Trail Towns, may experience a positive but unknown fiscal impact associated with potentially increased visitors resulting from promotion of the FGTS and the SUN Trail Network.

C. Government Sector Impact:

The bill increases the recurring statutory funding for the SUN Trail Network from \$25 million to \$50 million and provides a non-recurring appropriation of \$200 million from the General Revenue Fund to plan, design, and construct projects on the network. The FDOT and other state agencies with whom it coordinates are expected to incur expenses, in unknown amounts, associated with the FDOT's required coordination in developing the planning and design of trails.

The FDOT is expected to incur unknown expenses associated with erecting uniform signage on all network trails that are open to public use.

The FDOT and local governments may experience a positive fiscal impact, in an unknown amount, associated with sponsorship agreements for commercial displays on SUN Trail Network trails and related facilities.

The FDOT and the FDEP are expected to incur unknown administrative expenses, every three years beginning June 30, 2026, relating to preparation of the report required by the bill. To the extent that the bill's provisions require the FDOT or the FDEP to revise any agency rule, the agency is expected to incur administrative expenses.

VISIT FLORIDA is expected to incur unknown costs relating to promotion of the FGTS and the SUN Trail Network. VISIT FLORIDA, the FDEP, and the FDEO may incur unknown expenses relating to coordinating efforts to promote and assist local communities to maximize use of nearby trails as economic assets.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 260.014, 260.0142, 260.016, 288.1226, 288.923, 320.072, 335.065, 339.175, and 339.81.

This bill creates two undesignated sections of Florida Law.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Brodeur

10-00178D-23

2023106__

1 A bill to be entitled
 2 An act relating to the Florida Shared-Use Nonmotorized
 3 Trail Network; amending s. 260.014, F.S.; authorizing
 4 the Department of Environmental Protection to
 5 establish a program to recognize specified local
 6 communities as trail towns; amending s. 260.0142,
 7 F.S.; increasing the membership of the Florida
 8 Greenways and Trails Council; revising the duties of
 9 the council; defining the term "regionally significant
 10 trails"; amending s. 260.016, F.S.; revising the
 11 general powers of the department to include
 12 development and dissemination of criteria for
 13 prioritization of regionally significant trails within
 14 or connected to the Florida wildlife corridor;
 15 amending s. 288.1226, F.S.; revising the membership of
 16 the Florida Tourism Industry Marketing Corporation;
 17 amending s. 288.923, F.S.; specifying additional
 18 requirements for the marketing plan of the Division of
 19 Tourism Marketing; amending s. 320.072, F.S.;
 20 increasing the amount of funding the Department of
 21 Transportation is required to use for the Florida
 22 Shared-Use Nonmotorized Trail Network; amending s.
 23 335.065, F.S.; revising the funding priorities for the
 24 Department of Transportation's trail projects;
 25 amending s. 339.175, F.S.; revising required
 26 components of long-range transportation plans
 27 developed by metropolitan planning organizations;
 28 amending s. 339.81, F.S.; revising legislative
 29 findings and intent; clarifying the components that

Page 1 of 22

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10-00178D-23

2023106__

30 make up Florida Shared-Use Nonmotorized Trail Network;
 31 extending the Florida Shared-Use Nonmotorized Trail
 32 Network to lands of the Florida wildlife corridor;
 33 including certain connecting components as parts of
 34 the statewide network; increasing the amount the
 35 Department of Transportation is required to allocate
 36 for purposes of funding and maintaining projects
 37 within the Florida Shared-Use Nonmotorized Trail
 38 Network; requiring the department to give funding
 39 priority to specified trail projects; requiring the
 40 department to construct projects within the Florida
 41 wildlife corridor or on other specified lands using
 42 previously disturbed lands; requiring the department
 43 to coordinate with other state agencies to ensure
 44 recreation and public access in developing the
 45 planning and design of trails; requiring the
 46 department to program projects in the work program for
 47 development of the entire trail and to minimize
 48 creation of gaps between trail segments; requiring the
 49 department to ensure that local support exists for
 50 projects and trail segments; requiring metropolitan
 51 planning organizations or boards of county
 52 commissioners to include trails in project priorities;
 53 requiring the department to create and erect certain
 54 signage; authorizing the department and local
 55 governments to enter into a sponsorship agreement with
 56 certain entities for commercial sponsorship displays
 57 on multiuse trails and related facilities; requiring
 58 the department or local government to administer a

Page 2 of 22

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10-00178D-23

2023106__

59 sponsorship agreement and ensure that a sponsorship
 60 agreement complies with specified requirements;
 61 subjecting sponsorship agreements to specified federal
 62 laws and agreements; providing that no proprietary or
 63 compensable interest in any sign, display site, or
 64 location is created; requiring the Department of
 65 Transportation, in coordination with the Department of
 66 Environmental Protection, to submit a report by a
 67 certain date, and at specified intervals thereafter,
 68 to the Governor and the Legislature summarizing the
 69 status of the Florida Shared-Use Nonmotorized Trail
 70 Network; authorizing the Department of Transportation
 71 to include in the report its recommendations for
 72 legislative revisions that would facilitate
 73 connectivity of the statewide network; requiring that
 74 specified items be included in the report; requiring
 75 the department to coordinate with certain entities
 76 regarding certain items in the report; providing an
 77 appropriation; providing for construction; authorizing
 78 the department to take certain action regarding
 79 funding for the trail network projects in response to
 80 appropriations made by the act; providing an effective
 81 date.

82
 83 Be It Enacted by the Legislature of the State of Florida:

84
 85 Section 1. Section 260.014, Florida Statutes, is amended to
 86 read:
 87 260.014 Florida Greenways and Trails System.—The Florida

Page 3 of 22

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10-00178D-23

2023106__

88 Greenways and Trails System shall be a statewide system of
 89 greenways and trails which shall consist of individual greenways
 90 and trails and networks of greenways and trails which may be
 91 designated as a part of the statewide system by the department.
 92 The department may establish a program to recognize local
 93 communities located along or in proximity to one or more long-
 94 distance nonmotorized recreational trails as trail towns.
 95 Mapping or other forms of identification of lands and waterways
 96 as suitable for inclusion in the system of greenways and trails,
 97 mapping of ecological characteristics for any purpose, or
 98 development of information for planning purposes shall not
 99 constitute designation. No lands or waterways may be designated
 100 as a part of the statewide system of greenways and trails
 101 without the specific written consent of the landowner.

102 Section 2. Subsections (1) and (4) of section 260.0142,
 103 Florida Statutes, are amended to read:

104 260.0142 Florida Greenways and Trails Council; composition;
 105 powers and duties.—

106 (1) There is created within the department the Florida
 107 Greenways and Trails Council which shall advise the department
 108 in the execution of the department's powers and duties under
 109 this chapter. The council shall be composed of 21 ~~20~~ members,
 110 consisting of:

111 (a)1. Six ~~Five~~ members appointed by the Governor, with two
 112 members representing the trail user community, two members
 113 representing the greenway user community, one member from the
 114 board of the Florida Wildlife Corridor Foundation, and one
 115 member representing private landowners.

116 2. Three members appointed by the President of the Senate,

Page 4 of 22

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10-00178D-23 2023106__

with one member representing the trail user community and two members representing the greenway user community.

3. Three members appointed by the Speaker of the House of Representatives, with two members representing the trail user community and one member representing the greenway user community.

