

1 A bill to be entitled  
2 An act relating to the Department of Transportation;  
3 amending s. 20.23, F.S.; authorizing the department to  
4 maintain specified training programs for certain persons;  
5 authorizing the department to provide for incremental  
6 increases to base salary upon successful completion of the  
7 training phases; authorizing the department to grant a  
8 specified pay additive to law enforcement officers  
9 assigned to the Office of Motor Carrier Compliance who  
10 maintain certification by the Commercial Vehicle Safety  
11 Alliance; repealing s. 315.03(12)(c), F.S., relating to  
12 legislative review of a loan program of the Florida  
13 Seaport Transportation and Economic Development Council;  
14 amending s. 318.18, F.S.; revising provisions for  
15 distribution of proceeds collected by the clerk of the  
16 court for disposition of citations for failure to pay a  
17 toll; providing alternative procedures for disposition of  
18 such citation; providing for adjudication to be withheld  
19 and no points assessed against the driver's license unless  
20 adjudication is imposed by a court; removing a provision  
21 for suspension of the driver's license of a person who is  
22 convicted of failing to pay a toll 10 or more times within  
23 a 36-month period; amending s. 320.08058, F.S.; revising  
24 authorized uses of revenue received from the sale of  
25 United We Stand license plates; amending s. 322.27, F.S.;  
26 providing for assessment of points against a driver's  
27 license for specified violations of requirements to pay a  
28 toll only when the points are imposed by a court;

29 | repealing s. 332.14, F.S., relating to the Secure Airports  
30 | for Florida's Economy Council; providing for the use of  
31 | funds accrued by the Secure Airports for Florida's Economy  
32 | Council; amending s. 334.03, F.S.; revising definitions  
33 | for purposes of the Florida Transportation Code; amending  
34 | s. 334.044, F.S.; revising powers and duties of the  
35 | department; removing provisions for assigning jurisdiction  
36 | of roads and designating facilities as part of the State  
37 | Highway System; amending s. 334.047, F.S.; removing a  
38 | prohibition against the department establishing a maximum  
39 | number of miles of certain roads within a district or  
40 | county; amending s. 337.14, F.S.; revising application  
41 | procedures for the qualification of contractors; requiring  
42 | any required interim financial statement to be accompanied  
43 | by an updated application; amending s. 337.401, F.S.;  
44 | revising provisions for rules of the department that  
45 | provide for the placement of and access to certain  
46 | electrical transmission lines on the right-of-way of  
47 | department-controlled roads; authorizing the rules to  
48 | include that the use of the limited access right-of-way  
49 | for longitudinal placement of such transmission lines is  
50 | reasonable based upon consideration of certain economic  
51 | and environmental factors; amending s. 338.155, F.S.;  
52 | authorizing the department to adopt rules relating to the  
53 | payment, collection, and enforcement of tolls; amending s.  
54 | 403.4131, F.S.; removing provisions relating to a report  
55 | on the adopt-a-highway program; amending s. 705.18, F.S.;  
56 | removing provisions for disposal of personal property lost

57 | or abandoned at certain public-use airports; creating s.  
58 | 705.182, F.S.; providing for disposal of personal property  
59 | found on premises owned or controlled by the operator of a  
60 | public-use airport; providing a timeframe for the property  
61 | to be claimed; providing options for disposing of such  
62 | personal property; providing procedures for selling  
63 | abandoned personal property; providing for notice of sale;  
64 | providing that the rightful owner of such property may  
65 | reclaim the property at any time prior to sale; permitting  
66 | airport tenants to establish lost and found procedures;  
67 | providing that purchaser holds title to the property free  
68 | of the rights of persons then holding any legal or  
69 | equitable interest thereto; creating s. 705.183, F.S.;  
70 | providing for disposition of derelict or abandoned  
71 | aircraft on the premises of public-use airports; providing  
72 | procedures for such disposition; requiring a record of  
73 | when the aircraft is found; defining the terms "derelict  
74 | aircraft" and "abandoned aircraft"; providing for  
75 | notification of aircraft owner and all persons having an  
76 | equitable or legal interest in the aircraft; providing for  
77 | notice if the owner of the aircraft is unknown or cannot  
78 | be found; providing for disposition if the aircraft is not  
79 | removed upon payment of required fees; requiring any sale  
80 | of the aircraft to be at a public auction; providing  
81 | notice requirements for such public auction; providing  
82 | procedures for disposal of the aircraft; providing for  
83 | liability if charges and costs related to the disposition  
84 | are more than that obtained from the sale; providing for a

85 | lien by the airport for fees and charges; providing for  
86 | notice of lien; requiring recording of a claim of lien;  
87 | providing for the form of the claim of lien; providing for  
88 | service of the claim of lien; providing that the purchaser  
89 | of the aircraft takes the property free of rights of  
90 | persons holding legal or equitable interest in the  
91 | aircraft; requiring purchaser or recipient to notify the  
92 | Federal Aviation Administration of change in ownership;  
93 | providing for disposition of moneys received for an  
94 | aircraft sold at public sale; authorizing the airport to  
95 | issue documents relating to the aircraft's disposal;  
96 | creating s. 705.184, F.S.; providing for disposition of  
97 | derelict or abandoned motor vehicles on the premises of  
98 | public-use airports; providing procedures; requiring  
99 | recording of the abandoned motor vehicle; defining the  
100 | terms "derelict motor vehicle" and "abandoned motor  
101 | vehicle"; providing for removal of such motor vehicle from  
102 | airport premises; providing for notice to the owner, the  
103 | company insuring the motor vehicle, and any lienholder;  
104 | providing for disposition if the motor vehicle is not  
105 | removed upon payment of required fees; requiring any sale  
106 | of the motor vehicle to be at a public auction; providing  
107 | notice requirements for such public auction; providing  
108 | procedures for disposal of the motor vehicle; providing  
109 | for a lien by the airport or a licensed independent  
110 | wrecker for fees and charges; providing for notice of  
111 | lien; requiring recording of a claim of lien; providing  
112 | for the form of the claim of lien; providing for service

113 of claim of lien; providing that the purchaser of the  
 114 motor vehicle takes the property free of the rights of  
 115 persons holding legal or equitable interest in the motor  
 116 vehicle; amending ss. 163.3180, 288.063, 311.07, 311.09,  
 117 316.2122, 316.515, 336.01, 338.222, 341.8225, 479.01,  
 118 479.07, and 479.261, F.S.; correcting cross-references;  
 119 providing an effective date.

120

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

122

123 Section 1. Subsections (6) and (7) of section 20.23,  
 124 Florida Statutes, as amended by chapter 2009-271, Laws of  
 125 Florida, are renumbered as subsections (8) and (9),  
 126 respectively, and new subsections (6) and (7) are added to that  
 127 section, to read:

128 20.23 Department of Transportation.—There is created a  
 129 Department of Transportation which shall be a decentralized  
 130 agency.

131 (6) The department is authorized to maintain training  
 132 programs for department employees and prospective employees who  
 133 are graduates from an approved engineering curriculum of 4 years  
 134 or more in a school, college, or university approved by the  
 135 Board of Professional Engineers to provide broad practical  
 136 expertise in the field of transportation engineering, leading to  
 137 licensure as a professional engineer. The department is  
 138 authorized to maintain these training programs for department  
 139 employees to provide broad practical experience and enhanced  
 140 knowledge in the areas of right-of-way property management, real

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141 estate appraisal, and business valuation relating to department  
 142 right-of-way acquisition activities. These training programs may  
 143 provide for incremental increases to base salary for all  
 144 employees enrolled in the programs upon successful completion of  
 145 the training phases.

146 (7) The department is authorized to continue to grant a  
 147 pay additive of \$75 per pay period for law enforcement officers  
 148 assigned to the Office of Motor Carrier Compliance who maintain  
 149 certification by the Commercial Vehicle Safety Alliance.

150 Section 2. Paragraph (c) of subsection (12) of section  
 151 315.03, Florida Statutes, is repealed.

152 Section 3. Subsection (7) of section 318.18, Florida  
 153 Statutes, is amended to read:

154 318.18 Amount of penalties.—The penalties required for a  
 155 noncriminal disposition pursuant to s. 318.14 or a criminal  
 156 offense listed in s. 318.17 are as follows:

157 (7) Mandatory \$100 fine for each violation of s. 316.1001  
 158 plus the amount of the unpaid toll shown on the traffic citation  
 159 for each citation issued. The clerk of the court shall forward  
 160 \$25 of the \$100 fine received, plus the amount of the unpaid  
 161 toll that is shown on the citation, to the governmental entity  
 162 that issued the citation for citations issued by toll  
 163 enforcement officers or to the entity administering the tolls at  
 164 the facility where the violation occurred for citations issued  
 165 by law enforcement officers. However, a person may elect to pay  
 166 \$30 to the clerk of the court, plus the amount of the unpaid  
 167 toll that is shown on the citation, in which case adjudication  
 168 is withheld, and no points are assessed under s. 322.27. Upon

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169 receipt of the \$30 and unpaid toll amount, the clerk of the  
 170 court shall retain \$5 for administrative purposes and shall  
 171 forward the remaining \$25, plus the amount of the unpaid toll  
 172 shown on the citation, to the governmental entity that issued  
 173 the citation for citations issued by toll enforcement officers  
 174 or to the entity administering the tolls at the facility where  
 175 the violation occurred for citations issued by law enforcement  
 176 officers. Additionally, adjudication shall be withheld and no  
 177 points shall be assessed under s. 322.27, except when  
 178 adjudication is imposed by the court after a hearing pursuant to  
 179 s. 318.14(5), ~~or on whose behalf the citation was issued.~~ If a  
 180 plea arrangement is reached prior to the date set for a  
 181 scheduled evidentiary hearing and, as a result of the plea,  
 182 adjudication is withheld, there shall be a mandatory fine  
 183 assessed per citation of not less than \$50 and not more than  
 184 \$100, plus the amount of the unpaid toll for each citation  
 185 issued. The clerk of the court shall forward \$25 of the fine  
 186 imposed plus the amount of the unpaid toll that is shown on the  
 187 citation to the governmental entity that issued the citation or  
 188 on whose behalf the citation was issued. The court shall have  
 189 specific authority to consolidate issued citations for the same  
 190 defendant for the purpose of sentencing and aggregate  
 191 jurisdiction. ~~In addition, the department shall suspend for 60~~  
 192 ~~days the driver's license of a person who is convicted of 10~~  
 193 ~~violations of s. 316.1001 within a 36-month period.~~ Any funds  
 194 received by a governmental entity for this violation may be used  
 195 for any lawful purpose related to the operation or maintenance  
 196 of a toll facility.

