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LEGISLATIVE ACTION

Senate	.	House
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Senator Latvala moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (b) of subsection (3) of section
20.23, Florida Statutes, is amended to read:

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

(3) There is created the Florida Statewide Passenger Rail
Commission.

(b) The commission shall have the primary and exclusive
functions of:



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14 1. Monitoring the efficiency, productivity, and management
15 of all publicly funded passenger rail systems in the state,
16 including, but not limited to, any authority created under
17 chapter 343, chapter 349, or chapter 163 if the authority
18 receives public funds for providing ~~the provision of~~ passenger
19 rail service. The commission shall advise each monitored
20 authority of its findings and recommendations. The commission
21 shall also conduct periodic reviews of each monitored
22 authority's passenger rail and associated transit operations and
23 budget, acquisition of property, management of revenue and bond
24 proceeds, and compliance with applicable laws and generally
25 accepted accounting principles. The commission may seek the
26 assistance of the Florida Transportation Commission ~~Auditor~~
27 ~~General~~ in conducting such reviews and shall report the findings
28 of such reviews to the Legislature. ~~This paragraph does not~~
29 ~~preclude the Florida Transportation Commission from conducting~~
30 ~~its performance and work program monitoring responsibilities.~~

31 2. Advising the department on policies and strategies used
32 in planning, designing, building, operating, financing, and
33 maintaining a coordinated statewide system of passenger rail
34 services.

35 3. Evaluating passenger rail policies and providing advice
36 and recommendations to the Legislature on passenger rail
37 operations in the state.

38 Section 2. Subsection (17) is added to section 120.80,
39 Florida Statutes, to read:

40 120.80 Exceptions and special requirements; agencies.—(17)
41 DEPARTMENT OF TRANSPORTATION.— Sections 120.54(3)(b) and 120.541
42 do not apply to the adjustment of tolls pursuant to s.



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43 338.165(3).

44 Section 3. Paragraph (f) is added to subsection (4) of
45 section 206.41, Florida Statutes, to read:

46 206.41 State taxes imposed on motor fuel.—

47 (4)

48 (f) The portion of the tax imposed by paragraph (1)(g)
49 which results from the collection of such taxes paid by a county
50 sheriff on motor fuel or diesel fuel for use in a motor vehicle
51 operated by the county sheriff shall be returned to the county
52 sheriff for use by the county sheriff to offset the cost of
53 motor fuel and diesel fuel to the county sheriff. A county
54 sheriff, when licensed as a local government user, is entitled
55 to take a credit on the monthly diesel fuel tax return not to
56 exceed the tax imposed under paragraphs (1)(b) and (g) on those
57 gallons that would otherwise be eligible for refund.

58 Section 4. Section 206.625, Florida Statutes, is amended to
59 read:

60 206.625 Return of tax to municipalities, counties, ~~and~~
61 school districts, and county sheriffs.—

62 (1) Those portions of the county fuel tax imposed by s.
63 206.41(1)(b) which result from the collection of such tax paid
64 by a municipality or county on motor fuel for use in a motor
65 vehicle operated by it shall be returned to the governing body
66 of each such municipality or county according to the
67 administrative procedures in s. 206.41 for the construction,
68 reconstruction, and maintenance of roads and streets within the
69 respective municipality or county.

70 (2) Those portions of the county fuel tax imposed by s.
71 206.41(1)(b) which result from the collection of such tax paid



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72 by a school district, or by a private contractor operating
73 school buses for a school district, on motor fuel for use in a
74 motor vehicle operated by such district or private contractor
75 shall be returned to the governing body of each such school
76 district according to the administrative procedures in s. 206.41
77 to be used to fund construction, reconstruction, and maintenance
78 of roads and streets within the school district required as a
79 result of new school construction or renovation of existing
80 schools. The school board shall select the projects to be
81 funded; however, first priority shall be given to projects
82 required as the result of new school construction, unless a
83 waiver is granted by the affected county or municipal
84 government.

85 (3) Those portions of the county fuel tax imposed by s.
86 206.41(1)(b) which result from the collection of such tax paid
87 by a county sheriff on motor fuel for use in a motor vehicle
88 operated by the county sheriff shall be returned to the county
89 sheriff to offset the cost of motor fuel to the county sheriff.

90 Section 5. Paragraph (d) of subsection (1) of section
91 212.055, Florida Statutes, is amended to read:

92 212.055 Discretionary sales surtaxes; legislative intent;
93 authorization and use of proceeds.—It is the legislative intent
94 that any authorization for imposition of a discretionary sales
95 surtax shall be published in the Florida Statutes as a
96 subsection of this section, irrespective of the duration of the
97 levy. Each enactment shall specify the types of counties
98 authorized to levy; the rate or rates which may be imposed; the
99 maximum length of time the surtax may be imposed, if any; the
100 procedure which must be followed to secure voter approval, if



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101 required; the purpose for which the proceeds may be expended;
102 and such other requirements as the Legislature may provide.
103 Taxable transactions and administrative procedures shall be as
104 provided in s. 212.054.

105 (1) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM
106 SURTAX.—

107 (d) Proceeds from the surtax shall be applied to as many or
108 as few of the uses enumerated below in whatever combination the
109 county commission deems appropriate:

110 1. Deposited by the county in the trust fund and shall be
111 used for the purposes of development, construction, equipment,
112 maintenance, operation, supportive services, including a
113 countywide bus system, on-demand transportation services, and
114 related costs of a fixed guideway rapid transit system;

115 2. Remitted by the governing body of the county to an
116 expressway, transit, or transportation authority created by law
117 to be used, at the discretion of such authority, for the
118 development, construction, operation, or maintenance of roads or
119 bridges in the county, for the operation and maintenance of a
120 bus system, for the operation and maintenance of on-demand
121 transportation services, for the payment of principal and
122 interest on existing bonds issued for the construction of such
123 roads or bridges, and, upon approval by the county commission,
124 such proceeds may be pledged for bonds issued to refinance
125 existing bonds or new bonds issued for the construction of such
126 roads or bridges;

127 3. Used by the county for the development, construction,
128 operation, and maintenance of roads and bridges in the county;
129 for the expansion, operation, and maintenance of bus and fixed



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130 guideway systems; for the expansion, operation, and maintenance
131 of on-demand transportation services; and for the payment of
132 principal and interest on bonds issued for the construction of
133 fixed guideway rapid transit systems, bus systems, roads, or
134 bridges; and such proceeds may be pledged by the governing body
135 of the county for bonds issued to refinance existing bonds or
136 new bonds issued for the construction of such fixed guideway
137 rapid transit systems, bus systems, roads, or bridges and no
138 more than 25 percent used for nontransit uses; and

139 4. Used by the county for the planning, development,
140 construction, operation, and maintenance of roads and bridges in
141 the county; for the planning, development, expansion, operation,
142 and maintenance of bus and fixed guideway systems; for the
143 planning, development, construction, operation, and maintenance
144 of on-demand transportation services; and for the payment of
145 principal and interest on bonds issued for the construction of
146 fixed guideway rapid transit systems, bus systems, roads, or
147 bridges; and such proceeds may be pledged by the governing body
148 of the county for bonds issued to refinance existing bonds or
149 new bonds issued for the construction of such fixed guideway
150 rapid transit systems, bus systems, roads, or bridges. Pursuant
151 to an interlocal agreement entered into pursuant to chapter 163,
152 the governing body of the county may distribute proceeds from
153 the tax to a municipality, or an expressway or transportation
154 authority created by law to be expended for the purpose
155 authorized by this paragraph. Any county that has entered into
156 interlocal agreements for distribution of proceeds to one or
157 more municipalities in the county shall revise such interlocal
158 agreements as necessary for the sole purpose of including ~~ne~~



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159 ~~less than every 5 years in order to include~~ any municipalities
160 that have been created during the immediately preceding year,
161 provided that any funds distributed to a new municipality must
162 come from funds otherwise retained and used by the charter
163 county, must be on a pro rata basis with the allocation of funds
164 to the previously existing municipalities, and must not reduce
165 the percentage allocation to the previously existing
166 municipalities since the prior interlocal agreements were
167 executed. Notwithstanding the foregoing, the first revision of
168 interlocal agreements pursuant to this subparagraph shall
169 include any municipality that has been created since the surtax
170 was adopted by the charter county. Any charter county that seeks
171 to terminate or substantially modify the distribution of funds
172 to municipalities may do so only pursuant to approval by a
173 majority vote of the electorate of the county.

174 Section 6. Section 316.075, Florida Statutes, is amended to
175 read:

176 316.075 Traffic control signal devices.—

177 (1) Except for automatic warning signal lights installed or
178 to be installed at railroad crossings, whenever traffic,
179 including municipal traffic, is controlled by traffic control
180 signals exhibiting different colored lights, or colored lighted
181 arrows, successively one at a time or in combination, only the
182 colors green, red, and yellow shall be used, except for special
183 pedestrian signals carrying a word legend, and the lights shall
184 indicate and apply to drivers of vehicles and pedestrians as
185 follows:

186 (a) Green indication.—

187 1. Vehicular traffic facing a circular green signal may



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188 proceed cautiously straight through or turn right or left unless
189 a sign at such place prohibits either such turn. But vehicular
190 traffic, including vehicles turning right or left, shall yield
191 the right-of-way to other vehicles and to pedestrians lawfully
192 within the intersection or an adjacent crosswalk at the time
193 such signal is exhibited.

194 2. Vehicular traffic facing a green arrow signal, shown
195 alone or in combination with another indication, as directed by
196 the manual, may cautiously enter the intersection only to make
197 the movement indicated by such arrow, or such other movement as
198 is permitted by other indications shown at the same time, except
199 the driver of any vehicle may U-turn, so as to proceed in the
200 opposite direction unless such movement is prohibited by posted
201 traffic control signs. Such vehicular traffic shall yield the
202 right-of-way to pedestrians lawfully within an adjacent
203 crosswalk and to other traffic lawfully using the intersection.

204 3. Unless otherwise directed by a pedestrian control signal
205 as provided in s. 316.0755, pedestrians facing any green signal,
206 except when the sole green signal is a turn arrow, may proceed
207 across the roadway within any marked or unmarked crosswalk.

208 (b) Steady yellow indication.—

209 1. Vehicular traffic facing a steady yellow signal is
210 thereby warned that the related green movement is being
211 terminated or that a red indication will be exhibited
212 immediately thereafter when vehicular traffic shall not enter
213 the intersection.

214 2. Pedestrians facing a steady yellow signal, unless
215 otherwise directed by a pedestrian control signal as provided in
216 s. 316.0755, are thereby advised that there is insufficient time



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217 to cross the roadway before a red indication is shown and no
218 pedestrian shall start to cross the roadway.

219 (c) Steady red indication.—

220 1. Vehicular traffic facing a steady red signal shall stop
221 before entering the crosswalk on the near side of the
222 intersection or, if none, then before entering the intersection
223 and shall remain standing until a green indication is shown;
224 however:

225 a. The driver of a vehicle which is stopped at a clearly
226 marked stop line, but if none, before entering the crosswalk on
227 the near side of the intersection, or, if none then at the point
228 nearest the intersecting roadway where the driver has a view of
229 approaching traffic on the intersecting roadway before entering
230 the intersection in obedience to a steady red signal may make a
231 right turn, but shall yield the right-of-way to pedestrians and
232 other traffic proceeding as directed by the signal at the
233 intersection, except that municipal and county authorities may
234 prohibit any such right turn against a steady red signal at any
235 intersection, which prohibition shall be effective when a sign
236 giving notice thereof is erected in a location visible to
237 traffic approaching the intersection.

238 b. The driver of a vehicle on a one-way street that
239 intersects another one-way street on which traffic moves to the
240 left shall stop in obedience to a steady red signal, but may
241 then make a left turn into the one-way street, but shall yield
242 the right-of-way to pedestrians and other traffic proceeding as
243 directed by the signal at the intersection, except that
244 municipal and county authorities may prohibit any such left turn
245 as described, which prohibition shall be effective when a sign



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246 giving notice thereof is attached to the traffic control signal
247 device at the intersection.

248 2.a. The driver of a vehicle facing a steady red signal
249 shall stop before entering the crosswalk and remain stopped to
250 allow a pedestrian, with a permitted signal, to cross a roadway
251 when the pedestrian is in the crosswalk or steps into the
252 crosswalk and is upon the half of the roadway upon which the
253 vehicle is traveling or when the pedestrian is approaching so
254 closely from the opposite half of the roadway as to be in
255 danger.

256 b. Unless otherwise directed by a pedestrian control signal
257 as provided in s. 316.0755, pedestrians facing a steady red
258 signal shall not enter the roadway.

259 (2) In the event an official traffic control signal is
260 erected and maintained at a place other than an intersection,
261 the provisions of this section shall be applicable except as to
262 those provisions which by their nature can have no application.
263 Any stop required shall be made at a sign or marking on the
264 pavement indicating where the stop shall be made, but in the
265 absence of any such sign or marking the stop shall be made at
266 the signal.

267 (3) (a) A ~~No~~ traffic control signal device ~~may not~~ shall be
268 used unless it exhibits which does not exhibit a yellow or
269 "caution" light between the green or "go" signal and the red or
270 "stop" signal. Whenever an engineering analysis is undertaken
271 for the purpose of evaluating or reevaluating yellow and red
272 signal display durations of a new or existing traffic control
273 signal, the department and local authorities shall adhere to the
274 following:



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275 1. The minimum yellow signal display duration on traffic
276 control signals shall be based on the posted speed limit plus 10
277 percent along with the standards set forth in the Institute of
278 Transportation Engineers Traffic Engineering Handbook, sixth
279 edition, published in March, 2009. The minimum yellow signal
280 display duration shall be 3 seconds for traffic control signals
281 on streets with a posted speed limit of 25 miles per hour or
282 less. The minimum yellow signal display duration found after the
283 evaluation or reevaluation under this paragraph shall be raised
284 to the nearest half second not to exceed 6 seconds.

285 2. Intersections with a posted speed limit greater than 55
286 miles per hour shall have, on approach, a sign posted in
287 accordance with the Department of Transportation's manual of
288 uniform traffic control devices to alert drivers to the traffic
289 control signal.

290 (b) No traffic control signal device shall display other
291 than the color red at the top of the vertical signal, nor shall
292 it display other than the color red at the extreme left of the
293 horizontal signal.

294 (c) To provide additional time before conflicting traffic
295 movements proceed, the yellow signal display shall be followed
296 by an all red clearance interval delaying the change of opposing
297 red light signals. The duration of the clearance interval shall
298 be determined by engineering practices as provided for in the
299 Department of Transportation's manual of uniform traffic control
300 devices required under s. 316.0745. The duration of a red
301 clearance interval may be extended from its predetermined value
302 for a given cycle based upon the detection of a vehicle that is
303 predicted to violate the red signal indication.



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304 (4) A violation of subsection (1) or subsection (2) ~~this~~
305 section is a noncriminal traffic infraction, punishable pursuant
306 to chapter 318 as either a pedestrian violation or, if the
307 infraction resulted from the operation of a vehicle, as a moving
308 violation. However, a citation for a violation of subparagraph
309 (1)(c)1. committed at an intersection where the traffic signal
310 device does not meet all requirements under subsection (3) is
311 unenforceable and the court, clerk of the court, designated
312 official, or authorized operator of a traffic violations bureau
313 shall dismiss the citation without penalty or assessment of
314 points against the license of the person cited. Dismissal of the
315 citation under this subsection does not affect the validity of
316 any other citation or charge for a violation of law and the
317 dismissal may not be used as evidence in any other civil or
318 criminal proceeding. Intersections with traffic infraction
319 detectors must meet the requirements in this section by December
320 31, 2011, or any citations issued at the intersections that do
321 not meet the requirements in this section shall be dismissed
322 under this subsection. All other intersections must meet the
323 requirements in this section by December 31, 2013, or any
324 citations issued at the intersections that do not meet the
325 requirements in this section shall be dismissed under this
326 subsection. One-third of the total number of intersections must
327 be examined and brought into compliance each year until all
328 intersections are in compliance.

329 Section 7. Subsection (4) of section 316.091, Florida
330 Statutes, is amended, present subsection (5) of that section is
331 renumbered as subsection (6), and a new subsection (5) is added
332 to that section, to read:



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333 316.091 Limited access facilities; interstate highways; use
334 restricted.—

335 (4) No person shall operate a bicycle or other human-
336 powered vehicle on the roadway or along the shoulder of a
337 limited access highway, including bridges, unless official signs
338 and a designated marked bicycle lane are present at the entrance
339 of the section of highway indicating that such use is permitted
340 pursuant to a pilot program of the Department of Transportation
341 an interstate highway.

342 (5) The Department of Transportation shall establish a 2-
343 year pilot program, in three separate urban areas, in which it
344 shall erect signs and designated marked bicycle lanes indicating
345 highway approaches and bridge segments of limited access
346 highways as open to use by operators of bicycles and other
347 human-powered vehicles, under the following conditions:

348 (a) The limited access highway approaches and bridge
349 segments chosen must cross a river, lake, bay, inlet, or surface
350 water where no street or highway crossing the water body is
351 available for use within 2 miles of entrance to the limited
352 access facility, as measured along the shortest public right-of-
353 way.

354 (b) The Department of Transportation, with the concurrence
355 of the Federal Highway Administration on interstate facilities,
356 shall establish the three highway approaches and bridge segments
357 for the pilot project by October 1, 2011. In selecting the
358 highway approaches and bridge segments, the Department of
359 Transportation shall consider, without limitation, a minimum
360 size of population in the urban area within 5 miles of the
361 highway approach and bridge segment, the lack of bicycle access



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362 by other means, cost, safety, and operational impacts.

363 (c) The Department of Transportation shall begin the pilot
364 program by erecting signs and designating marked bicycle lanes
365 indicating highway approaches and bridge segments of limited
366 access highway, as qualified by the conditions described in this
367 subsection, as open to use by operators of bicycles and other
368 human-powered vehicles no later than January 1, 2012.

369 (d) The Department of Transportation shall conduct the
370 pilot program for a minimum of 2 years following the
371 implementation date. The department may continue to provide
372 bicycle access on the highway approaches and bridge segments
373 chosen for the pilot program or initiate bicycle access on other
374 limited access facilities after the end of the program.

375 (e) The Department of Transportation shall submit a report
376 of its findings and recommendations from the pilot program to
377 the Governor, the President of the Senate, and the Speaker of
378 the House of Representatives by September 1, 2014. The report
379 shall include, at a minimum, data of bicycle crashes occurring
380 in designated segments of the pilot program, usage by operators
381 of bicycles and other human-powered vehicles, enforcement
382 issues, operational impacts, and the cost of the pilot program.

383 Section 8. Subsection (5) of section 316.2068, Florida
384 Statutes, is amended to read:

385 316.2068 Electric personal assistive mobility devices;
386 regulations.-

387 (5) A county or municipality may prohibit the operation of
388 electric personal assistive mobility devices on any road,
389 street, sidewalk, or bicycle path under its jurisdiction if the
390 governing body of the county or municipality determines that



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391 such a prohibition is necessary in the interest of safety.

392 Section 9. Paragraph (b) of subsection (2) of section
393 316.302, Florida Statutes, is amended to read:

394 316.302 Commercial motor vehicles; safety regulations;
395 transporters and shippers of hazardous materials; enforcement.-

396 (2)

397 (b) Except as provided in 49 C.F.R. s. 395.1, a person who
398 operates a commercial motor vehicle solely in intrastate
399 commerce not transporting any hazardous material in amounts that
400 require placarding pursuant to 49 C.F.R. part 172 may not drive:

401 1. More than 12 hours following 10 consecutive hours off
402 duty; or

403 2. For any period after the end of the 16th hour after
404 coming on duty following 10 consecutive hours off duty.

405

406 ~~The provisions of~~ This paragraph does ~~de~~ not apply to
407 operators of farm labor vehicles during a state of emergency
408 declared by the Governor or under s. 570.07(21) or to drivers of
409 utility service vehicles as defined in 49 C.F.R. s. 395.2.

410 Section 10. Effective July 1, 2012, subsection (1) and
411 paragraph (b) of subsection (2) of section 316.613, Florida
412 Statutes, are amended, and subsection (6) is added to that
413 section, to read:

414 316.613 Child restraint requirements.-

415 (1) (a) Each ~~Every~~ operator of a motor vehicle ~~as defined~~
416 ~~herein~~, while transporting a child in a motor vehicle operated
417 on the roadways, streets, or highways of this state, shall, if
418 the child is 7 5 years of age or younger and is less than 4 feet
419 9 inches in height, provide for protection of the child by



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420 properly using a crash-tested, federally approved child
421 restraint device that is appropriate for the height and weight
422 of the child. The device may include a vehicle manufacturer's
423 integrated child seat, a separate child safety seat, or a child
424 booster seat that displays the child's weight and height
425 specifications for the seat on the attached manufacturer's label
426 as required by Federal Motor Vehicle Safety Standard No. 213.
427 The device must comply with the standards of the United States
428 Department of Transportation and be secured in the motor vehicle
429 in accordance with the manufacturer's instructions. The court
430 may dismiss the charge against a motor vehicle operator for a
431 first violation of this subsection upon proof that a federally
432 approved child restraint device has been purchased or otherwise
433 obtained.

434 (b) For children aged through 3 years, such restraint
435 device must be a separate carrier or a vehicle manufacturer's
436 integrated child seat.

437 (c) For children aged 4 through 7 5 years who are less than
438 4 feet 9 inches in height, a separate carrier, an integrated
439 child seat, or a child booster seat belt may be used. However,
440 the requirement to use a child booster seat does not apply when
441 a separate carrier, integrated child seat, or seat belt as
442 required in s. 316.614(4) (a) is used and the person is:

443 1. Transporting the child gratuitously and in good faith in
444 response to a declared emergency situation or an immediate
445 emergency involving the child; or

446 2. Transporting a child whose medical condition
447 necessitates an exception as evidenced by appropriate
448 documentation from a health professional.



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449 (d) ~~(b)~~ The Division of Motor Vehicles shall provide notice
450 of the requirement for child restraint devices, which notice
451 shall accompany the delivery of each motor vehicle license tag.

452 (2) As used in this section, the term "motor vehicle" means
453 a motor vehicle as defined in s. 316.003 that is operated on the
454 roadways, streets, and highways of the state. The term does not
455 include:

456 (b) A bus or a passenger vehicle designed to accommodate 10
457 or more persons and used for the transportation of persons for
458 compensation, other than a bus regularly used to transport
459 children to or from school, as defined in s. 316.615(1)(b), or
460 in conjunction with school activities.

461 (6) It is the legislative intent that the child-restraint
462 requirements imposed by this section shall not apply to a
463 chauffeur-driven taxi, limousine, sedan, van, bus, motor coach,
464 or other passenger vehicle if the operator and the motor vehicle
465 are hired and used for transporting persons for compensation. It
466 shall be the obligation and responsibility of the parent,
467 guardian, or other person responsible for a child's welfare as
468 defined in s. 39.01(47), to comply with the requirements of this
469 section.

470 Section 11. Effective July 1, 2011, a driver of a motor
471 vehicle who does not violate the then-existing provisions of s.
472 316.613(1)(c), Florida Statutes, but whose conduct would violate
473 that provision, as amended July 1, 2012, shall be issued a
474 verbal warning and given educational literature by a law
475 enforcement officer.

476 Section 12. Subsection (17) of section 331.303, Florida
477 Statutes, is amended to read:



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478 331.303 Definitions.—

479 (17) "Spaceport launch support facilities" means industrial
480 facilities as described in s. 380.0651(3)(c) and includes
481 ~~include~~ any launch pad, launch control center, ~~and~~ fixed launch-
482 support equipment, facilities located at launch sites or launch
483 ranges that are required to support launch activities, including
484 launch vehicle assembly, launch vehicle operations and control,
485 communications, flight safety functions, and payload operations,
486 control, and processing, as defined in chapter 84 of Title 15 of
487 the United States Code, Commercial Space Competitiveness, 15
488 U.S.C. s. 5802, launch support infrastructure, and
489 transportation infrastructure necessary to support space launch
490 activities.

