SB 88 — Gold Star License Plates

by Senators Simpson, Altman, and Sachs

The bill extends eligibility for a Gold Star license plate, upon payment of the appropriate license tax and fees, to a parent through adoption, foster parent, grandparent, child, stepchild, adopted child, brother, sister, half-brother, or half-sister of a servicemember who was killed while serving in the United States Armed Forces.

If approved by the Governor, these provisions take effect July 1, 2016. *Vote: Senate 33-0; House 117-0*

CS/SB 158 — Identification Cards and Driver Licenses

by Transportation Committee; and Senators Hutson and Negron

The bill (Chapter 2016-4, L.O.F.) allows the holder of a lifetime fishing, hunting, or sportsman's license, or a lifetime boater safety identification card to have a symbol displaying that lifetime status added to his or her driver license or identification card when it is being issued, renewed, or replaced for a purpose other than solely including the symbol on the card. Adding the symbol requires the payment of a \$1 fee, in addition to the applicable issuance, renewal, or replacement fee. A driver license or identification card that has a recreational symbol can be used as proof of possession of the lifetime license or card.

An individual who surrenders and replaces his or her driver license or identification card before its expiration date, with the sole purpose of including the applicant's status as a lifetime fishing, hunting, or sportsman license holder or lifetime boater safety cardholder, is only required to pay a \$2 fee for the replacement license or card.

These provisions were approved by the Governor and take effect July 1, 2016. However, the changes made to driver licenses and identification cards will apply upon implementation of new designs for the license and card by the Department of Highway Safety and Motor Vehicles, which is anticipated to be in 2017. *Vote: Senate 34-0; House 118-0*

CS/CS/SB 196 — Public Records/State-Funded Infrastructure Bank

by Governmental Oversight and Accountability Committee; Transportation Committee; and Senator Hutson

The bill (Chapter 2016-38, L.O.F.) creates a new exemption from the public records inspection and access requirements of Art. I, s. 24(a) of the State Constitution and s. 119.07(1), F.S., for financial information held by the Florida Department of Transportation (FDOT). Specifically, the bill exempts the financial information of a private entity submitted to FDOT as part of the application process for a loan or credit enhancement from the State-funded Infrastructure Bank (SIB). The exemption does not apply to records of a private applicant in default of a SIB loan.

The bill provides for repeal of the exemption on October 2, 2021, unless reviewed and reenacted by the Legislature. It also provides a statement of public necessity as required by the State Constitution.

These provisions were approved by the Governor and take effect July 1, 2016. *Vote: Senate 31-7; House 88-19*

SB 222 — Parking for Disabled Veterans

by Senator Detert

The bill prohibits the governing body of each publicly operated airport from charging parking fees to vehicles displaying:

- A Disabled Veteran (DV) license plate issued under s. 320.084, F.S.;
- A Disabled Veteran license plate with the International Accessibility Symbol issued under s. 320.0842, F.S.; or
- A Paralyzed Veterans of America license plate issued under s. 320.0845, F.S.

The bill also prohibits a local government from charging parking fees in a facility or lot that provides timed parking spaces to vehicles displaying the Disabled Veteran plate stamped with the international accessibility symbol and the Paralyzed Veterans of America license plate.

If approved by the Governor, these provisions take effect July 1, 2016. *Vote: Senate 37-0; House 115-0*

CS/CS/HB 231 — Motor Vehicle Manufacturer Licenses

by Judiciary Committee; Business and Professions Subcommittee; and Rep. Trujillo and others (CS/SB 960 by Transportation Committee and Senator Bradley)

Motor Vehicle Manufacturer Licenses

The bill provides additional grounds to deny, suspend, or revoke a license held by a motor vehicle manufacturer, factory branch, distributor, or importer (collectively known as the licensee), and prohibits the licensees from taking certain actions against motor vehicle dealers. Specifically, the licensee:

- Is limited to a 12-month period, instead of an 18-month period, following the date an incentive payment was paid to perform an audit of such payment, and can only deny service-related or incentive claims if the licensee proves the claim was false or fraudulent, or the dealer failed to comply with procedures for such repairs or incentives;
- May not take adverse action against a motor vehicle dealer due to a delivered motor vehicle being resold or exported by the customer unless the licensee provides written notification to the dealer within 12 months of delivery of the vehicle to a customer;
- Must pay a dealer for temporary replacement vehicles provided to customers during service or repair provided the dealer complies with the licensee's written vehicle eligibility requirements relating to loaner vehicles; and
- May not require or coerce a dealer to purchase goods or services from any specific vendor selected by the licensee without making available the option to obtain the goods or services from a vendor chosen by the dealer, and provides the term "goods and services" is limited to goods and services used to construct or renovate dealership facilities or furniture and fixtures at dealership facilities.