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197 Section 4. Paragraph (b) of subsection (32) of section  
 198 320.08058, Florida Statutes, is amended to read:

199 320.08058 Specialty license plates.—

200 (32) UNITED WE STAND LICENSE PLATES.—

201 (b) The department shall retain all revenues from the sale  
 202 of such plates until all startup costs for developing and  
 203 issuing the plates have been recovered. Thereafter, 100 percent  
 204 of the annual use fee shall be distributed to the Department of  
 205 Transportation to fund security-related aviation projects  
 206 pursuant to chapter 322 ~~SAFE Council to fund a grant program to~~  
 207 ~~enhance security at airports throughout the state, pursuant to~~  
 208 ~~s. 332.14.~~

209 Section 5. Paragraph (d) of subsection (3) of section  
 210 322.27, Florida Statutes, is amended to read:

211 322.27 Authority of department to suspend or revoke  
 212 license.—

213 (3) There is established a point system for evaluation of  
 214 convictions of violations of motor vehicle laws or ordinances,  
 215 and violations of applicable provisions of s. 403.413(6) (b) when  
 216 such violations involve the use of motor vehicles, for the  
 217 determination of the continuing qualification of any person to  
 218 operate a motor vehicle. The department is authorized to suspend  
 219 the license of any person upon showing of its records or other  
 220 good and sufficient evidence that the licensee has been  
 221 convicted of violation of motor vehicle laws or ordinances, or  
 222 applicable provisions of s. 403.413(6) (b), amounting to 12 or  
 223 more points as determined by the point system. The suspension  
 224 shall be for a period of not more than 1 year.

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225 (d) The point system shall have as its basic element a  
 226 graduated scale of points assigning relative values to  
 227 convictions of the following violations:

- 228 1. Reckless driving, willful and wanton—4 points.
- 229 2. Leaving the scene of a crash resulting in property  
 230 damage of more than \$50—6 points.
- 231 3. Unlawful speed resulting in a crash—6 points.
- 232 4. Passing a stopped school bus—4 points.
- 233 5. Unlawful speed:
  - 234 a. Not in excess of 15 miles per hour of lawful or posted  
 235 speed—3 points.
  - 236 b. In excess of 15 miles per hour of lawful or posted  
 237 speed—4 points.
- 238 6. A violation of a traffic control signal device as  
 239 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.
- 240 7. All other moving violations (including parking on a  
 241 highway outside the limits of a municipality)—3 points. However,  
 242 no points shall be imposed for a violation of s. 316.0741 or s.  
 243 316.2065(12); and points shall be imposed for a violation of s.  
 244 316.1001 only when imposed by the court after a hearing pursuant  
 245 to s. 318.14(5).
- 246 8. Any moving violation covered above, excluding unlawful  
 247 speed, resulting in a crash—4 points.
- 248 9. Any conviction under s. 403.413(6)(b)—3 points.
- 249 10. Any conviction under s. 316.0775(2)—4 points.

250 Section 6. Section 332.14, Florida Statutes, is repealed.  
 251 Section 7. All funds accrued by the Secure Airports for  
 252 Florida's Economy Council prior to July 1, 2010, shall be

253 retained by the Department of Transportation. The Department of  
 254 Transportation is authorized to use these funds for statewide  
 255 training purposes relating to airport security and management.  
 256 The Department of Transportation is further authorized to use  
 257 these funds for security-related aviation projects pursuant to  
 258 chapter 332, Florida Statutes.

259 Section 8. Section 334.03, Florida Statutes, is amended to  
 260 read:

261 334.03 Definitions.—When used in the Florida  
 262 Transportation Code, the term:

263 ~~(1) "Arterial road" means a route providing service which~~  
 264 ~~is relatively continuous and of relatively high traffic volume,~~  
 265 ~~long average trip length, high operating speed, and high~~  
 266 ~~mobility importance. In addition, every United States numbered~~  
 267 ~~highway is an arterial road.~~

268 (1)-(2) "Bridge" means a structure, including supports,  
 269 erected over a depression or an obstruction, such as water or a  
 270 highway or railway, and having a track or passageway for  
 271 carrying traffic as defined in chapter 316 or other moving  
 272 loads.

273 (2)-(3) "City street system" means all local roads within a  
 274 municipality that were under the jurisdiction of that  
 275 municipality on June 10, 1995; roads transferred to the  
 276 municipality's jurisdiction after that date by mutual consent  
 277 with another governmental entity, but not including roads so  
 278 transferred from the municipality's jurisdiction; and roads  
 279 constructed by a municipality for its street system, and all  
 280 collector roads inside that municipality, which are not in the

281 ~~county road system.~~

282 ~~(4) "Collector road" means a route providing service which~~  
 283 ~~is of relatively moderate average traffic volume, moderately~~  
 284 ~~average trip length, and moderately average operating speed.~~  
 285 ~~Such a route also collects and distributes traffic between local~~  
 286 ~~roads or arterial roads and serves as a linkage between land~~  
 287 ~~access and mobility needs.~~

288 ~~(3)-(5)~~ "Commissioners" means the governing body of a  
 289 county.

290 ~~(4)-(6)~~ "Consolidated metropolitan statistical area" means  
 291 two or more metropolitan statistical areas that are socially and  
 292 economically interrelated as defined by the United States Bureau  
 293 of the Census.

294 ~~(5)-(7)~~ "Controlled access facility" means a street or  
 295 highway to which the right of access is highly regulated by the  
 296 governmental entity having jurisdiction over the facility in  
 297 order to maximize the operational efficiency and safety of the  
 298 high-volume through traffic utilizing the facility. Owners or  
 299 occupants of abutting lands and other persons have a right of  
 300 access to or from such facility at such points only and in such  
 301 manner as may be determined by the governmental entity.

302 ~~(6)-(8)~~ "County road system" means all roads within a  
 303 county which were under the jurisdiction of that county on June  
 304 10, 1995; roads transferred to the county's jurisdiction after  
 305 that date by mutual consent with another governmental entity,  
 306 but not including roads so transferred from the county's  
 307 jurisdiction; and roads constructed by a county for that  
 308 county's road system ~~collector roads in the unincorporated areas~~

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309 ~~of a county and all extensions of such collector roads into and~~  
310 ~~through any incorporated areas, all local roads in the~~  
311 ~~unincorporated areas, and all urban minor arterial roads not in~~  
312 ~~the State Highway System.~~

313 (7)~~(9)~~ "Department" means the Department of  
314 Transportation.

315 (8)~~(10)~~ "Florida Intrastate Highway System" means a system  
316 of limited access and controlled access facilities on the State  
317 Highway System which have the capacity to provide high-speed and  
318 high-volume traffic movements in an efficient and safe manner.

319 (9)~~(11)~~ "Functional classification" means the assignment  
320 of roads into systems according to the character of service they  
321 provide in relation to the total road network using procedures  
322 developed by the Federal Highway Administration. ~~Basic~~  
323 ~~functional categories include arterial roads, collector roads,~~  
324 ~~and local roads which may be subdivided into principal, major,~~  
325 ~~or minor levels. Those levels may be additionally divided into~~  
326 ~~rural and urban categories.~~

327 (10)~~(12)~~ "Governmental entity" means a unit of government,  
328 or any officially designated public agency or authority of a  
329 unit of government, that has the responsibility for planning,  
330 construction, operation, or maintenance or jurisdiction over  
331 transportation facilities; the term includes the Federal  
332 Government, the state government, a county, an incorporated  
333 municipality, a metropolitan planning organization, an  
334 expressway or transportation authority, a road and bridge  
335 district, a special road and bridge district, and a regional  
336 governmental unit.

337        (11)~~(13)~~ "Limited access facility" means a street or  
 338 highway especially designed for through traffic, and over, from,  
 339 or to which owners or occupants of abutting land or other  
 340 persons have no right or easement of access, light, air, or view  
 341 by reason of the fact that their property abuts upon such  
 342 limited access facility or for any other reason. Such highways  
 343 or streets may be facilities from which trucks, buses, and other  
 344 commercial vehicles are excluded; or they may be facilities open  
 345 to use by all customary forms of street and highway traffic.

346        (12)~~(14)~~ "Local governmental entity" means a unit of  
 347 government with less than statewide jurisdiction, or any  
 348 officially designated public agency or authority of such a unit  
 349 of government, that has the responsibility for planning,  
 350 construction, operation, or maintenance of, or jurisdiction  
 351 over, a transportation facility; the term includes, but is not  
 352 limited to, a county, an incorporated municipality, a  
 353 metropolitan planning organization, an expressway or  
 354 transportation authority, a road and bridge district, a special  
 355 road and bridge district, and a regional governmental unit.

356        ~~(15) "Local road" means a route providing service which is~~  
 357 ~~of relatively low average traffic volume, short average trip~~  
 358 ~~length or minimal through-traffic movements, and high land~~  
 359 ~~access for abutting property.~~

360        (13)~~(16)~~ "Metropolitan area" means a geographic region  
 361 comprising as a minimum the existing urbanized area and the  
 362 contiguous area projected to become urbanized within a 20-year  
 363 forecast period. The boundaries of a metropolitan area may be  
 364 designated so as to encompass a metropolitan statistical area or

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365 a consolidated metropolitan statistical area. If a metropolitan  
366 area, or any part thereof, is located within a nonattainment  
367 area, the boundaries of the metropolitan area must be designated  
368 so as to include the boundaries of the entire nonattainment  
369 area, unless otherwise provided by agreement between the  
370 applicable metropolitan planning organization and the Governor.

371 (14)~~(17)~~ "Metropolitan statistical area" means an area  
372 that includes a municipality of 50,000 persons or more, or an  
373 urbanized area of at least 50,000 persons as defined by the  
374 United States Bureau of the Census, provided that the component  
375 county or counties have a total population of at least 100,000.

376 (15)~~(18)~~ "Nonattainment area" means an area designated by  
377 the United States Environmental Protection Agency, pursuant to  
378 federal law, as exceeding national primary or secondary ambient  
379 air quality standards for the pollutants carbon monoxide or  
380 ozone.