491 Section 13. Section 334.03, Florida Statutes, is amended to
492 read:

493 334.03 Definitions.—When used in the Florida Transportation
494 Code, the term:

495 (1) ~~(37)~~ "511" or "511 services" means three-digit
496 telecommunications dialing to access interactive voice response
497 telephone traveler information services provided in the state as
498 defined by the Federal Communications Commission in FCC Order
499 No. 00-256, July 31, 2000.

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

505 (2) ~~(2)~~ "Bridge" means a structure, including supports,
506 erected over a depression or an obstruction, such as water or a



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507 highway or railway, and having a track or passageway for
508 carrying traffic as defined in chapter 316 or other moving
509 loads.

510 (3) "City street system" means all ~~local~~ roads within a
511 municipality that were under the jurisdiction of that
512 municipality on June 10, 1995; roads constructed by a
513 municipality for that municipality's street system; roads
514 completely within an area annexed by the municipality, unless
515 otherwise provided by mutual consent; and roads transferred to
516 the municipality's jurisdiction after June 10, 1995, by mutual
517 consent with another governmental entity, but not roads so
518 transferred from the municipality's jurisdiction, and all
519 ~~collector roads inside that municipality, which are not in the~~
520 ~~county road system.~~

521 ~~(4) "Collector road" means a route providing service which~~
522 ~~is of relatively moderate average traffic volume, moderately~~
523 ~~average trip length, and moderately average operating speed.~~
524 ~~Such a route also collects and distributes traffic between local~~
525 ~~roads or arterial roads and serves as a linkage between land~~
526 ~~access and mobility needs.~~

527 ~~(4)-(5)~~ "Commissioners" means the governing body of a
528 county.

529 ~~(5)-(6)~~ "Consolidated metropolitan statistical area" means
530 two or more metropolitan statistical areas that are socially and
531 economically interrelated as defined by the United States Bureau
532 of the Census.

533 ~~(6)-(7)~~ "Controlled access facility" means a street or
534 highway to which the right of access is highly regulated by the
535 governmental entity having jurisdiction over the facility in



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536 order to maximize the operational efficiency and safety of the
537 high-volume through traffic utilizing the facility. Owners or
538 occupants of abutting lands and other persons have a right of
539 access to or from such facility at such points only and in such
540 manner as may be determined by the governmental entity.

541 (7)-(8) "County road system" means all roads within a county
542 that were under the jurisdiction of that county on June 10,
543 1995; roads constructed by a county for that county's road
544 system; and roads transferred to the county's jurisdiction after
545 June 10, 1995, by mutual consent with another governmental
546 entity, but, except as otherwise provided by mutual consent, not
547 roads transferred from the county's jurisdiction by mutual
548 consent or roads that are completely within an area annexed by a
549 municipality collector roads in the unincorporated areas of a
550 county and all extensions of such collector roads into and
551 through any incorporated areas, all local roads in the
552 unincorporated areas, and all urban minor arterial roads not in
553 the State Highway System.

554 (8)-(9) "Department" means the Department of Transportation.

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

559 (9)-(11) "Functional classification" means the assignment of
560 roads into systems according to the character of service they
561 provide in relation to the total road network using procedures
562 developed by the Federal Highway Administration. Basic
563 ~~functional categories include arterial roads, collector roads,~~
564 ~~and local roads which may be subdivided into principal, major,~~



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565 ~~or minor levels. Those levels may be additionally divided into~~
566 ~~rural and urban categories.~~

567 (10)~~(12)~~ "Governmental entity" means a unit of government,
568 or any officially designated public agency or authority of a
569 unit of government, that has the responsibility for planning,
570 construction, operation, or maintenance or jurisdiction over
571 transportation facilities; the term includes the Federal
572 Government, the state government, a county, an incorporated
573 municipality, a metropolitan planning organization, an
574 expressway or transportation authority, a road and bridge
575 district, a special road and bridge district, and a regional
576 governmental unit.

577 (11)~~(38)~~ "Interactive voice response" means a software
578 application that accepts a combination of voice telephone input
579 and touch-tone keypad selection and provides appropriate
580 responses in the form of voice, fax, callback, e-mail, and other
581 media.

582 (12)~~(13)~~ "Limited access facility" means a street or
583 highway especially designed for through traffic, and over, from,
584 or to which owners or occupants of abutting land or other
585 persons have no right or easement of access, light, air, or view
586 by reason of the fact that their property abuts upon such
587 limited access facility or for any other reason. Such highways
588 or streets may be facilities from which trucks, buses, and other
589 commercial vehicles are excluded; or they may be facilities open
590 to use by all customary forms of street and highway traffic.

591 (13)~~(14)~~ "Local governmental entity" means a unit of
592 government with less than statewide jurisdiction, or any
593 officially designated public agency or authority of such a unit



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594 of government, that has the responsibility for planning,
595 construction, operation, or maintenance of, or jurisdiction
596 over, a transportation facility; the term includes, but is not
597 limited to, a county, an incorporated municipality, a
598 metropolitan planning organization, an expressway or
599 transportation authority, a road and bridge district, a special
600 road and bridge district, and a regional governmental unit.

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

605 (14) ~~(16)~~ "Metropolitan area" means a geographic region
606 comprising as a minimum the existing urbanized area and the
607 contiguous area projected to become urbanized within a 20-year
608 forecast period. The boundaries of a metropolitan area may be
609 designated so as to encompass a metropolitan statistical area or
610 a consolidated metropolitan statistical area. If a metropolitan
611 area, or any part thereof, is located within a nonattainment
612 area, the boundaries of the metropolitan area must be designated
613 so as to include the boundaries of the entire nonattainment
614 area, unless otherwise provided by agreement between the
615 applicable metropolitan planning organization and the Governor.

616 (15) ~~(17)~~ "Metropolitan statistical area" means an area that
617 includes a municipality of 50,000 persons or more, or an
618 urbanized area of at least 50,000 persons as defined by the
619 United States Bureau of the Census, provided that the component
620 county or counties have a total population of at least 100,000.

621 (16) ~~(18)~~ "Nonattainment area" means an area designated by
622 the United States Environmental Protection Agency, pursuant to



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623 federal law, as exceeding national primary or secondary ambient
624 air quality standards for the pollutants carbon monoxide or
625 ozone.

626 ~~(17)~~~~(19)~~ "Periodic maintenance" means activities that are
627 large in scope and require a major work effort to restore
628 deteriorated components of the transportation system to a safe
629 and serviceable condition, including, but not limited to, the
630 repair of large bridge structures, major repairs to bridges and
631 bridge systems, and the mineral sealing of lengthy sections of
632 roadway.

633 ~~(18)~~~~(20)~~ "Person" means any person described in s. 1.01 or
634 any unit of government in or outside the state.

635 ~~(19)~~~~(21)~~ "Right of access" means the right of ingress to a
636 highway from abutting land and egress from a highway to abutting
637 land.

638 ~~(20)~~~~(22)~~ "Right-of-way" means land in which the state, the
639 department, a county, or a municipality owns the fee or has an
640 easement devoted to or required for use as a transportation
641 facility.

642 ~~(21)~~~~(23)~~ "Road" means a way open to travel by the public,
643 including, but not limited to, a street, highway, or alley. The
644 term includes associated sidewalks, the roadbed, the right-of-
645 way, and all culverts, drains, sluices, ditches, water storage
646 areas, waterways, embankments, slopes, retaining walls, bridges,
647 tunnels, and viaducts necessary for the maintenance of travel
648 and all ferries used in connection therewith.

649 ~~(22)~~~~(24)~~ "Routine maintenance" means minor repairs and
650 associated tasks necessary to maintain a safe and efficient
651 transportation system. The term includes: pavement patching;



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652 shoulder repair; cleaning and repair of drainage ditches,
653 traffic signs, and structures; mowing; bridge inspection and
654 maintenance; pavement striping; litter cleanup; and other
655 similar activities.

656 ~~(23)-(25) "State Highway System" means the following, which~~
657 ~~shall be facilities to which access is regulated:~~

658 ~~(a) the interstate system and all other roads within the~~
659 ~~state which were under the jurisdiction of the state on June 10,~~
660 ~~1995, and roads constructed by an agency of the state for the~~
661 ~~State Highway System, and roads transferred to the state's~~
662 ~~jurisdiction after that date by mutual consent with another~~
663 ~~governmental entity, but not roads so transferred from the~~
664 ~~state's jurisdiction. Such facilities shall be facilities to~~
665 ~~which access is regulated.†~~

666 ~~(b) All rural arterial routes and their extensions into and~~
667 ~~through urban areas;~~

668 ~~(c) All urban principal arterial routes; and~~

669 ~~(d) The urban minor arterial mileage on the existing State~~
670 ~~Highway System as of July 1, 1987, plus additional mileage to~~
671 ~~comply with the 2-percent requirement as described below.~~

672
673 ~~However, not less than 2 percent of the public road mileage~~
674 ~~of each urbanized area on record as of June 30, 1986, shall be~~
675 ~~included as minor arterials in the State Highway System.~~

676 ~~Urbanized areas not meeting the foregoing minimum requirement~~
677 ~~shall have transferred to the State Highway System additional~~
678 ~~minor arterials of the highest significance in which case the~~
679 ~~total minor arterials in the State Highway System from any~~
680 ~~urbanized area shall not exceed 2.5 percent of that area's total~~



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681 ~~public urban road mileage.~~

682 ~~(24)-(26)~~ "State Park Road System" means roads embraced
683 within the boundaries of state parks and state roads leading to
684 state parks, other than roads of the State Highway System, the
685 county road systems, or the city street systems.

686 ~~(25)-(27)~~ "State road" means a street, road, highway, or
687 other way open to travel by the public generally and dedicated
688 to the public use according to law or by prescription and
689 designated by the department, as provided by law, as part of the
690 State Highway System.

691 ~~(26)-(28)~~ "Structure" means a bridge, viaduct, tunnel,
692 causeway, approach, ferry slip, culvert, toll plaza, gate, or
693 other similar facility used in connection with a transportation
694 facility.

695 ~~(27)-(29)~~ "Sufficiency rating" means the objective rating of
696 a road or section of a road for the purpose of determining its
697 capability to serve properly the actual or anticipated volume of
698 traffic using the road.

699 ~~(28)-(30)~~ "Transportation corridor" means any land area
700 designated by the state, a county, or a municipality which is
701 between two geographic points and which area is used or suitable
702 for the movement of people and goods by one or more modes of
703 transportation, including areas necessary for management of
704 access and securing applicable approvals and permits.

705 Transportation corridors shall contain, but are not limited to,
706 the following:

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

708 (b) All property or property interests necessary for future
709 transportation facilities, including rights of access, air,



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710 view, and light, whether public or private, for the purpose of
711 securing and utilizing future transportation rights-of-way,
712 including, but not limited to, any lands reasonably necessary
713 now or in the future for securing applicable approvals and
714 permits, borrow pits, drainage ditches, water retention areas,
715 rest areas, replacement access for landowners whose access could
716 be impaired due to the construction of a future facility, and
717 replacement rights-of-way for relocation of rail and utility
718 facilities.

719 (29)~~(31)~~ "Transportation facility" means any means for the
720 transportation of people or property from place to place which
721 is constructed, operated, or maintained in whole or in part from
722 public funds. The term includes the property or property rights,
723 both real and personal, which have been or may be established by
724 public bodies for the transportation of people or property from
725 place to place.

726 (30)~~(32)~~ "Urban area" means a geographic region comprising
727 as a minimum the area inside the United States Bureau of the
728 Census boundary of an urban place with a population of 5,000 or
729 more persons, expanded to include adjacent developed areas as
730 provided for by Federal Highway Administration regulations.

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

737 (31)~~(34)~~ "Urban place" means a geographic region composed
738 of one or more contiguous census tracts that have been found by



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739 the United States Bureau of the Census to contain a population
740 density of at least 1,000 persons per square mile.

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

747 (32)~~(36)~~ "Urbanized area" means a geographic region
748 comprising as a minimum the area inside an urban place of 50,000
749 or more persons, as designated by the United States Bureau of
750 the Census, expanded to include adjacent developed areas as
751 provided for by Federal Highway Administration regulations.
752 Urban areas with a population of fewer than 50,000 persons which
753 are located within the expanded boundary of an urbanized area
754 are not separately recognized.

755 Section 14. Subsections (11), (13), (26), and (33) of
756 section 334.044, Florida Statutes, are amended to read:

757 334.044 Department; powers and duties.—The department shall
758 have the following general powers and duties:

759 (11) To establish a numbering system for public roads and~~,~~
760 to functionally classify such roads, ~~and to assign~~
761 ~~jurisdictional responsibility.~~

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

765 (26) To provide for the enhancement of environmental
766 benefits, including air and water quality; to prevent roadside
767 erosion; to conserve the natural roadside growth and scenery;



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768 and to provide for the implementation and maintenance of
769 roadside conservation, enhancement, and stabilization programs.
770 No more ~~less~~ than 1.5 percent of the amount contracted for
771 construction projects that add capacity or provide significant
772 enhancements to the existing system, excluding resurfacing
773 projects, shall be allocated by the department for the purchase
774 of plant materials. ~~, with,~~ To the greatest extent practical, a
775 minimum of 50 percent of these funds shall be allocated for
776 large plant materials and the remaining funds for other plant
777 materials. All such plant materials shall be purchased from
778 Florida commercial nursery stock in this state on a uniform
779 competitive bid basis. The department will develop grades and
780 standards for landscaping materials purchased through this
781 process. To accomplish these activities, the department may
782 contract with nonprofit organizations having the primary purpose
783 of developing youth employment opportunities.

784 (33) To enter into agreement with Space Florida to
785 coordinate and cooperate in the development of spaceport
786 infrastructure as defined in s. 331.303(10) and (17) and related
787 transportation facilities contained in the Strategic Intermodal
788 System Plan and, where appropriate, encourage the cooperation
789 and integration of airports and spaceports in order to meet
790 transportation-related needs.

791 Section 15. Section 334.047, Florida Statutes, is amended
792 to read:

793 334.047 Prohibition.—Notwithstanding any other provision of
794 law to the contrary, the Department of Transportation may not
795 establish a cap on the number of miles in the State Highway
796 System ~~or a maximum number of miles of urban principal arterial~~



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797 ~~roads, as defined in s. 334.03, within a district or county.~~

798 Section 16. Subsection (5) of section 336.021, Florida
799 Statutes, is amended to read:

800 336.021 County transportation system; levy of ninth-cent
801 fuel tax on motor fuel and diesel fuel.—

802 (5) All impositions of the tax shall be levied before
803 October ~~July~~ 1 of each year to be effective January 1 of the
804 following year. However, levies of the tax which were in effect
805 on July 1, 2002, and which expire on August 31 of any year may
806 be reimposed at the current authorized rate to be effective
807 September 1 of the year of expiration. All impositions shall be
808 required to end on December 31 of a year. A decision to rescind
809 the tax shall not take effect on any date other than December 31
810 and shall require a minimum of 60 days' notice to the department
811 of such decision.

812 Section 17. Paragraphs (a) and (b) of subsection (1),
813 paragraph (a) of subsection (5), and paragraphs (d) and (e) of
814 subsection (7) of section 336.025, Florida Statutes, are amended
815 to read:

816 336.025 County transportation system; levy of local option
817 fuel tax on motor fuel and diesel fuel.—

818 (1) (a) In addition to other taxes allowed by law, there may
819 be levied as provided in ss. 206.41(1) (e) and 206.87(1) (c) a 1-
820 cent, 2-cent, 3-cent, 4-cent, 5-cent, or 6-cent local option
821 fuel tax upon every gallon of motor fuel and diesel fuel sold in
822 a county and taxed under the provisions of part I or part II of
823 chapter 206.

824 1. All impositions and rate changes of the tax shall be
825 levied before October 1 ~~July 1~~ to be effective January 1 of the



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826 following year for a period not to exceed 30 years, and the
827 applicable method of distribution shall be established pursuant
828 to subsection (3) or subsection (4). However, levies of the tax
829 which were in effect on July 1, 2002, and which expire on August
830 31 of any year may be reimposed at the current authorized rate
831 effective September 1 of the year of expiration. Upon
832 expiration, the tax may be relieved provided that a
833 redetermination of the method of distribution is made as
834 provided in this section.

835 2. County and municipal governments shall utilize moneys
836 received pursuant to this paragraph only for transportation
837 expenditures.

838 3. Any tax levied pursuant to this paragraph may be
839 extended on a majority vote of the governing body of the county.
840 A redetermination of the method of distribution shall be
841 established pursuant to subsection (3) or subsection (4), if,
842 after July 1, 1986, the tax is extended or the tax rate changed,
843 for the period of extension or for the additional tax.

844 (b) In addition to other taxes allowed by law, there may be
845 levied as provided in s. 206.41(1)(e) a 1-cent, 2-cent, 3-cent,
846 4-cent, or 5-cent local option fuel tax upon every gallon of
847 motor fuel sold in a county and taxed under the provisions of
848 part I of chapter 206. The tax shall be levied by an ordinance
849 adopted by a majority plus one vote of the membership of the
850 governing body of the county or by referendum.

851 1. All impositions and rate changes of the tax shall be
852 levied before October 1 ~~July 1~~, to be effective January 1 of the
853 following year. However, levies of the tax which were in effect
854 on July 1, 2002, and which expire on August 31 of any year may



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855 be reimposed at the current authorized rate effective September
856 1 of the year of expiration.

857 2. The county may, prior to levy of the tax, establish by
858 interlocal agreement with one or more municipalities located
859 therein, representing a majority of the population of the
860 incorporated area within the county, a distribution formula for
861 dividing the entire proceeds of the tax among county government
862 and all eligible municipalities within the county. If no
863 interlocal agreement is adopted before the effective date of the
864 tax, tax revenues shall be distributed pursuant to the
865 provisions of subsection (4). If no interlocal agreement exists,
866 a new interlocal agreement may be established prior to June 1 of
867 any year pursuant to this subparagraph. However, any interlocal
868 agreement agreed to under this subparagraph after the initial
869 levy of the tax or change in the tax rate authorized in this
870 section shall under no circumstances materially or adversely
871 affect the rights of holders of outstanding bonds which are
872 backed by taxes authorized by this paragraph, and the amounts
873 distributed to the county government and each municipality shall
874 not be reduced below the amount necessary for the payment of
875 principal and interest and reserves for principal and interest
876 as required under the covenants of any bond resolution
877 outstanding on the date of establishment of the new interlocal
878 agreement.

879 3. County and municipal governments shall use moneys
880 received pursuant to this paragraph for transportation
881 expenditures needed to meet the requirements of the capital
882 improvements element of an adopted comprehensive plan or for
883 expenditures needed to meet immediate local transportation



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884 problems and for other transportation-related expenditures that
885 are critical for building comprehensive roadway networks by
886 local governments. For purposes of this paragraph, expenditures
887 for the construction of new roads, the reconstruction or
888 resurfacing of existing paved roads, or the paving of existing
889 graded roads shall be deemed to increase capacity and such
890 projects shall be included in the capital improvements element
891 of an adopted comprehensive plan. Expenditures for purposes of
892 this paragraph shall not include routine maintenance of roads.

893 (5) (a) By October 1 ~~July 1~~ of each year, the county shall
894 notify the Department of Revenue of the rate of the taxes levied
895 pursuant to paragraphs (1) (a) and (b), and of its decision to
896 rescind or change the rate of a tax, if applicable, and shall
897 provide the department with a certified copy of the interlocal
898 agreement established under subparagraph (1) (b)2. or
899 subparagraph (3) (a)1. with distribution proportions established
900 by such agreement or pursuant to subsection (4), if applicable.
901 A decision to rescind a tax shall not take effect on any date
902 other than December 31 and shall require a minimum of 60 days'
903 notice to the Department of Revenue of such decision.

904 (7) For the purposes of this section, "transportation
905 expenditures" means expenditures by the local government from
906 local or state shared revenue sources, excluding expenditures of
907 bond proceeds, for the following programs:

908 (d) Street lighting installation, operation, maintenance,
909 and repair.

910 (e) Traffic signs, traffic engineering, signalization, and
911 pavement markings, installation, operation, maintenance, and
912 repair.



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913 Section 18. Subsection (4) of section 337.111, Florida
914 Statutes, is amended to read:

915 337.111 Contracting for monuments and memorials to military
916 veterans at rest areas.—The Department of Transportation is
917 authorized to enter into contract with any not-for-profit group
918 or organization that has been operating for not less than 2
919 years for the installation of monuments and memorials honoring
920 Florida's military veterans at highway rest areas around the
921 state pursuant to the provisions of this section.

922 (4) The group or organization making the proposal shall
923 provide a 10-year bond, an annual renewable bond, an irrevocable
924 letter of credit, or other form of security as approved by the
925 department's comptroller, for the purpose of securing the cost
926 of removal of the monument and any modifications made to the
927 site as part of the placement of the monument should the
928 Department of Transportation determine it necessary to remove or
929 relocate the monument. Such removal or relocation shall be
930 approved by the committee described in subsection (1). ~~Prior to~~
931 ~~expiration, the bond shall be renewed for another 10-year period~~
932 ~~if the memorial is to remain in place.~~

933 Section 19. Section 337.403, Florida Statutes, is amended
934 to read:

935 337.403 Interference caused by Relocation of utility;
936 expenses.—

937 (1) When a ~~Any~~ utility heretofore or hereafter placed upon,
938 under, over, or along any public road or publicly owned rail
939 corridor ~~that~~ is found by the authority to be unreasonably
940 interfering in any way with the convenient, safe, or continuous
941 use, or the maintenance, improvement, extension, or expansion,



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942 of such public road or publicly owned rail corridor, the utility
943 owner shall, upon 30 days' written notice to the utility or its
944 agent by the authority, initiate the work necessary to alleviate
945 the interference ~~be removed or relocated by such utility~~ at its
946 own expense except as provided in paragraphs (a)-(f). The work
947 shall be completed within such reasonable time as stated in the
948 notice or such time as agreed to by the authority and the
949 utility owner.

950 (a) If the relocation of utility facilities, as referred to
951 in s. 111 of the Federal-Aid Highway Act of 1956, Pub. L. No.
952 627 of the 84th Congress, is necessitated by the construction of
953 a project on the federal-aid interstate system, including
954 extensions thereof within urban areas, and the cost of the
955 project is eligible and approved for reimbursement by the
956 Federal Government to the extent of 90 percent or more under the
957 Federal Aid Highway Act, or any amendment thereof, then in that
958 event the utility owning or operating such facilities shall
959 perform any necessary work ~~relocate the facilities~~ upon notice
960 from ~~order of~~ the department, and the state shall pay the entire
961 expense properly attributable to such work ~~relocation~~ after
962 deducting therefrom any increase in the value of any ~~the~~ new
963 facility and any salvage value derived from any ~~the~~ old
964 facility.

965 (b) When a joint agreement between the department and the
966 utility is executed for utility ~~improvement, relocation, or~~
967 ~~removal~~ work to be accomplished as part of a contract for
968 construction of a transportation facility, the department may
969 participate in those utility work ~~improvement, relocation, or~~
970 ~~removal~~ costs that exceed the department's official estimate of



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971 the cost of the work by more than 10 percent. The amount of such
972 participation shall be limited to the difference between the
973 official estimate of all the work in the joint agreement plus 10
974 percent and the amount awarded for this work in the construction
975 contract for such work. The department may not participate in
976 any utility work ~~improvement, relocation, or removal~~ costs that
977 occur as a result of changes or additions during the course of
978 the contract.