Protection of Motor Vehicle Dealers' Consumer Data

The bill requires licensees and third parties acting on behalf of a licensee to comply with certain use restrictions for consumer data that is provided to them by a motor vehicle dealer. Specifically, the bill:

- Requires licensees to comply with, and not knowingly cause a dealer to violate, all laws governing the reuse or disclosure of consumer data, and to provide a written statement that specifies the licensee's methods used to safeguard consumer data;
- Makes licensees responsible for provision, upon a dealers request, of a written list of consumer data obtained by a licensee from the dealer, and a written list of all persons to whom the consumer data has been provided to during the previous 6 months, with specific exemptions;
- Prohibits licensees from requiring a dealer to grant the licensee, or a third party acting on behalf of the licensee, direct access to the dealer's data management system in order for the licensee to collect consumer data;
- Provides for methods by which a licensee may be granted permission by a dealer to directly access the dealer's consumer data; and

• Requires the licensee to indemnify the dealer for any third-party claims asserted against or damages incurred by the dealer as a result of the licensee's or third party's access, use, or disclosure of the consumer data.

The bill also provides that any person who institutes a cause of action against a licensee for a violation of the prohibitions or requirements established in s. 320.697(2)(a), (2)(b), or (2)(c), F.S., has the burden of proving that the violation was willful or with sufficient frequency to establish a pattern of wrongdoing with respect to such person's consumer data.

If approved by the Governor, these provisions take effect upon becoming law. *Vote: Senate 38-0; House 115-0*

CS/HB 299 — Expressway Authorities

by Economic Affairs Committee and Rep. Nuñez (CS/CS/SB 574 by Rules Committee; Ethics and Elections Committee; and Senators Flores and Gaetz)

The bill reduces the Miami-Dade County Expressway Authority (MDX) governing body from thirteen to nine members, with five members appointed by the Miami-Dade County Commission, three members appointed by the Governor, and retaining the FDOT District Six Secretary as an ex-officio voting member. A member serving as of July 1, 2016, is authorized to serve the remainder of his or her term. However, when a term expires or upon a vacancy, a member may not be replaced by the appointing entity until the MDX governing body is composed of five voting members appointed by the Miami-Dade County Commission and three members appointed by the Governor's three appointees do not include the FDOT District Six Secretary. Assuming no re-appointments before July 1, 2016, no current member would have to be removed or replaced.

The bill makes an exception from the existing requirement that qualifications, terms, obligations and rights of the MDX members be determined by resolution or ordinance of the Miami-Dade County Commission and prohibits a person from being appointed to or serve as a member of the governing body of the MDX if the person currently represents or represented in the previous four years:

- Any client for compensation before the authority; or
- Any person or entity that is doing business or has in the previous four years done business with the authority.

In addition to existing penalties under s. 112.317, F.S., the bill also requires immediate termination of a member from the MDX governing body upon a finding of a violation of s. 348.0003(5), F.S., ch. 112, F.S., or for failure to comply within 90 days after receiving a notice of failure to comply with financial disclosure requirements.

If approved by the Governor, these provisions take effect July 1, 2016. *Vote: Senate 36-0; House 116-1*

CS/CS/HB 427 — Recreational Vessel Registration

by Transportation and Economic Development Appropriations Subcommittee; Highway and Waterway Safety Subcommittee; and Rep. Magar and others (CS/SB 746 by Appropriations Committee and Senators Negron, Sachs, and Latvala)

The bill reduces state vessel registration fees for recreational vessels equipped with an Emergency Position-Indicating Radio Beacon, or for recreational vessels where the owner owns a Personal Locator Beacon. The beacon must be registered with the National Oceanic and Atmospheric Administration in order for the owner to qualify for the reduced registration fee. A person who owns a personal locator beacon and who owns more than one recreational vessel qualifies to pay the reduced fee for only one vessel. The reduced vessel registration fees apply to applicable vessels registered between July 1, 2016, and June 30, 2017.