381 (16)~~(19)~~ "Periodic maintenance" means activities that are  
382 large in scope and require a major work effort to restore  
383 deteriorated components of the transportation system to a safe  
384 and serviceable condition, including, but not limited to, the  
385 repair of large bridge structures, major repairs to bridges and  
386 bridge systems, and the mineral sealing of lengthy sections of  
387 roadway.

388 (17)~~(20)~~ "Person" means any person described in s. 1.01 or  
389 any unit of government in or outside the state.

390 (18)~~(21)~~ "Right of access" means the right of ingress to a  
391 highway from abutting land and egress from a highway to abutting  
392 land.

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393        ~~(19)-(22)~~ "Right-of-way" means land in which the state, the  
 394 department, a county, or a municipality owns the fee or has an  
 395 easement devoted to or required for use as a transportation  
 396 facility.

397        ~~(20)-(23)~~ "Road" means a way open to travel by the public,  
 398 including, but not limited to, a street, highway, or alley. The  
 399 term includes associated sidewalks, the roadbed, the right-of-  
 400 way, and all culverts, drains, sluices, ditches, water storage  
 401 areas, waterways, embankments, slopes, retaining walls, bridges,  
 402 tunnels, and viaducts necessary for the maintenance of travel  
 403 and all ferries used in connection therewith.

404        ~~(21)-(24)~~ "Routine maintenance" means minor repairs and  
 405 associated tasks necessary to maintain a safe and efficient  
 406 transportation system. The term includes: pavement patching;  
 407 shoulder repair; cleaning and repair of drainage ditches,  
 408 traffic signs, and structures; mowing; bridge inspection and  
 409 maintenance; pavement striping; litter cleanup; and other  
 410 similar activities.

411        ~~(22)-(25)~~ "State Highway System" means ~~the following, which~~  
 412 ~~shall be facilities to which access is regulated:~~

413        ~~(a)~~ the interstate system and all other roads within the  
 414 state which were under the jurisdiction of the state on June 10,  
 415 1995; roads transferred to the state's jurisdiction after that  
 416 date by mutual consent with another governmental entity, but not  
 417 including roads so transferred from the state's jurisdiction;  
 418 and roads constructed by an agency of the state for the State  
 419 Highway System. These facilities shall be facilities to which  
 420 access is regulated.‡

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421 ~~(b) All rural arterial routes and their extensions into~~  
422 ~~and through urban areas;~~  
423 ~~(c) All urban principal arterial routes; and~~  
424 ~~(d) The urban minor arterial mileage on the existing State~~  
425 ~~Highway System as of July 1, 1987, plus additional mileage to~~  
426 ~~comply with the 2 percent requirement as described below.~~

427  
428 ~~However, not less than 2 percent of the public road mileage of~~  
429 ~~each urbanized area on record as of June 30, 1986, shall be~~  
430 ~~included as minor arterials in the State Highway System.~~  
431 ~~Urbanized areas not meeting the foregoing minimum requirement~~  
432 ~~shall have transferred to the State Highway System additional~~  
433 ~~minor arterials of the highest significance in which case the~~  
434 ~~total minor arterials in the State Highway System from any~~  
435 ~~urbanized area shall not exceed 2.5 percent of that area's total~~  
436 ~~public urban road mileage.~~

437 ~~(23)-(26)~~ "State Park Road System" means roads embraced  
438 within the boundaries of state parks and state roads leading to  
439 state parks, other than roads of the State Highway System, the  
440 county road systems, or the city street systems.

441 ~~(24)-(27)~~ "State road" means a street, road, highway, or  
442 other way open to travel by the public generally and dedicated  
443 to the public use according to law or by prescription and  
444 designated by the department, as provided by law, as part of the  
445 State Highway System.

446 ~~(25)-(28)~~ "Structure" means a bridge, viaduct, tunnel,  
447 causeway, approach, ferry slip, culvert, toll plaza, gate, or  
448 other similar facility used in connection with a transportation

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449 facility.

450 (26)~~(29)~~ "Sufficiency rating" means the objective rating  
451 of a road or section of a road for the purpose of determining  
452 its capability to serve properly the actual or anticipated  
453 volume of traffic using the road.

454 (27)~~(30)~~ "Transportation corridor" means any land area  
455 designated by the state, a county, or a municipality which is  
456 between two geographic points and which area is used or suitable  
457 for the movement of people and goods by one or more modes of  
458 transportation, including areas necessary for management of  
459 access and securing applicable approvals and permits.

460 Transportation corridors shall contain, but are not limited to,  
461 the following:

462 (a) Existing publicly owned rights-of-way;

463 (b) All property or property interests necessary for  
464 future transportation facilities, including rights of access,  
465 air, view, and light, whether public or private, for the purpose  
466 of securing and utilizing future transportation rights-of-way,  
467 including, but not limited to, any lands reasonably necessary  
468 now or in the future for securing applicable approvals and  
469 permits, borrow pits, drainage ditches, water retention areas,  
470 rest areas, replacement access for landowners whose access could  
471 be impaired due to the construction of a future facility, and  
472 replacement rights-of-way for relocation of rail and utility  
473 facilities.

474 (28)~~(31)~~ "Transportation facility" means any means for the  
475 transportation of people or property from place to place which  
476 is constructed, operated, or maintained in whole or in part from

477 public funds. The term includes the property or property rights,  
 478 both real and personal, which have been or may be established by  
 479 public bodies for the transportation of people or property from  
 480 place to place.

481 (29)~~(32)~~ "Urban area" means a geographic region comprising  
 482 as a minimum the area inside the United States Bureau of the  
 483 Census boundary of an urban place with a population of 5,000 or  
 484 more persons, expanded to include adjacent developed areas as  
 485 provided for by Federal Highway Administration regulations.

486 ~~(33) "Urban minor arterial road" means a route that~~  
 487 ~~generally interconnects with and augments an urban principal~~  
 488 ~~arterial road and provides service to trips of shorter length~~  
 489 ~~and a lower level of travel mobility. The term includes all~~  
 490 ~~arterials not classified as "principal" and contain facilities~~  
 491 ~~that place more emphasis on land access than the higher system.~~

492 (30)~~(34)~~ "Urban place" means a geographic region composed  
 493 of one or more contiguous census tracts that have been found by  
 494 the United States Bureau of the Census to contain a population  
 495 density of at least 1,000 persons per square mile.

496 ~~(35) "Urban principal arterial road" means a route that~~  
 497 ~~generally serves the major centers of activity of an urban area,~~  
 498 ~~the highest traffic volume corridors, and the longest trip~~  
 499 ~~purpose and carries a high proportion of the total urban area~~  
 500 ~~travel on a minimum of mileage. Such roads are integrated, both~~  
 501 ~~internally and between major rural connections.~~

502 (31)~~(36)~~ "Urbanized area" means a geographic region  
 503 comprising as a minimum the area inside an urban place of 50,000  
 504 or more persons, as designated by the United States Bureau of

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505 the Census, expanded to include adjacent developed areas as  
 506 provided for by Federal Highway Administration regulations.  
 507 Urban areas with a population of fewer than 50,000 persons which  
 508 are located within the expanded boundary of an urbanized area  
 509 are not separately recognized.

510 (32)~~(37)~~ "511" or "511 services" means three-digit  
 511 telecommunications dialing to access interactive voice response  
 512 telephone traveler information services provided in the state as  
 513 defined by the Federal Communications Commission in FCC Order  
 514 No. 00-256, July 31, 2000.

515 (33)~~(38)~~ "Interactive voice response" means a software  
 516 application that accepts a combination of voice telephone input  
 517 and touch-tone keypad selection and provides appropriate  
 518 responses in the form of voice, fax, callback, e-mail, and other  
 519 media.

520 Section 9. Subsections (11) and (13) of section 334.044,  
 521 Florida Statutes, are amended to read:

522 334.044 Department; powers and duties.—The department  
 523 shall have the following general powers and duties:

524 (11) To establish a numbering system for public roads and~~7~~  
 525 ~~to functionally classify such roads, and to assign~~  
 526 ~~jurisdictional responsibility.~~

527 (13) To ~~designate existing and to~~ plan proposed  
 528 transportation facilities as part of the State Highway System,  
 529 and to construct, maintain, and operate such facilities.

530 Section 10. Section 334.047, Florida Statutes, is amended  
 531 to read:

532 334.047 Prohibition.—Notwithstanding any other provision

533 of law to the contrary, the Department of Transportation may not  
 534 establish a cap on the number of miles in the State Highway  
 535 System ~~or a maximum number of miles of urban principal arterial~~  
 536 ~~roads, as defined in s. 334.03, within a district or county.~~

537 Section 11. Subsection (1) of section 337.14, Florida  
 538 Statutes, is amended to read:

539 337.14 Application for qualification; certificate of  
 540 qualification; restrictions; request for hearing.—

541 (1) Any person desiring to bid for the performance of any  
 542 construction contract in excess of \$250,000 which the department  
 543 proposes to let must first be certified by the department as  
 544 qualified pursuant to this section and rules of the department.  
 545 The rules of the department shall address the qualification of  
 546 persons to bid on construction contracts in excess of \$250,000  
 547 and shall include requirements with respect to the equipment,  
 548 past record, experience, financial resources, and organizational  
 549 personnel of the applicant necessary to perform the specific  
 550 class of work for which the person seeks certification. The  
 551 department is authorized to limit the dollar amount of any  
 552 contract upon which a person is qualified to bid or the  
 553 aggregate total dollar volume of contracts such person is  
 554 allowed to have under contract at any one time. Each applicant  
 555 seeking qualification to bid on construction contracts in excess  
 556 of \$250,000 shall furnish the department a statement under oath,  
 557 on such forms as the department may prescribe, setting forth  
 558 detailed information as required on the application. Each  
 559 application for certification shall be accompanied by the latest  
 560 annual financial statement of the applicant completed within the

561 last 12 months. If the application or the annual financial  
 562 statement shows the financial condition of the applicant more  
 563 than 4 months prior to the date on which the application is  
 564 received by the department, then an interim financial statement  
 565 must ~~also~~ be submitted and be accompanied by an updated  
 566 application. The interim financial statement must cover the  
 567 period from the end date of the annual statement and must show  
 568 the financial condition of the applicant no more than 4 months  
 569 prior to the date the interim financial statement ~~on which the~~  
 570 ~~application~~ is received by the department. Each required annual  
 571 or interim financial statement must be audited and accompanied  
 572 by the opinion of a certified public accountant or a public  
 573 accountant approved by the department. The information required  
 574 by this subsection is confidential and exempt from the  
 575 provisions of s. 119.07(1). The department shall act upon the  
 576 application for qualification within 30 days after the  
 577 department determines that the application is complete. The  
 578 department may waive the requirements of this subsection for  
 579 projects having a contract price of \$500,000 or less if the  
 580 department determines that the project is of a noncritical  
 581 nature and the waiver will not endanger public health, safety,  
 582 or property.