Those eligible to represent the trail user community shall be chosen from, but not be limited to, paved trail users, hikers, off-road bicyclists, users of off-highway vehicles, paddlers, equestrians, disabled outdoor recreational users, and commercial recreational interests. Those eligible to represent the greenway user community must ~~shall~~ be chosen from, but not be limited to, conservation organizations, nature study organizations, and scientists and university experts.

(b) The 9 remaining members ~~shall~~ include:

1. The Secretary of Environmental Protection or a designee.

2. The executive director of the Fish and Wildlife Conservation Commission or a designee.

3. The Secretary of Transportation or a designee.

4. The Director of the Florida Forest Service of the Department of Agriculture and Consumer Services or a designee.

5. The director of the Division of Historical Resources of the Department of State or a designee.

6. A representative of the water management districts. Membership on the council must ~~shall~~ rotate among the five districts. The districts shall determine the order of rotation.

7. A representative of a federal land management agency. The Secretary of Environmental Protection shall identify the

10-00178D-23 2023106__

appropriate federal agency and request designation of a representative from the agency to serve on the council.

8. A representative of the regional planning councils to be appointed by the Secretary of Environmental Protection. Membership on the council must ~~shall~~ rotate among the seven regional planning councils. The regional planning councils shall determine the order of rotation.

9. A representative of local governments to be appointed by the Secretary of Environmental Protection. Membership must ~~shall~~ alternate between a county representative and a municipal representative.

(4) The duties of the council ~~shall~~ include the following:

(a) Facilitate a statewide system of interconnected landscape linkages, conservation corridors, lands and waters of the Florida wildlife corridor, greenbelts, recreational corridors and trails, scenic corridors, utilitarian corridors, reserves, regional parks and preserves, ecological sites, and cultural/historic/recreational sites using land-based trails that connect urban, suburban, and rural areas of the state and facilitate expansion of the statewide system of freshwater and saltwater paddling trails.

(b) Recommend priorities for critical links in the Florida Greenways and Trails System.

(c) Recommend priorities for regionally significant trails within the Florida Greenways and Trails System for inclusion by the Department of Transportation in the Florida Shared-Use Nonmotorized Trail Network as defined by s. 339.81. For purposes of this section, the term "regionally significant trails" means trails that cross multiple counties, attract national and

10-00178D-23

2023106__

international visitors, and serve as an opportunity for economic and ecotourism development; showcase the natural value of this state's wildlife areas, ecology, and natural resources; and serve as main corridors for critical links and trail connectedness across this state.

(d) Review recommendations of the office for acquisition funding under the Florida Greenways and Trails Program and recommend to the Secretary of Environmental Protection which projects should be acquired.

(e) ~~(d)~~ Review designation proposals for inclusion in the Florida Greenways and Trails System.

(f) ~~(e)~~ Encourage public-private partnerships to develop and manage greenways and trails.

(g) ~~(f)~~ Review progress toward meeting established benchmarks and recommend appropriate action.

(h) ~~(g)~~ Make recommendations for updating and revising the implementation plan for the Florida Greenways and Trails System, including, but not limited to, recommendations for prioritization of regionally significant trails within the Florida Shared-Use Nonmotorized Trail Network.

(i) ~~(h)~~ Coordinate and facilitate land acquisition efforts for lands to be used, in whole or in part, for regionally significant trails on the Florida Shared-Use Nonmotorized Trail Network with the Department of Transportation, the Florida Forest Service of the Department of Agriculture and Consumer Services, and other appropriate entities.

(j) ~~(i)~~ Promote greenways and trails support organizations.

(k) ~~(j)~~ Support the Florida Greenways and Trails System through intergovernmental coordination, budget recommendations,

10-00178D-23

2023106__

advocacy, education, and any other appropriate way.

Section 3. Paragraph (d) of subsection (2) of section 260.016, Florida Statutes, is amended to read:

260.016 General powers of the department.—

(2) The department shall:

(d) Develop and implement a process for designation of lands and waterways as a part of the statewide system of greenways and trails, which shall include:

1. Development and dissemination of criteria for designation, including, but not limited to, criteria for prioritization of regionally significant trails within or connected to the Florida wildlife corridor as described in s. 259.1055.

2. Development and dissemination of criteria for changes in the terms or conditions of designation, including withdrawal or termination of designation. A landowner may have his or her lands removed from designation by providing the department with a written request that contains an adequate description of such lands to be removed. Provisions shall be made in the designation agreement for disposition of any future improvements made to the land by the department.

3. Public notice pursuant to s. 120.525 in all phases of the process.

4. Written authorization from the landowner in the form of a lease or other instrument for the designation and granting of public access, if appropriate, to a landowner's property.

5. A greenway or trail use plan as a part of the designation agreement which shall, at a minimum, describe the types and intensities of uses of the property.

10-00178D-23

2023106__

Section 4. Paragraph (b) of subsection (4) of section 288.1226, Florida Statutes, is amended to read:

288.1226 Florida Tourism Industry Marketing Corporation; use of property; board of directors; duties; audit.—

(4) BOARD OF DIRECTORS.—The board of directors of the corporation shall be composed of 31 tourism-industry-related members, appointed by Enterprise Florida, Inc., in conjunction with the department. Board members shall serve without compensation, but are entitled to receive reimbursement for per diem and travel expenses pursuant to s. 112.061. Such expenses must be paid out of funds of the corporation.

(b) The 15 additional tourism-industry-related members shall include 1 representative from the statewide rental car industry; 6 7 representatives from tourist-related statewide associations, including those that represent hotels, campgrounds, county destination marketing organizations, museums, restaurants, retail, and attractions; 3 representatives from county destination marketing organizations; 1 representative from the cruise industry; 1 representative from an automobile and travel services membership organization that has at least 2.8 million members in Florida; 1 representative from the airline industry; 1 representative from the nature-based tourism industry; and 1 representative from the space tourism industry, who will each serve for a term of 2 years.

Section 5. Paragraph (c) of subsection (4) of section 288.923, Florida Statutes, is amended to read:

288.923 Division of Tourism Marketing; definitions; responsibilities.—

(4) The division's responsibilities and duties include, but

Page 9 of 22

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10-00178D-23

2023106__

are not limited to:

(c) Developing a 4-year marketing plan.

1. At a minimum, the marketing plan shall discuss the following:

- a. Continuation of overall tourism growth in this state.
- b. Expansion to new or under-represented tourist markets.
- c. Maintenance of traditional and loyal tourist markets.
- d. Coordination of efforts with county destination

marketing organizations, other local government marketing groups, privately owned attractions and destinations, and other private sector partners to create a seamless, four-season advertising campaign for the state and its regions.

e. Development of innovative techniques or promotions to build repeat visitation by targeted segments of the tourist population.

f. Consideration of innovative sources of state funding for tourism marketing.

g. Promotion of nature-based tourism, including, but not limited to, promotion of the Florida Greenways and Trails System as described under s. 260.014 and the Florida Shared-Use Nonmotorized Trail Network as described under s. 339.81 ~~and heritage tourism.~~

h. Coordination of efforts with the Office of Greenways and Trails of the Department of Environmental Protection and the department to promote and assist local communities, including, but not limited to, communities designated as trail towns by the Office of Greenways and Trails, to maximize use of nearby trails as economic assets, including specific promotion of trail-based tourism.