979 (c) When an agreement between the department and utility is
980 executed for utility ~~improvement, relocation, or removal~~ work to
981 be accomplished in advance of a contract for construction of a
982 transportation facility, the department may participate in the
983 cost of clearing and grubbing necessary to perform such work.

984 (d) If the utility facility involved ~~being removed or~~
985 ~~relocated~~ was initially installed to exclusively serve the
986 department, its tenants, or both, the department shall bear the
987 costs of the utility work ~~removing or relocating that utility~~
988 ~~facility~~. However, the department is not responsible for bearing
989 the cost of utility work related to ~~removing or relocating~~ any
990 subsequent additions to that facility for the purpose of serving
991 others.

992 (e) If, under an agreement between a utility and the
993 authority entered into after July 1, 2009, the utility conveys,
994 subordinates, or relinquishes a compensable property right to
995 the authority for the purpose of accommodating the acquisition
996 or use of the right-of-way by the authority, without the
997 agreement expressly addressing future responsibility for the
998 cost of necessary utility work ~~removing or relocating the~~
999 ~~utility~~, the authority shall bear the cost of removal or



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1000 relocation. This paragraph does not impair or restrict, and may
1001 not be used to interpret, the terms of any such agreement
1002 entered into before July 1, 2009.

1003 (f) If the utility is an electric facility being relocated
1004 underground in order to enhance vehicular, bicycle, and
1005 pedestrian safety and in which ownership of the electric
1006 facility to be placed underground has been transferred from a
1007 private to a public utility within the past 5 years, the
1008 department shall incur all costs of the necessary utility work
1009 relocation.

1010 (2) If such utility work ~~removal or relocation~~ is
1011 incidental to work to be done on such road or publicly owned
1012 rail corridor, the notice shall be given at the same time the
1013 contract for the work is advertised for bids, or no less than 30
1014 days prior to the commencement of such work by the authority,
1015 whichever is greater.

1016 (3) Whenever the notice from ~~an order of~~ the authority
1017 requires such utility work ~~removal or change in the location of~~
1018 ~~any utility from the right-of-way of a public road or publicly~~
1019 ~~owned rail corridor,~~ and the owner thereof fails perform the
1020 work to remove or change the same at his or her own expense ~~to~~
1021 ~~conform to the order~~ within the time stated in the notice or
1022 such other time as agreed to by the authority and the utility
1023 owner, the authority shall proceed to cause the utility work to
1024 be performed ~~to be removed~~. The expense thereby incurred shall
1025 be paid out of any money available therefor, and such expense
1026 shall, except as provided in subsection (1), be charged against
1027 the owner and levied and collected and paid into the fund from
1028 which the expense of such relocation was paid.



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1029 Section 20. Subsection (1) of section 337.404, Florida
1030 Statutes, is amended to read:

1031 337.404 Removal or relocation of utility facilities; notice
1032 and order; court review.—

1033 (1) Whenever it shall become necessary for the authority to
1034 perform utility work ~~remove or relocate any utility~~ as provided
1035 in s. 337.403 ~~the preceding section~~, the owner of the utility,
1036 or the owner's chief agent, shall be given notice that the
1037 authority will perform ~~of such work removal or relocation~~ and,
1038 after the work is complete, shall be given an order requiring
1039 the payment of the cost thereof, and a ~~shall be given~~ reasonable
1040 time, which shall not be less than 20 nor more than 30 days, in
1041 which to appear before the authority to contest the
1042 reasonableness of the order. Should the owner or the owner's
1043 representative not appear, the determination of the cost to the
1044 owner shall be final. Authorities considered agencies for the
1045 purposes of chapter 120 shall adjudicate removal or relocation
1046 of utilities pursuant to chapter 120.

1047 Section 21. Subsections (1) and (4) of section 337.408,
1048 Florida Statutes, are amended to read:

1049 337.408 Regulation of bus stop benches, transit shelters,
1050 street light poles, waste disposal receptacles, and modular news
1051 racks within rights-of-way.—

1052 (1) Benches or transit shelters, including advertising
1053 displayed on benches or transit shelters, may be installed
1054 within the right-of-way limits of any municipal, county, or
1055 state road, except a limited access highway, provided that such
1056 benches or transit shelters are for the comfort or convenience
1057 of the general public or are at designated stops on official bus



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1058 routes and provided that written authorization has been given to
1059 a qualified private supplier of such service by the municipal
1060 government within whose incorporated limits such benches or
1061 transit shelters are installed or by the county government
1062 within whose unincorporated limits such benches or transit
1063 shelters are installed. A municipality or county may authorize
1064 the installation, without public bid, of benches and transit
1065 shelters together with advertising displayed thereon within the
1066 right-of-way limits of such roads. All installations shall be in
1067 compliance with all applicable laws and rules including, without
1068 limitation, the Americans with Disabilities Act. Municipalities
1069 and counties shall indemnify, defend, and hold harmless the
1070 department from any suits, actions, proceedings, claims, losses,
1071 costs, charges, expenses, damages, liabilities, attorney's fees,
1072 and court costs relating to the installation, removal, or
1073 relocation of such installations. Any contract for the
1074 installation of benches or transit shelters or advertising on
1075 benches or transit shelters which was entered into before April
1076 8, 1992, without public bidding is ratified and affirmed. Such
1077 benches or transit shelters may not interfere with right-of-way
1078 preservation and maintenance. Any bench or transit shelter
1079 located on a sidewalk within the right-of-way limits of any road
1080 on the State Highway System or the county road system shall be
1081 located so as to leave at least 36 inches of clearance for
1082 pedestrians and persons in wheelchairs. Such clearance shall be
1083 measured in a direction perpendicular to the centerline of the
1084 road.

1085 (4) The department has the authority to direct the
1086 immediate relocation or removal of any bus stop bench, transit



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1087 shelter, waste disposal receptacle, public pay telephone, or
1088 modular news rack that endangers life or property, or that is
1089 otherwise not in compliance with applicable laws and rules,
1090 except that transit bus benches that were placed in service
1091 before April 1, 1992, are not required to comply with bench size
1092 and advertising display size requirements established by the
1093 department before March 1, 1992. If a municipality or county
1094 fails to comply with the department's direction, the department
1095 shall remove the noncompliant installation, charge the cost of
1096 the removal to the municipality or county, and may deduct or
1097 offset such cost from any other funding available to the
1098 municipality or county from the department. Any transit bus
1099 ~~bench that was in service before April 1, 1992, may be replaced~~
1100 ~~with a bus bench of the same size or smaller, if the bench is~~
1101 ~~damaged or destroyed or otherwise becomes unusable.~~ The
1102 department may adopt rules relating to the regulation of bench
1103 size and advertising display size requirements. If a
1104 municipality or county within which a bench is to be located has
1105 adopted an ordinance or other applicable regulation that
1106 establishes bench size or advertising display sign requirements
1107 different from requirements specified in department rule, the
1108 local government requirement applies within the respective
1109 municipality or county. Placement of any bench or advertising
1110 display on the National Highway System under a local ordinance
1111 or regulation adopted under this subsection is subject to
1112 approval of the Federal Highway Administration.

1113 Section 22. Chapter 338, Florida Statutes, is retitled
1114 "LIMITED ACCESS AND TOLL FACILITIES."

1115 Section 23. Section 338.001, Florida Statutes, is repealed.



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1116 Section 24. Present subsections (1) through (6) of section
1117 338.01, Florida Statutes, are renumbered as subsections (2)
1118 through (7), respectively, and a new subsection (1) is added to
1119 that section, to read:

1120 338.01 Authority to establish and regulate limited access
1121 facilities.—

1122 (1) The department is authorized to establish limited
1123 access facilities as provided in s. 335.02. The primary function
1124 of these limited access facilities is to allow high-speed and
1125 high-volume traffic movements within the state. Access to
1126 abutting land is subordinate to this function, and such access
1127 must be prohibited or highly regulated.

1128 Section 25. Section 339.155, Florida Statutes, is amended
1129 to read:

1130 339.155 Transportation planning.—

1131 (1) THE FLORIDA TRANSPORTATION PLAN.—The department shall
1132 develop ~~and annually update~~ a statewide transportation plan, to
1133 be known as the Florida Transportation Plan. The plan shall be
1134 designed so as to be easily read and understood by the general
1135 public. The purpose of the Florida Transportation Plan is to
1136 establish and define the state's long-range transportation goals
1137 and objectives to be accomplished over a period of at least 20
1138 years within the context of the State Comprehensive Plan, and
1139 any other statutory mandates and authorizations and based upon
1140 the prevailing principles of: preserving the existing
1141 transportation infrastructure; enhancing Florida's economic
1142 competitiveness; and improving travel choices to ensure
1143 mobility. The Florida Transportation Plan shall consider the
1144 needs of the entire state transportation system and examine the



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1145 use of all modes of transportation to effectively and
1146 efficiently meet such needs.

1147 (2) SCOPE OF PLANNING PROCESS.—The department shall carry
1148 out a transportation planning process in conformance with s.
1149 334.046(1) and 23 U.S.C. s. 135 ~~which provides for consideration~~
1150 ~~of projects and strategies that will:~~

1151 ~~(a) Support the economic vitality of the United States,~~
1152 ~~Florida, and the metropolitan areas, especially by enabling~~
1153 ~~global competitiveness, productivity, and efficiency;~~

1154 ~~(b) Increase the safety and security of the transportation~~
1155 ~~system for motorized and nonmotorized users;~~

1156 ~~(c) Increase the accessibility and mobility options~~
1157 ~~available to people and for freight;~~

1158 ~~(d) Protect and enhance the environment, promote energy~~
1159 ~~conservation, and improve quality of life;~~

1160 ~~(e) Enhance the integration and connectivity of the~~
1161 ~~transportation system, across and between modes throughout~~
1162 ~~Florida, for people and freight;~~

1163 ~~(f) Promote efficient system management and operation; and~~

1164 ~~(g) Emphasize the preservation of the existing~~
1165 ~~transportation system.~~

1166 (3) FORMAT, SCHEDULE, AND REVIEW.—The Florida
1167 Transportation Plan shall be a unified, concise planning
1168 document that clearly defines the state's long-range
1169 transportation goals and objectives ~~and documents the~~
1170 ~~department's short-range objectives developed to further such~~
1171 ~~goals and objectives.~~ The plan shall:

1172 (a) Include a glossary that clearly and succinctly defines
1173 any and all phrases, words, or terms of art included in the



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1174 plan, with which the general public may be unfamiliar. ~~and shall~~
1175 ~~consist of, at a minimum, the following components:~~

1176 ~~(b) (a) Document A long-range component documenting the~~
1177 ~~goals and long-term objectives necessary to implement the~~
1178 ~~results of the department consistent with department's findings~~
1179 ~~from its examination of the criteria listed in subsection (2)~~
1180 ~~and s. 334.046(1) and s. 23 U.S.C. s. 135. The long-range~~
1181 ~~component must~~

1182 ~~(c) Be developed in cooperation with the metropolitan~~
1183 ~~planning organizations and reconciled, to the maximum extent~~
1184 ~~feasible, with the long-range plans developed by metropolitan~~
1185 ~~planning organizations pursuant to s. 339.175. The plan must~~
1186 ~~also~~

1187 ~~(d) Be developed in consultation with affected local~~
1188 ~~officials in nonmetropolitan areas and with any affected Indian~~
1189 ~~tribal governments. The plan must provide~~

1190 ~~(e) Provide an examination of transportation issues likely~~
1191 ~~to arise during at least a 20-year period. The long-range~~
1192 ~~component shall~~

1193 ~~(f) Be updated at least once every 5 years, or more often~~
1194 ~~as necessary, to reflect substantive changes to federal or state~~
1195 ~~law.~~

1196 ~~(b) A short-range component documenting the short-term~~
1197 ~~objectives and strategies necessary to implement the goals and~~
1198 ~~long-term objectives contained in the long-range component. The~~
1199 ~~short-range component must define the relationship between the~~
1200 ~~long-range goals and the short-range objectives, specify those~~
1201 ~~objectives against which the department's achievement of such~~
1202 ~~goals will be measured, and identify transportation strategies~~



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1203 ~~necessary to efficiently achieve the goals and objectives in the~~
1204 ~~plan. It must provide a policy framework within which the~~
1205 ~~department's legislative budget request, the strategic~~
1206 ~~information resource management plan, and the work program are~~
1207 ~~developed. The short-range component shall serve as the~~
1208 ~~department's annual agency strategic plan pursuant to s.~~
1209 ~~186.021. The short-range component shall be developed consistent~~
1210 ~~with available and forecasted state and federal funds. The~~
1211 ~~short-range component shall also be submitted to the Florida~~
1212 ~~Transportation Commission.~~

1213 ~~(4) ANNUAL PERFORMANCE REPORT. The department shall develop~~
1214 ~~an annual performance report evaluating the operation of the~~
1215 ~~department for the preceding fiscal year. The report shall also~~
1216 ~~include a summary of the financial operations of the department~~
1217 ~~and shall annually evaluate how well the adopted work program~~
1218 ~~meets the short-term objectives contained in the short-range~~
1219 ~~component of the Florida Transportation Plan. This performance~~
1220 ~~report shall be submitted to the Florida Transportation~~
1221 ~~Commission and the legislative appropriations and transportation~~
1222 ~~committees.~~

1223 ~~(4)-(5) ADDITIONAL TRANSPORTATION PLANS.-~~

1224 (a) Upon request by local governmental entities, the
1225 department may in its discretion develop and design
1226 transportation corridors, arterial and collector streets,
1227 vehicular parking areas, and other support facilities which are
1228 consistent with the plans of the department for major
1229 transportation facilities. The department may render to local
1230 governmental entities or their planning agencies such technical
1231 assistance and services as are necessary so that local plans and



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1232 facilities are coordinated with the plans and facilities of the
1233 department.

1234 (b) Each regional planning council, as provided for in s.
1235 186.504, or any successor agency thereto, shall develop, as an
1236 element of its strategic regional policy plan, transportation
1237 goals and policies. The transportation goals and policies must
1238 be prioritized to comply with the prevailing principles provided
1239 in subsection (2) and s. 334.046(1). The transportation goals
1240 and policies shall be consistent, to the maximum extent
1241 feasible, with the goals and policies of the metropolitan
1242 planning organization and the Florida Transportation Plan. The
1243 transportation goals and policies of the regional planning
1244 council will be advisory only and shall be submitted to the
1245 department and any affected metropolitan planning organization
1246 for their consideration and comments. Metropolitan planning
1247 organization plans and other local transportation plans shall be
1248 developed consistent, to the maximum extent feasible, with the
1249 regional transportation goals and policies. The regional
1250 planning council shall review urbanized area transportation
1251 plans and any other planning products stipulated in s. 339.175
1252 and provide the department and respective metropolitan planning
1253 organizations with written recommendations which the department
1254 and the metropolitan planning organizations shall take under
1255 advisement. Further, the regional planning councils shall
1256 directly assist local governments which are not part of a
1257 metropolitan area transportation planning process in the
1258 development of the transportation element of their comprehensive
1259 plans as required by s. 163.3177.

1260 (c) Regional transportation plans may be developed in



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1261 regional transportation areas in accordance with an interlocal
1262 agreement entered into pursuant to s. 163.01 by two or more
1263 contiguous metropolitan planning organizations; one or more
1264 metropolitan planning organizations and one or more contiguous
1265 counties, none of which is a member of a metropolitan planning
1266 organization; a multicounty regional transportation authority
1267 created by or pursuant to law; two or more contiguous counties
1268 that are not members of a metropolitan planning organization; or
1269 metropolitan planning organizations comprised of three or more
1270 counties.

1271 (d) The interlocal agreement must, at a minimum, identify
1272 the entity that will coordinate the development of the regional
1273 transportation plan; delineate the boundaries of the regional
1274 transportation area; provide the duration of the agreement and
1275 specify how the agreement may be terminated, modified, or
1276 rescinded; describe the process by which the regional
1277 transportation plan will be developed; and provide how members
1278 of the entity will resolve disagreements regarding
1279 interpretation of the interlocal agreement or disputes relating
1280 to the development or content of the regional transportation
1281 plan. Such interlocal agreement shall become effective upon its
1282 recordation in the official public records of each county in the
1283 regional transportation area.

1284 (e) The regional transportation plan developed pursuant to
1285 this section must, at a minimum, identify regionally significant
1286 transportation facilities located within a regional
1287 transportation area and contain a prioritized list of regionally
1288 significant projects. The level-of-service standards for
1289 facilities to be funded under this subsection shall be adopted



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1290 by the appropriate local government in accordance with s.
1291 163.3180(10). The projects shall be adopted into the capital
1292 improvements schedule of the local government comprehensive plan
1293 pursuant to s. 163.3177(3).

1294 (5)~~(6)~~ PROCEDURES FOR PUBLIC PARTICIPATION IN
1295 TRANSPORTATION PLANNING.—

1296 (a) During the development of the ~~long range component of~~
1297 ~~the~~ Florida Transportation Plan and prior to substantive
1298 revisions, the department shall provide citizens, affected
1299 public agencies, representatives of transportation agency
1300 employees, other affected employee representatives, private
1301 providers of transportation, and other known interested parties
1302 with an opportunity to comment on the proposed plan or
1303 revisions. These opportunities shall include, at a minimum,
1304 publishing a notice in the Florida Administrative Weekly and
1305 within a newspaper of general circulation within the area of
1306 each department district office.

1307 (b) During development of major transportation
1308 improvements, such as those increasing the capacity of a
1309 facility through the addition of new lanes or providing new
1310 access to a limited or controlled access facility or
1311 construction of a facility in a new location, the department
1312 shall hold one or more hearings prior to the selection of the
1313 facility to be provided; prior to the selection of the site or
1314 corridor of the proposed facility; and prior to the selection of
1315 and commitment to a specific design proposal for the proposed
1316 facility. Such public hearings shall be conducted so as to
1317 provide an opportunity for effective participation by interested
1318 persons in the process of transportation planning and site and



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1319 route selection and in the specific location and design of
1320 transportation facilities. The various factors involved in the
1321 decision or decisions and any alternative proposals shall be
1322 clearly presented so that the persons attending the hearing may
1323 present their views relating to the decision or decisions which
1324 will be made.

1325 (c) Opportunity for design hearings:

1326 1. The department, prior to holding a design hearing, shall
1327 duly notify all affected property owners of record, as recorded
1328 in the property appraiser's office, by mail at least 20 days
1329 prior to the date set for the hearing. The affected property
1330 owners shall be:

1331 a. Those whose property lies in whole or in part within 300
1332 feet on either side of the centerline of the proposed facility.

1333 b. Those whom the department determines will be
1334 substantially affected environmentally, economically, socially,
1335 or safetywise.

1336 2. For each subsequent hearing, the department shall
1337 publish notice prior to the hearing date in a newspaper of
1338 general circulation for the area affected. These notices must be
1339 published twice, with the first notice appearing at least 15
1340 days, but no later than 30 days, before the hearing.

1341 3. A copy of the notice of opportunity for the hearing must
1342 be furnished to the United States Department of Transportation
1343 and to the appropriate departments of the state government at
1344 the time of publication.

1345 4. The opportunity for another hearing shall be afforded in
1346 any case when proposed locations or designs are so changed from
1347 those presented in the notices specified above or at a hearing



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1348 as to have a substantially different social, economic, or
1349 environmental effect.

1350 5. The opportunity for a hearing shall be afforded in each
1351 case in which the department is in doubt as to whether a hearing
1352 is required.

1353
1354 Section 26. Paragraph (a) of subsection (4) of section
1355 339.175, Florida Statutes, is amended to read:

1356 339.175 Metropolitan planning organization.—

1357 (4) APPORTIONMENT.—

1358 (a) The Governor shall, with the agreement of the affected
1359 units of general-purpose local government as required by federal
1360 rules and regulations, apportion the membership on the
1361 applicable M.P.O. among the various governmental entities within
1362 the area. At the request of a majority of the affected units of
1363 general-purpose local government comprising an M.P.O., the
1364 Governor and a majority of units of general-purpose local
1365 government serving on an M.P.O. shall cooperatively agree upon
1366 and prescribe who may serve as an alternate member and a method
1367 for appointing alternate members who may vote at any M.P.O.
1368 meeting that an alternate member attends in place of a regular
1369 member. The method shall be set forth as a part of the
1370 interlocal agreement describing the M.P.O.'s membership or in
1371 the M.P.O.'s operating procedures and bylaws. The governmental
1372 entity so designated shall appoint the appropriate number of
1373 members to the M.P.O. from eligible officials. Representatives
1374 of the department shall serve as nonvoting advisers to ~~members~~
1375 ~~of~~ the M.P.O. governing board. Additional nonvoting advisers may
1376 be appointed by the M.P.O. as deemed necessary; however, to the



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1377 maximum extent feasible, each M.P.O. shall seek to appoint
1378 nonvoting representatives of various multimodal forms of
1379 transportation not otherwise represented by voting members of
1380 the M.P.O. An M.P.O. shall appoint nonvoting advisers
1381 representing major military installations located within the
1382 jurisdictional boundaries of the M.P.O. upon the request of the
1383 aforesaid major military installations and subject to the
1384 agreement of the M.P.O. All nonvoting advisers may attend and
1385 participate fully in governing board meetings but shall not have
1386 a vote and shall not be members of the governing board. The
1387 Governor shall review the composition of the M.P.O. membership
1388 in conjunction with the decennial census as prepared by the
1389 United States Department of Commerce, Bureau of the Census, and
1390 reapportion it as necessary to comply with subsection (3).

1391 Section 27. Subsection (2) of section 339.63, Florida
1392 Statutes, is amended to read:

1393 339.63 System facilities designated; additions and
1394 deletions.—

1395 (2) The Strategic Intermodal System and the Emerging
1396 Strategic Intermodal System include four ~~three~~ different types
1397 of facilities that each form one component of an interconnected
1398 transportation system which types include:

1399 (a) Existing or planned hubs that are ports and terminals
1400 including airports, seaports, spaceports, passenger terminals,
1401 and rail terminals serving to move goods or people between
1402 Florida regions or between Florida and other markets in the
1403 United States and the rest of the world;

1404 (b) Existing or planned corridors that are highways, rail
1405 lines, waterways, and other exclusive-use facilities connecting



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1406 major markets within Florida or between Florida and other states
1407 or nations; ~~and~~

1408 (c) Existing or planned intermodal connectors that are
1409 highways, rail lines, waterways or local public transit systems
1410 serving as connectors between the components listed in
1411 paragraphs (a) and (b); and

1412 (d) Existing or planned military access facilities that are
1413 highways or rail lines linking Strategic Intermodal System
1414 corridors to the state's strategic military installations.

1415 Section 28. Section 339.64, Florida Statutes, is amended to
1416 read:

1417 339.64 Strategic Intermodal System Plan.—

1418 (1) The department shall develop, in cooperation with
1419 metropolitan planning organizations, regional planning councils,
1420 local governments, ~~the Statewide Intermodal Transportation~~
1421 ~~Advisory Council~~ and other transportation providers, a Strategic
1422 Intermodal System Plan. The plan shall be consistent with the
1423 Florida Transportation Plan developed pursuant to s. 339.155 and
1424 shall be updated at least once every 5 years, subsequent to
1425 updates of the Florida Transportation Plan.

1426 (2) In association with the continued development of the
1427 Strategic Intermodal System Plan, the Florida Transportation
1428 Commission, as part of its work program review process, shall
1429 conduct an annual assessment of the progress that the department
1430 and its transportation partners have made in realizing the goals
1431 of economic development, improved mobility, and increased
1432 intermodal connectivity of the Strategic Intermodal System. The
1433 Florida Transportation Commission shall coordinate with the
1434 department, ~~the Statewide Intermodal Transportation Advisory~~



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1435 ~~Council~~, and other appropriate entities when developing this
1436 assessment. The Florida Transportation Commission shall deliver
1437 a report to the Governor and Legislature no later than 14 days
1438 after the regular session begins, with recommendations as
1439 necessary to fully implement the Strategic Intermodal System.