583 Section 12. Subsection (1) of section 337.401, Florida  
 584 Statutes, is amended to read:

585 337.401 Use of right-of-way for utilities subject to  
 586 regulation; permit; fees.—

587 (1) (a) The department and local governmental entities,  
 588 referred to in ss. 337.401-337.404 as the "authority," that have

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589 jurisdiction and control of public roads or publicly owned rail  
590 corridors are authorized to prescribe and enforce reasonable  
591 rules or regulations with reference to the placing and  
592 maintaining along, across, or on any road or publicly owned rail  
593 corridors under their respective jurisdictions any electric  
594 transmission, telephone, telegraph, or other communications  
595 services lines; pole lines; poles; railways; ditches; sewers;  
596 water, heat, or gas mains; pipelines; fences; gasoline tanks and  
597 pumps; or other structures referred to in this section as the  
598 "utility." ~~For aerial and underground electric utility~~  
599 ~~transmission lines designed to operate at 69 or more kilovolts~~  
600 ~~that are needed to accommodate the additional electrical~~  
601 ~~transfer capacity on the transmission grid resulting from new~~  
602 ~~base-load generating facilities, where there is no other~~  
603 ~~practicable alternative available for placement of the electric~~  
604 ~~utility transmission lines on the department's rights-of-way,~~  
605 ~~the department's rules shall provide for placement of and access~~  
606 ~~to such transmission lines adjacent to and within the right-of-~~  
607 ~~way of any department-controlled public roads, including~~  
608 ~~longitudinally within limited access facilities to the greatest~~  
609 ~~extent allowed by federal law, if compliance with the standards~~  
610 ~~established by such rules is achieved. Such rules may include,~~  
611 ~~but need not be limited to, that the use of the right-of-way is~~  
612 ~~reasonable based upon a consideration of economic and~~  
613 ~~environmental factors, including, without limitation, other~~  
614 ~~practicable alternative alignments, utility corridors and~~  
615 ~~easements, impacts on adjacent property owners, and minimum~~  
616 ~~clear zones and other safety standards, and further provide that~~

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617 ~~placement of the electric utility transmission lines within the~~  
618 ~~department's right-of-way does not interfere with operational~~  
619 ~~requirements of the transportation facility or planned or~~  
620 ~~potential future expansion of such transportation facility. If~~  
621 ~~the department approves longitudinal placement of electric~~  
622 ~~utility transmission lines in limited access facilities,~~  
623 ~~compensation for the use of the right-of-way is required. Such~~  
624 ~~consideration or compensation paid by the electric utility in~~  
625 ~~connection with the department's issuance of a permit does not~~  
626 ~~create any property right in the department's property~~  
627 ~~regardless of the amount of consideration paid or the~~  
628 ~~improvements constructed on the property by the utility. Upon~~  
629 ~~notice by the department that the property is needed for~~  
630 ~~expansion or improvement of the transportation facility, the~~  
631 ~~electric utility transmission line will relocate from the~~  
632 ~~facility at the electric utility's sole expense. The electric~~  
633 ~~utility shall pay to the department reasonable damages resulting~~  
634 ~~from the utility's failure or refusal to timely relocate its~~  
635 ~~transmission lines. The rules to be adopted by the department~~  
636 ~~may also address the compensation methodology and relocation. As~~  
637 ~~used in this subsection, the term "base-load generating~~  
638 ~~facilities" means electric power plants that are certified under~~  
639 ~~part II of chapter 403. The department may enter into a permit-~~  
640 ~~delegation agreement with a governmental entity if issuance of a~~  
641 ~~permit is based on requirements that the department finds will~~  
642 ~~ensure the safety and integrity of facilities of the Department~~  
643 ~~of Transportation; however, the permit-delegation agreement does~~  
644 ~~not apply to facilities of electric utilities as defined in s.~~

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

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645 366.02(2).

646 (b) For aerial and underground electric utility

647 transmission lines designed to operate at 69 or more kilovolts

648 that are needed to accommodate the additional electrical

649 transfer capacity on the transmission grid resulting from new

650 base-load generating facilities, the department's rules shall

651 provide for placement of and access to such transmission lines

652 adjacent to and within the right-of-way of any department-

653 controlled public roads, including longitudinally within limited

654 access facilities where there is no other practicable

655 alternative available, to the greatest extent allowed by federal

656 law, if compliance with the standards established by such rules

657 is achieved. Such rules may include, but need not be limited to,

658 that the use of the limited access right-of-way for longitudinal

659 placement of electric utility transmission lines is reasonable

660 based upon a consideration of economic and environmental

661 factors, including, without limitation, other practicable

662 alternative alignments, utility corridors and easements, impacts

663 on adjacent property owners, and minimum clear zones and other

664 safety standards, and further provide that placement of the

665 electric utility transmission lines within the department's

666 right-of-way does not interfere with operational requirements of

667 the transportation facility or planned or potential future

668 expansion of such transportation facility. If the department

669 approves longitudinal placement of electric utility transmission

670 lines in limited access facilities, compensation for the use of

671 the right-of-way is required. Such consideration or compensation

672 paid by the electric utility in connection with the department's

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673 issuance of a permit does not create any property right in the  
674 department's property regardless of the amount of consideration  
675 paid or the improvements constructed on the property by the  
676 utility. Upon notice by the department that the property is  
677 needed for expansion or improvement of the transportation  
678 facility, the electric utility transmission line will relocate  
679 at the electric utility's sole expense. The electric utility  
680 shall pay to the department reasonable damages resulting from  
681 the utility's failure or refusal to timely relocate its  
682 transmission lines. The rules to be adopted by the department  
683 may also address the compensation methodology and relocation. As  
684 used in this subsection, the term "base-load generating  
685 facilities" means electric power plants that are certified under  
686 part II of chapter 403.

687 Section 13. Subsection (1) of section 338.155, Florida  
688 Statutes, is amended to read:

689 338.155 Payment of toll on toll facilities required;  
690 exemptions.—

691 (1) No persons are permitted to use any toll facility  
692 without payment of tolls, except employees of the agency  
693 operating the toll project when using the toll facility on  
694 official state business, state military personnel while on  
695 official military business, handicapped persons as provided in  
696 this section, persons exempt from toll payment by the  
697 authorizing resolution for bonds issued to finance the facility,  
698 and persons exempt on a temporary basis where use of such toll  
699 facility is required as a detour route. Any law enforcement  
700 officer operating a marked official vehicle is exempt from toll

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701 payment when on official law enforcement business. Any person  
 702 operating a fire vehicle when on official business or a rescue  
 703 vehicle when on official business is exempt from toll payment.  
 704 Any person participating in the funeral procession of a law  
 705 enforcement officer or firefighter killed in the line of duty is  
 706 exempt from toll payment. The secretary, or the secretary's  
 707 designee, may suspend the payment of tolls on a toll facility  
 708 when necessary to assist in emergency evacuation. The failure to  
 709 pay a prescribed toll constitutes a noncriminal traffic  
 710 infraction, punishable as a moving violation pursuant to s.  
 711 318.18. The department is authorized to adopt rules relating to  
 712 the payment, collection, and enforcement of tolls, including,  
 713 but not limited to, rules for the implementation of video or  
 714 other image billing and variable pricing ~~guaranteed toll~~  
 715 ~~accounts.~~

716 Section 14. Subsection (1) of section 403.4131, Florida  
 717 Statutes, is amended to read:

718 403.4131 Litter control.—

719 (1) The Department of Transportation shall establish an  
 720 "adopt-a-highway" program to allow local organizations to be  
 721 identified with specific highway cleanup and highway  
 722 beautification projects authorized under s. 339.2405. ~~The~~  
 723 ~~department shall report to the Governor and the Legislature on~~  
 724 ~~the progress achieved and the savings incurred by the "adopt-a-~~  
 725 ~~highway" program.~~ The department shall also monitor and report  
 726 ~~on~~ compliance with the provisions of the adopt-a-highway program  
 727 to ensure that organizations participating ~~that participate~~ in  
 728 the program comply with the goals identified by the department.

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729 Section 15. Section 705.18, Florida Statutes, is amended  
 730 to read:

731 705.18 Disposal of personal property lost or abandoned on  
 732 university or community college campuses ~~or certain public-use~~  
 733 ~~airports~~; disposition of proceeds from sale thereof.-

734 (1) Whenever any lost or abandoned personal property shall  
 735 be found on a campus of an institution in the State University  
 736 System or a campus of a state-supported community college, ~~or on~~  
 737 ~~premises owned or controlled by the operator of a public-use~~  
 738 ~~airport having regularly scheduled international passenger~~  
 739 ~~service~~, the president of the institution or the president's  
 740 designee ~~or the director of the airport or the director's~~  
 741 ~~designee~~ shall take charge of the property ~~thereof~~ and make a  
 742 record of the date such property was found. If, within 30 days  
 743 after such property is found, or a longer period of time as may  
 744 be deemed appropriate by the president ~~or the director~~ under the  
 745 circumstances, the property ~~it~~ is not claimed by the owner, the  
 746 president ~~or director~~ shall order it sold at public outcry after  
 747 giving notice of the time and place of sale in a publication of  
 748 general circulation on the campus of such institution ~~or within~~  
 749 ~~the county where the airport is located~~ and written notice to  
 750 the owner if known. The rightful owner of such property may  
 751 reclaim the same at any time prior to sale.