The bill allows the Department of Highway Safety and Motor Vehicles to adopt rules specifying what constitutes as sufficient proof of having a registered beacon in order to qualify for the reduced registration fee and includes information the proof must contain. Additionally, the amount discounted between the full vessel registration fee and the actual amount paid shall be transferred from the General Revenue Fund to the department to be deposited, as specified in statute, in the Marine Resources Conservation Trust Fund.

If approved by the Governor, these provisions take effect July 1, 2016. *Vote: Senate 39-0; House 115-0*

CS/SB 1046 — Farm Vehicles

by Transportation Committee and Senator Hutson

The bill expressly authorizes in state law certain federally-authorized exemptions for "covered farm vehicles," defined as a straight truck, or an articulated vehicle, that is:

- Registered in a state with a license plate, or any other designation which allows law enforcement officers to identify it as a farm vehicle;
- Operated by the owner or operator of a farm or ranch or by an employee or a family member of an owner or operator of a farm or ranch;
- Used to transport agricultural commodities, livestock, machinery, or supplies to or from a farm or ranch; and
- Not used in for-hire motor carrier operations; however, for-hire motor carrier operations do not include the operation of a vehicle by a tenant pursuant to a crop-share farm lease agreement to transport the landlord's portion of the crops under that agreement.

A covered farm vehicle and its driver are exempt from federal motor carrier safety regulations relating to controlled substances and alcohol use and testing; commercial driver licenses; physical qualifications and examinations; hours of service of drivers; and vehicle inspection, repair, and maintenance. To claim the exemptions, the vehicle must be registered with a license plate or other designation issued by the state of registration when operating:

- Anywhere in this state if the vehicle has a gross vehicle weight or gross vehicle weight rating, whichever is greater, of 26,001 pounds or less; or
- Anywhere in the state of registration, or across state lines within 150 air miles of the farm or ranch with respect to which the vehicle is being operated, if the CFV has a gross vehicle weight or gross vehicle weight rating, whichever is greater, of more than 26,001 pounds.

The bill does not allow the federal exemptions if the vehicle is transporting hazardous materials in amounts that require placarding.

If approved by the Governor, these provisions take effect July 1, 2016. *Vote: Senate 37-0; House 116-0*

SB 1110 — Central Florida Expressway Authority

by Senator Simmons

The bill addresses issues relating to the Central Florida Expressway Authority (CFX). The bill clarifies that members of CFX's governing body from Seminole, Lake, and Osceola Counties must be a county commission member or chair, or a county mayor, from the respective counties. The Governor's appointees are made subject to Senate confirmation, and refusal or failure to confirm creates a vacancy. Governor-appointed citizen members, who must be residents of either Orange, Seminole, Lake, or Osceola County, are made subject to Senate confirmation, and refusal or failure to confirm creates a vacancy. The bill provides that the 4-year term of Governor-appointed members ends on December 31 of the last year of service and removes the requirement that the CFX board elect a governing body member as secretary.

The bill also clarifies that CFX is a party to a 1985 lease-purchase agreement between the former Orlando-Orange County Expressway Authority and the Florida Department of Transportation, and repeals superseded language requiring that title to the former Orlando-Orange County Expressway System be transferred to the state under certain conditions.

If approved by the Governor, these provisions take effect July 1, 2016. *Vote: Senate 40-0; House 117-0*

CS/SB 1508 — Airport Zoning Law of 1945

by Community Affairs Committee and Senator Simpson

The bill substantially revises Chapter 333, F.S., containing airport zoning provisions relating to the management of airspace and land use at or near airports. Currently, in general, that chapter:

- Addresses permitting for structures exceeding federal obstruction standards;
- Requires adoption of certain airport zoning regulations;
- Provides a process for seeking variances from the zoning regulations;
- Sets out a process for appeal of decisions based on the zoning regulations;
- Requires boards of adjustment to hear and decide appeals;
- Provides for judicial review of any board of adjustment decisions; and
- Establishes penalties and remedies for violations.