Page 10 of 22

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10-00178D-23

2023106__

291 i. Promotion of heritage tourism.
 292 j. Development of a component to address emergency response
 293 to natural and manmade disasters from a marketing standpoint.
 294 2. The plan ~~must shall~~ be annual in construction and
 295 ongoing in nature. Any annual revisions of the plan ~~must shall~~
 296 carry forward the concepts of the remaining 3-year portion of
 297 the plan and consider a continuum portion to preserve the 4-year
 298 timeframe of the plan. The plan also ~~must shall~~ include
 299 recommendations for specific performance standards and
 300 measurable outcomes for the division and direct-support
 301 organization. The department, in consultation with the board of
 302 directors of Enterprise Florida, Inc., shall base the actual
 303 performance metrics on these recommendations.
 304 3. The 4-year marketing plan ~~must shall~~ be developed in
 305 collaboration with the Florida Tourism Industry Marketing
 306 Corporation. The plan ~~must shall~~ be annually reviewed and
 307 approved by the board of directors of Enterprise Florida, Inc.
 308 Section 6. Paragraph (a) of subsection (4) of section
 309 320.072, Florida Statutes, is amended to read:
 310 320.072 Additional fee imposed on certain motor vehicle
 311 registration transactions.—
 312 (4) A tax collector or other authorized agent of the
 313 department shall promptly remit all moneys collected pursuant to
 314 this section, less any refunds granted pursuant to subsection
 315 (3), to the department. The department shall deposit 85.7
 316 percent of such moneys into the State Transportation Trust Fund
 317 and 14.3 percent into the Highway Safety Operating Trust Fund.
 318 Notwithstanding any other law, the moneys deposited into the
 319 State Transportation Trust Fund pursuant to this subsection

Page 11 of 22

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10-00178D-23

2023106__

320 shall be used by the Department of Transportation for the
 321 following:
 322 (a) The Florida Shared-Use Nonmotorized Trail Network
 323 established in s. 339.81, \$50 million ~~\$25 million~~.
 324 Section 7. Paragraph (a) of subsection (4) of section
 325 335.065, Florida Statutes, is amended to read:
 326 335.065 Bicycle and pedestrian ways along state roads and
 327 transportation facilities.—
 328 (4) (a) The department may use appropriated funds to support
 329 the establishment of a statewide system of interconnected
 330 multiuse trails and to pay the costs of planning, land
 331 acquisition, design, and construction of such trails and related
 332 facilities. The department shall give funding priority to
 333 projects that:
 334 1. Are recommended priorities by the Florida Greenways and
 335 Trails Council as regionally significant trails pursuant to s.
 336 260.0142(4)(c).
 337 3. Are otherwise identified by the Florida Greenways and
 338 Trails Council as a priority for critical linkage and trail
 339 connectedness within the Florida Greenways and Trails System
 340 under chapter 260.
 341 ~~5.2-~~ Support the transportation needs of bicyclists and
 342 pedestrians.
 343 ~~2.3-~~ Have national, statewide, or regional importance.
 344 4. Facilitate an interconnected system of trails by
 345 completing gaps between existing trails.
 346 Section 8. Paragraph (d) of subsection (7) of section
 347 339.175, Florida Statutes, is amended to read:
 348 339.175 Metropolitan planning organization.—

Page 12 of 22

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10-00178D-23

2023106__

349 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must
 350 develop a long-range transportation plan that addresses at least
 351 a 20-year planning horizon. The plan must include both long-
 352 range and short-range strategies and must comply with all other
 353 state and federal requirements. The prevailing principles to be
 354 considered in the long-range transportation plan are: preserving
 355 the existing transportation infrastructure; enhancing Florida's
 356 economic competitiveness; and improving travel choices to ensure
 357 mobility. The long-range transportation plan must be consistent,
 358 to the maximum extent feasible, with future land use elements
 359 and the goals, objectives, and policies of the approved local
 360 government comprehensive plans of the units of local government
 361 located within the jurisdiction of the M.P.O. Each M.P.O. is
 362 encouraged to consider strategies that integrate transportation
 363 and land use planning to provide for sustainable development and
 364 reduce greenhouse gas emissions. The approved long-range
 365 transportation plan must be considered by local governments in
 366 the development of the transportation elements in local
 367 government comprehensive plans and any amendments thereto. The
 368 long-range transportation plan must, at a minimum:

369 (d) Indicate, as appropriate, proposed transportation
 370 enhancement activities, including, but not limited to,
 371 pedestrian and bicycle facilities, trails or facilities that are
 372 regionally significant or critical linkages for the Florida
 373 Shared-Use Nonmotorized Trail Network, scenic easements,
 374 landscaping, historic preservation, mitigation of water
 375 pollution due to highway runoff, and control of outdoor
 376 advertising.
 377

10-00178D-23

2023106__

378 In the development of its long-range transportation plan, each
 379 M.P.O. must provide the public, affected public agencies,
 380 representatives of transportation agency employees, freight
 381 shippers, providers of freight transportation services, private
 382 providers of transportation, representatives of users of public
 383 transit, and other interested parties with a reasonable
 384 opportunity to comment on the long-range transportation plan.
 385 The long-range transportation plan must be approved by the
 386 M.P.O.

387 Section 9. Section 339.81, Florida Statutes, is amended to
 388 read:

389 339.81 Florida Shared-Use Nonmotorized Trail Network.—

390 (1) The Legislature finds that increasing demands continue
 391 to be placed on the state's transportation system by a growing
 392 economy, continued population growth, and increasing tourism.
 393 The Legislature also finds that accommodating significant
 394 challenges to providing additional capacity to the conventional
 395 transportation system exist and will require enhanced
 396 accommodation of alternative travel modes to meet the needs of
 397 residents and visitors and providing trails for bicyclist and
 398 pedestrian travel that allows for the appreciation of the
 399 conservation and stewardship of environmentally important lands
 400 in Florida are of significant importance. The Legislature finds
 401 that the investment of the state in the Florida wildlife
 402 corridor as defined in s. 259.1055 is of significant interest to
 403 the public and that the provision of paved multiuse trails
 404 within or between areas of the Florida wildlife corridor would
 405 provide the public the ability to enjoy Florida's natural
 406 resources and bring ecotourism and economic opportunities to

10-00178D-23

2023106

local trail town communities. The Legislature further finds that improving bicyclist and pedestrian safety for both residents and visitors ~~is remains~~ a high priority. Therefore, the Legislature declares that the development of a nonmotorized trail network will increase mobility and recreational alternatives for Florida's residents and visitors; ~~enhance economic prosperity; enrich quality of life; enhance safety; and reflect~~ responsible environmental stewardship; and facilitate support for the protection, preservation, and enhancement of the natural and recreational value of the Florida wildlife corridor by providing minimally invasive public access to it when feasible and compatible with the lands. To that end, it is the intent of the Legislature that the department make use of its expertise in efficiently providing transportation projects to develop and construct the Florida Shared-Use Nonmotorized Trail Network, consisting of a statewide network of nonmotorized trails which allows nonmotorized vehicles and pedestrians to access a variety of origins and destinations with limited exposure to motorized vehicles.

(2) (a) The Florida Shared-Use Nonmotorized Trail Network is created as a component of the Florida Greenways and Trails System established in chapter 260. The Florida Shared-Use Nonmotorized Trail Network consists of a statewide network of nonmotorized trails that allow bicyclists and pedestrians to access a variety of points of origin and destinations with limited exposure to motorized vehicles.