752 (2) All moneys realized from such institution's sale shall  
 753 be placed in an appropriate fund and used solely for student  
 754 scholarship and loan purposes. ~~All moneys realized from such~~  
 755 ~~sale by an airport, less its costs of storage, transportation,~~  
 756 ~~and publication of notice, shall, unless another use is required~~

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757 ~~by federal law, be deposited into the state school fund.~~

758 Section 16. Section 705.182, Florida Statutes, is created  
759 to read:

760 705.182 Disposal of personal property found on the  
761 premises of public-use airports.-

762 (1) Whenever any personal property, other than an aircraft  
763 or motor vehicle, is found on premises owned or controlled by  
764 the operator of a public-use airport, the director of the  
765 airport or the director's designee shall take charge of the  
766 property and make a record of the date such property was found.

767 (2) If, within 30 calendar days after such property is  
768 found or for a longer period of time as may be deemed  
769 appropriate by the director or the director's designee under the  
770 circumstances, the property is not claimed by the owner, the  
771 director or the director's designee may:

772 (a) Retain any or all of the property for use by the  
773 airport or for use by the state or the unit of local government  
774 owning or operating the airport;

775 (b) Trade such property to another unit of local  
776 government or a state agency;

777 (c) Donate the property to a charitable organization;

778 (d) Sell the property; or

779 (e) Dispose of the property through an appropriate refuse  
780 removal company or a company that provides salvage services for  
781 the type of personal property found or located on the airport  
782 premises.

783 (3) The airport shall notify the owner, if known, of the  
784 property found on the airport premises and that the airport

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785 intends to dispose of the property as provided in subsection  
786 (2).

787 (4) If the airport elects to sell the property under  
788 paragraph (2) (d), the property must be sold at a public auction  
789 either on the Internet or at a specified physical location after  
790 giving notice of the time and place of sale, at least 10  
791 calendar days prior to the date of sale, in a publication of  
792 general circulation within the county where the airport is  
793 located and after written notice, via certified mail, return  
794 receipt requested, is provided to the owner, if known. Any such  
795 notice shall be sufficient if the notice refers to the airport's  
796 intention to sell all then-accumulated found property, and there  
797 is no requirement that the notice identify each item to be sold.  
798 The rightful owner of such property may reclaim the property at  
799 any time prior to sale by presenting acceptable evidence of  
800 ownership to the airport director or the director's designee.  
801 All proceeds from the sale of the property shall be retained by  
802 the airport for use by the airport in any lawfully authorized  
803 manner.

804 (5) Nothing in this section shall preclude the airport  
805 from allowing a domestic or international air carrier or other  
806 tenant, on premises owned or controlled by the operator of a  
807 public-use airport, to establish its own lost and found  
808 procedures for personal property and to dispose of such personal  
809 property.

810 (6) A purchaser or recipient in good faith of personal  
811 property sold or obtained under this section shall take the  
812 property free of the rights of persons then holding any legal or

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813 equitable interest thereto, whether or not recorded.

814 Section 17. Section 705.183, Florida Statutes, is created  
815 to read:

816 705.183 Disposal of derelict or abandoned aircraft on the  
817 premises of public-use airports.-

818 (1) (a) Whenever any derelict or abandoned aircraft is  
819 found or located on premises owned or controlled by the operator  
820 of a public-use airport, whether or not such premises are under  
821 a lease or license to a third party, the director of the airport  
822 or the director's designee shall make a record of the date the  
823 aircraft was found or determined to be present on the airport  
824 premises.

825 (b) For purposes of this section, the term:

826 1. "Abandoned aircraft" means an aircraft that has been  
827 disposed of on a public-use airport in a wrecked, inoperative,  
828 or partially dismantled condition or an aircraft that has  
829 remained in an idle state on premises owned or controlled by the  
830 operator of a public-use airport for 45 consecutive calendar  
831 days.

832 2. "Derelict aircraft" means any aircraft that is not in a  
833 flyable condition, does not have a current certificate of air  
834 worthiness issued by the Federal Aviation Administration, and is  
835 not in the process of actively being repaired.

836 (2) The director or the director's designee shall contact  
837 the Federal Aviation Administration, Aircraft Registration  
838 Branch, to determine the name and address of the last registered  
839 owner of the aircraft and shall make a diligent personal search  
840 of the appropriate records, or contact an aircraft title search

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841 company, to determine the name and address of any person having  
842 an equitable or legal interest in the aircraft. Within 10  
843 business days after receipt of the information, the director or  
844 the director's designee shall notify the owner and all persons  
845 having an equitable or legal interest in the aircraft by  
846 certified mail, return receipt requested, of the location of the  
847 derelict or abandoned aircraft on the airport premises, that  
848 fees and charges for the use of the airport by the aircraft have  
849 accrued and the amount thereof, that the aircraft is subject to  
850 a lien under subsection (5) for the accrued fees and charges for  
851 the use of the airport and for the transportation, storage, and  
852 removal of the aircraft, that the lien is subject to enforcement  
853 pursuant to law, and that the airport may cause the use, trade,  
854 sale, or removal of the aircraft as described in s.  
855 705.182(2) (a), (b), (d), or (e) if, within 30 calendar days  
856 after the date of receipt of such notice, the aircraft has not  
857 been removed from the airport upon payment in full of all  
858 accrued fees and charges for the use of the airport and for the  
859 transportation, storage, and removal of the aircraft. Such  
860 notice may require removal of the aircraft in less than 30  
861 calendar days if the aircraft poses a danger to the health or  
862 safety of users of the airport, as determined by the director or  
863 the director's designee.

864 (3) If the owner of the aircraft is unknown or cannot be  
865 found, the director or the director's designee shall cause a  
866 laminated notice to be placed upon such aircraft in  
867 substantially the following form:

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869 NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED  
870 PROPERTY. This property, to wit: ...(setting forth brief  
871 description)... is unlawfully upon public property known as  
872 ...(setting forth brief description of location)... and has  
873 accrued fees and charges for the use of the ...(same description  
874 of location as above)... and for the transportation, storage,  
875 and removal of the property. These accrued fees and charges must  
876 be paid in full and the property must be removed within 30  
877 calendar days after the date of this notice; otherwise, the  
878 property will be removed and disposed of pursuant to chapter  
879 705, Florida Statutes. The property is subject to a lien for all  
880 accrued fees and charges for the use of the public property  
881 known as ...(same description of location as above)... by such  
882 property and for all fees and charges incurred by the public  
883 property known as ...(same description of location as above)...  
884 for the transportation, storage, and removal of the property.  
885 This lien is subject to enforcement pursuant to law. The owner  
886 will be liable for such fees and charges, as well as the cost  
887 for publication of this notice. Dated this: ...(setting forth  
888 the date of posting of notice)..., signed: ...(setting forth  
889 name, title, address, and telephone number of law enforcement  
890 officer)....

891  
892 Such notice shall be not less than 8 inches by 10 inches and  
893 shall be sufficiently weatherproof to withstand normal exposure  
894 to the weather. If, at the end of 30 calendar days after posting  
895 the notice, the owner or any person interested in the described  
896 derelict or abandoned aircraft has not removed the aircraft from

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897 the airport upon payment in full of all accrued fees and charges  
898 for the use of the airport and for the transportation, storage,  
899 and removal of the aircraft, or shown reasonable cause for  
900 failure to do so, the director or the director's designee may  
901 cause the use, trade, sale, or removal of the aircraft as  
902 described in s. 705.182(2)(a), (b), (d), or (e).

903 (4) Such aircraft shall be removed within the time period  
904 specified in the notice provided under subsection (2) or  
905 subsection (3). If, at the end of such period of time, the owner  
906 or any person interested in the described derelict or abandoned  
907 aircraft has not removed the aircraft from the airport upon  
908 payment in full of all accrued fees and charges for the use of  
909 the airport and for the transportation, storage, and removal of  
910 the aircraft, or shown reasonable cause for the failure to do  
911 so, the director or the director's designee may cause the use,  
912 trade, sale, or removal of the aircraft as described in s.  
913 705.182(2)(a), (b), (d), or (e).

914 (a) If the airport elects to sell the aircraft in  
915 accordance with s. 705.182(2)(d), the aircraft must be sold at  
916 public auction after giving notice of the time and place of  
917 sale, at least 10 calendar days prior to the date of sale, in a  
918 publication of general circulation within the county where the  
919 airport is located and after providing written notice of the  
920 intended sale to all parties known to have an interest in the  
921 aircraft.

922 (b) If the airport elects to dispose of the aircraft in  
923 accordance with s. 705.182(2)(e), the airport shall be entitled  
924 to negotiate with the company for a price to be received from

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925 such company in payment for the aircraft, or, if circumstances  
926 so warrant, a price to be paid to such company by the airport  
927 for the costs of disposing of the aircraft. All information  
928 pertaining to the establishment of such price and the  
929 justification for the amount of such price shall be prepared and  
930 maintained by the airport, and such negotiated price shall be  
931 deemed to be a commercially reasonable price.

932 (c) If the sale price or the negotiated price is less than  
933 the airport's then current charges and costs against the  
934 aircraft, or if the airport is required to pay the salvage  
935 company for its services, the owner of the aircraft shall remain  
936 liable to the airport for the airport's costs that are not  
937 offset by the sale price or negotiated price, in addition to the  
938 owner's liability for payment to the airport of the price the  
939 airport was required to pay any salvage company. All costs  
940 incurred by the airport in the removal, storage, and sale of any  
941 aircraft shall be recoverable against the owner of the aircraft.

942 (5) The airport shall have a lien on a derelict or  
943 abandoned aircraft for all fees and charges for the use of the  
944 airport by such aircraft and for all fees and charges incurred  
945 by the airport for the transportation, storage, and removal of  
946 the aircraft. As a prerequisite to perfecting a lien under this  
947 section, the airport director or the director's designee must  
948 serve a notice in accordance with subsection (2) on the last  
949 registered owner and all persons having an equitable or legal  
950 interest in the aircraft. Serving the notice does not dispense  
951 with recording the claim of lien.

952 (6) (a) For the purpose of perfecting its lien under this

953 section, the airport shall record a claim of lien which shall  
 954 state:

955 1. The name and address of the airport.

956 2. The name of the last registered owner of the aircraft  
 957 and all persons having a legal or equitable interest in the  
 958 aircraft.

959 3. The fees and charges incurred by the aircraft for the  
 960 use of the airport and the fees and charges for the  
 961 transportation, storage, and removal of the aircraft.

962 4. A description of the aircraft sufficient for  
 963 identification.

964 (b) The claim of lien shall be signed and sworn to or  
 965 affirmed by the airport director or the director's designee.