Generally, the bill:

- Updates statutory definitions and terms in accordance with federal regulations;
- Streamlines the current local airport protection zoning process to a simpler permitting model;
- Provides local governments the flexibility to structure and incorporate the airport protection zoning review process into existing local zoning review processes and repeals duplicative requirements for obtaining a variance; and
- Makes other grammatical, editorial, and conforming changes.

If approved by the Governor, these provisions take effect July 1, 2016. *Vote: Senate 40-0; House 112-0*

HB 7027 — Department of Transportation

by Transportation and Ports Subcommittee; and Rep. Rooney and others (CS/CS/SB 756 by Appropriations Committee; Transportation Committee; and Senator Brandes)

The bill contains the Florida Department of Transportation's (FDOT) 2016 Legislative Package, as well as additional transportation-related provisions. More specifically, the bill:

- Creates the Florida Department of Transportation (FDOT) Financing Corporation, a nonprofit corporation, for the purpose of financing or refinancing projects in the FDOT's work program through one or more service contracts, under which the corporation is authorized to issue bonds and other forms of indebtedness secured by payments to the corporation by the FDOT.
- Requires the FDOT to consult with and provide information to the Division of Bond • Finance (DBF) in connection with a proposal to finance or refinance a transportation facility through the FDOT's authority to enter into public-private partnerships, and authorizes the DBF to make an independent recommendation.
- Increases from \$15 million to \$25 million the minimum annual funding for the Florida • Seaport Transportation and Economic Development Program.
- Subjects any FDOT work program amendment adding a new project, or project phase, to the adopted work program in excess of \$3 million to Legislative Budget Commission (LBC) approval; requires any work program amendment submitted under s. 339.135(7)(h), F.S. to include, as supplemental information, a list of projects, or project phases, in the current five-year adopted work program that are eligible for the funds within the appropriation category being utilized for the proposed amendment; and requires the FDOT to provide a narrative with the rationale for not advancing an existing project or project phase in lieu of the proposed amendment.
- Removes authorization for the chair and vice chair of the LBC to approve an amendment • to the work program if an LBC meeting cannot be held within 30 days.
- Authorizes the FDOT to assume certain review responsibilities under the National Environmental Policy Act with respect to highway projects.
- Expressly authorizes an existing, federally approved business development program for highway projects within the FDOT, which is intended to assist small businesses, increase competition, and reduce costs.
- Authorizes the transfer of the FDOT's Pinellas Bayway System to become part of the • turnpike system and, in such event, also requires the transfer of certain funds to be used to help fund the costs of repair and replacement of the transferred facilities.
- Repeals certain provisions of the Laws of Florida relative to the Pinellas Bayway System.
- Deletes obsolete references to certain toll facilities.
- Defines the term "port-of-entry," allows commercial motor vehicle (CMV) operators to purchase temporary CMV registration permits at certain port-of-entry locations, and provides for a reduced non-registration penalty under certain circumstances.

The bill also makes several statutory changes specific to the operation and regulation of autonomous vehicles, including:

- Clarifying that the authorization for a person holding a valid driver license to operate an autonomous vehicle applies on the public roads of this state.
- Revising provisions regarding the operation of autonomous vehicles on roads for testing purposes.
- Revising equipment requirements for autonomous vehicles, requiring a system to alert an operator of a technology failure and to take control, or to stop the vehicle under certain conditions.
- Prohibiting operation of a motor vehicle on the highways of this state while the vehicle is in motion if the vehicle is actively displaying moving television broadcast or prerecorded video entertainment content visible from the driver's seat, unless the vehicle is equipped with autonomous technology and is being operated in autonomous mode.
- Providing that an electronic display used by an operator of a vehicle equipped with autonomous technology or by an operator of a vehicle equipped with driver-assistive truck platooning technology is not prohibited.
- Defining the term "driver-assistive truck platooning technology;" requiring the FDOT to study, in consultation with the Florida Department of Highway Safety and Motor Vehicles (FDHSMV), the use and safe operation of driver assistive truck platooning technology; and authorizing a pilot project to test vehicles equipped with such technology.
- Requiring manufacturers of such technology to provide insurance before the start of the pilot project and requiring the FDOT, in consultation with the FDHSMV, to report the results of the study and any findings or recommendations from the pilot project.
- Requiring metropolitan planning organizations to accommodate advances in vehicle technology when developing long-range transportation plans and requiring the FDOT to accommodate advances in vehicle technology when updating the Strategic Intermodal System Plan.