(b) The multiuse trails or shared-use paths of the statewide network must be ~~consists of multiuse trails or shared-use paths~~ physically separated from motor vehicle traffic and

10-00178D-23

2023106

constructed with asphalt, concrete, or another hard surface.

(c) ~~The statewide network which, by virtue of design, location, extent of connectivity or potential connectivity, and allowable uses,~~ provides nonmotorized transportation opportunities for bicyclists and pedestrians statewide between and within a wide range of points of origin and destinations, including, but not limited to, communities, conservation areas, lands of the Florida wildlife corridor, state parks, beaches, and other natural or cultural attractions for a variety of trip purposes, including work, school, shopping, and other personal business, as well as social, recreational, and personal fitness purposes.

(3) Network components do not include sidewalks, nature trails, loop trails wholly within a single park or natural area, or on-road facilities, such as bicycle lanes or routes. However, components that connect to nature trails, loop trails, or other points of public access wholly within a single park or natural area may be included in the network, as well as any of the following other than:

(a) On-road facilities that are no longer than one-half mile connecting two or more nonmotorized trails, if the provision of non-road facilities is infeasible and if such on-road facilities are signed and marked for nonmotorized use. ~~or~~

(b) On-road components of the Florida Keys Overseas Heritage Trail.

(4) The planning, development, operation, and maintenance of the Florida Shared-Use Nonmotorized Trail Network is declared to be a public purpose, and the department, together with other agencies of this state and all counties, municipalities, and

10-00178D-23

2023106

special districts of this state, may spend public funds for such purposes and accept gifts and grants of funds, property, or property rights from public or private sources to be used for such purposes.

(5) (a) The department shall include the Florida Shared-Use Nonmotorized Trail Network in its work program developed pursuant to s. 339.135. For purposes of funding and maintaining projects within the network, the department shall allocate in its program and resource plan a minimum of \$50 million ~~\$25 million~~ annually, beginning with ~~in~~ the 2023-2024 ~~2015-2016~~ fiscal year.

(b) The department shall give funding priority to projects that:

1. Are recommended priorities by the Florida Greenways and Trails Council as regionally significant trails pursuant to s. 260.0142(4)(c).

2. Have national, statewide, or regional importance.

3. Are otherwise identified by the Florida Greenways and Trails Council as a priority for critical linkage and trail connectedness within the Florida Greenways and Trails System under chapter 260.

4. Facilitate an interconnected system of trails by completing gaps between existing trails.

5. Support the transportation needs of bicyclists and pedestrians.

(c) For trail projects to be constructed within the Florida wildlife corridor as defined in s. 259.1055 or on conservation lands or other lands subject to conservation easements, land management plans, or agreements, to the greatest extent

10-00178D-23

2023106

possible, the department shall ensure projects are constructed using previously disturbed lands, such as abandoned roads and railroads, utility rights-of-way, canal corridors and drainage berms, permanent fire lines, and other lands having appropriate potential to serve the purposes specified by law of both the trail network and the Florida wildlife corridor. In developing the planning and design of trails, the department shall coordinate with other state agencies to ensure that appropriate recreation or public access is available for such projects.

(d) To the greatest extent practicable, the department shall program projects in the work program to plan for development of the entire trail and to minimize the creation of gaps between trail segments. The department shall, at a minimum, ensure that local support exists for projects and trail segments, including the availability or dedication of local funding sources and of contributions by private landowners who agree to make their land, or property interests in such land, available for public use as a trail.

(e) Each metropolitan planning organization or board of county commissioners, as appropriate, shall include in its list of project priorities required under ss. 339.135(4)(c)1. and 339.175(8) one or more projects that are a priority under paragraph (b) and meet the requirements of this section. When developing the district work program under s. 339.135(4), each district must ensure that projects are included in the work program which are a priority under paragraph (b) and meet the requirements of this section.

(6) (a) The department shall create uniform signage to identify trails that are part of the statewide network and

10-00178D-23 2023106

523 shall, when feasible and permissible, erect signage on all such
 524 trails open to public use, regardless of when the trail was
 525 first opened. The department is not otherwise obligated to
 526 provide funds for the operation and maintenance of any trail on
 527 the statewide network.

528 (b) The department may enter into a memorandum of agreement
 529 with a local government or other agency of the state to transfer
 530 maintenance responsibilities of an individual network component.
 531 The department may contract with a not-for-profit entity or
 532 private sector business or entity to provide maintenance
 533 services on an individual network component.

534 (7) (a) The department may enter into a sponsorship
 535 agreement with a not-for-profit entity or private sector
 536 business or entity for commercial sponsorship displays on
 537 multiuse trails and related facilities. The department shall
 538 deposit any sponsorship agreement revenues into the State
 539 Transportation Trust Fund to be used for maintenance, signage,
 540 and provision of amenities on the multiuse trails and related
 541 facilities. Local governments may also enter into sponsorship
 542 agreements and likewise use the revenues for maintenance,
 543 signage, and provision of amenities on the multiuse trails and
 544 related facilities. A sponsorship agreement shall be
 545 administered by the department or the local government, as
 546 appropriate, and the department or the local government shall
 547 ensure that the sponsorship agreement complies with the
 548 requirements of s. 335.065(3) (b) and (c).

549 (b) Commercial sponsorship displays are subject to the
 550 requirements of the Highway Beautification Act of 1965 and all
 551 federal laws and agreements, when applicable. This subsection

10-00178D-23 2023106

552 does not create a proprietary or compensable interest in any
 553 sign, display site, or location.

554 (8) By June 30, 2026, and every third year on June 30
 555 thereafter, the department, in coordination with the Department
 556 of Environmental Protection, shall submit a report to the
 557 Governor, the President of the Senate, and the Speaker of the
 558 House of Representatives summarizing the status of the Florida
 559 Shared-Use Nonmotorized Trail Network. The report may include
 560 recommendations for any legislative revisions deemed appropriate
 561 to facilitate connectivity of the statewide network.

562 (a) At a minimum, the report must include all of the
 563 following:

564 1. The total number of completed miles of nonmotorized
 565 trails on the network.

566 2. The total number of completed miles of nonmotorized
 567 trails on the network not adjacent to a roadway facility.

568 3. The total number of completed miles of nonmotorized
 569 trails on the network adjacent to a roadway facility.

570 4. The total number of completed miles of nonmotorized
 571 trails on the network which are within or between areas of the
 572 Florida wildlife corridor as defined in s. 259.1055.

573 5. The total remaining miles of nonmotorized trails on the
 574 network which are planned for acquisition and construction.

575 6. The total expenditures, by funding source, associated
 576 with implementing the network.

577 7. The total expenditures, by project phase, including
 578 preliminary and environmental planning, design, acquisition of
 579 right-of-way, and new construction of trail surfaces and bridges
 580 on the network.

10-00178D-23

2023106__

581 (b) The department shall also coordinate with the Florida
 582 Tourism Industry Marketing Corporation, local governments, or
 583 other entities who have related information to include in the
 584 report. For each existing trail on the network which is open to
 585 public use, identified by the department's trailway
 586 identification number, segment name, segment length, and county
 587 of location, the department's report must provide nonmotorized
 588 trail operational and performance measures that include, but are
 589 not limited to:

590 1. The total number of trail visits.
 591 2. The primary travel modes used on the trail.
 592 3. The frequency of trail usage.
 593 4. The average duration of trail usage.
 594 5. The distance traveled during a trail visit.
 595 6. The average amount spent by a user during a typical
 596 trail visit.