1440 (3) (a) During the development of updates to the Strategic
1441 Intermodal System Plan, the department shall provide
1442 metropolitan planning organizations, regional planning councils,
1443 local governments, transportation providers, affected public
1444 agencies, and citizens with an opportunity to participate in and
1445 comment on the development of the update.

1446 (b) The department also shall coordinate with federal,
1447 regional, and local partners the planning for the Strategic
1448 Highway Network and the Strategic Rail Corridor Network
1449 transportation facilities that either are included in the
1450 Strategic Intermodal System or that provide a direct connection
1451 between military installations and the Strategic Intermodal
1452 System. In addition, the department shall coordinate with
1453 regional and local partners to determine whether the road and
1454 other transportation infrastructure that connect military
1455 installations to the Strategic Intermodal System, the Strategic
1456 Highway Network, or the Strategic Rail Corridor is regionally
1457 significant and should be included in the Strategic Intermodal
1458 System Plan.

1459 (4) The Strategic Intermodal System Plan shall include the
1460 following:

- 1461 (a) A needs assessment.
- 1462 (b) A project prioritization process.
- 1463 (c) A map of facilities designated as Strategic Intermodal



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1464 System facilities; facilities that are emerging in importance
1465 and that are likely to become part of the system in the future;
1466 and planned facilities that will meet the established criteria.

1467 (d) A finance plan based on reasonable projections of
1468 anticipated revenues, including both 10-year and at least 20-
1469 year cost-feasible components.

1470 (e) An assessment of the impacts of proposed improvements
1471 to Strategic Intermodal System corridors on military
1472 installations that are either located directly on the Strategic
1473 Intermodal System or located on the Strategic Highway Network or
1474 Strategic Rail Corridor Network.

1475 ~~(5) STATEWIDE INTERMODAL TRANSPORTATION ADVISORY COUNCIL.~~

1476 ~~(a) The Statewide Intermodal Transportation Advisory~~
1477 ~~Council is created to advise and make recommendations to the~~
1478 ~~Legislature and the department on policies, planning, and~~
1479 ~~funding of intermodal transportation projects. The council's~~
1480 ~~responsibilities shall include:~~

1481 ~~1. Advising the department on the policies, planning, and~~
1482 ~~implementation of strategies related to intermodal~~
1483 ~~transportation.~~

1484 ~~2. Providing advice and recommendations to the Legislature~~
1485 ~~on funding for projects to move goods and people in the most~~
1486 ~~efficient and effective manner for the State of Florida.~~

1487 ~~(b) MEMBERSHIP. Members of the Statewide Intermodal~~
1488 ~~Transportation Advisory Council shall consist of the following:~~

1489 ~~1. Six intermodal industry representatives selected by the~~
1490 ~~Governor as follows:~~

1491 ~~a. One representative from an airport involved in the~~
1492 ~~movement of freight and people from their airport facility to~~



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1493 ~~another transportation mode.~~
1494 ~~b. One individual representing a fixed-route, local-~~
1495 ~~government transit system.~~
1496 ~~e. One representative from an intercity bus company~~
1497 ~~providing regularly scheduled bus travel as determined by~~
1498 ~~federal regulations.~~
1499 ~~d. One representative from a spaceport.~~
1500 ~~e. One representative from intermodal trucking companies.~~
1501 ~~f. One representative having command responsibilities of a~~
1502 ~~major military installation.~~
1503 ~~2. Three intermodal industry representatives selected by~~
1504 ~~the President of the Senate as follows:~~
1505 ~~a. One representative from major-line railroads.~~
1506 ~~b. One representative from seaports listed in s. 311.09(1)~~
1507 ~~from the Atlantic Coast.~~
1508 ~~e. One representative from an airport involved in the~~
1509 ~~movement of freight and people from their airport facility to~~
1510 ~~another transportation mode.~~
1511 ~~3. Three intermodal industry representatives selected by~~
1512 ~~the Speaker of the House of Representatives as follows:~~
1513 ~~a. One representative from short-line railroads.~~
1514 ~~b. One representative from seaports listed in s. 311.09(1)~~
1515 ~~from the Gulf Coast.~~
1516 ~~e. One representative from intermodal trucking companies.~~
1517 ~~In no event may this representative be employed by the same~~
1518 ~~company that employs the intermodal trucking company~~
1519 ~~representative selected by the Governor.~~
1520 ~~(c) Initial appointments to the council must be made no~~
1521 ~~later than 30 days after the effective date of this section.~~



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1522 ~~1. The initial appointments made by the President of the~~
1523 ~~Senate and the Speaker of the House of Representatives shall~~
1524 ~~serve terms concurrent with those of the respective appointing~~
1525 ~~officer. Beginning January 15, 2005, and for all subsequent~~
1526 ~~appointments, council members appointed by the President of the~~
1527 ~~Senate and the Speaker of the House of Representatives shall~~
1528 ~~serve 2-year terms, concurrent with the term of the respective~~
1529 ~~appointing officer.~~

1530 ~~2. The initial appointees, and all subsequent appointees,~~
1531 ~~made by the Governor shall serve 2-year terms.~~

1532 ~~3. Vacancies on the council shall be filled in the same~~
1533 ~~manner as the initial appointments.~~

1534 ~~(d) Each member of the council shall be allowed one vote.~~
1535 ~~The council shall select a chair from among its membership.~~
1536 ~~Meetings shall be held at the call of the chair, but not less~~
1537 ~~frequently than quarterly. The members of the council shall be~~
1538 ~~reimbursed for per diem and travel expenses as provided in s.~~
1539 ~~112.061.~~

1540 ~~(e) The department shall provide administrative staff~~
1541 ~~support and shall ensure that council meetings are~~
1542 ~~electronically recorded. Such recordings and all documents~~
1543 ~~received, prepared for, or used by the council in conducting its~~
1544 ~~business shall be preserved pursuant to chapters 119 and 257.~~

1545 Section 29. Section 339.65, Florida Statutes, is created to
1546 read:

1547 339.65 Strategic Intermodal System highway corridors.-

1548 (1) The department shall plan and develop Strategic
1549 Intermodal System highway corridors, including limited and
1550 controlled access facilities, allowing for high-speed and high-



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1551 volume traffic movements within the state. The primary function
1552 of these corridors is to provide for such traffic movements.
1553 Access to abutting land is subordinate to this function, and
1554 such access must be prohibited or highly regulated.

1555 (2) Strategic Intermodal System highway corridors shall
1556 include facilities from the following components of the State
1557 Highway System which meet the criteria adopted by the department
1558 pursuant to s. 339.63:

1559 (a) Interstate highways.

1560 (b) The Florida Turnpike System.

1561 (c) Interregional and intercity limited access facilities.

1562 (d) Existing interregional and intercity arterial highways
1563 previously upgraded or upgraded in the future to limited access
1564 or controlled access facility standards.

1565 (e) New limited access facilities necessary to complete a
1566 balanced statewide system.

1567 (3) The department shall adhere to the following policy
1568 guidelines in the development of Strategic Intermodal System
1569 highway corridors:

1570 (a) Make capacity improvements to existing facilities where
1571 feasible to minimize costs and environmental impacts.

1572 (b) Identify appropriate arterial highways in major
1573 transportation corridors for inclusion in a program to bring
1574 these facilities up to limited access or controlled access
1575 facility standards.

1576 (c) Coordinate proposed projects with appropriate limited
1577 access projects undertaken by expressway authorities and local
1578 governmental entities.

1579 (d) Maximize the use of limited access facility standards



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1580 when constructing new arterial highways.

1581 (e) Identify appropriate new limited access highways for
1582 inclusion as a part of the Florida Turnpike System.

1583 (f) To the maximum extent feasible, ensure that proposed
1584 projects are consistent with approved local government
1585 comprehensive plans of the local jurisdictions in which such
1586 facilities are to be located and with the transportation
1587 improvement program of any metropolitan planning organization in
1588 which such facilities are to be located.

1589 (4) The department shall develop and maintain a plan of
1590 Strategic Intermodal System highway corridor projects that are
1591 anticipated to be let to contract for construction within a time
1592 period of at least 20 years. The plan shall also identify when
1593 segments of the corridor will meet the standards and criteria
1594 developed pursuant to subsection (5).

1595 (5) The department shall establish the standards and
1596 criteria for the functional characteristics and design of
1597 facilities proposed as part of Strategic Intermodal System
1598 highway corridors.

1599 (6) For the purposes of developing the proposed Strategic
1600 Intermodal System highway corridors, the minimum amount
1601 allocated each fiscal year shall be based on the 2003-2004
1602 fiscal year allocation of \$450 million, adjusted annually by the
1603 change in the Consumer Price Index for the prior fiscal year
1604 compared to the Consumer Price Index for the 2003-2004 fiscal
1605 year.

1606 (7) Any project to be constructed as part of a Strategic
1607 Intermodal System highway corridor shall be included in the
1608 department's adopted work program. Any Strategic Intermodal



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1609 System highway corridor projects that are added to or deleted
1610 from the previous adopted work program, or any modification to
1611 Strategic Intermodal System highway corridor projects contained
1612 in the previous adopted work program, shall be specifically
1613 identified and submitted as a separate part of the tentative
1614 work program.

1615 Section 30. Subsection (3) of section 341.302, Florida
1616 Statutes, is amended to read:

1617 341.302 Rail program; duties and responsibilities of the
1618 department.—The department, in conjunction with other
1619 governmental entities, including the rail enterprise and the
1620 private sector, shall develop and implement a rail program of
1621 statewide application designed to ensure the proper maintenance,
1622 safety, revitalization, and expansion of the rail system to
1623 assure its continued and increased availability to respond to
1624 statewide mobility needs. Within the resources provided pursuant
1625 to chapter 216, and as authorized under federal law, the
1626 department shall:

1627 (3) Develop and periodically update the rail system plan,
1628 on the basis of an analysis of statewide transportation needs.

1629 (a) The plan may contain detailed regional components,
1630 consistent with regional transportation plans, as needed to
1631 ensure connectivity within the state's regions, and it shall be
1632 consistent with the Florida Transportation Plan developed
1633 pursuant to s. 339.155. The rail system plan shall include an
1634 identification of priorities, programs, and funding levels
1635 required to meet statewide and regional needs. The rail system
1636 plan shall be developed in a manner that will assure the maximum
1637 use of existing facilities and the optimum integration and



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1638 coordination of the various modes of transportation, public and
1639 private, in the most cost-effective manner possible. The rail
1640 system plan shall be updated no later than January 1, 2011, and
1641 at least every 5 years thereafter, and include plans for both
1642 passenger rail service and freight rail service, accompanied by
1643 a report to the Legislature regarding the status of the plan.

1644 (b) In recognition of the department's role in the
1645 enhancement of the state's rail system to improve freight and
1646 passenger mobility, the department shall:

1647 1. Work closely with all affected communities along an
1648 impacted freight rail corridor to identify and address
1649 anticipated impacts associated with an increase in freight rail
1650 traffic due to implementation of passenger rail.

1651 2. In coordination with the affected local governments and
1652 CSX Transportation, Inc., finalize all viable alternatives from
1653 the department's Rail Traffic Evaluation Study to identify and
1654 develop an alternative route for through freight rail traffic
1655 moving through Central Florida, including the counties of Polk
1656 and Hillsborough, which would address, to the extent
1657 practicable, the effects of commuter rail.

1658 3. Provide technical assistance to a coalition of local
1659 governments in Central Florida, including the counties of
1660 Brevard, Citrus, Hernando, Hillsborough, Lake, Marion, Orange,
1661 Osceola, Pasco, Pinellas, Polk, Manatee, Sarasota, Seminole,
1662 Sumter, and Volusia, and the municipalities within those
1663 counties, to develop a regional rail system plan that addresses
1664 passenger and freight opportunities in the region, is consistent
1665 with the Florida Rail System Plan, and incorporates appropriate
1666 elements of the Tampa Bay Area Regional Authority Master Plan,



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1667 the Metroplan Orlando Regional Transit System Concept Plan,
1668 including the SunRail project, and the Florida Department of
1669 Transportation Alternate Rail Traffic Evaluation.

1670 4. Provide for, to the extent funds are available and
1671 funding for high hazard grade crossing safety projects is not
1672 adversely affected:

1673 a. Construction of supplemental safety measures, known as
1674 quadrant gates, as authorized by the Federal Railroad
1675 Administration for quiet zone crossings, at any rail crossing
1676 located along a passenger rail corridor and giving priority to
1677 such projects in areas where a one-to-one local match is
1678 available; and

1679 b. Improvements at multimodal transportation centers, only
1680 for the period of time that the passenger rail system is
1681 operated and maintained by the department, that serve more than
1682 one transportation mode, including, but not limited to, buses,
1683 bicycles, and passenger rail, in an effort to maximize the
1684 benefits of a passenger rail system. Priority shall be given to
1685 multimodal transportation centers that have established the
1686 regulatory framework for transit-oriented development in and
1687 around its downtown service area.

1688 Section 31. Paragraph (c) of subsection (4) of section
1689 348.0003, Florida Statutes, is amended to read:

1690 348.0003 Expressway authority; formation; membership.—

1691 (4)

1692 (c) Members of each expressway authority, transportation
1693 authority, bridge authority, or toll authority, created pursuant
1694 to this chapter, chapter 343, ~~or chapter 349~~ or any other
1695 general legislative enactment shall comply with the applicable



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1696 financial disclosure requirements of s. 8, Art. II of the State
1697 Constitution. This paragraph does not subject any statutorily
1698 created authority, other than an expressway authority created
1699 under this part, to any other requirement of this part except
1700 the requirement of this paragraph.

1701 Section 32. Subsection (3) of section 349.03, Florida
1702 Statutes, is amended to read:

1703 349.03 Jacksonville Transportation Authority.—

1704 (3) (a) The terms of appointed members shall be for 4 years
1705 deemed to have commenced on June 1 of the year in which they are
1706 appointed. Each member shall hold office until a successor has
1707 been appointed and has qualified. A vacancy during a term shall
1708 be filled by the respective appointing authority only for the
1709 balance of the unexpired term. Any member appointed to the
1710 authority for two consecutive full terms shall not be eligible
1711 for appointment to the next succeeding term. One of the members
1712 so appointed shall be designated annually by the members as
1713 chair of the authority, one member shall be designated annually
1714 as the vice chair of the authority, one member shall be
1715 designated annually as the secretary of the authority, and one
1716 member shall be designated annually as the treasurer of the
1717 authority. The members of the authority shall not be entitled to
1718 compensation, but shall be reimbursed for travel expenses or
1719 other expenses actually incurred in their duties as provided by
1720 law. Four voting members of the authority shall constitute a
1721 quorum, and no resolution adopted by the authority shall become
1722 effective unless with the affirmative vote of at least four
1723 members. Members of the authority shall file as their mandatory
1724 financial disclosure a statement of financial interest with the



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1725 Commission on Ethics as provided in s. 112.3145(2)(b).

1726 **(b)** The authority shall employ an executive director, and
1727 the executive director may hire such staff, permanent or
1728 temporary, as he or she may determine and may organize the staff
1729 of the authority into such departments and units as he or she
1730 may determine. The executive director may appoint department
1731 directors, deputy directors, division chiefs, and staff
1732 assistants to the executive director, as he or she may
1733 determine. In so appointing the executive director, the
1734 authority may fix the compensation of such appointee, who shall
1735 serve at the pleasure of the authority. All employees of the
1736 authority shall be exempt from the provisions of part II of
1737 chapter 110. The authority may employ such financial advisers
1738 and consultants, technical experts, engineers, and agents and
1739 employees, permanent or temporary, as it may require and may fix
1740 the compensation and qualifications of such persons, firms, or
1741 corporations. The authority may delegate to one or more of its
1742 agents or employees such of its powers as it shall deem
1743 necessary to carry out the purposes of this chapter, subject
1744 always to the supervision and control of the governing body of
1745 the authority.

1746 Section 33. Subsection (8) is added to section 349.04,
1747 Florida Statutes, to read:

1748 349.04 Purposes and powers.—

1749 (8) The authority may conduct public meetings and workshops
1750 by means of communications media technology, as provided in s.
1751 120.54(5). However, a resolution, rule, or formal action is not
1752 binding unless a quorum is physically present at the noticed
1753 meeting location, and only members physically present may vote



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1754 on any item.

1755 Section 34. Section 373.413, Florida Statutes, is amended
1756 to read:

1757 373.413 Permits for construction or alteration.-

1758 (1) Except for the exemptions set forth herein, the
1759 governing board or the department may require such permits and
1760 impose such reasonable conditions as are necessary to assure
1761 that the construction or alteration of any stormwater management
1762 system, dam, impoundment, reservoir, appurtenant work, or works
1763 will comply with the provisions of this part and applicable
1764 rules promulgated thereto and will not be harmful to the water
1765 resources of the district. The department or the governing board
1766 may delineate areas within the district wherein permits may be
1767 required.

1768 (2) A person proposing to construct or alter a stormwater
1769 management system, dam, impoundment, reservoir, appurtenant
1770 work, or works subject to such permit shall apply to the
1771 governing board or department for a permit authorizing such
1772 construction or alteration. The application shall contain the
1773 following:

1774 (a) Name and address of the applicant.

1775 (b) Name and address of the owner or owners of the land
1776 upon which the works are to be constructed and a legal
1777 description of such land.

1778 (c) Location of the work.

1779 (d) Sketches of construction pending tentative approval.

1780 (e) Name and address of the person who prepared the plans
1781 and specifications of construction.

1782 (f) Name and address of the person who will construct the



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1783 proposed work.

1784 (g) General purpose of the proposed work.

1785 (h) Such other information as the governing board or
1786 department may require.

1787 (3) After receipt of an application for a permit, the
1788 governing board or department shall publish notice of the
1789 application by sending a notice to any persons who have filed a
1790 written request for notification of any pending applications
1791 affecting the particular designated area. Such notice may be
1792 sent by regular mail. The notice shall contain the name and
1793 address of the applicant; a brief description of the proposed
1794 activity, including any mitigation; the location of the proposed
1795 activity, including whether it is located within an Outstanding
1796 Florida Water or aquatic preserve; a map identifying the
1797 location of the proposed activity subject to the application; a
1798 depiction of the proposed activity subject to the application; a
1799 name or number identifying the application and the office where
1800 the application can be inspected; and any other information
1801 required by rule.

1802 (4) In addition to the notice required by subsection (3),
1803 the governing board or department may publish, or require an
1804 applicant to publish at the applicant's expense, in a newspaper
1805 of general circulation within the affected area, a notice of
1806 receipt of the application and a notice of intended agency
1807 action. This subsection does not limit the discretionary
1808 authority of the department or the governing board of a water
1809 management district to publish, or to require an applicant to
1810 publish at the applicant's expense, any notice under this
1811 chapter. The governing board or department shall also provide



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1812 notice of this intended agency action to the applicant and to
1813 persons who have requested a copy of the intended agency action
1814 for that specific application.

1815 (5) The governing board or department may charge a
1816 subscription fee to any person who has filed a written request
1817 for notification of any pending applications to cover the cost
1818 of duplication and mailing charges.

1819 (6) It is the intent of the Legislature that the governing
1820 board or department exercise flexibility in the permitting of
1821 stormwater management systems associated with the construction
1822 or alteration of systems serving state transportation projects
1823 and facilities. Because of the unique limitations of linear
1824 facilities, the governing board or department shall balance the
1825 expenditure of public funds for stormwater treatment for state
1826 transportation projects and facilities with the benefits to the
1827 public in providing the most cost efficient and effective method
1828 of achieving the treatment objectives. In consideration thereof,
1829 the governing board or department shall allow alternatives to
1830 onsite treatment, including, but not limited to, regional
1831 stormwater treatment systems. The Department of Transportation
1832 is responsible for treating stormwater generated from state
1833 transportation projects but is not responsible for the abatement
1834 of pollutants and flows entering its stormwater management
1835 systems from offsite. However, this subsection does not prohibit
1836 the Department of Transportation from receiving and managing
1837 such pollutants and flows when it is found to be cost-effective
1838 and prudent. Further, in association with rights-of-way
1839 acquisition for state transportation projects, the Department of
1840 Transportation is responsible for providing stormwater treatment



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1841 and attenuation for additional rights-of-way, but is not
1842 responsible for modifying permits of adjacent lands when it is
1843 not the permittee. To accomplish this, the governing board or
1844 department shall adopt rules for these activities.

1845 Section 35. Subsections (1), (2), (3), (4), and (5) of
1846 section 373.4137, Florida Statutes, are amended to read:

1847 373.4137 Mitigation requirements for specified
1848 transportation projects.—

1849 (1) The Legislature finds that environmental mitigation for
1850 the impact of transportation projects proposed by the Department
1851 of Transportation or a transportation authority established
1852 pursuant to chapter 348 or chapter 349 can be more effectively
1853 achieved by regional, long-range mitigation planning rather than
1854 on a project-by-project basis. It is the intent of the
1855 Legislature that mitigation to offset the adverse effects of
1856 these transportation projects be funded by the Department of
1857 Transportation and be carried out by the water management
1858 districts, including the use of mitigation banks and any other
1859 mitigation options that satisfy state and federal requirements
1860 established pursuant to this part.

1861 (2) Environmental impact inventories for transportation
1862 projects proposed by the Department of Transportation or a
1863 transportation authority established pursuant to chapter 348 or
1864 chapter 349 shall be developed as follows:

1865 (a) By July 1 of each year, the Department of
1866 Transportation or a transportation authority established
1867 pursuant to chapter 348 or chapter 349 which chooses to
1868 participate in this program shall submit to the water management
1869 districts a list ~~copy~~ of its projects in the adopted work



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1870 program and an environmental impact inventory of habitats
1871 addressed in the rules adopted pursuant to this part and s. 404
1872 of the Clean Water Act, 33 U.S.C. s. 1344, which may be impacted
1873 by its plan of construction for transportation projects in the
1874 next 3 years of the tentative work program. The Department of
1875 Transportation or a transportation authority established
1876 pursuant to chapter 348 or chapter 349 may also include in its
1877 environmental impact inventory the habitat impacts of any future
1878 transportation project. The Department of Transportation and
1879 each transportation authority established pursuant to chapter
1880 348 or chapter 349 may fund any mitigation activities for future
1881 projects using current year funds.

1882 (b) The environmental impact inventory shall include a
1883 description of these habitat impacts, including their location,
1884 acreage, and type; state water quality classification of
1885 impacted wetlands and other surface waters; any other state or
1886 regional designations for these habitats; and a list ~~survey~~ of
1887 threatened species, endangered species, and species of special
1888 concern affected by the proposed project.

1889 (3) (a) To fund development and implementation of the
1890 mitigation plan for the projected impacts identified in the
1891 environmental impact inventory described in subsection (2), the
1892 Department of Transportation shall identify funds quarterly in
1893 an escrow account within the State Transportation Trust Fund for
1894 the environmental mitigation phase of projects budgeted by the
1895 Department of Transportation for the current fiscal year. The
1896 escrow account shall be maintained by the Department of
1897 Transportation for the benefit of the water management
1898 districts. Any interest earnings from the escrow account shall



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1899 remain with the Department of Transportation.

1900 (b) Each transportation authority established pursuant to
1901 chapter 348 or chapter 349 that chooses to participate in this
1902 program shall create an escrow account within its financial
1903 structure and deposit funds in the account to pay for the
1904 environmental mitigation phase of projects budgeted for the
1905 current fiscal year. The escrow account shall be maintained by
1906 the authority for the benefit of the water management districts.
1907 Any interest earnings from the escrow account shall remain with
1908 the authority.