966 (c) The claim of lien shall be sufficient if it is in  
 967 substantially the following form:

968  
 969 CLAIM OF LIEN

970 State of \_\_\_\_\_

971 County of \_\_\_\_\_

972 Before me, the undersigned notary public, personally appeared

973 \_\_\_\_\_, who was duly sworn and says that he/she is the

974 \_\_\_\_\_ of \_\_\_\_\_, whose address is \_\_\_\_\_; and that the

975 following described aircraft:

976 ...(Description of aircraft)...

977 owned by \_\_\_\_\_, whose address is \_\_\_\_\_, has accrued

978 \$ \_\_\_\_\_ in fees and charges for the use by the aircraft of

979 \_\_\_\_\_ and for the transportation, storage, and removal

980 of the aircraft from \_\_\_\_\_; that the lienor served its

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981 notice to the last registered owner and all persons having a  
 982 legal or equitable interest in the aircraft on \_\_\_\_\_,  
 983 ...(year)..., by \_\_\_\_\_.  
 984 ...(Signature)...  
 985 Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day  
 986 of \_\_\_\_\_, ...(year)..., by ...(name of person making statement)....  
 987 ...(Signature of Notary Public)... ...(Print, Type, or Stamp  
 988 Commissioned name of Notary Public)...  
 989 Personally Known OR Produced \_\_\_\_\_ as identification.

990  
 991 However, the negligent inclusion or omission of any information  
 992 in this claim of lien which does not prejudice the last  
 993 registered owner does not constitute a default that operates to  
 994 defeat an otherwise valid lien.

995 (d) The claim of lien shall be served on the last  
 996 registered owner of the aircraft and all persons having an  
 997 equitable or legal interest in the aircraft. The claim of lien  
 998 shall be so served before recordation.

999 (e) The claim of lien shall be recorded with the clerk of  
 1000 court in the county where the airport is located. The recording  
 1001 of the claim of lien shall be constructive notice to all persons  
 1002 of the contents and effect of such claim. The lien shall attach  
 1003 at the time of recordation and shall take priority as of that  
 1004 time.

1005 (7) A purchaser or recipient in good faith of an aircraft  
 1006 sold or obtained under this section takes the property free of  
 1007 the rights of persons then holding any legal or equitable  
 1008 interest to the aircraft, whether or not recorded. The purchaser

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1009 or recipient is required to notify the appropriate Federal  
 1010 Aviation Administration office of such change in the registered  
 1011 owner of the aircraft.

1012 (8) If the aircraft is sold at public sale, the airport  
 1013 shall deduct from the proceeds of sale the costs of  
 1014 transportation, storage, publication of notice, and all other  
 1015 costs reasonably incurred by the airport, and any balance of the  
 1016 proceeds shall be deposited into an interest-bearing account not  
 1017 later than 30 calendar days after the airport's receipt of the  
 1018 proceeds and held there for 1 year. The rightful owner of the  
 1019 aircraft may claim the balance of the proceeds within 1 year  
 1020 after the date of the deposit by making application to the  
 1021 airport and presenting acceptable written evidence of ownership  
 1022 to the airport's director or the director's designee. If no  
 1023 rightful owner claims the proceeds within the 1-year period, the  
 1024 balance of the proceeds shall be retained by the airport to be  
 1025 used in any manner authorized by law.

1026 (9) Any person acquiring a legal interest in an aircraft  
 1027 that is sold by an airport under this section or s. 705.182  
 1028 shall be the lawful owner of such aircraft and all other legal  
 1029 or equitable interests in such aircraft shall be divested and of  
 1030 no further force and effect, provided that the holder of any  
 1031 such legal or equitable interests was notified of the intended  
 1032 disposal of the aircraft to the extent required in this section.  
 1033 The airport may issue documents of disposition to the purchaser  
 1034 or recipient of an aircraft disposed of under this section.

1035 Section 18. Section 705.184, Florida Statutes, is created  
 1036 to read:

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1037 705.184 Derelict or abandoned motor vehicles on the  
 1038 premises of public-use airports.-

1039 (1) (a) Whenever any derelict or abandoned motor vehicle is  
 1040 found on premises owned or controlled by the operator of a  
 1041 public-use airport, including airport premises leased to a third  
 1042 party, the director of the airport or the director's designee  
 1043 may take charge of the motor vehicle and make a record of the  
 1044 date such motor vehicle was found.

1045 (b) For purposes of this section, the term:

1046 1. "Abandoned motor vehicle" means a motor vehicle that  
 1047 has been disposed of on a public-use airport in a wrecked,  
 1048 inoperative, or partially dismantled condition or a motor  
 1049 vehicle that has remained in an idle state on the premises of a  
 1050 public-use airport for 45 consecutive calendar days.

1051 2. "Derelict motor vehicle" means any motor vehicle that  
 1052 is not in a drivable condition.

1053 (c) After the information relating to the abandoned or  
 1054 derelict motor vehicle is recorded in the airport's records, the  
 1055 director or the director's designee may cause the motor vehicle  
 1056 to be removed from airport premises by the airport's wrecker or  
 1057 by a licensed independent wrecker company to be stored at a  
 1058 suitable location on or off the airport premises. If the motor  
 1059 vehicle is to be removed from airport premises by the airport's  
 1060 wrecker, the airport must follow the procedures in subsections  
 1061 (2)-(8). The procedures in subsections (2)-(8) do not apply if  
 1062 the motor vehicle is removed from the airport premises by a  
 1063 licensed independent wrecker company.

1064 (2) The airport director or the director's designee shall

1065 contact the Department of Highway Safety and Motor Vehicles to  
 1066 notify that department that the airport has possession of the  
 1067 abandoned or derelict motor vehicle and to determine the name  
 1068 and address of the owner of the motor vehicle, the insurance  
 1069 company insuring the motor vehicle, notwithstanding the  
 1070 provisions of s. 627.736, and any person who has filed a lien on  
 1071 the motor vehicle. Within 7 business days after receipt of the  
 1072 information, the director or the director's designee shall send  
 1073 notice by certified mail, return receipt requested, to the owner  
 1074 of the motor vehicle, the insurance company insuring the motor  
 1075 vehicle, notwithstanding the provisions of s. 627.736, and all  
 1076 persons of record claiming a lien against the motor vehicle. The  
 1077 notice shall state the fact of possession of the motor vehicle,  
 1078 that charges for reasonable towing, storage, and parking fees,  
 1079 if any, have accrued and the amount thereof, that a lien as  
 1080 provided in subsection (6) will be claimed, that the lien is  
 1081 subject to enforcement pursuant to law, that the owner or  
 1082 lienholder, if any, has the right to a hearing as set forth in  
 1083 subsection (4), and that any motor vehicle which, at the end of  
 1084 30 calendar days after receipt of the notice, has not been  
 1085 removed from the airport upon payment in full of all accrued  
 1086 charges for reasonable towing, storage, and parking fees, if  
 1087 any, may be disposed of as provided in s. 705.182(2) (a), (b),  
 1088 (d), or (e), including, but not limited to, the motor vehicle  
 1089 being sold free of all prior liens after 35 calendar days after  
 1090 the time the motor vehicle is stored if any prior liens on the  
 1091 motor vehicle are more than 5 years of age or after 50 calendar  
 1092 days after the time the motor vehicle is stored if any prior

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1093 liens on the motor vehicle are 5 years of age or less.

1094 (3) If attempts to notify the owner or lienholder pursuant  
1095 to subsection (2) are not successful, the requirement of notice  
1096 by mail shall be considered met and the director or the  
1097 director's designee, in accordance with subsection (5), may  
1098 cause the motor vehicle to be disposed of as provided in s.  
1099 705.182(2) (a), (b), (d), or (e), including, but not limited to,  
1100 the motor vehicle being sold free of all prior liens after 35  
1101 calendar days after the time the motor vehicle is stored if any  
1102 prior liens on the motor vehicle are more than 5 years of age or  
1103 after 50 calendar days after the time the motor vehicle is  
1104 stored if any prior liens on the motor vehicle are 5 years of  
1105 age or less.

1106 (4) (a) The owner of, or any person with a lien on, a motor  
1107 vehicle removed pursuant to subsection (1), may, within 10  
1108 calendar days after the time he or she has knowledge of the  
1109 location of the motor vehicle, file a complaint in the county  
1110 court of the county in which the motor vehicle is stored to  
1111 determine if his or her property was wrongfully taken or  
1112 withheld.

1113 (b) Upon filing a complaint, an owner or lienholder may  
1114 have his or her motor vehicle released upon posting with the  
1115 court a cash or surety bond or other adequate security equal to  
1116 the amount of the fees for towing, storage, and accrued parking,  
1117 if any, to ensure the payment of such fees in the event he or  
1118 she does not prevail. Upon the posting of the bond or other  
1119 adequate security and the payment of any applicable fee, the  
1120 clerk of the court shall issue a certificate notifying the

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1121 airport of the posting of the bond or other adequate security  
1122 and directing the airport to release the motor vehicle. At the  
1123 time of such release, after reasonable inspection, the owner or  
1124 lienholder shall give a receipt to the airport reciting any  
1125 claims he or she has for loss or damage to the motor vehicle or  
1126 the contents of the motor vehicle.

1127 (5) If, after 30 calendar days after receipt of the  
1128 notice, the owner or any person claiming a lien has not removed  
1129 the motor vehicle from its storage location upon payment in full  
1130 of all accrued charges for reasonable towing, storage, and  
1131 parking fees, if any, or shown reasonable cause for the failure  
1132 to do so, the airport director or the director's designee may  
1133 dispose of the motor vehicle as provided in s. 705.182(2) (a),  
1134 (b), (d), or (e). If the airport elects to sell the motor  
1135 vehicle pursuant to s. 705.182(2) (d), the motor vehicle may be  
1136 sold free of all prior liens after 35 calendar days after the  
1137 time the motor vehicle is stored if any prior liens on the motor  
1138 vehicle are more than 5 years of age or after 50 calendar days  
1139 after the time the motor vehicle is stored if any prior liens on  
1140 the motor vehicle are 5 years of age or less. The sale shall be  
1141 a public auction either on the Internet or at a specified  
1142 physical location. If the date of the sale was not included in  
1143 the notice required in subsection (2), notice of the sale, sent  
1144 by certified mail, return receipt requested, shall be given to  
1145 the owner of the motor vehicle and to all persons claiming a  
1146 lien on the motor vehicle. Such notice shall be mailed not less  
1147 than 10 calendar days before the date of the sale. In addition  
1148 to the notice by mail, public notice of the time and place of

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1149 the sale at auction shall be made by publishing a notice of the  
 1150 sale at auction one time, at least 10 calendar days prior to the  
 1151 date of sale, in a newspaper of general circulation in the  
 1152 county in which the sale is to be held. All costs incurred by  
 1153 the airport for the towing, storage, and sale of the motor  
 1154 vehicle, as well as all accrued parking fees, if any, shall be  
 1155 recovered by the airport from the proceeds of the sale, and any  
 1156 proceeds of the sale in excess of such costs shall be retained  
 1157 by the airport for use by the airport in any manner authorized  
 1158 by law.