597 7. The total amount of user expenditures.
 598 8. Any other measure deemed appropriate.

599 Section 10. For the 2023-2024 fiscal year, the sum of \$200
 600 million in nonrecurring funds from the General Revenue Fund is
 601 appropriated to the Department of Transportation as fixed
 602 capital outlay to plan, design, and construct projects on the
 603 Florida Shared-Use Nonmotorized Trail Network as provided by
 604 this act.

605 Section 11. The amendments made to s. 339.81, Florida
 606 Statutes, by this act, are not intended to delete, defer, delay,
 607 or otherwise revise Florida Shared-Use Nonmotorized Trail
 608 Network projects programmed in the Department of
 609 Transportation's tentative 5-Year work program for Fiscal Year

Page 21 of 22

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10-00178D-23

2023106__

610 2023-2024 through 2027-2028. The department may maintain such
 611 projects in development of the adopted work program. For
 612 additional funding allocated to the network in section 9 of this
 613 act or appropriated in section 10 of this act, the department
 614 shall work with the metropolitan planning organizations, boards
 615 of county commissioners, and districts, where appropriate, to
 616 revise any year of the 5-year work program pursuant to s.
 617 339.135(5), Florida Statutes, to identify new Florida Shared-Use
 618 Nonmotorized Trail Network projects to be added or projects or
 619 phases thereof that may be moved up from the portion of the
 620 tentative work program for the following 4 fiscal years.

621 Section 12. This act shall take effect July 1, 2023.

Page 22 of 22

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The Florida Senate

APPEARANCE RECORD

February 7

Meeting Date

Senate Transportation

Committee

SB106

Bill Number or Topic

Amendment Barcode (if applicable)

Deliver both copies of this form to
Senate professional staff conducting the meeting

Name William Dale Allen

Phone 850-591-7646

Address 3186 Baringer Hill Drive
Street

Email wm.dale.allen@gmail.com

Tallahassee, Florida 32311
City State Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB106

Bill Number or Topic

2-7-23

Meeting Date

Deliver both copies of this form to
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Transportation

Committee

Amendment Barcode (if applicable)

Name

Ken Bryan

Phone

Address

Rails-to-Trails Conservancy

Email

ken@rails-to-trails.org

Street

33 Island Estates Pal Kway

City

Palm Coast, FL 32137

State

Zip

Speaking:

☒

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
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2-7-23

Meeting Date

Transportation

Committee

SB 106

Bill Number or Topic

Amendment Barcode (if applicable)

Name Travis Moore

Phone 727. 421. 6902

Address P.O. Box 2020

Street

Email travis@moore-relations.com

St. Petersburg

City

FL

State

33731

Zip

Speaking: ☒ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Defenders of Wildlife

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The Florida Senate

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Feb 7 2023

Meeting Date

SB 106

Bill Number or Topic

Transportation

Committee

Amendment Barcode (if applicable)

Name

Eric Draper

Phone

850 251 1301

Address

3627 Dexter Dr

Street

Email

wendraper@gmail.com

City

Tallahassee, FL 32312

State

Zip

Speaking:

☒

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

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Deliver both copies of this form to
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2/7/23

Meeting Date

S 106

Bill Number or Topic

TRANSPORTATION

Committee

Amendment Barcode (if applicable)

Name META CALDER

Phone 850-228-5800

Address 3740 RAUINE DR, TALL.

Email metaorleans@gmail.com

Street

TALL.

City

FL

State

32312

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

02/07/23

Meeting Date

SB 0506

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Transportation

Committee

AARP

Amendment Barcode (if applicable)

Name

"Ivonne" Fernandez

Phone

954-850-7262

Address

3750 NW 87th AVE #650

Email

ifernandez@aarp.org

Street

Doral

FL

33178

City

State

Zip

Speaking:

☐ For

☐ Against

☐ Information

OR

Waive Speaking:



In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:

AARP



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
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2-7-23
Meeting Date

TRANSPORTATION
Committee

106
Bill Number or Topic

Amendment Barcode (if applicable)

Name OSCAR ANDERSON Phone _____

Address 5156 FAIRWAY OAKS DR Email ANDERSON@PERSONALTRAVELGROUP.COM
Street

WINDERMERE FL 34786
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

FLORIDA WILDLIFE
CORRIDOR FOUNDATION

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1, [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB104

Bill Number or Topic

2/7/23
Meeting Date
Senate Transportation
Committee

Deliver both copies of this form to
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Amendment Barcode (if applicable)

Name Sarah Collins Phone 850 508 0435

Address 31 N Orange Ave, Suite 323
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City State Zip

Email sarah@conservation
fla.org

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

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compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Conservation Florida

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: CS/SB 198

INTRODUCER: Transportation Committee and Senator DiCeglie

SUBJECT: Tampa Bay Area Regional Transit Authority

DATE: January 7, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Price	Vickers	TR	Fav/CS
2.			ATD	
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 198 repeals Part III of Chapter 343, F. S., relating to the creation and operation of the Tampa Bay Area Regional Transit Authority. The bill dissolves the authority and requires it to provide for discharge of its liabilities, to settle and close its affairs, to close out and dispense any applicable federal or state grants or funds, and to provide for distribution of the authority's assets as specified. The authority is required to provide specified notices and forward its records to the Department of State upon final dissolution. The bill removes a reference to the Tampa Bay Area Regional Authority Master Plan to conform to the repeal.

The bill appears to present no fiscal impact to the state. See the "Fiscal Impact" heading for additional information.

Except as otherwise provided, the bill takes effect July 1, 2023.

II. Present Situation:

History of the Transportation/Transit Authority and Related Entities

The Tampa Bay Regional *Transportation* Authority (Transportation Authority) was created in 2007 with the express purposes to improve mobility and expand multimodal transportation options for passengers and freight throughout the seven-county area of Citrus, Hernando,

Hillsborough, Pasco, Pinellas, Manatee, and Sarasota counties.¹ At that time, the West Central Florida Metropolitan Planning Organization (MPO) Chairs Coordinating Committee (CCC) appointed one member to the board of the Transportation Authority. The Transportation Authority was required to present its original master plan and updates to the governing bodies of the seven counties, to the West Central Florida MPO CCC, and to the legislative delegation members representing the seven counties. The Transportation Authority was also required to coordinate plans and projects with the West Central Florida MPO CCC, to the extent practicable, and to participate in the regional MPO planning process to ensure regional comprehension of the Transportation Authority's mission, goals, and objectives.²

In 2016, the West Central Florida MPO CCC was renamed as the Transportation Authority MPO CCC, and the Transportation Authority was directed to provide administrative support and direction to the Transportation Authority MPO CCC.³

In 2017, the Transportation Authority was renamed as the Tampa Bay Area Regional *Transit* Authority (TBARTA), removing Citrus and Sarasota counties as areas covered, leaving Hernando, Hillsborough, Manatee, Pasco, and Pinellas counties, as well as any other contiguous county that is party to an agreement of participation. Appointment by the also-renamed TBARTA MPO CCC of a board member to the TBARTA was repealed.⁴

In 2021, the Legislature repealed certain duties and responsibilities of the TBARTA, including the duty to:

- Present the regional transit development plan and updates to the TBARTA MPO CCC,
- Coordinate plans and projects with the TBARTA MPO CCC,
- Participate in the regional MPO planning process, and
- Provide administrative support to the TBARTA MPO CCC.