1909 (c) Except for current mitigation projects in the
1910 monitoring and maintenance phase and except as allowed by
1911 paragraph (d), the water management districts may request a
1912 transfer of funds from an escrow account no sooner than 30 days
1913 prior to the date the funds are needed to pay for activities
1914 associated with development or implementation of the approved
1915 mitigation plan described in subsection (4) for the current
1916 fiscal year, including, but not limited to, design, engineering,
1917 production, and staff support. Actual conceptual plan
1918 preparation costs incurred before plan approval may be submitted
1919 to the Department of Transportation or the appropriate
1920 transportation authority each year with the plan. The conceptual
1921 plan preparation costs of each water management district will be
1922 paid from mitigation funds associated with the environmental
1923 impact inventory for the current year. The amount transferred to
1924 the escrow accounts each year by the Department of
1925 Transportation and participating transportation authorities
1926 established pursuant to chapter 348 or chapter 349 shall
1927 correspond to a cost per acre of \$75,000 multiplied by the



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1928 projected acres of impact identified in the environmental impact
1929 inventory described in subsection (2). However, the \$75,000 cost
1930 per acre does not constitute an admission against interest by
1931 the state or its subdivisions nor is the cost admissible as
1932 evidence of full compensation for any property acquired by
1933 eminent domain or through inverse condemnation. Each July 1, the
1934 cost per acre shall be adjusted by the percentage change in the
1935 average of the Consumer Price Index issued by the United States
1936 Department of Labor for the most recent 12-month period ending
1937 September 30, compared to the base year average, which is the
1938 average for the 12-month period ending September 30, 1996. Each
1939 quarter, the projected acreage of impact shall be reconciled
1940 with the acreage of impact of projects as permitted, including
1941 permit modifications, pursuant to this part and s. 404 of the
1942 Clean Water Act, 33 U.S.C. s. 1344. The subject year's transfer
1943 of funds shall be adjusted accordingly to reflect the acreage of
1944 impacts as permitted. The Department of Transportation and
1945 participating transportation authorities established pursuant to
1946 chapter 348 or chapter 349 are authorized to transfer such funds
1947 from the escrow accounts to the water management districts to
1948 carry out the mitigation programs. Environmental mitigation
1949 funds that are identified or maintained in an escrow account for
1950 the benefit of a water management district may be released if
1951 the associated transportation project is excluded in whole or
1952 part from the mitigation plan. For a mitigation project that is
1953 in the maintenance and monitoring phase, the water management
1954 district may request and receive a one-time payment based on the
1955 project's expected future maintenance and monitoring costs. Upon
1956 disbursement of the final maintenance and monitoring payment,



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1957 the obligation of the department or the participating
1958 transportation authority is satisfied, the water management
1959 district has the continuing responsibility for the mitigation
1960 project, and the escrow account for the project established by
1961 the Department of Transportation or the participating
1962 transportation authority may be closed. Any interest earned on
1963 these disbursed funds shall remain with the water management
1964 district and must be used as authorized under this section.

1965 (d) Beginning in the 2005-2006 fiscal year, each water
1966 management district shall be paid a lump-sum amount of \$75,000
1967 per acre, adjusted as provided under paragraph (c), for
1968 federally funded transportation projects that are included on
1969 the environmental impact inventory and that have an approved
1970 mitigation plan. Beginning in the 2009-2010 fiscal year, each
1971 water management district shall be paid a lump-sum amount of
1972 \$75,000 per acre, adjusted as provided under paragraph (c), for
1973 federally funded and nonfederally funded transportation projects
1974 that have an approved mitigation plan. All mitigation costs,
1975 including, but not limited to, the costs of preparing conceptual
1976 plans and the costs of design, construction, staff support,
1977 future maintenance, and monitoring the mitigated acres shall be
1978 funded through these lump-sum amounts.

1979 (4) Prior to March 1 of each year, each water management
1980 district, in consultation with the Department of Environmental
1981 Protection, the United States Army Corps of Engineers, the
1982 Department of Transportation, participating transportation
1983 authorities established pursuant to chapter 348 or chapter 349,
1984 and other appropriate federal, state, and local governments, and
1985 other interested parties, including entities operating



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1986 mitigation banks, shall develop a plan for the primary purpose
1987 of complying with the mitigation requirements adopted pursuant
1988 to this part and 33 U.S.C. s. 1344. In developing such plans,
1989 the districts shall utilize sound ecosystem management practices
1990 to address significant water resource needs and shall focus on
1991 activities of the Department of Environmental Protection and the
1992 water management districts, such as surface water improvement
1993 and management (SWIM) projects and lands identified for
1994 potential acquisition for preservation, restoration or
1995 enhancement, and the control of invasive and exotic plants in
1996 wetlands and other surface waters, to the extent that such
1997 activities comply with the mitigation requirements adopted under
1998 this part and 33 U.S.C. s. 1344. In determining the activities
1999 to be included in such plans, the districts shall also consider
2000 the purchase of credits from public or private mitigation banks
2001 permitted under s. 373.4136 and associated federal authorization
2002 and shall include such purchase as a part of the mitigation plan
2003 when such purchase would offset the impact of the transportation
2004 project, provide equal benefits to the water resources than
2005 other mitigation options being considered, and provide the most
2006 cost-effective mitigation option. The mitigation plan shall be
2007 submitted to the water management district governing board, or
2008 its designee, for review and approval. At least 14 days prior to
2009 approval, the water management district shall provide a copy of
2010 the draft mitigation plan to any person who has requested a
2011 copy.

2012 (a) For each transportation project with a funding request
2013 for the next fiscal year, the mitigation plan must include a
2014 brief explanation of why a mitigation bank was or was not chosen



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2015 as a mitigation option, including an estimation of identifiable
2016 costs of the mitigation bank and nonbank options to the extent
2017 practicable.

2018 (b) Specific projects may be excluded from the mitigation
2019 plan, in whole or in part, and are ~~shall~~ not ~~be~~ subject to this
2020 section upon the election agreement of the Department of
2021 Transportation, ~~or a transportation authority,~~ if applicable, or
2022 ~~and the appropriate water management district that the inclusion~~
2023 ~~of such projects would hamper the efficiency or timeliness of~~
2024 ~~the mitigation planning and permitting process. The water~~
2025 ~~management district may choose to exclude a project in whole or~~
2026 ~~in part if the district is unable to identify mitigation that~~
2027 ~~would offset impacts of the project.~~

2028 (5) The water management district shall ensure ~~be~~
2029 ~~responsible for ensuring~~ that mitigation requirements pursuant
2030 to 33 U.S.C. s. 1344 are met for the impacts identified in the
2031 environmental impact inventory described in subsection (2), by
2032 implementation of the approved plan described in subsection (4)
2033 to the extent funding is provided by the Department of
2034 Transportation, or a transportation authority established
2035 pursuant to chapter 348 or chapter 349, if applicable. During
2036 the federal permitting process, the water management district
2037 may deviate from the approved mitigation plan in order to comply
2038 with federal permitting requirements.

2039 Section 36. Subsections (4), (26), and (27) of section
2040 479.01, Florida Statutes, are amended to read:

2041 479.01 Definitions.—As used in this chapter, the term:

2042 (4) "Commercial or industrial zone" means a parcel of land
2043 designated predominantly for commercial or industrial uses under



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2044 both the future land use map of the comprehensive plan and the
2045 land use development regulations adopted pursuant to chapter
2046 163. If a parcel is located in an area designated for multiple
2047 uses on the future land use map of a comprehensive plan and the
2048 zoning category of the land development regulations does not
2049 clearly designate that parcel for a specific use, the area will
2050 be considered an unzoned commercial or industrial area if it
2051 meets the criteria of subsection (26).

2052 (26) "Unzoned commercial or industrial area" means an area
2053 ~~a parcel~~ of land designated by the future land use map of the
2054 comprehensive plan for multiple uses that include commercial or
2055 industrial uses but are not specifically designated for
2056 commercial or industrial uses under the land development
2057 regulations, in which three or more separate and distinct
2058 conforming industrial or commercial activities are located.

2059 (a) These activities must satisfy the following criteria:

2060 1. At least one of the commercial or industrial activities
2061 must be located on the same side of the highway and within 800
2062 feet of the sign location;

2063 2. The commercial or industrial activities must be within
2064 660 feet from the nearest edge of the right-of-way; and

2065 3. The commercial industrial activities must be within
2066 1,600 feet of each other.

2067
2068 Distances specified in this paragraph must be measured from
2069 the nearest outer edge of the primary building or primary
2070 building complex when the individual units of the complex are
2071 connected by covered walkways.

2072 (b) ~~Certain activities, including, but not limited to,~~ The



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2073 following are, ~~may not be so recognized as~~ commercial or
2074 industrial activities:
2075 1. Signs.
2076 2. Agricultural, forestry, ranching, grazing, farming, and
2077 related activities, including, but not limited to, wayside fresh
2078 produce stands.
2079 3. Transient or temporary activities.
2080 4. Activities not visible from the main-traveled way.
2081 5. Activities conducted more than 660 feet from the nearest
2082 edge of the right-of-way.
2083 6. Activities conducted in a building principally used as a
2084 residence.
2085 7. Railroad tracks and minor sidings.
2086 8. Communication towers.
2087 (27) "Urban area" has the same meaning as defined in s.
2088 334.03~~(29)~~.
2089 Section 37. Subsection (7) of section 479.02, Florida
2090 Statutes, is amended to read:
2091 479.02 Duties of the department.—It shall be the duty of
2092 the department to:
2093 (7) Adopt such rules as ~~it deems~~ to administer ~~or~~
2094 ~~proper for the administration of this chapter, including rules~~
2095 ~~which identify activities that may not be recognized as~~
2096 ~~industrial or commercial activities for purposes of~~
2097 ~~determination of an area as an unzoned commercial or industrial~~
2098 ~~area.~~
2099 Section 38. Section 479.106, Florida Statutes, is amended
2100 to read:
2101 479.106 Vegetation management.—



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2102 (1) The removal, cutting, or trimming of trees or
2103 vegetation on public right-of-way to make visible or to ensure
2104 future visibility of the facing of a proposed sign or previously
2105 permitted sign shall be performed only with the written
2106 permission of the department in accordance with the provisions
2107 of this section.

2108 (2) Any person desiring to engage in the removal, cutting,
2109 or trimming of trees or vegetation for the purposes herein
2110 described shall apply for an appropriate permit by ~~make~~ written
2111 application to the department. The application for a permit
2112 shall include at the election of the applicant, one of the
2113 following:

2114 (a) A vegetation management plan consisting of a property
2115 sketch indicating the onsite location of the vegetation or
2116 individual trees to be removed, cut, or trimmed and describing
2117 the existing conditions and proposed work to be accomplished.

2118 (b) Mitigation contribution to the Federal Grants Trust
2119 Fund pursuant to s. 589.277(2) using values of a wholesale plant
2120 nursery registered with the Division of Plant Industry of the
2121 Department of Agriculture and Consumer Services.

2122 (c) A combination of both a vegetation management plan and
2123 mitigation contribution ~~the applicant's plan for the removal,~~
2124 ~~cutting, or trimming and for the management of any vegetation~~
2125 ~~planted as part of a mitigation plan.~~

2126 (3) In evaluating a vegetation management plan or
2127 mitigation contribution, the department ~~As a condition of any~~
2128 ~~removal of trees or vegetation, and where the department deems~~
2129 ~~appropriate as a condition of any cutting or trimming, the~~
2130 ~~department may require a vegetation management plan, approved by~~



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2131 ~~the department, which considers conservation and mitigation, or~~
2132 ~~contribution to a plan of mitigation, for the replacement of~~
2133 ~~such vegetation. Each plan or contribution shall reasonably~~
2134 evaluate the application as it relates ~~relate~~ to the vegetation
2135 being affected by the application, taking into consideration the
2136 condition of such vegetation, and, where appropriate, may
2137 require a vegetation management plan to consider conservation
2138 and mitigation, or contribution to a plan of mitigation, for the
2139 cutting or removal of such vegetation. The department may
2140 approve ~~shall include~~ plantings that ~~which~~ will allow reasonable
2141 visibility of sign facings while screening sign structural
2142 supports. Only herbicides approved by the Department of
2143 Agriculture and Consumer Services may be used in the removal of
2144 vegetation. The department shall act on the application for
2145 approval of vegetation management plans, or approval of
2146 mitigation contribution, within 30 days after receipt of such
2147 application. A permit issued in response to such application is
2148 valid for 5 years, may be renewed for an additional 5 years by
2149 payment of the applicable application fee, and is binding upon
2150 the department. The department may establish special mitigation
2151 programs for the beautification and aesthetic improvement of
2152 designated areas and permit individual applicants to contribute
2153 to such programs as a part or in lieu of other mitigation
2154 requirements.

2155 (4) The department may establish an application fee not to
2156 exceed \$25 for each individual application to defer the costs of
2157 processing such application and a fee not to exceed \$200 to
2158 defer the costs of processing an application for multiple sites.

2159 (5) The department may only grant a permit pursuant to s.



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2160 479.07 for a new sign which requires the removal, cutting, or
2161 trimming of existing trees or vegetation on public right-of-way
2162 for the sign face to be visible from the highway when the sign
2163 owner has removed one ~~at least two~~ nonconforming sign ~~signs~~ of
2164 approximate comparable size and surrendered the permits for the
2165 nonconforming signs to the department for cancellation. For
2166 signs originally permitted after July 1, 1996, no permit for the
2167 removal, cutting, or trimming of trees or vegetation shall be
2168 granted where such trees or vegetation are part of a
2169 beautification project implemented prior to the date of the
2170 original sign permit application, when the beautification
2171 project is specifically identified in the department's
2172 construction plans, permitted landscape projects, or agreements.

2173 (6) As a minimum, view zones shall be established along the
2174 public rights-of-way of interstate highways, expressways,
2175 federal-aid primary highways, and the State Highway System in
2176 the state, excluding privately or other publicly owned property,
2177 as follows:

2178 (a) A view zone of 350 feet for posted speed limits of 35
2179 miles per hour or less.

2180 (b) A view zone of 500 feet for posted speed limits of more
2181 than 35 miles per hour.

2182
2183 The established view zone shall be within the first 1,000
2184 feet measured along the edge of the pavement in the direction of
2185 approaching traffic from a point on the edge of the pavement
2186 perpendicular to the edge of the sign facing nearest the highway
2187 and shall be continuous unless interrupted by vegetation that
2188 has established historical significance, is protected by state



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2189 law, or has a circumference, measured at 4 and 1/2 feet above
2190 grade, is equal to or greater than 70 percent of the
2191 circumference of the Florida Champion of the same species as
2192 listed in the Florida Register of Big Trees of the Florida
2193 Native Plant Society. The sign owner may designate the specific
2194 location of the view zone for each sign facing. In the absence
2195 of such designation, the established view zone shall be measured
2196 from the sign along the edge of the pavement in the direction of
2197 approaching traffic as provided in this subsection.

2198 (7)(6) Beautification projects, trees, or other vegetation
2199 shall not be planted or located in the view zone of legally
2200 erected and permitted outdoor advertising signs which have been
2201 permitted prior to the date of the beautification project or
2202 other planting, where such planting will, at the time of
2203 planting or after future growth, screen such sign from view. The
2204 department shall provide written notice to the owner not less
2205 than 90 days before commencing a beautification project or other
2206 vegetation planting that may affect a sign, allowing such owner
2207 not less than 60 days to designate the specific location of the
2208 view zone of such affected sign. A sign owner is not required to
2209 prepare a vegetation management plan or secure a vegetation
2210 management permit for the implementation of beautification
2211 projects.

2212 ~~(a) View zones are established along the public rights-of-~~
2213 ~~way of interstate highways, expressways, federal aid primary~~
2214 ~~highways, and the State Highway System in the state, excluding~~
2215 ~~privately or other publicly owned property, as follows:~~

2216 ~~1. A view zone of 350 feet for posted speed limits of 35~~
2217 ~~miles per hour or less.~~



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2218 ~~2. A view zone of 500 feet for posted speed limits of over~~
2219 ~~35 miles per hour.~~

2220 ~~(b) The established view zone shall be within the first~~
2221 ~~1,000 feet measured along the edge of the pavement in the~~
2222 ~~direction of approaching traffic from a point on the edge of the~~
2223 ~~pavement perpendicular to the edge of the sign facing nearest~~
2224 ~~the highway and shall be continuous unless interrupted by~~
2225 ~~existing, naturally occurring vegetation. The department and the~~
2226 ~~sign owner may enter into an agreement identifying the specific~~
2227 ~~location of the view zone for each sign facing. In the absence~~
2228 ~~of such agreement, the established view zone shall be measured~~
2229 ~~from the sign along the edge of the pavement in the direction of~~
2230 ~~approaching traffic as provided in this subsection.~~

2231 ~~(a)~~ (e) If a sign owner alleges any governmental entity or
2232 other party has violated this subsection, the sign owner must
2233 provide 90 days' written notice to the governmental entity or
2234 other party allegedly violating this subsection. If the alleged
2235 violation is not cured by the governmental entity or other party
2236 within the 90-day period, the sign owner may file a claim in the
2237 circuit court where the sign is located. A copy of such
2238 complaint shall be served contemporaneously upon the
2239 governmental entity or other party. If the circuit court
2240 determines a violation of this subsection has occurred, the
2241 court shall award a claim for compensation equal to the lesser
2242 of the revenue from the sign lost during the time of screening
2243 or the fair market value of the sign, and the governmental
2244 entity or other party shall pay the award of compensation
2245 subject to available appeal. Any modification or removal of
2246 material within a beautification project or other planting by



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2247 the governmental entity or other party to cure an alleged
2248 violation shall not require the issuance of a permit from the
2249 Department of Transportation provided not less than 48 hours'
2250 notice is provided to the department of the modification or
2251 removal of the material. A natural person, private corporation,
2252 or private partnership licensed under part II of chapter 481
2253 providing design services for beautification or other projects
2254 shall not be subject to a claim of compensation under this
2255 section when the initial project design meets the requirements
2256 of this section.

2257 (b)~~(d)~~ This subsection shall not apply to the provisions of
2258 any existing written agreement executed before July 1, 2006,
2259 between any local government and the owner of an outdoor
2260 advertising sign.

2261 (8)~~(7)~~ Any person engaging in removal, cutting, or trimming
2262 of trees or vegetation in violation of this section or
2263 benefiting from such actions shall be subject to an
2264 administrative penalty of up to \$1,000 and required to mitigate
2265 for the unauthorized removal, cutting, or trimming in such
2266 manner and in such amount as may be required under the rules of
2267 the department.

2268 (9)~~(8)~~ The intent of this section is to create partnering
2269 relationships which will have the effect of improving the
2270 appearance of Florida's highways and creating a net increase in
2271 the vegetative habitat along the roads. Department rules shall
2272 encourage the use of plants which are low maintenance and native
2273 to the general region in which they are planted.

2274 Section 39. Subsections (16), (17), and (18) are added to
2275 section 479.16, Florida Statutes, to read:



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2276 479.16 Signs for which permits are not required.—The
2277 following signs are exempt from the requirement that a permit
2278 for a sign be obtained under the provisions of this chapter but
2279 are required to comply with the provisions of s. 479.11(4)–(8):

2280 (16) Signs erected under the local tourist-oriented
2281 commerce program signs pilot program under s. 479.263.

2282 (17) Signs not in excess of 32 square feet placed
2283 temporarily during harvest season of a farm operation for a
2284 period of no more than 4 months at a road junction with the
2285 State Highway System denoting only the distance or direction of
2286 the farm operation. The temporary farm operation harvest sign
2287 provision under this subsection may not be implemented if the
2288 Federal Government notifies the department that implementation
2289 will adversely affect the allocation of federal funds to the
2290 department.

2291 (18) Signs that promote the official sponsor of an event,
2292 sports team, exhibition, or facility in connection with the
2293 operation of a publicly owned and privately operated
2294 professional sport and entertainment venue fronting on a federal
2295 aid primary highway. This subsection is null and void if the
2296 Federal Government notifies the department in writing that such
2297 application will adversely affect the allocation of federal
2298 funds to the department.

2299 Section 40. Section 479.263, Florida Statutes, is created
2300 to read:

2301 479.263 Tourist-oriented commerce signs pilot program.—The
2302 local tourist-oriented commerce signs pilot program is created
2303 in rural areas of critical economic concern as defined by s.
2304 288.0656(2) (d) and (e). Signs erected under this program do not



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2305 require a permit under this chapter.

2306 (1) A local tourist-oriented business that is a small
2307 business as defined in s. 288.703 may erect a sign that meets
2308 the following criteria:

2309 (a) The signs are not more than 8 square feet in size or
2310 more than 4 feet in height.

2311 (b) The signs are located only in rural areas along
2312 highways that are not limited access highways.

2313 (c) The signs are located within 2 miles of the business
2314 location and not less than 500 feet apart.

2315 (d) The advertising copy on the signs consists only of the
2316 name of the business or the principal or accessory merchandise
2317 or services sold or furnished on the premises of the business.

2318 (2) A business placing such signs under this section:

2319 (a) Must be a minimum of 4 miles from any other business
2320 placing signs under this program.

2321 (b) May not participate in the logo sign program authorized
2322 under s. 479.261 or the tourist-oriented directional sign
2323 program authorized under s. 479.262.

2324 (3) Businesses that are conducted in a building principally
2325 used as a residence are not eligible to participate.

2326 (4) Each business utilizing this program shall notify the
2327 department in writing of its intent to do so prior to placing
2328 signs. The department shall maintain statistics of the
2329 businesses participating in the program. This program shall not
2330 take effect if the Federal Highway Administration advises the
2331 department in writing that implementation constitutes a loss of
2332 effective control of outdoor advertising.

2333 (5) This section expires June 30, 2016.



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2334 Section 41. Subsection (1) of section 311.09, Florida
2335 Statutes, is amended, and subsection (13) is added that section,
2336 to read:

2337 311.09 Florida Seaport Transportation and Economic
2338 Development Council.—

2339 (1) The Florida Seaport Transportation and Economic
2340 Development Council is created within the Department of
2341 Transportation. The council consists of the following 18 ~~17~~
2342 members: the port director, or the port director's designee, of
2343 each of the ports of Jacksonville, Port Canaveral, Port Citrus,
2344 Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee,
2345 St. Petersburg, Tampa, Port St. Joe, Panama City, Pensacola, Key
2346 West, and Fernandina; the secretary of the Department of
2347 Transportation or his or her designee; the director of the
2348 Office of Tourism, Trade, and Economic Development or his or her
2349 designee; and the secretary of the Department of Community
2350 Affairs or his or her designee.

2351 (13) Until July 1, 2014, Citrus County may apply for a
2352 grant through the Florida Seaport Transportation and Economic
2353 Development Council to perform a feasibility study regarding the
2354 establishment of a port in Citrus County. The council shall
2355 evaluate such application pursuant to subsections (5)-(9) and,
2356 if approved, the Department of Transportation shall include the
2357 feasibility study in its budget request pursuant to subsection
2358 (10). If the study determines that a port in Citrus County is
2359 not feasible, the membership of Port Citrus on the council shall
2360 terminate.

2361 Section 42. Section 316.2045, Florida Statutes, is
2362 repealed.



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2363 Section 43. Section 316.2046, Florida Statutes, is created
2364 to read:

2365 316.2046 Obstruction of public streets, highways, and
2366 roads.-

2367 (1) LEGISLATIVE FINDINGS.-The Legislature finds that:

2368 (a) Ensuring public safety on public streets, highways, and
2369 roads is an important and substantial state interest.

2370 (b) Obstruction of the free flow of traffic on public
2371 streets, highways, and roads endangers the public safety.

2372 (c) Obtrusive and distracting activities that impede
2373 pedestrian traffic adjacent to streets, highways, and roads can
2374 also disrupt the free flow of traffic and endanger public
2375 safety.

2376 (d) Soliciting funds or engaging in a commercial exchange
2377 with a person who is in a vehicle that is not stopped in a
2378 driveway or designated parking area has the potential to
2379 endanger the safe movement of vehicles.