1159 (6) The airport pursuant to this section or, if used, a  
 1160 licensed independent wrecker company pursuant to s. 713.78 shall  
 1161 have a lien on an abandoned or derelict motor vehicle for all  
 1162 reasonable towing, storage, and accrued parking fees, if any,  
 1163 except that no storage fee shall be charged if the motor vehicle  
 1164 is stored less than 6 hours. As a prerequisite to perfecting a  
 1165 lien under this section, the airport director or the director's  
 1166 designee must serve a notice in accordance with subsection (2)  
 1167 on the owner of the motor vehicle, the insurance company  
 1168 insuring the motor vehicle, notwithstanding the provisions of s.  
 1169 627.736, and all persons of record claiming a lien against the  
 1170 motor vehicle. If attempts to notify the owner, the insurance  
 1171 company insuring the motor vehicle, notwithstanding the  
 1172 provisions of s. 627.736, or lienholders are not successful, the  
 1173 requirement of notice by mail shall be considered met. Serving  
 1174 of the notice does not dispense with recording the claim of  
 1175 lien.

1176 (7) (a) For the purpose of perfecting its lien under this

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1177 section, the airport shall record a claim of lien which shall  
 1178 state:

1179 1. The name and address of the airport.

1180 2. The name of the owner of the motor vehicle, the  
 1181 insurance company insuring the motor vehicle, notwithstanding  
 1182 the provisions of s. 627.736, and all persons of record claiming  
 1183 a lien against the motor vehicle.

1184 3. The costs incurred from reasonable towing, storage, and  
 1185 parking fees, if any.

1186 4. A description of the motor vehicle sufficient for  
 1187 identification.

1188 (b) The claim of lien shall be signed and sworn to or  
 1189 affirmed by the airport director or the director's designee.

1190 (c) The claim of lien shall be sufficient if it is in  
 1191 substantially the following form:

1193 CLAIM OF LIEN

1194 State of \_\_\_\_\_

1195 County of \_\_\_\_\_

1196 Before me, the undersigned notary public, personally appeared

1197 \_\_\_\_\_, who was duly sworn and says that he/she is the

1198 \_\_\_\_\_ of \_\_\_\_\_, whose address is \_\_\_\_\_; and that the

1199 following described motor vehicle:

1200 ...(Description of motor vehicle)...

1201 owned by \_\_\_\_\_, whose address is \_\_\_\_\_, has accrued

1202 \$ \_\_\_\_\_ in fees for a reasonable tow, for storage, and for

1203 parking, if applicable; that the lienor served its notice to the

1204 owner, the insurance company insuring the motor vehicle

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1205 notwithstanding the provisions of s. 627.736, Florida Statutes,  
 1206 and all persons of record claiming a lien against the motor  
 1207 vehicle on \_\_\_\_\_, ...(year)..., by \_\_\_\_\_.  
 1208 ...(Signature)...  
 1209 Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day  
 1210 of \_\_\_\_\_, ...(year)..., by ...(name of person making statement)....  
 1211 ...(Signature of Notary Public)... ...(Print, Type, or Stamp  
 1212 Commissioned name of Notary Public)...  
 1213 Personally Known OR Produced \_\_\_\_\_ as identification.  
 1214

1215 However, the negligent inclusion or omission of any information  
 1216 in this claim of lien which does not prejudice the owner does  
 1217 not constitute a default that operates to defeat an otherwise  
 1218 valid lien.

1219 (d) The claim of lien shall be served on the owner of the  
 1220 motor vehicle, the insurance company insuring the motor vehicle,  
 1221 notwithstanding the provisions of s. 627.736, and all persons of  
 1222 record claiming a lien against the motor vehicle. If attempts to  
 1223 notify the owner, the insurance company insuring the motor  
 1224 vehicle notwithstanding the provisions of s. 627.736, or  
 1225 lienholders are not successful, the requirement of notice by  
 1226 mail shall be considered met. The claim of lien shall be so  
 1227 served before recordation.

1228 (e) The claim of lien shall be recorded with the clerk of  
 1229 court in the county where the airport is located. The recording  
 1230 of the claim of lien shall be constructive notice to all persons  
 1231 of the contents and effect of such claim. The lien shall attach  
 1232 at the time of recordation and shall take priority as of that

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1233 time.

1234 (8) A purchaser or recipient in good faith of a motor  
 1235 vehicle sold or obtained under this section takes the property  
 1236 free of the rights of persons then holding any legal or  
 1237 equitable interest thereto, whether or not recorded.

1238 Section 19. Paragraph (a) of subsection (12) of section  
 1239 163.3180, Florida Statutes, is amended to read:

1240 163.3180 Concurrency.—

1241 (12) (a) A development of regional impact may satisfy the  
 1242 transportation concurrency requirements of the local  
 1243 comprehensive plan, the local government's concurrency  
 1244 management system, and s. 380.06 by payment of a proportionate-  
 1245 share contribution for local and regionally significant traffic  
 1246 impacts, if:

1247 1. The development of regional impact which, based on its  
 1248 location or mix of land uses, is designed to encourage  
 1249 pedestrian or other nonautomotive modes of transportation;

1250 2. The proportionate-share contribution for local and  
 1251 regionally significant traffic impacts is sufficient to pay for  
 1252 one or more required mobility improvements that will benefit a  
 1253 regionally significant transportation facility;

1254 3. The owner and developer of the development of regional  
 1255 impact pays or assures payment of the proportionate-share  
 1256 contribution; and

1257 4. If the regionally significant transportation facility  
 1258 to be constructed or improved is under the maintenance authority  
 1259 of a governmental entity, as defined by s. 334.03(10) ~~(12)~~, other  
 1260 than the local government with jurisdiction over the development

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1261 of regional impact, the developer is required to enter into a  
 1262 binding and legally enforceable commitment to transfer funds to  
 1263 the governmental entity having maintenance authority or to  
 1264 otherwise assure construction or improvement of the facility.

1265  
 1266 The proportionate-share contribution may be applied to any  
 1267 transportation facility to satisfy the provisions of this  
 1268 subsection and the local comprehensive plan, but, for the  
 1269 purposes of this subsection, the amount of the proportionate-  
 1270 share contribution shall be calculated based upon the cumulative  
 1271 number of trips from the proposed development expected to reach  
 1272 roadways during the peak hour from the complete buildout of a  
 1273 stage or phase being approved, divided by the change in the peak  
 1274 hour maximum service volume of roadways resulting from  
 1275 construction of an improvement necessary to maintain the adopted  
 1276 level of service, multiplied by the construction cost, at the  
 1277 time of developer payment, of the improvement necessary to  
 1278 maintain the adopted level of service. For purposes of this  
 1279 subsection, "construction cost" includes all associated costs of  
 1280 the improvement. Proportionate-share mitigation shall be limited  
 1281 to ensure that a development of regional impact meeting the  
 1282 requirements of this subsection mitigates its impact on the  
 1283 transportation system but is not responsible for the additional  
 1284 cost of reducing or eliminating backlogs. This subsection also  
 1285 applies to Florida Quality Developments pursuant to s. 380.061  
 1286 and to detailed specific area plans implementing optional sector  
 1287 plans pursuant to s. 163.3245.

1288 Section 20. Subsection (3) of section 288.063, Florida

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1289 Statutes, is amended to read:  
 1290       288.063 Contracts for transportation projects.-  
 1291       (3) With respect to any contract executed pursuant to this  
 1292 section, the term "transportation project" means a  
 1293 transportation facility as defined in s. 334.03(28)~~(31)~~ which is  
 1294 necessary in the judgment of the Office of Tourism, Trade, and  
 1295 Economic Development to facilitate the economic development and  
 1296 growth of the state. Except for applications received prior to  
 1297 July 1, 1996, such transportation projects shall be approved  
 1298 only as a consideration to attract new employment opportunities  
 1299 to the state or expand or retain employment in existing  
 1300 companies operating within the state, or to allow for the  
 1301 construction or expansion of a state or federal correctional  
 1302 facility in a county with a population of 75,000 or less that  
 1303 creates new employment opportunities or expands or retains  
 1304 employment in the county. The Office of Tourism, Trade, and  
 1305 Economic Development shall institute procedures to ensure that  
 1306 small and minority businesses have equal access to funding  
 1307 provided under this section. Funding for approved transportation  
 1308 projects may include any expenses, other than administrative  
 1309 costs and equipment purchases specified in the contract,  
 1310 necessary for new, or improvement to existing, transportation  
 1311 facilities. Funds made available pursuant to this section may  
 1312 not be expended in connection with the relocation of a business  
 1313 from one community to another community in this state unless the  
 1314 Office of Tourism, Trade, and Economic Development determines  
 1315 that without such relocation the business will move outside this  
 1316 state or determines that the business has a compelling economic

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1317 rationale for the relocation which creates additional jobs.  
 1318 Subject to appropriation for projects under this section, any  
 1319 appropriation greater than \$10 million shall be allocated to  
 1320 each of the districts of the Department of Transportation to  
 1321 ensure equitable geographical distribution. Such allocated funds  
 1322 that remain uncommitted by the third quarter of the fiscal year  
 1323 shall be reallocated among the districts based on pending  
 1324 project requests.

1325 Section 21. Paragraph (b) of subsection (3) of section  
 1326 311.07, Florida Statutes, is amended to read:

1327 311.07 Florida seaport transportation and economic  
 1328 development funding.—

1329 (3)

1330 (b) Projects eligible for funding by grants under the  
 1331 program are limited to the following port facilities or port  
 1332 transportation projects:

1333 1. Transportation facilities within the jurisdiction of  
 1334 the port.