If approved by the Governor, these provisions take effect July 1, 2016. *Vote: Senate 40-0; House 118-0*

CS/CS/HB 7061 — Transportation

by Economic Affairs Committee; Transportation and Economic Development Appropriations Subcommittee; Transportation and Port Subcommittee; and Reps. Santiago, Cortes, B., and others (CS/CS/SB 1392 by Appropriations Committee; Transportation Committee; and Senator Brandes)

The bill includes a number of transportation-related provisions. Specifically, the bill:

- Authorizes the transfer of the Florida Department of Transportation's (FDOT) Pinellas Bayway System to become part of the turnpike system and, in such event, also requires the transfer of certain funds to be used to help fund the costs of repair and replacement of the transferred facilities.
- Repeals certain provisions of the Laws of Florida relative to the Pinellas Bayway System and deletes obsolete references to certain toll facilities.
- Increases from \$15 million to \$25 million the minimum annual funding for the Florida Seaport Transportation and Economic Development Program.
- Establishes the Seaport Security Advisory Committee within the Florida Seaport Transportation and Economic Development Council and establishes a Seaport Security Grant Program, subject to specific appropriation.
- Directs the Office of Economic and Demographic Research to determine the economic benefits of the state's investment in the FDOT's adopted work program, as specified; requires the FDOT to provide the office full access to all data necessary to complete the evaluation; and requires the office to submit the evaluation to the Senate President and House Speaker by January 1, 2017.
- Clarifies the FDOT's authority with respect to noncompliant traffic and pedestrian control devices.
- Substantially revises chapter 333, F.S., relating to airport zoning regulations.
- Extends the authorized term of certain airport-related leases.
- Requires the FDOT, by June 30, 2018, to install roadside barriers to shield water bodies contiguous with state roads where a death due to drowning resulted from certain motor vehicle accidents during the period between July 1, 2006, and July 1, 2016.
- Requires the FDOT to review all such motor vehicle accidents, using reconciled crash data received from the Florida Department of Highway Safety & Motor Vehicles (FDHSMV), and to submit a report, providing recommendations regarding any necessary changes to state laws and to the FDOT's rules to enhance traffic safety.
- Requires local governments to consider information provided by the FDOT regarding the effect that approving or denying certain land use changes, regulations, or orders may have on the cost of construction aggregate materials in the local area, region, and state.
- Revises conditions under which the FDOT may waive a required surety bond relating to contracts for construction or maintenance.
- Revises the purpose of the state-funded infrastructure bank within the FDOT to include constructing and improving ancillary facilities that produce or distribute natural gas fuel; authorizes the FDOT to consider applications for loans from the bank for development

and construction of certain natural gas fuel production or distribution facilities beginning July 1, 2017; and authorizes such loans to be used to refinance outstanding debt.