References to the “TBARTA MPO” CCC were removed, leaving creation of today's statutory Chairs Coordinating Committee composed of the MPOs serving Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, Polk, and Sarasota counties.⁵

The Sun Coast Transportation Planning Alliance (SCTPA) is the apparent successor to the West Central Florida MPO CCC and continues serving the West Central Florida area covered by the MPOs and transportation planning organizations in the same counties as the statutory CCC.

The Sun Coast Transportation Planning Alliance (SCTPA), formerly the MPO Chairs Coordinating Committee (CCC), of West Central Florida is the longest-standing regional transportation planning compact among MPOs in the State of Florida, and its members are Hernando/Citrus, Hillsborough, Pasco, Pinellas, Polk, and Sarasota/Manatee. The group also includes advisors from the Tampa Bay Area Regional Transit Authority (TBARTA), the Florida Department of

¹ Chapter 2007-254, L.O.F.

² *Id.*

³ Chapter 2016-239, L.O.F.

⁴ Chapter 2017-98, L.O.F.

⁵ Chapter 2021-188, L.O.F. Section 339.175(6)(i), F.S.

Transportation (FDOT), the Tampa Bay Regional Planning Council (TBRPC), Pinellas Suncoast Transit Authority (PSTA), and Hillsborough Area Regional Transit (HART).⁶

A review of the SCTPA's website suggests it is actively engaged in regional transportation planning.⁷ Among other relevant information such as transit and trails visions, the Regional Long-Range Transportation Plan, and funding priorities, the website offers items such as assistance relating to public involvement with the SCTPA's activities and services such as an interactive Tri-County Trails Map reflecting trails and bike lanes throughout the Tampa Bay Region.⁸

The CCC's minimum statutory duties remain as follows:

- Coordinate transportation projects deemed to be regionally significant by the committee;
- Review the impact of regionally significant land use decisions on the region;
- Review all proposed regionally significant transportation projects in the respective transportation improvement programs which affect more than one of the MPO's represented on the committee; and
- Institute a conflict resolution process to address any conflict that may arise in the planning and programming of such regionally significant projects.⁹

Current TBARTA Duties and Responsibilities

Currently, the TBARTA, an agency of the state, is established in Part III of Chapter 343, F.S., covering Hernando, Hillsborough, Manatee, Pasco, and Pinellas counties, and any other county that is party to an agreement for participation.¹⁰ The express purposes of TBARTA are to:

- Plan, implement, and operate mobility improvements and expansions of multimodal transportation options for passengers and freight throughout the designated region;
- Produce a regional transit development plan, integrating the transit development plans of participant counties, to include a prioritization of regionally significant transit projects and facilities; and
- Serve with the consent of the Governor or designee, as the recipient of federal funds supporting an intercounty project or an intercountry capital project that represents a phase of an intercounty project that exists in a single county within the designated region.¹¹

TBARTA's governing board is composed of 13 voting members as follows:

- Each of the boards of county commissioners of Hernando, Hillsborough, Manatee, Pasco, and Pinellas counties appoint one member, each of whom serve 2-year terms with not more than three consecutive terms being served by any person;

⁶ Suncoasttpa, *Alliance Members*, available at [Alliance Members – Sun Coast TPA](#) (last visited January 26, 2023).

⁷ Suncoasttpa, *Our Board*, available at [Our Board – Sun Coast TPA](#) (last visited January 26, 2023).

⁸ Suncoasttpa.org.

⁹ Section 339.175(6)(i), F.S.

¹⁰ Section 343.91(1)(a), F.S.

¹¹ Section 343.922(1), F.S.

- Two members must be the mayors, or their designated alternates,¹² of the two largest municipalities within the respective service areas of the Pinellas Suncoast Transit Authority (PSTA) and the Hillsborough Area Regional Transit Authority (HART), or their legislatively created successor agencies;
- The PSTA and the HART, or their legislatively created successor agencies, each appoint one member from their respective governing bodies; and
- The Governor appoints four members of the regional business community, each of whom must reside in one of the counties governed by the authority, and none of whom may be an elected official. They serve a 2-year term with not more than three consecutive terms being served by any person. Each member appointed will serve a 2-year term with not more than three consecutive terms being served by any person.¹³

In recent years, apparently based on concerns relating to duplication of functions performed by other entities, a shift of focus to studying and planning rather than on deliverable transit programs,¹⁴ and concerns at the local level,¹⁵ the efficacy of the TBARTA's continued existence appears to be in question. For the last three years, funding for the TBARTA in the annual General Appropriations Act has been vetoed.¹⁶

On January 20, 2023, the TBARTA's executive director recommended to the governing board support for the repeal of the TBARTA's enabling act and approval of the director's proposed plan to settle and close the agency's affairs. Among other details of the executive director's recommendation were provisions for:

- Severance and benefits for the executive director and the director of accounting, as well as payout of unused vacation hours for all staff;
- Close-out of state and federal grants and return of funds, as appropriate;
- Termination of state lobbying services, office lease, and telephone service;
- Transfer of the vanpool program;¹⁷
- Reimbursement to Hernando, Hillsborough, Manatee, Pasco, and Pinellas counties in March of 2024 in the same proportion as funds contributed;¹⁸
- Discontinuance of operations on December 31, 2023, with final closure completed on March 31, 2024; and
- Transfer of agency records to the Department of State by March 31, 2024.¹⁹

¹² The mayors' designated alternates must be an elected member of the municipality's city council and approved as the mayors' alternates by the city council. Section 343.92(2)2.b., F.S.

¹³ Section 343.92(2)(b), F.S.

¹⁴ See, e.g., Florida Politics, *Tampa Bay transit authority survives attempt to dissolve it*, April 27, 2021, available at [Tampa Bay transit authority survives attempt to dissolve it \(floridapolitics.com\)](https://www.floridapolitics.com/story/news/politics/2021/04/27/tampa-bay-transit-authority-survives-attempt-to-dissolve-it/7444440001), and [Nick DiCeglie carries Jeff Brandes' TBARTA torch, again files to repeal agency \(floridapolitics.com\)](https://www.floridapolitics.com/story/news/politics/2021/04/27/nick-di-ceglie-carries-jeff-brandes-tbarta-torch-again-files-to-repeal-agency/7444440001) (last visited January 26, 2023).

¹⁵ See TransitTalent, *Tampa Bay transit agency heads for derailment*, October 21, 2022, available at [Tampa Bay transit agency heads for derailment \(transittalent.com\)](https://www.transittalent.com/news/tampa-bay-transit-agency-heads-for-derailment/) (last visited January 26, 2023).

¹⁶ See the 2020 Veto List, Line Item # 1958 A, p. 14, available at [2020-Veto-List.pdf \(flgov.com\)](https://www.flgov.com/legislation/veto-list/2020-veto-list.pdf), the 2021 Veto List, Line Item #1915 A, p. 4, available at [2021-Veto-List-Final.pdf \(flgov.com\)](https://www.flgov.com/legislation/veto-list/2021-veto-list-final.pdf), and the 2022 Veto List, Line Item #1988 A, p. 9, available at [2022-Veto-List-Final.pdf \(flgov.com\)](https://www.flgov.com/legislation/veto-list/2022-veto-list-final.pdf) (last visited January 26, 2023).