2380 (2) DEFINITIONS.-As used in this section, the term
2381 "solicit" means to request employment, business, contributions,
2382 donations, sales, or exchanges of any kind.

2383 (3) PERMIT REQUIRED.-Where a permit is required by a
2384 municipality or county, it is unlawful for any person, willfully
2385 and without a permit, to solicit or obstruct the free,
2386 convenient, and normal use of any public street, highway, or
2387 road by standing or approaching motor vehicles while on or
2388 immediately adjacent to the street, highway, or road in a manner
2389 that could endanger the safe movement of vehicles or pedestrians
2390 traveling thereon.

2391 (a) Each county and municipality shall adopt a permitting



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2392 process that protects public safety but does not impair the
2393 rights of free speech, except to the extent necessary to protect
2394 public safety. The permitting process must authorize or deny a
2395 permit within 2 business days. A permit application denial by a
2396 county or municipality shall be in writing and be based on a
2397 finding that the proposed activity:

- 2398 1. Increases the likelihood of traffic accidents;
2399 2. Violates traffic laws, rules, or ordinances;
2400 3. Makes the sidewalk impassable for pedestrians; or
2401 4. Significantly increases the likelihood of harm to
2402 motorists and passersby.

2403 (b) If the county or municipality approves the permit, it
2404 must issue to the applicant a document specifying:

- 2405 1. The name and address of the person or entity to whom the
2406 permit is granted;
2407 2. The name of the company the person represents, if any;
2408 and
2409 3. The expiration date of the permit.

2410 (c) The permitholder must keep the permit on his or her
2411 person at all times when engaging in activity authorized by the
2412 permit.

2413 (d) The cost of the permit may not exceed an amount that is
2414 reasonably necessary to administer the permitting process.
2415 However, a permit may not be denied to any applicant for lack of
2416 financial means, as attested to by a signed affidavit.

2417 (4) LOCAL GOVERNMENT JURISDICTION.—For purposes of this
2418 section, counties and municipalities have original jurisdiction
2419 over non-limited access state roads, and local roads, streets,
2420 and highways within their physical jurisdiction. Counties and



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2421 municipalities may increase the restrictions of the permit
2422 program if those restrictions are narrowly tailored to serve an
2423 important public purpose. A county or municipality may opt out
2424 of the permit program by a majority vote of the members of the
2425 county or municipal governing body. This section does not
2426 preempt any existing ordinances, such as any ordinance requiring
2427 a peddler's license or similar type of authorization.

2428 (5) EXCEPTIONS.—This section does not:

2429 (a) Restrict a person from passively standing or sitting on
2430 a public sidewalk and holding a sign if that person does not
2431 obstruct the flow of vehicle or pedestrian traffic.

2432 (b) Apply to any art festival, parade, fair, or other
2433 special event permitted by the appropriate county or
2434 municipality where the streets are blocked off from the normal
2435 flow of traffic.

2436 (c) Apply to:

2437 1. Law enforcement officers carrying out their duties;

2438 2. Emergency vehicles responding to an emergency or
2439 possible emergency;

2440 3. Mail-delivery vehicles;

2441 4. Service vehicles performing work adjacent to the
2442 roadway; and

2443 5. Any commercial vehicle that is used solely for the
2444 purpose of collecting solid waste or recyclable or recovered
2445 materials and that is stopped for the sole purpose of collecting
2446 solid waste or recyclable or recovered materials.

2447 (6) VIOLATIONS.—Any person who violates the provisions of
2448 this section, upon conviction, shall be cited for a pedestrian
2449 violation, punishable as provided in chapter 318. An additional



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2450 \$10 shall be added to the fine levied under chapter 318. Moneys
2451 collected from this additional \$10 fine shall be deposited into
2452 the Grants and Donations Trust Fund of the Department of
2453 Children and Family Services and used by the State Office on
2454 Homelessness to supplement grants made under s. 420.622(4) and
2455 (5).

2456 (7) ENFORCEMENT.—The Department of Highway Safety and Motor
2457 Vehicles and other law enforcement agencies are authorized and
2458 directed to enforce this section.

2459 Section 44. Section 316.2047, Florida Statutes, is created
2460 to read:

2461 316.2047 Panhandling.—

2462 (1) LEGISLATIVE FINDINGS.—The Legislature finds that
2463 panhandling, soliciting, or demanding money, gifts, or donations
2464 may interfere with the safe ingress and egress of human and
2465 vehicular traffic into public buildings, public areas, and
2466 public transportation areas, thereby constituting a threat to
2467 the public health, welfare, and safety of the citizenry. The
2468 Legislature also finds that aggressive and fraudulent
2469 panhandling are threats to public safety and personal security.

2470 (2) DEFINITIONS.—As used in this section, the term:

2471 (a) "Aggressive panhandling" means to knowingly request
2472 money, gifts, or donations:

2473 1. By unwanted touching, detaining, impeding, or
2474 intimidation;

2475 2. Under circumstances that warrant justifiable and
2476 reasonable alarm or immediate concern for the safety of persons
2477 or property in the vicinity;

2478 3. By following the solicited person after that person has



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2479 made a negative response; or

2480 4. By using obscene or abusive language or gestures that
2481 are reasonably likely to intimidate or cause fear of bodily
2482 harm.

2483 (b) "False or misleading representation" means, without
2484 limitation:

2485 1. Stating that the donation is needed to meet a specific
2486 need, when the solicitor already has sufficient funds to meet
2487 that need and does not disclose that fact;

2488 2. Stating that the solicitor is from out of town and
2489 stranded, when such is not true;

2490 3. Wearing a military uniform or other indication of
2491 military service when the solicitor is not a present or former
2492 member of the service indicated;

2493 4. Wearing or displaying an indication of physical
2494 disability, when the solicitor does not suffer the disability
2495 indicated;

2496 5. Using any makeup or device to simulate any deformity; or

2497 6. Stating that the solicitor is homeless, when he or she
2498 is not.

2499 (c) "Fraudulent panhandling" means to knowingly make any
2500 false or misleading representation in the course of soliciting a
2501 donation.

2502 (d) "Panhandling" means to:

2503 1. Solicit, request, or beg for an immediate donation of
2504 money or something else of value; or

2505 2. Offer an individual an item of little or no monetary
2506 value in exchange for money or another gratuity under
2507 circumstances that would cause a reasonable individual to



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2508 understand that the transaction is only a donation.
2509 (3) PROHIBITED ACTIVITY.—It is unlawful to:
2510 (a) Engage in aggressive panhandling.
2511 (b) Engage in panhandling:
2512 1. Within 20 feet of a bus stop;
2513 2. Within 20 feet of an automated teller machine or the
2514 entrance to a bank;
2515 3. While blocking the entrance to a building or motor
2516 vehicle; or
2517 4. In a parking garage owned or operated by a county, a
2518 municipality, or an agency of the state or the Federal
2519 Government.
2520 (c) Engage in fraudulent panhandling.
2521 (4) LOCAL GOVERNMENT JURISDICTION.—Counties and
2522 municipalities may increase the restrictions on panhandling if
2523 those restrictions are nondiscriminatory and narrowly tailored
2524 to serve an important public purpose. A county or municipality
2525 may opt out of the provisions of this section by a majority vote
2526 of the members of the county or municipal governing body. This
2527 section does not preempt any existing ordinances that are
2528 consistent with this section.
2529 (5) VIOLATIONS; PENALTIES.—Any person who violates the
2530 provisions of this section, upon conviction, shall have any
2531 permit issued under s. 316.2046 revoked and shall be cited for a
2532 pedestrian violation, punishable as provided in chapter 318. An
2533 additional \$10 shall be added to the fine levied under chapter
2534 318. Moneys collected from this additional \$10 fine shall be
2535 deposited into the Grants and Donations Trust Fund of the
2536 Department of Children and Family Services and used by the State



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2537 Office on Homelessness to supplement grants made under s.
2538 420.622(4) and (5).

2539 (6) ENFORCEMENT.-The Department of Highway Safety and Motor
2540 Vehicles and other law enforcement agencies are authorized and
2541 directed to enforce this section.

2542 (7) EXPIRATION.-The provisions of this section shall expire
2543 on June 30, 2017.

2544 Section 45. Section 337.406, Florida Statutes, is amended
2545 to read:

2546 337.406 Unlawful use of state transportation facility
2547 right-of-way; penalties.-

2548 (1) Except when leased as provided in s. 337.25(5) ~~or~~
2549 ~~otherwise authorized by the rules of the department,~~ it is
2550 unlawful to make any use of any limited access highway ~~the~~
2551 ~~right-of-way of any state transportation facility,~~ including
2552 appendages thereto, ~~outside of an incorporated municipality~~ in
2553 any manner that interferes with the safe and efficient movement
2554 of people and property from place to place on the transportation
2555 facility. Failure to prohibit the use of right-of-way in this
2556 manner will endanger the health, safety, and general welfare of
2557 the public by causing distractions to motorists, unsafe
2558 pedestrian movement within travel lanes, sudden stoppage or
2559 slowdown of traffic, rapid lane changing and other dangerous
2560 traffic movement, increased vehicular accidents, and motorist
2561 injuries and fatalities. Such prohibited uses include, but are
2562 not limited to, the free distribution or sale, or display or
2563 solicitation for free distribution or sale, of any merchandise,
2564 goods, property or services; the solicitation for charitable
2565 purposes; the servicing or repairing of any vehicle, except the



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2566 rendering of emergency service; the storage of vehicles being
2567 serviced or repaired on abutting property or elsewhere; and the
2568 display of advertising of any sort, ~~except that any portion of a~~
2569 ~~state transportation facility may be used for an art festival,~~
2570 ~~parade, fair, or other special event if permitted by the~~
2571 ~~appropriate local governmental entity. Counties and~~
2572 ~~municipalities shall regulate the use of transportation~~
2573 ~~facilities within their jurisdiction, except limited access~~
2574 ~~highways, pursuant to s. 316.2046. The Department of~~
2575 ~~Transportation shall regulate the use of rest areas and welcome~~
2576 ~~centers as limited public forums that are provided to the public~~
2577 ~~for safety rest stops. Accordingly, the uses within these rest~~
2578 ~~areas and welcome centers may be limited. ~~Local government~~~~
2579 ~~entities may issue permits of limited duration for the temporary~~
2580 ~~use of the right-of-way of a state transportation facility for~~
2581 ~~any of these prohibited uses if it is determined that the use~~
2582 ~~will not interfere with the safe and efficient movement of~~
2583 ~~traffic and the use will cause no danger to the public. The~~
2584 ~~permitting authority granted in this subsection shall be~~
2585 ~~exercised by the municipality within incorporated municipalities~~
2586 ~~and by the county outside an incorporated municipality. Before a~~
2587 ~~road on the State Highway System may be temporarily closed for a~~
2588 ~~special event, the local governmental entity which permits the~~
2589 ~~special event to take place must determine that the temporary~~
2590 ~~closure of the road is necessary and must obtain the prior~~
2591 ~~written approval for the temporary road closure from the~~
2592 ~~department. Nothing in this subsection shall be construed to~~
2593 ~~authorize such activities on any limited access highway. ~~Local~~~~
2594 ~~governmental entities may, within their respective~~



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2595 ~~jurisdictions, initiate enforcement action by the appropriate~~
2596 ~~code enforcement authority or law enforcement authority for a~~
2597 ~~violation of this section.~~

2598 ~~(2) Persons holding valid peddlers' licenses issued by~~
2599 ~~appropriate governmental entities may make sales from vehicles~~
2600 ~~standing on the right-of-way to occupants of abutting property~~
2601 ~~only.~~

2602 ~~(2)~~(3) The Department of Highway Safety and Motor Vehicles
2603 and other law enforcement agencies are authorized and directed
2604 to enforce this statute.

2605 ~~(3)~~(4) Camping is prohibited on any portion of the right-
2606 of-way of the State Highway System that is within 100 feet of a
2607 bridge, causeway, overpass, or ramp.

2608 ~~(4)~~(5) The violation of any provision of this section or
2609 any rule promulgated by the department pursuant to this section
2610 constitutes a misdemeanor of the second degree, punishable as
2611 provided in s. 775.082 or s. 775.083, and each day a violation
2612 continues to exist constitutes a separate offense.

2613 Section 46. Effective upon this act becoming a law, Section
2614 3 of chapter 2008-174, Laws of Florida, is amended to read:

2615 Section 3. (1) School districts are encouraged to enter
2616 into partnerships with local businesses for purposes of
2617 mentorship opportunities, the development of employment options
2618 and additional funding sources, and other mutual benefits.

2619 (2) As a pilot program through June 30, 2013 ~~2011~~, the Palm
2620 Beach County school district may recognize its business partners
2621 by publicly displaying such business partners' names on school
2622 district property in the unincorporated areas. "Project
2623 Graduation" and athletic sponsorships are examples of



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2624 appropriate recognition. The district shall make every effort to
2625 display its business partners' names in a manner that is
2626 consistent with the county standards for uniformity in size,
2627 color, and placement of signs. If the provisions of this section
2628 are inconsistent with the county ordinances or regulations
2629 relating to signs in the unincorporated areas or inconsistent
2630 with chapter 125, chapter 166, or chapter 479, Florida Statutes,
2631 the provisions of this section prevail.

2632 Section 47. (1) As used in this section, the term:

2633 (a) "License" includes any certificate, permit, medallion,
2634 or other evidence that authorizes a person to operate a public
2635 vehicle for hire within the geographic boundaries of a
2636 governmental unit.

2637 (b) "Governmental unit" includes a county, municipality,
2638 special district, commission, or other unit of state or local
2639 government.

2640 (2) Any governmental unit that is authorized to regulate
2641 the operation of public vehicles for hire within its geographic
2642 boundaries may adopt ordinances, rules, regulations, orders, or
2643 other acts that create a private property right or interest in a
2644 license to operate a public vehicle for hire within the
2645 geographic boundaries of the governmental unit.

2646 (3) Upon creation of a private property right or interest
2647 in a license to operate, a public vehicle for hire licenseholder
2648 shall have the right to pledge, assign, sublease, sell, or
2649 otherwise transfer the license, except as provided otherwise by
2650 ordinances, rules, regulations, orders, or other acts of the
2651 local governmental unit. A private property right or interest in
2652 a license to operate a public vehicle for hire may be



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2653 transferred by operation of intestate succession or devise,
2654 except as provided otherwise by ordinances, rules, regulations,
2655 orders, or other acts of the local governmental unit. The
2656 ownership, transfer and operation of a public vehicle for hire
2657 license shall be in compliance with the governmental unit's
2658 local ordinances, rules, regulations, and orders regarding
2659 ownership, transfer, and operation of public vehicle for hires.

2660 (4) Any governmental unit that is authorized to regulate
2661 the operation of public vehicles for hire and other for-hire
2662 transportation within its geographic boundaries may request and
2663 receive criminal history record information for the purpose of
2664 screening applicants for licenses and for-hire vehicle driver's
2665 licenses and pay a fee for any such record. Such record
2666 information may include a national criminal history records
2667 check with the Federal Bureau of Investigation. The fingerprints
2668 may be submitted by the governmental unit to the Department of
2669 Law Enforcement for state processing, and the department shall
2670 forward them to the Federal Bureau of Investigation for a
2671 national criminal history records check. All costs associated
2672 with transmittal and processing shall be borne by the
2673 governmental unit, the employer, or the person subject to the
2674 background check. The department shall submit an invoice to the
2675 governmental unit for the fingerprints submitted each month. The
2676 governmental unit shall screen background results to determine
2677 if an applicant meets its licensure requirements.

2678 (5) This section does not preempt or modify any ordinance
2679 creating a property right or interest in a vehicle for public
2680 hire license created by a governmental unit before July 1, 2011,
2681 or any amendment to an ordinance creating a property right or



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2682 interest on or after July 1, 2011.

2683 Section 48. Paragraph (a) of subsection (12) of section
2684 163.3180, Florida Statutes, is amended to read:

2685 163.3180 Concurrency.—

2686 (12) (a) A development of regional impact may satisfy the
2687 transportation concurrency requirements of the local
2688 comprehensive plan, the local government's concurrency
2689 management system, and s. 380.06 by payment of a proportionate-
2690 share contribution for local and regionally significant traffic
2691 impacts, if:

2692 1. The development of regional impact which, based on its
2693 location or mix of land uses, is designed to encourage
2694 pedestrian or other nonautomotive modes of transportation;

2695 2. The proportionate-share contribution for local and
2696 regionally significant traffic impacts is sufficient to pay for
2697 one or more required mobility improvements that will benefit a
2698 regionally significant transportation facility;

2699 3. The owner and developer of the development of regional
2700 impact pays or assures payment of the proportionate-share
2701 contribution; and

2702 4. If the regionally significant transportation facility to
2703 be constructed or improved is under the maintenance authority of
2704 a governmental entity, as defined by s. 334.03~~(12)~~, other than
2705 the local government with jurisdiction over the development of
2706 regional impact, the developer is required to enter into a
2707 binding and legally enforceable commitment to transfer funds to
2708 the governmental entity having maintenance authority or to
2709 otherwise assure construction or improvement of the facility.

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2711 The proportionate-share contribution may be applied to any
2712 transportation facility to satisfy the provisions of this
2713 subsection and the local comprehensive plan, but, for the
2714 purposes of this subsection, the amount of the proportionate-
2715 share contribution shall be calculated based upon the cumulative
2716 number of trips from the proposed development expected to reach
2717 roadways during the peak hour from the complete buildout of a
2718 stage or phase being approved, divided by the change in the peak
2719 hour maximum service volume of roadways resulting from
2720 construction of an improvement necessary to maintain the adopted
2721 level of service, multiplied by the construction cost, at the
2722 time of developer payment, of the improvement necessary to
2723 maintain the adopted level of service. For purposes of this
2724 subsection, "construction cost" includes all associated costs of
2725 the improvement. Proportionate-share mitigation shall be limited
2726 to ensure that a development of regional impact meeting the
2727 requirements of this subsection mitigates its impact on the
2728 transportation system but is not responsible for the additional
2729 cost of reducing or eliminating backlogs. This subsection also
2730 applies to Florida Quality Developments pursuant to s. 380.061
2731 and to detailed specific area plans implementing optional sector
2732 plans pursuant to s. 163.3245.

2733 Section 49. Paragraph (k) of subsection (1) of section
2734 163.3187, Florida Statutes, is amended to read:

2735 163.3187 Amendment of adopted comprehensive plan.—

2736 (1) Amendments to comprehensive plans adopted pursuant to
2737 this part may be made not more than two times during any
2738 calendar year, except:

2739 (k) A local comprehensive plan amendment directly related



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2740 to providing transportation improvements to enhance life safety
2741 on controlled access major arterial highways identified in the
2742 Strategic Intermodal System ~~Florida Intrastate Highway System~~,
2743 in counties as defined in s. 125.011, where such roadways have a
2744 high incidence of traffic accidents resulting in serious injury
2745 or death. Any such amendment shall not include any amendment
2746 modifying the designation on a comprehensive development plan
2747 land use map nor any amendment modifying the allowable densities
2748 or intensities of any land.

2749 Section 50. Subsection (3) of section 288.063, Florida
2750 Statutes, is amended to read:

2751 288.063 Contracts for transportation projects.—

2752 (3) With respect to any contract executed pursuant to this
2753 section, the term "transportation project" means a
2754 transportation facility as defined in s. 334.03~~(31)~~ which is
2755 necessary in the judgment of the Office of Tourism, Trade, and
2756 Economic Development to facilitate the economic development and
2757 growth of the state. Except for applications received prior to
2758 July 1, 1996, such transportation projects shall be approved
2759 only as a consideration to attract new employment opportunities
2760 to the state or expand or retain employment in existing
2761 companies operating within the state, or to allow for the
2762 construction or expansion of a state or federal correctional
2763 facility in a county with a population of 75,000 or less that
2764 creates new employment opportunities or expands or retains
2765 employment in the county. The Office of Tourism, Trade, and
2766 Economic Development shall institute procedures to ensure that
2767 small and minority businesses have equal access to funding
2768 provided under this section. Funding for approved transportation



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2769 projects may include any expenses, other than administrative
2770 costs and equipment purchases specified in the contract,
2771 necessary for new, or improvement to existing, transportation
2772 facilities. Funds made available pursuant to this section may
2773 not be expended in connection with the relocation of a business
2774 from one community to another community in this state unless the
2775 Office of Tourism, Trade, and Economic Development determines
2776 that without such relocation the business will move outside this
2777 state or determines that the business has a compelling economic
2778 rationale for the relocation which creates additional jobs.
2779 Subject to appropriation for projects under this section, any
2780 appropriation greater than \$10 million shall be allocated to
2781 each of the districts of the Department of Transportation to
2782 ensure equitable geographical distribution. Such allocated funds
2783 that remain uncommitted by the third quarter of the fiscal year
2784 shall be reallocated among the districts based on pending
2785 project requests.

2786 Section 51. Paragraph (b) of subsection (3) of section
2787 311.07, Florida Statutes, is amended to read:

2788 311.07 Florida seaport transportation and economic
2789 development funding.—

2790 (3)

2791 (b) Projects eligible for funding by grants under the
2792 program are limited to the following port facilities or port
2793 transportation projects:

2794 1. Transportation facilities within the jurisdiction of the
2795 port.

2796 2. The dredging or deepening of channels, turning basins,
2797 or harbors.



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2798 3. The construction or rehabilitation of wharves, docks,
2799 structures, jetties, piers, storage facilities, cruise
2800 terminals, automated people mover systems, or any facilities
2801 necessary or useful in connection with any of the foregoing.

2802 4. The acquisition of vessel tracking systems, container
2803 cranes, or other mechanized equipment used in the movement of
2804 cargo or passengers in international commerce.

2805 5. The acquisition of land to be used for port purposes.

2806 6. The acquisition, improvement, enlargement, or extension
2807 of existing port facilities.

2808 7. Environmental protection projects which are necessary
2809 because of requirements imposed by a state agency as a condition
2810 of a permit or other form of state approval; which are necessary
2811 for environmental mitigation required as a condition of a state,
2812 federal, or local environmental permit; which are necessary for
2813 the acquisition of spoil disposal sites and improvements to
2814 existing and future spoil sites; or which result from the
2815 funding of eligible projects listed in this paragraph.

2816 8. Transportation facilities as defined in s. 334.03~~(31)~~
2817 which are not otherwise part of the Department of
2818 Transportation's adopted work program.

2819 9. Seaport intermodal access projects identified in the 5-
2820 year Florida Seaport Mission Plan as provided in s. 311.09(3).

2821 10. Construction or rehabilitation of port facilities as
2822 defined in s. 315.02, excluding any park or recreational
2823 facilities, in ports listed in s. 311.09(1) with operating
2824 revenues of \$5 million or less, provided that such projects
2825 create economic development opportunities, capital improvements,
2826 and positive financial returns to such ports.



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2827 Section 52. Subsection (7) of section 311.09, Florida
2828 Statutes, is amended to read:

2829 311.09 Florida Seaport Transportation and Economic
2830 Development Council.—

2831 (7) The Department of Transportation shall review the list
2832 of projects approved by the council for consistency with the
2833 Florida Transportation Plan and the department's adopted work
2834 program. In evaluating the consistency of a project, the
2835 department shall determine whether the transportation impact of
2836 the proposed project is adequately handled by existing state-
2837 owned transportation facilities or by the construction of
2838 additional state-owned transportation facilities as identified
2839 in the Florida Transportation Plan and the department's adopted
2840 work program. In reviewing for consistency a transportation
2841 facility project as defined in s. 334.03~~(31)~~ which is not
2842 otherwise part of the department's work program, the department
2843 shall evaluate whether the project is needed to provide for
2844 projected movement of cargo or passengers from the port to a
2845 state transportation facility or local road. If the project is
2846 needed to provide for projected movement of cargo or passengers,
2847 the project shall be approved for consistency as a consideration
2848 to facilitate the economic development and growth of the state
2849 in a timely manner. The Department of Transportation shall
2850 identify those projects which are inconsistent with the Florida
2851 Transportation Plan and the adopted work program and shall
2852 notify the council of projects found to be inconsistent.