1335 2. The dredging or deepening of channels, turning basins,  
 1336 or harbors.

1337 3. The construction or rehabilitation of wharves, docks,  
 1338 structures, jetties, piers, storage facilities, cruise  
 1339 terminals, automated people mover systems, or any facilities  
 1340 necessary or useful in connection with any of the foregoing.

1341 4. The acquisition of vessel tracking systems, container  
 1342 cranes, or other mechanized equipment used in the movement of  
 1343 cargo or passengers in international commerce.

1344 5. The acquisition of land to be used for port purposes.

1345           6. The acquisition, improvement, enlargement, or extension  
1346 of existing port facilities.

1347           7. Environmental protection projects which are necessary  
1348 because of requirements imposed by a state agency as a condition  
1349 of a permit or other form of state approval; which are necessary  
1350 for environmental mitigation required as a condition of a state,  
1351 federal, or local environmental permit; which are necessary for  
1352 the acquisition of spoil disposal sites and improvements to  
1353 existing and future spoil sites; or which result from the  
1354 funding of eligible projects listed in this paragraph.

1355           8. Transportation facilities as defined in s.  
1356 334.03 (28) ~~(31)~~ which are not otherwise part of the Department of  
1357 Transportation's adopted work program.

1358           9. Seaport intermodal access projects identified in the 5-  
1359 year Florida Seaport Mission Plan as provided in s. 311.09(3).

1360           10. Construction or rehabilitation of port facilities as  
1361 defined in s. 315.02, excluding any park or recreational  
1362 facilities, in ports listed in s. 311.09(1) with operating  
1363 revenues of \$5 million or less, provided that such projects  
1364 create economic development opportunities, capital improvements,  
1365 and positive financial returns to such ports.

1366           Section 22. Subsection (7) of section 311.09, Florida  
1367 Statutes, is amended to read:

1368           311.09 Florida Seaport Transportation and Economic  
1369 Development Council.—

1370           (7) The Department of Transportation shall review the list  
1371 of projects approved by the council for consistency with the  
1372 Florida Transportation Plan and the department's adopted work

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1373 program. In evaluating the consistency of a project, the  
 1374 department shall determine whether the transportation impact of  
 1375 the proposed project is adequately handled by existing state-  
 1376 owned transportation facilities or by the construction of  
 1377 additional state-owned transportation facilities as identified  
 1378 in the Florida Transportation Plan and the department's adopted  
 1379 work program. In reviewing for consistency a transportation  
 1380 facility project as defined in s. 334.03(28)~~(31)~~ which is not  
 1381 otherwise part of the department's work program, the department  
 1382 shall evaluate whether the project is needed to provide for  
 1383 projected movement of cargo or passengers from the port to a  
 1384 state transportation facility or local road. If the project is  
 1385 needed to provide for projected movement of cargo or passengers,  
 1386 the project shall be approved for consistency as a consideration  
 1387 to facilitate the economic development and growth of the state  
 1388 in a timely manner. The Department of Transportation shall  
 1389 identify those projects which are inconsistent with the Florida  
 1390 Transportation Plan and the adopted work program and shall  
 1391 notify the council of projects found to be inconsistent.

1392 Section 23. Section 316.2122, Florida Statutes, is amended  
 1393 to read:

1394 316.2122 Operation of a low-speed vehicle or mini truck on  
 1395 certain roadways.—The operation of a low-speed vehicle as  
 1396 defined in s. 320.01(42) or a mini truck as defined in s.  
 1397 320.01(45) on any road under the jurisdiction of a county or  
 1398 municipality or on an urban minor arterial road under the  
 1399 jurisdiction of the Department of Transportation ~~as defined in~~  
 1400 ~~s. 334.03(15) or (33)~~ is authorized with the following

1401 restrictions:

1402 (1) A low-speed vehicle or mini truck may be operated only  
 1403 on streets where the posted speed limit is 35 miles per hour or  
 1404 less. This does not prohibit a low-speed vehicle or mini truck  
 1405 from crossing a road or street at an intersection where the road  
 1406 or street has a posted speed limit of more than 35 miles per  
 1407 hour.

1408 (2) A low-speed vehicle must be equipped with headlamps,  
 1409 stop lamps, turn signal lamps, taillamps, reflex reflectors,  
 1410 parking brakes, rearview mirrors, windshields, seat belts, and  
 1411 vehicle identification numbers.

1412 (3) A low-speed vehicle or mini truck must be registered  
 1413 and insured in accordance with s. 320.02 and titled pursuant to  
 1414 chapter 319.

1415 (4) Any person operating a low-speed vehicle or mini truck  
 1416 must have in his or her possession a valid driver's license.

1417 (5) A county or municipality may prohibit the operation of  
 1418 low-speed vehicles or mini trucks on any road under its  
 1419 jurisdiction if the governing body of the county or municipality  
 1420 determines that such prohibition is necessary in the interest of  
 1421 safety.

1422 (6) The Department of Transportation may prohibit the  
 1423 operation of low-speed vehicles or mini trucks on any road under  
 1424 its jurisdiction if it determines that such prohibition is  
 1425 necessary in the interest of safety.

1426 Section 24. Paragraph (c) of subsection (5) of section  
 1427 316.515, Florida Statutes, is amended to read:

1428 316.515 Maximum width, height, length.—

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1429 (5) IMPLEMENTS OF HUSBANDRY AND FARM EQUIPMENT;  
 1430 AGRICULTURAL TRAILERS; FORESTRY EQUIPMENT; SAFETY REQUIREMENTS.—

1431 (c) The width and height limitations of this section do  
 1432 not apply to farming or agricultural equipment, whether self-  
 1433 propelled, pulled, or hauled, when temporarily operated during  
 1434 daylight hours upon a public road that is not a limited access  
 1435 facility as defined in s. 334.03(11)~~(13)~~, and the width and  
 1436 height limitations may be exceeded by such equipment without a  
 1437 permit. To be eligible for this exemption, the equipment shall  
 1438 be operated within a radius of 50 miles of the real property  
 1439 owned, rented, or leased by the equipment owner. However,  
 1440 equipment being delivered by a dealer to a purchaser is not  
 1441 subject to the 50-mile limitation. Farming or agricultural  
 1442 equipment greater than 174 inches in width must have one warning  
 1443 lamp mounted on each side of the equipment to denote the width  
 1444 and must have a slow-moving vehicle sign. Warning lamps required  
 1445 by this paragraph must be visible from the front and rear of the  
 1446 vehicle and must be visible from a distance of at least 1,000  
 1447 feet.

1448 Section 25. Section 336.01, Florida Statutes, is amended  
 1449 to read:

1450 336.01 Designation of county road system.—The county road  
 1451 system shall be as defined in s. 334.03(6)~~(8)~~.

1452 Section 26. Subsection (2) of section 338.222, Florida  
 1453 Statutes, is amended to read:

1454 338.222 Department of Transportation sole governmental  
 1455 entity to acquire, construct, or operate turnpike projects;  
 1456 exception.—

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1457           (2) The department may contract with any local  
 1458 governmental entity as defined in s. 334.03(12)~~(14)~~ for the  
 1459 design, right-of-way acquisition, or construction of any  
 1460 turnpike project which the Legislature has approved. Local  
 1461 governmental entities may negotiate with the department for the  
 1462 design, right-of-way acquisition, and construction of any  
 1463 section of the turnpike project within areas of their respective  
 1464 jurisdictions or within counties with which they have interlocal  
 1465 agreements.

1466           Section 27. Subsection (2) of section 341.8225, Florida  
 1467 Statutes, is amended to read:

1468           341.8225 Department of Transportation sole governmental  
 1469 entity to acquire, construct, or operate high-speed rail  
 1470 projects; exception.—

1471           (2) Local governmental entities, as defined in s.  
 1472 334.03(12)~~(14)~~, may negotiate with the department for the  
 1473 design, right-of-way acquisition, and construction of any  
 1474 component of the high-speed rail system within areas of their  
 1475 respective jurisdictions or within counties with which they have  
 1476 interlocal agreements.

1477           Section 28. Subsection (24) of section 479.01, Florida  
 1478 Statutes, is amended to read:

1479           479.01 Definitions.—As used in this chapter, the term:

1480           (24) "Urban area" has the same meaning as defined in s.  
 1481 334.03(29)~~(32)~~.

1482           Section 29. Subsection (1) of section 479.07, Florida  
 1483 Statutes, is amended to read:

1484           479.07 Sign permits.—

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1485 (1) Except as provided in ss. 479.105(1)(e) and 479.16, a  
 1486 person may not erect, operate, use, or maintain, or cause to be  
 1487 erected, operated, used, or maintained, any sign on the State  
 1488 Highway System outside an urban area, as defined in s.  
 1489 334.03(29)~~(32)~~, or on any portion of the interstate or federal-  
 1490 aid primary highway system without first obtaining a permit for  
 1491 the sign from the department and paying the annual fee as  
 1492 provided in this section. As used in this section, the term "on  
 1493 any portion of the State Highway System, interstate, or federal-  
 1494 aid primary system" means a sign located within the controlled  
 1495 area which is visible from any portion of the main-traveled way  
 1496 of such system.

1497 Section 30. Subsection (5) of section 479.261, Florida  
 1498 Statutes, is amended to read:

1499 479.261 Logo sign program.—

1500 (5) At a minimum, permit fees for businesses that  
 1501 participate in the program must be established in an amount  
 1502 sufficient to offset the total cost to the department for the  
 1503 program, including contract costs. The department shall provide  
 1504 the services in the most efficient and cost-effective manner  
 1505 through department staff or by contracting for some or all of  
 1506 the services. The department shall adopt rules that set  
 1507 reasonable rates based upon factors such as population, traffic  
 1508 volume, market demand, and costs for annual permit fees.  
 1509 However, annual permit fees for sign locations inside an urban  
 1510 area, as defined in s. 334.03(29)~~(32)~~, may not exceed \$5,000,  
 1511 and annual permit fees for sign locations outside an urban area,  
 1512 as defined in s. 334.03(29)~~(32)~~, may not exceed \$2,500. After

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1513 recovering program costs, the proceeds from the annual permit  
1514 fees shall be deposited into the State Transportation Trust Fund  
1515 and used for transportation purposes.

1516 Section 31. This act shall take effect July 1, 2010.