¹⁷ For details on the TBARTA vanpool program, see tbarta.com, *Commute Tampa Bay*, available at [Commute Tampa Bay | TBARTA](https://tbarta.com/commute-tampa-bay/) (last visited January 31, 2023).

¹⁸ See *Infra* note 19, p. 68, for a table reflecting the estimated reimbursements.

¹⁹ For more details on the closure plan, see [PowerPoint Presentation \(tbarta.com\)](https://tbarta.com/powerpoint-presentation/), starting at p. 61.

The board approved the recommendation.²⁰

III. Effect of Proposed Changes:

The bill repeals Part III of Chapter 343, F.S., relating to the creation and operation of the TBARTA. The TBARTA is dissolved effective July 1, 2024.

The bill directs the TBARTA to:

- Provide for the discharge of its liabilities. Any liabilities in excess of its assets must be assumed by each county represented on the TBARTA board in proportion to each county's contribution to the TBARTA in the 2021-2022 fiscal year;
- Settle and close its affairs, and transfer any pending activities, including but not limited to, the administration of its vanpool program;
- Close and appropriately disburse any applicable federal or state grants or funds;
- Provide for distribution of its remaining assets, if any, such that each county represented on its board receives an amount in proportion to each entity's contribution to the TBARTA in the 2021-2022 fiscal year;
- Provide written notice of final dissolution to the Department of Economic Opportunity and each entity represented on the TBARTA board; and
- Forward its records to the Department of State upon final dissolution.

Lastly, the bill amends s. 341.302(3)(b), F.S., to make a conforming revision by removing a reference to “the Tampa Bay Area Regional Authority Master Plan.”

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

²⁰ A video of the board meeting is available at [January Board Meeting|TBARTA](#) (last visited January 26, 2026).

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Unknown.

C. Government Sector Impact:

Indeterminate, but likely insignificant. While the ultimate fiscal impact of dissolving the TBARTA is indeterminate, the board-approved closure plan indicates the expectation of apportioned reimbursements to the affected counties.²¹

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill repeals the following sections of the Florida Statutes: Part III of chapter 343, consisting of ss. 343.90, 343.91, 343.92, 343.922, 343.94, 343.941, 343.943, 343.944, 343.947, 343.95, 343.96, 343.962, 343.97, 343.973, 343.975, and 343.976.

This bill creates an undesignated section of law.

This bill amends the following sections of the Florida Statutes: 341.302.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Transportation on February 7, 2023:

The committee substitute provides more specific instructions for closing out the TBARTA's affairs, adds provisions for assumption of any remaining liability in excess of assets, requires specified notices of dissolution, and requires forwarding of the TBARTA's records to the Department of State upon final dissolution.

²¹ *Supra* note 18.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



623602

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/08/2023	.	
	.	
	.	
	.	

The Committee on Transportation (DiCeglie) recommended the following:

Senate Amendment (with title amendment)

Delete lines 19 - 98
and insert:

Section 2. Effective June 30, 2024, the Tampa Bay Area
Regional Transit Authority is dissolved. The authority shall:

(1) Provide for the discharge of its liabilities. Any
liabilities in excess of its assets must be assumed by each
county represented on the authority's board in proportion to
each county's contribution to the authority in the 2021-2022



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fiscal year;

(2) Settle and close its affairs, and transfer any pending activities, including, but not limited to, the administration of its vanpool program;

(3) Close and appropriately dispense any applicable federal or state grants or funds;

(4) Provide for distribution of the authority's remaining assets, if any, such that each county represented on the authority's board receives an amount in proportion to each county's contribution to the authority in the 2021-2022 fiscal year;

(5) Provide written notice of final dissolution to the Department of Economic Opportunity and each entity represented on the authority's board; and

(6) Forward its records to the Department of State upon final dissolution.

Section 3. Paragraph (b) of subsection (3) of section 341.302, Florida Statutes, is amended to read:

341.302 Rail program; duties and responsibilities of the department.—The department, in conjunction with other governmental entities, including the rail enterprise and the private sector, shall develop and implement a rail program of statewide application designed to ensure the proper maintenance, safety, revitalization, and expansion of the rail system to assure its continued and increased availability to respond to statewide mobility needs. Within the resources provided pursuant to chapter 216, and as authorized under federal law, the department shall:

(3) Develop and periodically update the rail system plan,



623602

on the basis of an analysis of statewide transportation needs.

(b) In recognition of the department's role in the enhancement of the state's rail system to improve freight and passenger mobility, the department shall:

1. Work closely with all affected communities along an impacted freight rail corridor to identify and address anticipated impacts associated with an increase in freight rail traffic due to implementation of passenger rail.

2. In coordination with the affected local governments and CSX Transportation, Inc., finalize all viable alternatives from the department's Rail Traffic Evaluation Study to identify and develop an alternative route for through freight rail traffic moving through Central Florida, including the counties of Polk and Hillsborough, which would address, to the extent practicable, the effects of commuter rail.

3. Provide technical assistance to a coalition of local governments in Central Florida, including the counties of Brevard, Citrus, Hernando, Hillsborough, Lake, Marion, Orange, Osceola, Pasco, Pinellas, Polk, Manatee, Sarasota, Seminole, Sumter, and Volusia, and the municipalities within those counties, to develop a regional rail system plan that addresses passenger and freight opportunities in the region, is consistent with the Florida Rail System Plan, and incorporates appropriate elements of ~~the Tampa Bay Area Regional Authority Master Plan,~~ the Metroplan Orlando Regional Transit System Concept Plan, including the SunRail project, and the Florida Department of Transportation Alternate Rail Traffic Evaluation.

Section 4. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2023.



623602

69

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

71 And the title is amended as follows:

72 Delete lines 6 - 10

73 and insert:

74 authority to perform specified activities; amending s.

75 341.302, F.S.; conforming a provision to changes made

76 by the act; providing effective dates.

By Senator DiCeglie

18-00285A-23

2023198__

A bill to be entitled

An act relating to the Tampa Bay Area Regional Transit Authority; repealing part III of ch. 343, F.S., relating to the creation and operation of the authority; dissolving the authority and requiring the authority to discharge its liabilities, settle and close its activities and affairs, and provide for the distribution of the authority's assets; amending ss. 339.175 and 341.302, F.S.; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Part III of chapter 343, Florida Statutes, consisting of ss. 343.90, 343.91, 343.92, 343.922, 343.94, 343.941, 343.943, 343.944, 343.947, 343.95, 343.96, 343.962, 343.97, 343.973, 343.975, and 343.976, Florida Statutes, is repealed.

Section 2. Notwithstanding any other law, the Tampa Bay Area Regional Transit Authority is dissolved. The authority shall discharge or make provision for the authority's debts, obligations, and other liabilities; settle and close the authority's activities and affairs; and provide for distribution of the authority's assets, or the proceeds of such assets, such that each local general-purpose government represented on the authority's board receives a distribution generally in proportion to each entity's contribution to the acquisition of the assets.