- Repeals obsolete definition and identification of "statewide transportation corridors."
- Increases the population ceiling in the definition of "small county" for purposes of the Small County Outreach Program.
- Provides an exemption from permitting for certain outdoor advertising signs in place since 1995.
- Requires the FDOT to install directional signs for certain breweries on the rights-of-way of interstate highways and primary and secondary roads, subject to certain requirements and requires a brewery that requests a directional sign to pay certain costs.
- Re-orders alphabetically the definitions for purposes of chapter 316, F.S., relating to • uniform traffic control, and makes numerous cross-reference corrections and one reenactment necessitated by the re-ordering.
- Defines the term "commercial megacycle;" authorizes the governing body of a • municipality or a county to allow the operation of a commercial megacycle on roads or streets within the respective jurisdictions if certain conditions are met; authorizes the FDOT to prohibit such operation on or across any road under its jurisdiction if it determines that prohibition is necessary in the interest of safety; excludes megacycle passengers from certain open-container provisions; and authorizes use of an auxiliary motor to move a megacycle from the roadway under emergency circumstances or while no passenger is on board.
- Expands the authority of a chartered municipal parking enforcement specialist to enforce • state, county, and municipal parking laws and ordinances under specified circumstances.
- Revises the definition of the term "port vehicles and equipment," to exclude motor vehicles being relocated within a port facility or via designated port district roads from provisions requiring registration, payment of license tax, and display of license plates.
- Revises specifications for bus deceleration lighting systems.
- Extends from 53 to 57 feet the allowable length of certain semitrailers authorized to operate on public roads under certain conditions.
- Authorizes insurance companies to receive a salvage certificate of title or certificate of destruction from the Department of Highway Safety and Motor Vehicles after a specified number of days following payment of a claim as of a specified date, subject to certain requirements.
- Authorizes the international symbol for the deaf and hard of hearing to be exhibited on the driver license or identification card of a person who is deaf or hard of hearing as specified.
- Prohibits law enforcement from issuing a citation for an expired registration until the last day of the month of the year the registration expires, with certain exceptions.
- Requires the FDHSMV to issue or renew an identification card to certain juvenile offenders and requires that the department's mobile issuing units process certain identification cards at no charge.
- Requires the FDHSMV to maintain an integrated link on its website referring certain visitors to a donor registry.

- Repeals obsolete bond language relating to the already-repealed Broward County Expressway Authority.
- Creates the Tampa Bay Area Regional Transportation Authority (TBARTA) Metropolitan Planning Organization (MPO) Chairs Coordinating Committee (CCC) within the TBARTA, adds the MPO serving Citrus County as a CCC member, and requires TBARTA to provide administrative support and direction to the CCC.
- Revises the TBARTA governing board membership, requiring the FDOT Secretary to appoint two advisors to the board subject to certain requirements, rather than appointing one nonvoting, ex officio member.
- Requires the TBARTA master plan to be updated every five years, rather than every two years, and requires coordination and submission of the master plan and updates to the TBARTA MPO CCC.
- Expands the list of project types that the Tampa-Hillsborough County Expressway Authority is approved to finance with certain revenue bonds.
- Prohibits a county that has licensed or issued a permit to a provider of nonemergency medical transportation services from requiring the provider to use a vehicle larger than needed to transport the number of passengers or that is inconsistent with the medical condition of the individuals receiving the service, and provides applicability.
- Authorizes any member of a certified, qualified job training organization that has at least one roadside cleaning service contract with a state agency to participate in a specified self-insurance fund, notwithstanding certain provisions.

The bill also makes several statutory changes specific to the operation and regulation of autonomous vehicles, including:

- Clarifying that the authorization for a person holding a valid driver license to operate an autonomous vehicle applies on the public roads of this state.
- Revising provisions regarding the operation of autonomous vehicles on roads for testing purposes.
- Revising equipment requirements for autonomous vehicles, requiring a system to alert an operator of a technology failure and to take control, or to stop the vehicle under certain conditions.
- Prohibiting operation of a motor vehicle on the highways of this state while the vehicle is in motion if the vehicle is actively displaying moving television broadcast or prerecorded video entertainment content visible from the driver's seat, unless the vehicle is equipped with autonomous technology and is being operated in autonomous mode.
- Providing that an electronic display used by an operator of a vehicle equipped with autonomous technology or by an operator of a vehicle equipped with driver-assistive truck platooning technology is not prohibited.
- Defining the term "driver-assistive truck platooning technology;" requiring the FDOT to study, in consultation with the FDHSMV, the use and safe operation of driver assistive truck platooning technology; and authorizing a pilot project to test vehicles equipped with such technology.

- Requiring manufacturers of such technology to provide insurance before the start of the pilot project and requiring the FDOT, in consultation with the FDHSMV, to report the results of the study and any findings or recommendations from the pilot project.
- Requiring metropolitan planning organizations to accommodate advances in vehicle technology when developing long-range transportation plans and requiring the FDOT to accommodate advances in vehicle technology when updating the Strategic Intermodal System Plan.

If approved by the Governor, these provisions take effect July 1, 2016. *Vote: Senate 39-1; House 117-2*