2853 Section 53. Section 316.2122, Florida Statutes, is amended
2854 to read:

2855 316.2122 Operation of a low-speed vehicle or mini truck on



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2856 certain roadways.—The operation of a low-speed vehicle as
2857 defined in s. 320.01(42) or a mini truck as defined in s.
2858 320.01(45) on any road ~~as defined in s. 334.03(15) or (33)~~ is
2859 authorized with the following restrictions:

2860 (1) A low-speed vehicle or mini truck may be operated only
2861 on streets where the posted speed limit is 35 miles per hour or
2862 less. This does not prohibit a low-speed vehicle or mini truck
2863 from crossing a road or street at an intersection where the road
2864 or street has a posted speed limit of more than 35 miles per
2865 hour.

2866 (2) A low-speed vehicle must be equipped with headlamps,
2867 stop lamps, turn signal lamps, taillamps, reflex reflectors,
2868 parking brakes, rearview mirrors, windshields, seat belts, and
2869 vehicle identification numbers.

2870 (3) A low-speed vehicle or mini truck must be registered
2871 and insured in accordance with s. 320.02 and titled pursuant to
2872 chapter 319.

2873 (4) Any person operating a low-speed vehicle or mini truck
2874 must have in his or her possession a valid driver's license.

2875 (5) A county or municipality may prohibit the operation of
2876 low-speed vehicles or mini trucks on any road under its
2877 jurisdiction if the governing body of the county or municipality
2878 determines that such prohibition is necessary in the interest of
2879 safety.

2880 (6) The Department of Transportation may prohibit the
2881 operation of low-speed vehicles or mini trucks on any road under
2882 its jurisdiction if it determines that such prohibition is
2883 necessary in the interest of safety.

2884 Section 54. Paragraph (c) of subsection (5) of section



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2885 316.515, Florida Statutes, is amended to read:

2886 316.515 Maximum width, height, length.—

2887 (5) IMPLEMENTS OF HUSBANDRY AND FARM EQUIPMENT;

2888 AGRICULTURAL TRAILERS; FORESTRY EQUIPMENT; SAFETY REQUIREMENTS.—

2889 (c) The width and height limitations of this section do not
2890 apply to farming or agricultural equipment, whether self-

2891 propelled, pulled, or hauled, when temporarily operated during

2892 daylight hours upon a public road that is not a limited access

2893 facility as defined in s. 334.03(13), and the width and height

2894 limitations may be exceeded by such equipment without a permit.

2895 To be eligible for this exemption, the equipment shall be

2896 operated within a radius of 50 miles of the real property owned,

2897 rented, or leased by the equipment owner. However, equipment

2898 being delivered by a dealer to a purchaser is not subject to the

2899 50-mile limitation. Farming or agricultural equipment greater

2900 than 174 inches in width must have one warning lamp mounted on

2901 each side of the equipment to denote the width and must have a

2902 slow-moving vehicle sign. Warning lamps required by this

2903 paragraph must be visible from the front and rear of the vehicle

2904 and must be visible from a distance of at least 1,000 feet.

2905 Section 55. Section 318.12, Florida Statutes, is amended to
2906 read:

2907 318.12 Purpose.—It is the legislative intent in the

2908 adoption of this chapter to decriminalize certain violations of

2909 chapter 316, the Florida Uniform Traffic Control Law; chapter

2910 320, Motor Vehicle Licenses; chapter 322, Drivers' Licenses;

2911 chapter 338, Limited Access Florida Intrastate Highway System

2912 and Toll Facilities; and chapter 1006, Support of Learning,

2913 thereby facilitating the implementation of a more uniform and



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2914 expeditious system for the disposition of traffic infractions.

2915 Section 56. Subsection (3) of section 335.02, Florida
2916 Statutes, is amended to read:

2917 335.02 Authority to designate transportation facilities and
2918 rights-of-way and establish lanes; procedure for redesignation
2919 and relocation; application of local regulations.—

2920 (3) The department may establish standards for lanes on the
2921 State Highway System, including the Strategic Intermodal System
2922 highway corridors ~~Florida Intrastate Highway System~~ established
2923 pursuant to s. 339.65 ~~338.001~~. In determining the number of
2924 lanes for any regional corridor or section of highway on the
2925 State Highway System to be funded by the department with state
2926 or federal funds, the department shall evaluate all alternatives
2927 and seek to achieve the highest degree of efficient mobility for
2928 corridor users. In conducting the analysis, the department must
2929 give consideration to the following factors consistent with
2930 sound engineering principles:

2931 (a) Overall economic importance of the corridor as a trade
2932 or tourism corridor.

2933 (b) Safety of corridor users, including the importance of
2934 the corridor for evacuation purposes.

2935 (c) Cost-effectiveness of alternative methods of increasing
2936 the mobility of corridor users.

2937 (d) Current and projected traffic volumes on the corridor.

2938 (e) Multimodal alternatives.

2939 (f) Use of intelligent transportation technology in
2940 increasing the efficiency of the corridor.

2941 (g) Compliance with state and federal policies related to
2942 clean air, environmental impacts, growth management, livable



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2943 communities, and energy conservation.

2944 (h) Addition of special use lanes, such as exclusive truck
2945 lanes, high-occupancy-vehicle toll lanes, and exclusive
2946 interregional traffic lanes.

2947 (i) Availability and cost of rights-of-way, including
2948 associated costs, and the most effective use of existing rights-
2949 of-way.

2950 (j) Regional economic and transportation objectives, where
2951 articulated.

2952 (k) The future land use plan element of local government
2953 comprehensive plans, as appropriate, including designated urban
2954 infill and redevelopment areas.

2955 (l) The traffic circulation element, if applicable, of
2956 local government comprehensive plans, including designated
2957 transportation corridors and public transportation corridors.

2958 (m) The approved metropolitan planning organization's long-
2959 range transportation plan, as appropriate.

2960
2961 This subsection does not preclude a number of lanes in
2962 excess of 10 lanes, but an additional factor that must be
2963 considered before the department may determine that the number
2964 of lanes should be more than 10 is the capacity to accommodate
2965 in the future alternative forms of transportation within
2966 existing or potential rights-of-way.

2967 Section 57. Section 336.01, Florida Statutes, is amended to
2968 read:

2969 336.01 Designation of county road system.—The county road
2970 system shall be as defined in s. 334.03(8).

2971 Section 58. Section 338.222, Florida Statutes, is amended



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2972 to read:

2973 338.222 Department of Transportation sole governmental
2974 entity to acquire, construct, or operate turnpike projects;
2975 exception.—

2976 (1) No governmental entity other than the department may
2977 acquire, construct, maintain, or operate the turnpike system
2978 subsequent to the enactment of this law, except upon specific
2979 authorization of the Legislature.

2980 (2) The department may contract with any local governmental
2981 entity as defined in s. 334.03~~(14)~~ for the design, right-of-way
2982 acquisition, or construction of any turnpike project which the
2983 Legislature has approved. Local governmental entities may
2984 negotiate with the department for the design, right-of-way
2985 acquisition, and construction of any section of the turnpike
2986 project within areas of their respective jurisdictions or within
2987 counties with which they have interlocal agreements.

2988 Section 59. Paragraph (b) of subsection (1) of section
2989 338.223, Florida Statutes, is amended to read:

2990 338.223 Proposed turnpike projects.—

2991 (1)

2992 (b) Any proposed turnpike project or improvement shall be
2993 developed in accordance with the Florida Transportation Plan and
2994 the work program pursuant to s. 339.135. Turnpike projects that
2995 add capacity, alter access, affect feeder roads, or affect the
2996 operation of the local transportation system shall be included
2997 in the transportation improvement plan of the affected
2998 metropolitan planning organization. If such turnpike project
2999 does not fall within the jurisdiction of a metropolitan planning
3000 organization, the department shall notify the affected county



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3001 and provide for public hearings in accordance with s.
3002 339.155 ~~(5) (6)~~ (c).

3003 Section 60. Subsection (4) of section 338.227, Florida
3004 Statutes, is amended to read:

3005 338.227 Turnpike revenue bonds.—

3006 (4) The Department of Transportation and the Department of
3007 Management Services shall create and implement an outreach
3008 program designed to enhance the participation of minority
3009 persons and minority business enterprises in all contracts
3010 entered into by their respective departments for services
3011 related to the financing of department projects for the
3012 Strategic Intermodal System Plan developed pursuant to s. 339.64
3013 ~~Florida Intrastate Highway System Plan~~. These services shall
3014 include, but not be limited to, bond counsel and bond
3015 underwriters.

3016 Section 61. Subsection (2) of section 338.2275, Florida
3017 Statutes, is amended to read:

3018 338.2275 Approved turnpike projects.—

3019 (2) The department is authorized to use turnpike revenues,
3020 the State Transportation Trust Fund moneys allocated for
3021 turnpike projects pursuant to s. 339.65 ~~s. 338.001~~, federal
3022 funds, and bond proceeds, and shall use the most cost-efficient
3023 combination of such funds, in developing a financial plan for
3024 funding turnpike projects. The department must submit a report
3025 of the estimated cost for each ongoing turnpike project and for
3026 each planned project to the Legislature 14 days before the
3027 convening of the regular legislative session. Verification of
3028 economic feasibility and statements of environmental feasibility
3029 for individual turnpike projects must be based on the entire



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3030 project as approved. Statements of environmental feasibility are
3031 not required for those projects listed in s. 12, chapter 90-136,
3032 Laws of Florida, for which the Project Development and
3033 Environmental Reports were completed by July 1, 1990. All
3034 required environmental permits must be obtained before the
3035 department may advertise for bids for contracts for the
3036 construction of any turnpike project.

3037 Section 62. Section 338.228, Florida Statutes, is amended
3038 to read:

3039 338.228 Bonds not debts or pledges of credit of state.—
3040 Turnpike revenue bonds issued under the provisions of ss.
3041 338.22-338.241 are not debts of the state or pledges of the
3042 faith and credit of the state. Such bonds are payable
3043 exclusively from revenues pledged for their payment. All such
3044 bonds shall contain a statement on their face that the state is
3045 not obligated to pay the same or the interest thereon, except
3046 from the revenues pledged for their payment, and that the faith
3047 and credit of the state is not pledged to the payment of the
3048 principal or interest of such bonds. The issuance of turnpike
3049 revenue bonds under the provisions of ss. 338.22-338.241 does
3050 not directly, indirectly, or contingently obligate the state to
3051 levy or to pledge any form of taxation whatsoever, or to make
3052 any appropriation for their payment. Except as provided in ss.
3053 ~~338.001~~, 338.223, ~~and~~ 338.2275, and 339.65, ~~no~~ state funds may
3054 not shall be used on any turnpike project or to pay the
3055 principal or interest of any bonds issued to finance or
3056 refinance any portion of the turnpike system, and all such bonds
3057 shall contain a statement on their face to this effect.

3058 Section 63. Subsection (2) of section 338.234, Florida



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3059 Statutes, is amended to read:

3060 338.234 Granting concessions or selling along the turnpike
3061 system; immunity from taxation.—

3062 (2) The effectuation of the authorized purposes of the
3063 Strategic Intermodal System, created under ss. 339.61-339.65,
3064 ~~Florida Intrastate Highway System~~ and Florida Turnpike
3065 Enterprise, created under this chapter, is for the benefit of
3066 the people of the state, for the increase of their commerce and
3067 prosperity, and for the improvement of their health and living
3068 conditions; and, because the system and enterprise perform
3069 essential government functions in effectuating such purposes,
3070 neither the turnpike enterprise nor any nongovernment lessee or
3071 licensee renting, leasing, or licensing real property from the
3072 turnpike enterprise, pursuant to an agreement authorized by this
3073 section, are required to pay any commercial rental tax imposed
3074 under s. 212.031 on any capital improvements constructed,
3075 improved, acquired, installed, or used for such purposes.

3076 Section 64. Subsections (1) and (3) of section 339.2819,
3077 Florida Statutes, are amended to read:

3078 339.2819 Transportation Regional Incentive Program.—

3079 (1) There is created within the Department of
3080 Transportation a Transportation Regional Incentive Program for
3081 the purpose of providing funds to improve regionally significant
3082 transportation facilities in regional transportation areas
3083 created pursuant to s. 339.155(4) ~~(5)~~.

3084 (3) The department shall allocate funding available for the
3085 Transportation Regional Incentive Program to the districts based
3086 on a factor derived from equal parts of population and motor
3087 fuel collections for eligible counties in regional



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3088 transportation areas created pursuant to s. 339.155 (4) ~~(5)~~.

3089 Section 65. Subsection (6) of section 339.285, Florida

3090 Statutes, is amended to read:

3091 339.285 Enhanced Bridge Program for Sustainable

3092 Transportation.—

3093 (6) Preference shall be given to bridge projects located on

3094 corridors that connect to the Strategic Intermodal System,

3095 created under s. 339.64, and that have been identified as

3096 regionally significant in accordance with s. 339.155 (4) ~~(5)~~ (c),

3097 (d), and (e).

3098 Section 66. Section 339.62, Florida Statutes, is amended to

3099 read:

3100 339.62 System components.—The Strategic Intermodal System

3101 shall consist of appropriate components of:

3102 (1) Highway corridors ~~The Florida Intrastate Highway System~~

3103 established under s. 339.65 ~~s. 338.001~~.

3104 (2) The National Highway System.

3105 (3) Airport, seaport, and spaceport facilities.

3106 (4) Rail lines and rail facilities.

3107 (5) Selected intermodal facilities; passenger and freight

3108 terminals; and appropriate components of the State Highway

3109 System, county road system, city street system, inland

3110 waterways, and local public transit systems that serve as

3111 existing or planned connectors between the components listed in

3112 subsections (1)-(4).

3113 (6) Other existing or planned corridors that serve a

3114 statewide or interregional purpose.

3115 Section 67. Subsection (2) of section 341.053, Florida

3116 Statutes, is amended to read:



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3117 341.053 Intermodal Development Program; administration;
3118 eligible projects; limitations.—

3119 (2) In recognition of the department's role in the economic
3120 development of this state, the department shall develop a
3121 proposed intermodal development plan to connect Florida's
3122 airports, deepwater seaports, rail systems serving both
3123 passenger and freight, and major intermodal connectors to the
3124 Strategic Intermodal System highway corridors ~~Florida Intrastate~~
3125 ~~Highway System facilities~~ as the primary system for the movement
3126 of people and freight in this state in order to make the
3127 intermodal development plan a fully integrated and
3128 interconnected system. The intermodal development plan must:

3129 (a) Define and assess the state's freight intermodal
3130 network, including airports, seaports, rail lines and terminals,
3131 intercity bus lines and terminals, and connecting highways.

3132 (b) Prioritize statewide infrastructure investments,
3133 including the acceleration of current projects, which are found
3134 by the Freight Stakeholders Task Force to be priority projects
3135 for the efficient movement of people and freight.

3136 (c) Be developed in a manner that will assure maximum use
3137 of existing facilities and optimum integration and coordination
3138 of the various modes of transportation, including both
3139 government-owned and privately owned resources, in the most
3140 cost-effective manner possible.

3141 Section 68. Section 341.8225, Florida Statutes, is amended
3142 to read:

3143 341.8225 Department of Transportation sole governmental
3144 entity to acquire, construct, or operate high-speed rail
3145 projects; exception.—



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3146 (1) No governmental entity other than the department may
3147 acquire, construct, maintain, or operate the high-speed rail
3148 system except upon specific authorization of the Legislature.

3149 (2) Local governmental entities, as defined in s.
3150 334.03(14), may negotiate with the department for the design,
3151 right-of-way acquisition, and construction of any component of
3152 the high-speed rail system within areas of their respective
3153 jurisdictions or within counties with which they have interlocal
3154 agreements.

3155 Section 69. Paragraph (a) of subsection (2) of section
3156 403.7211, Florida Statutes, is amended to read:

3157 403.7211 Hazardous waste facilities managing hazardous
3158 wastes generated offsite; federal facilities managing hazardous
3159 waste.—

3160 (2) The department shall not issue any permit under s.
3161 403.722 for the construction, initial operation, or substantial
3162 modification of a facility for the disposal, storage, or
3163 treatment of hazardous waste generated offsite which is proposed
3164 to be located in any of the following locations:

3165 (a) Any area where life-threatening concentrations of
3166 hazardous substances could accumulate at any residence or
3167 residential subdivision as the result of a catastrophic event at
3168 the proposed facility, unless each such residence or residential
3169 subdivision is served by at least one arterial road or urban
3170 minor arterial road, as determined under the procedures
3171 referenced in s. 334.03(9) ~~defined in s. 334.03~~, which provides
3172 safe and direct egress by land to an area where such life-
3173 threatening concentrations of hazardous substances could not
3174 accumulate in a catastrophic event. Egress by any road leading



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3175 from any residence or residential subdivision to any point
3176 located within 1,000 yards of the proposed facility is unsafe
3177 for the purposes of this paragraph. In determining whether
3178 egress proposed by the applicant is safe and direct, the
3179 department shall also consider, at a minimum, the following
3180 factors:

3181 1. Natural barriers such as water bodies, and whether any
3182 road in the proposed evacuation route is impaired by a natural
3183 barrier such as a water body;

3184 2. Potential exposure during egress and potential increases
3185 in the duration of exposure;

3186 3. Whether any road in a proposed evacuation route passes
3187 in close proximity to the facility; and

3188 4. Whether any portion of the evacuation route is
3189 inherently directed toward the facility.

3190

3191 For the purposes of this subsection, all distances shall be
3192 measured from the outer limit of the active hazardous waste
3193 management area. "Substantial modification" includes: any
3194 physical change in, change in the operations of, or addition to
3195 a facility which could increase the potential offsite impact, or
3196 risk of impact, from a release at that facility; and any change
3197 in permit conditions which is reasonably expected to lead to
3198 greater potential impacts or risks of impacts, from a release at
3199 that facility. "Substantial modification" does not include a
3200 change in operations, structures, or permit conditions which
3201 does not substantially increase either the potential impact
3202 from, or the risk of, a release. Physical or operational changes
3203 to a facility related solely to the management of nonhazardous



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3204 waste at the facility shall not be considered a substantial
3205 modification. The department shall, by rule, adopt criteria to
3206 determine whether a facility has been substantially modified.
3207 "Initial operation" means the initial commencement of operations
3208 at the facility.

3209 Section 70. Subsection (1) of section 479.07, Florida
3210 Statutes, is amended to read:

3211 479.07 Sign permits.—

3212 (1) Except as provided in ss. 479.105(1)(e) and 479.16, a
3213 person may not erect, operate, use, or maintain, or cause to be
3214 erected, operated, used, or maintained, any sign on the State
3215 Highway System outside an urban area, as defined in s.
3216 334.03(32), or on any portion of the interstate or federal-aid
3217 primary highway system without first obtaining a permit for the
3218 sign from the department and paying the annual fee as provided
3219 in this section. As used in this section, the term "on any
3220 portion of the State Highway System, interstate, or federal-aid
3221 primary system" means a sign located within the controlled area
3222 which is visible from any portion of the main-traveled way of
3223 such system.

3224 Section 71. Subsection (5) of section 479.261, Florida
3225 Statutes, is amended to read:

3226 479.261 Logo sign program.—

3227 (5) At a minimum, permit fees for businesses that
3228 participate in the program must be established in an amount
3229 sufficient to offset the total cost to the department for the
3230 program, including contract costs. The department shall provide
3231 the services in the most efficient and cost-effective manner
3232 through department staff or by contracting for some or all of



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3233 the services. The department shall adopt rules that set
3234 reasonable rates based upon factors such as population, traffic
3235 volume, market demand, and costs for annual permit fees.
3236 However, annual permit fees for sign locations inside an urban
3237 area, as defined in s. 334.03~~(32)~~, may not exceed \$3,500, and
3238 annual permit fees for sign locations outside an urban area, as
3239 defined in s. 334.03~~(32)~~, may not exceed \$2,000. After
3240 recovering program costs, the proceeds from the annual permit
3241 fees shall be deposited into the State Transportation Trust Fund
3242 and used for transportation purposes.

3243 Section 72. Edna S. Hargrett-Thrower Avenue designated;
3244 Department of Transportation to erect suitable markers.-

3245 (1) That portion of Orange Blossom Trail between Gore
3246 Street and Church Street in Orange County is designated as "Edna
3247 S. Hargrett-Thrower Avenue."

3248 (2) The Department of Transportation is directed to erect
3249 suitable markers designating Edna S. Hargrett-Thrower Avenue as
3250 described in subsection (1).

3251 Section 73. SP4 Thomas Berry Corbin Memorial Highway
3252 designated; Department of Transportation to erect suitable
3253 markers.-

3254 (1) That portion of U.S. Highway 19/27A/98/State Road 55
3255 between the Suwannee River Bridge and N.E. 592nd Street/Chavous
3256 Road/Kate Green Road in Dixie County is designated as "SP4
3257 Thomas Berry Corbin Memorial Highway."

3258 (2) The Department of Transportation is directed to erect
3259 suitable markers designating SP4 Thomas Berry Corbin Memorial
3260 Highway as described in subsection (1).

3261 Section 74. U.S. Navy BMC Samuel Calhoun Chavous, Jr.



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3262 Memorial Highway designated; Department of Transportation to
3263 erect suitable markers.-

3264 (1) That portion of U.S. Highway 19/98/State Road 55
3265 between N.E. 592nd Street/Chavous Road/Kate Green Road and N.E.
3266 170th Street in Dixie County is designated as "U.S. Navy BMC
3267 Samuel Calhoun Chavous, Jr. Memorial Highway."

3268 (2) The Department of Transportation is directed to erect
3269 suitable markers designating U.S. Navy BMC Samuel Calhoun
3270 Chavous, Jr. Memorial Highway as described in subsection (1).

3271 Section 75. Marine Lance Corporal Brian R. Buesing Memorial
3272 Highway designated; Department of Transportation to erect
3273 suitable markers.-

3274 (1) That portion of State Road 24 between County Road 347
3275 and Bridge Number 340053 in Levy County is designated as "Marine
3276 Lance Corporal Brian R. Buesing Memorial Highway."

3277 (2) The Department of Transportation is directed to erect
3278 suitable markers designating Marine Lance Corporal Brian R.
3279 Buesing Memorial Highway as described in subsection (1).

3280 Section 76. United States Army Sergeant Karl A. Campbell
3281 Memorial Highway designated; Department of Transportation to
3282 erect suitable markers.-

3283 (1) That portion of U.S. Highway 19/98/State Road 55/S.
3284 Main Street between N.W. 1st Avenue and S.E. 2nd Avenue in Levy
3285 County is designated as "United States Army Sergeant Karl A.
3286 Campbell Memorial Highway."

3287 (2) The Department of Transportation is directed to erect
3288 suitable markers designating United States Army Sergeant Karl A.
3289 Campbell Memorial Highway as described in subsection (1).

3290 Section 77. U.S. Army SPC James A. Page Memorial Highway



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3291 designated; Department of Transportation to erect suitable
3292 markers.-

3293 (1) That portion of U.S. Highway 27A/State Road
3294 500/Hathaway Avenue between State Road 24/Thrasher Drive and
3295 Town Court in Levy County is designated as "U.S. Army SPC James
3296 A. Page Memorial Highway."

3297 (2) The Department of Transportation is directed to erect
3298 suitable markers designating U.S. Army SPC James A. Page
3299 Memorial Highway as described in subsection (1).