Section 3. Paragraph (i) of subsection (6) of section

Page 1 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

18-00285A-23

2023198__

339.175, Florida Statutes, is amended to read:

339.175 Metropolitan planning organization.—

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

~~(i) There is created the Chairs Coordinating Committee, composed of the M.P.O.'s serving Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, Polk, and Sarasota Counties. The committee must, at a minimum:~~

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

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

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

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

Section 4. Paragraph (b) of subsection (3) of section

Page 2 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

18-00285A-23

2023198__

341.302, Florida Statutes, is amended to read:

341.302 Rail program; duties and responsibilities of the department.—The department, in conjunction with other governmental entities, including the rail enterprise and the private sector, shall develop and implement a rail program of statewide application designed to ensure the proper maintenance, safety, revitalization, and expansion of the rail system to assure its continued and increased availability to respond to statewide mobility needs. Within the resources provided pursuant to chapter 216, and as authorized under federal law, the department shall:

(3) Develop and periodically update the rail system plan, on the basis of an analysis of statewide transportation needs.

(b) In recognition of the department's role in the enhancement of the state's rail system to improve freight and passenger mobility, the department shall:

1. Work closely with all affected communities along an impacted freight rail corridor to identify and address anticipated impacts associated with an increase in freight rail traffic due to implementation of passenger rail.

2. In coordination with the affected local governments and CSX Transportation, Inc., finalize all viable alternatives from the department's Rail Traffic Evaluation Study to identify and develop an alternative route for through freight rail traffic moving through Central Florida, including the counties of Polk and Hillsborough, which would address, to the extent practicable, the effects of commuter rail.

3. Provide technical assistance to a coalition of local governments in Central Florida, including the counties of

Page 3 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

18-00285A-23

2023198__

Brevard, Citrus, Hernando, Hillsborough, Lake, Marion, Orange, Osceola, Pasco, Pinellas, Polk, Manatee, Sarasota, Seminole, Sumter, and Volusia, and the municipalities within those counties, to develop a regional rail system plan that addresses passenger and freight opportunities in the region, is consistent with the Florida Rail System Plan, and incorporates appropriate elements of ~~the Tampa Bay Area Regional Authority Master Plan,~~ the Metroplan Orlando Regional Transit System Concept Plan, including the SunRail project, and the Florida Department of Transportation Alternate Rail Traffic Evaluation.

Section 5. This act shall take effect July 1, 2024.

Page 4 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

7 February 2023

Meeting Date

The Florida Senate

APPEARANCE RECORD

SB 198

Bill Number or Topic

Transportation

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Chris Stranburg

Phone

813-767-9667

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Email

cstranburg@afphg.org

Street

Tallahassee

FL

32301

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Americans for
Prosperity - FL

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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This form is part of the public record for this meeting.

S-001 (08/10/2021)

CourtSmart Tag Report

Room: SB 110

Case No.:

Type:

Caption: Senate Transportation Committee

Judge:

Started: 2/7/2023 9:30:27 AM

Ends: 2/7/2023 10:00:39 AM

Length: 00:30:13

9:30:28 AM Meeting called to order by Chair DiCeglie
9:30:35 AM Roll call; quorum present
9:31:10 AM Pledge of Allegiance
9:31:27 AM Tab 1 - SB 106 Florida Shared-Use Nonmotorized Trail Network by Senator Brodeur
9:31:36 AM Senator Brodeur explains SB 106
9:32:38 AM Questions:
9:33:12 AM Senator Torres
9:33:35 AM Senator Brodeur
9:34:12 AM Senator Torres
9:34:28 AM Senator Brodeur
9:35:02 AM Senator Torres
9:35:20 AM Senator Brodeur
9:35:39 AM Chair DiCeglie
9:35:43 AM Senator Davis
9:36:02 AM Senator Brodeur
9:36:46 AM Senator Davis
9:37:04 AM Senator Brodeur
9:37:23 AM Senator Davis
9:37:46 AM Senator Brodeur
9:38:15 AM Senator Davis
9:38:22 AM Senator Brodeur
9:38:38 AM Chair DiCeglie
9:39:09 AM Appearance Cards:
9:39:22 AM Speaker William Dale Allen
9:39:27 AM Speaker William Dale Allen continues speaking
9:41:31 AM Speaker continues
9:45:04 AM Speaker William Dale Allen concludes
9:46:04 AM Speaker Ken Bryan waives in support
9:46:25 AM Speaker Travis Moore - Defenders of Wildlife
9:47:47 AM Senator Pizzo questions
9:48:50 AM Speaker Travis Moore answers
9:49:01 AM Speaker Meta Calder - Volunteer with Florida League of Women Voters
9:50:28 AM Chair DiCeglie
9:50:44 AM Speaker Ivonne Fernandez with AARP waives in support
9:50:53 AM Speaker Oscar Anderson with Florida Wildlife Corridor Foundation waives in support
9:51:01 AM Speaker Sarah Collins with Conservation Florida waives in support
9:51:10 AM Speaker Chris Stranburg with Americans for Prosperity - FL
9:51:27 AM Senator Brodeur closes on bill
9:52:04 AM Roll call on SB 106
9:52:23 AM SB 106 is reported favorably
9:52:35 AM Chair DiCeglie turns gavel over to Senator Davis
9:52:40 AM Tab 2 - SB 198 Tampa Bay Area Regional Transit Authority by Senator DiCeglie
9:52:56 AM Senator DiCeglie explains bill
9:53:18 AM Questions:
9:54:21 AM Senator Davis
9:54:32 AM Senator DiCeglie
9:54:37 AM Senator Davis
9:55:11 AM Senator Torres
9:55:19 AM Senator DiCeglie
9:55:24 AM Senator Davis
9:55:35 AM Amendment Barcode 623602
9:56:03 AM Senator Davis

9:56:08 AM	Appearance cards
9:56:30 AM	Amendment Barcode 623602 is adopted
9:56:40 AM	Back on the bill as amended
9:56:42 AM	Questions and debate
9:56:51 AM	Senator Davis
9:57:11 AM	Senator Hooper
9:57:35 AM	Senator Davis
9:58:38 AM	Senator Boyd
9:58:43 AM	Senator DiCeglie
9:59:21 AM	Roll call on CS/SB 198
9:59:25 AM	CS/SB 198 is reported favorably
9:59:55 AM	Senator Davis passes gavel over to Senator DiCeglie
10:00:07 AM	Senator Trumbull moves to adjourn
10:00:30 AM	Without objection, meeting adjourned



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Appropriations, *Chair*
Appropriations Committee on Education
Banking and Insurance
Finance and Tax
Health Policy
Judiciary
Rules
Transportation

JOINT COMMITTEE:

Joint Legislative Budget Commission, *Alternating Chair*

SENATOR DOUG BROXSON

1st District

January 18, 2023

The Honorable Nick DiCeglie, Chair
Committee on Transportation
410 Knott Building
404 South Monroe Street
Tallahassee, FL 32399-1100

Dear Chair DiCeglie,

I respectfully request an excused absence from the Committee on Transportation meeting scheduled for February 7th, 2023.

Please let me know if I may be of any further assistance with this request.

Respectfully,

A handwritten signature in black ink, appearing to read "Doug Broxson", written in a cursive style.

Senator Doug Broxson
District 1

REPLY TO:

- ☐ 418 West Garden Street, Room 403, Pensacola, Florida 32502 (850) 595-1036
- ☐ 208 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5001

Senate's Website: www.flsenate.gov

KATHLEEN PASSIDOMO
President of the Senate

DENNIS BAXLEY
President Pro Tempore