3300 Section 78. Veterans Memorial Highway designated;
3301 Department of Transportation to erect suitable markers.-

3302 (1) That portion of State Road 19 between U.S. Highway
3303 17/State Road 15 and Carriage Drive in the City of Palatka in
3304 Putnam County is designated as "Veterans Memorial Highway."

3305 (2) The Department of Transportation is directed to erect
3306 suitable markers designating Veterans Memorial Highway as
3307 described in subsection (1).

3308 Section 79. Ben G. Watts Highway designated; Department of
3309 Transportation to erect suitable markers.-

3310 (1) That portion of U.S. Highway 90/State Road 10 between
3311 the Holmes County line and the Jackson County line in Washington
3312 County is designated as "Ben G. Watts Highway."

3313 (2) The Department of Transportation is directed to erect
3314 suitable markers designating Ben G. Watts Highway as described
3315 in subsection (1).

3316 Section 80. Mardi Gras Way designated; Department of
3317 Transportation to erect suitable markers.-

3318 (1) That portion of State Road 824 between Interstate 95
3319 and U.S. Highway 1 in Broward County is designated as "Mardi



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3320 Gras Way."

3321 (2) The Department of Transportation is directed to erect
3322 suitable markers designating Mardi Gras Way as described in
3323 subsection (1).

3324 Section 81. West Park Boulevard designated; Department of
3325 Transportation to erect suitable markers.-

3326 (1) That portion of State Road 7 between Pembroke Road and
3327 County Line Road in Broward County is designated as "West Park
3328 Boulevard."

3329 (2) The Department of Transportation is directed to erect
3330 suitable markers designating West Park Boulevard as described in
3331 subsection (1).

3332 Section 82. Pembroke Park Boulevard designated; Department
3333 of Transportation to erect suitable markers.-

3334 (1) That portion of State Road 858/Hallandale Beach
3335 Boulevard between Interstate 95 and U.S. Highway 441/State Road
3336 7 in Broward County is designated as "Pembroke Park Boulevard."

3337 (2) The Department of Transportation is directed to erect
3338 suitable markers designating Pembroke Park Boulevard as
3339 described in subsection (1).

3340 Section 83. Stark Memorial Drive designated; Department of
3341 Transportation to erect suitable markers.-

3342 (1) That portion of State Road 101/Mayoport Road between
3343 State Road A1A and Wonderwood Connector in Duval County is
3344 designated as "Stark Memorial Drive."

3345 (2) The Department of Transportation is directed to erect
3346 suitable markers designating Stark Memorial Drive as described
3347 in subsection (1).

3348 Section 84. Duval County Law Enforcement Memorial Overpass



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3349 designated; Department of Transportation to erect suitable
3350 markers.-

3351 (1) The Interstate 295/State Road 9A overpass (Bridge
3352 Numbers 720256 and 720347) over Interstate 10/State Road 8 in
3353 Duval County is designated as "Duval County Law Enforcement
3354 Memorial Overpass."

3355 (2) The Department of Transportation is directed to erect
3356 suitable markers designating Duval County Law Enforcement
3357 Memorial Overpass as described in subsection (1).

3358 Section 85. Verna Bell Way designated; Department of
3359 Transportation to erect suitable markers.-

3360 (1) That portion of State Road 200 between Lime Street and
3361 Beech Street in the City of Fernandina Beach in Nassau County is
3362 designated as "Verna Bell Way."

3363 (2) The Department of Transportation is directed to erect
3364 suitable markers designating Verna Bell Way as described in
3365 subsection (1).

3366 Section 86. Deputy Hal P. Croft and Deputy Ronald Jackson
3367 Memorial Highway designated; Department of Transportation to
3368 erect suitable markers.-

3369 (1) That portion of State Road 100 East in Union County
3370 between the Bradford County line and the Columbia County line is
3371 designated as "Deputy Hal P. Croft and Deputy Ronald Jackson
3372 Memorial Highway."

3373 (2) The Department of Transportation is directed to erect
3374 suitable markers designating Deputy Hal P. Croft and Deputy
3375 Ronald Jackson Memorial Highway as described in subsection (1).

3376 Section 87. Dr. Oscar Elias Biscet Boulevard designated;
3377 Department of Transportation to erect suitable markers.-



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3378 (1) That portion of Coral Way between S.W. 32nd Avenue and
3379 S.W. 37th Avenue in Miami-Dade County is designated as "Dr.
3380 Oscar Elias Biscet Boulevard."

3381 (2) The Department of Transportation is directed to erect
3382 suitable markers designating Dr. Oscar Elias Biscet Boulevard as
3383 described in subsection (1).

3384 Section 88. Hugh Anderson Boulevard designated; Department
3385 of Transportation to erect suitable markers.-

3386 (1) That portion of Biscayne Boulevard between N.E. 88th
3387 Street and N.E. 105th Street in Miami Shores Village in Miami-
3388 Dade County is designated as "Hugh Anderson Boulevard."

3389 (2) The Department of Transportation is directed to erect
3390 suitable markers designating Hugh Anderson Boulevard as
3391 described in subsection (1).

3392 Section 89. Palmetto General Hospital Way designated;
3393 Department of Transportation to erect suitable markers.-

3394 (1) That portion of West 20th Avenue between West 68th
3395 Street and West 73rd Street in Miami-Dade County is designated
3396 as "Palmetto General Hospital Way."

3397 (2) The Department of Transportation is directed to erect
3398 suitable markers designating Palmetto General Hospital Way as
3399 described in subsection (1).

3400 Section 90. Senator Javier D. Souto Way designated;
3401 Department of Transportation to erect suitable markers.-

3402 (1) That portion of State Road 976/Bird Road between S.W.
3403 87th Avenue and the Palmetto Expressway Ramp in Miami-Dade
3404 County is designated as "Senator Javier D. Souto Way."

3405 (2) The Department of Transportation is directed to erect
3406 suitable markers designating Senator Javier D. Souto Way as



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3407 described subsection (1).

3408 Section 91. Reverend Max Salvadore Avenue designated;
3409 Department of Transportation to erect suitable markers.-

3410 (1) That portion of S.W. 27th Avenue between S.W. 8th
3411 Street and S.W. 13th Street in the City of Miami in Miami-Dade
3412 County is designated as "Reverend Max Salvadore Avenue."

3413 (2) The Department of Transportation is directed to erect
3414 suitable markers designating Reverend Max Salvadore Avenue as
3415 described in subsection (1).

3416 Section 92. BRIGADA 2506 STREET, Carlos Rodriguez Santana
3417 designated; Department of Transportation to erect suitable
3418 markers.-

3419 (1) That portion of S.W. 8th Street between S.W. 10th
3420 Avenue and S.W. 12th Avenue in the City of Miami in Miami-Dade
3421 County is designated as "BRIGADA 2506 STREET, Carlos Rodriguez
3422 Santana."

3423 (2) The Department of Transportation is directed to erect
3424 suitable markers designating BRIGADA 2506 STREET, Carlos
3425 Rodriguez Santana as described in subsection (1).

3426 Section 93. Rev. Jorge Comesanas Way designated; Department
3427 of Transportation to erect suitable markers.-

3428 (1) That portion of S.W. 87th Avenue between S.W. 8th
3429 Street and S.W. 24th Street in Miami-Dade County is designated
3430 as "Rev. Jorge Comesanas Way."

3431 (2) The Department of Transportation is directed to erect
3432 suitable markers designating Rev. Jorge Comesanas Way as
3433 described in subsection (1).

3434 Section 94. Amadeo Lopez-Castro, Jr. Road designated;
3435 Department of Transportation to erect suitable markers.-



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3436 (1) That portion of S.W. 57th Avenue/Red Road between S.W.
3437 8th Street and S.W. 88th Street/Kendall Drive in Miami-Dade
3438 County is designated as "Amadeo Lopez-Castro, Jr. Road."

3439 (2) The Department of Transportation is directed to erect
3440 suitable markers designating Amadeo Lopez-Castro, Jr. Road as
3441 described in subsection (1).

3442 Section 95. Benjamin Leon, Jr. Way designated; Department
3443 of Transportation to erect suitable markers.-

3444 (1) That portion of 27th Avenue located in Miami-Dade
3445 County is designated as "Benjamin Leon, Jr. Way."

3446 (2) The Department of Transportation is directed to erect
3447 suitable markers designating Benjamin Leon, Jr. Way as described
3448 in subsection (1).

3449 Section 96. Miami Medical Team Way designated; Department
3450 of Transportation to erect suitable markers.-

3451 (1) That portion of Coral Way/S.W. 22nd Street between 24th
3452 Avenue and 27th Avenue in Miami-Dade County is designated
3453 as "Miami Medical Team Way."

3454 (2) The Department of Transportation is directed to erect
3455 suitable markers designating Miami Medical Team Way as described
3456 in subsection (1).

3457 Section 97. Alma Lee Loy Bridge designated; Department of
3458 Transportation to erect suitable markers.-

3459 (1) Bridge Number 880077 on State Road 656 between State
3460 Road A1A and Indian River Boulevard in the City of Vero Beach in
3461 Indian River County is designated as "Alma Lee Loy Bridge."

3462 (2) The Department of Transportation is directed to erect
3463 suitable markers designating Alma Lee Loy Bridge as described
3464 subsection (1).



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3465 Section 98. Samuel B. Love Memorial Highway designated;
3466 Department of Transportation to erect suitable markers.-

3467 (1) That portion of Sunset Harbor Road between S.E. 105th
3468 Avenue and S.E. 115th Avenue in Marion County is designated as
3469 "Samuel B. Love Memorial Highway."

3470 (2) The Department of Transportation is directed to erect
3471 suitable markers designating Samuel B. Love Memorial Highway as
3472 described in subsection (1).

3473 Section 99. Elvin Martinez Road designated; Department of
3474 Transportation to erect suitable markers.-

3475 (1) That portion of Tampa Bay Boulevard between Armenia
3476 Avenue and Himes Avenue in Hillsborough County is designated as
3477 "Elvin Martinez Road."

3478 (2) The Department of Transportation is directed to erect
3479 suitable markers designating Elvin Martinez Road as described in
3480 subsection (1).

3481 Section 100. Whale Harbor Joe Roth Jr. Bridge designated;
3482 Department of Transportation to erect suitable markers.-

3483 (1) Whale Harbor Bridge (Bridge Number 900076) on U.S.
3484 Highway 1/State Road 5 in Monroe County is designated as "Whale
3485 Harbor Joe Roth Jr. Bridge."

3486 (2) The Department of Transportation is directed to erect
3487 suitable markers designating Whale Harbor Joe Roth Jr. Bridge as
3488 described in subsection (1).

3489 Section 101. Florida Highway Patrol Trooper Sgt. Nicholas
3490 G. Sottile Memorial designated; Department of Transportation to
3491 erect suitable markers.-

3492 (1) Milepost 22.182 on U.S. Highway 27 in Highlands County
3493 is designated as "Florida Highway Patrol Trooper Sgt. Nicholas



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3494 G. Sottile Memorial."

3495 (2) The Department of Transportation is directed to erect
3496 suitable markers designating Florida Highway Patrol Trooper Sgt.
3497 Nicholas G. Sottile Memorial as described subsection (1).

3498 Section 102. Coach Jimmy Carnes Boulevard designated;
3499 Department of Transportation to erect suitable markers.-

3500 (1) That portion of S.W. 23rd Street, in front of James G.
3501 Pressly Stadium, and 4211 S.W. 23rd Street, located between S.W.
3502 2nd Avenue and Fraternity Row/Drive in Alachua County, is
3503 designated as "Coach Jimmy Carnes Boulevard."

3504 (2) The Department of Transportation is directed to erect
3505 suitable markers designating Coach Jimmy Carnes Boulevard as
3506 described in subsection (1).

3507 Section 103. Section 24 of chapter 2010-230, Laws of
3508 Florida, is amended to read:

3509 Section 24. Miss Lillie Williams Boulevard designated;
3510 Department of Transportation to erect suitable markers.-

3511 (1) That portion of N.W. 79th Street between N.W. 6th
3512 Avenue and ~~N.W. 7th E. 12th~~ Avenue in Miami-Dade County is
3513 designated as "Miss Lillie Williams Boulevard."

3514 (2) The Department of Transportation is directed to erect
3515 suitable markers designating Miss Lillie Williams Boulevard as
3516 described in subsection (1).

3517 Section 104. Section 45 of chapter 2010-230, Laws of
3518 Florida, is amended to read:

3519 Section 45. Father Gerard Jean-Juste Street designated;
3520 Department of Transportation to erect suitable markers.-

3521 (1) That portion of N.W. 54th Street in Miami-Dade County
3522 between N.W. 2nd Avenue and ~~N.E. N.W.~~ 3rd Avenue in Little Haiti



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3523 is designated "Father Gerard Jean-Juste Street."

3524 (2) The Department of Transportation is directed to erect
3525 suitable markers designating Father Gerard Jean-Juste Street as
3526 described in subsection (1).

3527 Section 105. Tanya Martin Oubre Pekel Street designated;
3528 Department of Transportation to erect suitable markers.-

3529 (1) That portion of State Road 932/N.E. 103rd Street
3530 between N.W. 3rd Avenue and N.E. 6th Avenue in Miami-Dade County
3531 is designated as "Tanya Martin Oubre Pekel Street."

3532 (2) The Department of Transportation is directed to erect
3533 suitable markers designating Tanya Martin Oubre Pekel Street as
3534 described in subsection (1).

3535 Section 106. Deputy Jack A. Romeis Road designated;
3536 Department of Transportation to erect suitable markers.-

3537 (1) That portion of State Road 26A in Gainesville, Alachua
3538 County, between West University Avenue and S.W. 25th Street, is
3539 designated "Deputy Jack A. Romeis Road."

3540 (2) The Department of Transportation is directed to erect
3541 suitable markers designating Deputy Jack A. Romeis Road as
3542 described in subsection (1).

3543 Section 107. Nona and Papa Road designated; Department of
3544 Transportation to erect suitable markers.-

3545 (1) That portion of the San Juan Road Extension in
3546 Anastasia State Park in St. Johns County is designated as "Nona
3547 and Papa Road."

3548 (2) The Department of Transportation is directed to erect
3549 suitable markers designating Nona and Papa Road as described
3550 subsection (1).

3551 Section 108. Walter Francis Spence Parkway designated;



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3552 Department of Transportation to erect suitable markers.-

3553 (1) That portion of State Road 293 from U.S. 98/State Road
3554 30 to State Road 20 in Okaloosa County is designated as "Walter
3555 Francis Spence Parkway."

3556 (2) The Department of Transportation is directed to erect
3557 suitable markers designating Walter Francis Spence Parkway as
3558 described subsection (1).

3559 Section 109. Florida's Beaches and Rivers Parkway
3560 designated; Department of Transportation to erect suitable
3561 markers.-

3562 (1) That portion of State Route 87 from its intersection
3563 with U.S. 98 northward to its intersection with U.S. 90 in Santa
3564 Rosa County is designated the "Florida's Beaches and Rivers
3565 Parkway."

3566 (2) The Department of Transportation is directed to erect
3567 suitable markers designating Florida's Beaches and Rivers
3568 Parkway as described subsection (1).

3569 Section 110. Corporal Michael J. Roberts Parkway
3570 designated; Department of Transportation to erect suitable
3571 markers.-

3572 (1) That portion of U.S. 41/State Road 45/Nebraska Ave from
3573 County Road 584/Waters Avenue to State Road 580/Busch Boulevard
3574 is designated as "Corporal Michael J. Roberts Parkway."

3575 (2) The Department of Transportation is directed to erect
3576 suitable markers designating Corporal Michael J. Roberts as
3577 described subsection (1).

3578 Section 111. Harry T. and Harriette V. Moore Memorial
3579 Highway designated; Department of Transportation to erect
3580 suitable markers.-



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3581 (1) That portion of State Road 46 in Brevard County from
3582 U.S. 1 to the Volusia County line is designated as "Harry T. and
3583 Harriette V. Moore Memorial Highway."

3584 (2) The Department of Transportation is directed to erect
3585 suitable markers designating Harry T. and Harriette V. Moore
3586 Memorial Highway as described in subsection (1).

3587 Section 112. Elizabeth G. Means Memorial Boulevard
3588 designated; Department of Transportation to erect suitable
3589 markers.-

3590 (1) That portion of Beaver Street in Duval County between
3591 Laura Street and Rushing Street is designated as "Elizabeth G.
3592 Means Memorial Boulevard."

3593 (2) The Department of Transportation is directed to erect
3594 suitable markers designating Elizabeth G. Means Memorial
3595 Boulevard as described in subsection (1).

3596 Section 113. Louise Steward Memorial Boulevard designated;
3597 Department of Transportation to erect suitable markers.-

3598 (1) That portion of U.S. 1 Alternate/SR 115/SR 115A/Haines
3599 Street Expressway in Duval County between 8th Street and Duval
3600 Street is designated as "Louise Steward Memorial Boulevard."

3601 (2) The Department of Transportation is directed to erect
3602 suitable markers designating Louise Steward Memorial Boulevard
3603 as described in subsection (1).

3604 Section 114. Isiah J. Williams, III, Memorial Boulevard
3605 designated; Department of Transportation to erect suitable
3606 markers.-

3607 (1) That portion of Edgewood Avenue in Duval County between
3608 Commonwealth Avenue and Beaver Street is designated as "Isiah J.
3609 Williams, III, Memorial Boulevard."



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3610 (2) The Department of Transportation is directed to erect
3611 suitable markers designating Isiah J. Williams, III, Memorial
3612 Boulevard as described in subsection (1).

3613 Section 115. Except as otherwise expressly provided in this
3614 act and except for this section, which shall take effect upon
3615 this act becoming a law, this act shall take effect July 1,
3616 2011.

3617
3618
3619 ===== T I T L E A M E N D M E N T =====

3620 And the title is amended as follows:

3621 Delete everything before the enacting clause
3622 and insert:

3623 A bill to be entitled
3624 An act relating to transportation; amending s. 20.23,
3625 F.S.; providing that the Florida Statewide Passenger
3626 Rail Commission has the primary and exclusive
3627 authority to monitor certain designated functions
3628 related to passenger rail systems; removing from the
3629 Florida Transportation Commission the responsibility
3630 and duty to monitor the efficiency, productivity, and
3631 management of all publicly funded passenger rail
3632 systems in the state; amending s. 120.80, F.S.,
3633 relating to rulemaking; exempting the adjustment of
3634 tolls under specified provisions from provisions
3635 requiring a statement of estimated regulatory costs
3636 and a requirement for legislative ratification;
3637 amending s. 206.41, F.S.; requiring that the portion
3638 of the tax paid by a county sheriff on motor fuel or



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3639 diesel fuel for use in motor vehicles operated by the
3640 county sheriff be returned to the sheriff to offset
3641 the costs of motor and diesel fuel; providing for a
3642 credit on the monthly diesel fuel tax return; amending
3643 s. 206.625, F.S.; requiring that the motor fuel tax
3644 paid by a county sheriff for motor fuel used in motor
3645 vehicles operated by the county sheriff be returned to
3646 the sheriff to offset the cost of motor fuel paid by
3647 the sheriff; amending s. 316.091, F.S.; prohibiting
3648 use of human-powered vehicles on limited access
3649 highways and bridges; requiring the Department of
3650 Transportation to establish a pilot program to open
3651 certain limited access highways and bridges to
3652 bicycles and other human-powered vehicles; providing
3653 requirements for the pilot program; authorizing the
3654 department to continue or expand the program after the
3655 end of the pilot period; requiring a report to the
3656 Governor and the Legislature; amending 212.055, F.S;
3657 requiring counties to revise, as necessary, any
3658 interlocal agreements entered into with municipalities
3659 for the distribution of proceeds of the discretionary
3660 sales surcharge in order that newly participating
3661 municipalities may receive a share of the
3662 distribution; specifying conditions by which a
3663 municipality may receive a distribution of the sales
3664 surcharge; amending s. 316.075, F.S.; requiring
3665 traffic control signals to maintain certain signal
3666 intervals and display durations based on approach
3667 speeds; providing that a citation for specified



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3668 violations shall be dismissed if the traffic control
3669 signal does not meet specified requirements; providing
3670 dates for intersections to meet requirements of the
3671 act; amending s. 316.091, F.S.; requiring the
3672 Department of Transportation to establish a pilot
3673 program to open certain limited access highways and
3674 bridges to bicycles and other human-powered vehicles;
3675 providing requirements for the pilot program; amending
3676 s. 316.2068, F.S.; authorizing local governments to
3677 prohibit the operation of electric personal assistive
3678 mobility devices on sidewalks; amending s. 316.302,
3679 F.S.; exempting operators of farm labor vehicles from
3680 certain safety regulations under certain
3681 circumstances; amending s. 316.613, F.S.; providing
3682 child-restraint requirements for children ages 4
3683 through 7 years of age who are less than a specified
3684 height; providing certain exceptions; redefining the
3685 term "motor vehicle" to exclude certain vehicles from
3686 such requirements; providing that parents and others
3687 are responsible for complying with child-restraint
3688 requirements in certain chauffeur-driven vehicles;
3689 providing a grace period; amending s. 331.303, F.S.;
3690 defining "spaceport launch support facilities";
3691 amending s. 334.03, F.S.; revising definitions for
3692 purposes of the Florida Transportation Code; amending
3693 s. 334.044, F.S.; revising the powers and duties of
3694 the department relating to jurisdictional
3695 responsibility and designating facilities; revising
3696 the types of transportation projects for which



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3697 landscaping materials must be purchased; limiting the
3698 amount of funds that may be allocated for such
3699 purchases; revising the department's duties related to
3700 agreements with Space Florida; amending s. 334.047,
3701 F.S.; removing a provision prohibiting the department
3702 from establishing a maximum number of miles of urban
3703 principal arterial roads within a district or county;
3704 amending s. 336.021, F.S.; revising the date when
3705 imposition of the ninth-cent fuel tax is to be levied;
3706 amending s. 336.025, F.S.; revising the dates when
3707 impositions or rate changes of the local option fuel
3708 tax are to be levied and when counties must notify the
3709 Department of Revenue of such rates or rate changes;
3710 revising the definition of "transportation
3711 expenditures"; amending s. 337.111, F.S.; providing
3712 additional forms of security for the cost of removal
3713 of monuments or memorials or modifications to an
3714 installation site at highway rest areas; removing a
3715 provision requiring renewal of a bond; amending ss.
3716 337.403 and 337.404, F.S.; revising provisions for
3717 alleviation of interference with a public road or
3718 publically owned rail corridor caused by a utility
3719 facility; requiring the utility owner to initiate and
3720 complete the work necessary within a certain time
3721 period; providing for notice to the utility; revising
3722 provisions for payment of costs; revising provisions
3723 for completion of work when the utility owner does not
3724 perform the work; amending s. 337.408, F.S.; revising
3725 provisions for certain facilities installed within the



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3726 right-of-way limits of roads; requiring counties and
3727 municipalities to indemnify the department from
3728 certain claims relating to the installation, removal,
3729 or relocation of a noncompliant bench or shelter;
3730 authorizing the department to direct a county or
3731 municipality to remove or relocate a bus stop, bench,
3732 transit shelter, waste disposal receptacle, public pay
3733 telephone, or modular news rack that is not in
3734 compliance with applicable laws or rules; directing
3735 the department to remove or relocate such installation
3736 and charge the cost to the county or municipality;
3737 authorizing the department to deduct the cost from
3738 funding available to the municipality or county from
3739 the department; removing a provision for the
3740 replacement of an unusable transit bus bench that was
3741 in service before a certain date; revising the title
3742 of chapter 338, F.S.; repealing s. 338.001, F.S.,
3743 relating to provisions for the Florida Intrastate
3744 Highway System Plan; amending s. 338.01, F.S.;
3745 including authority of the department in provisions
3746 for the establishment of limited access facilities;
3747 amending s. 339.155, F.S.; revising provisions for
3748 statewide transportation planning by the department;
3749 providing for federally required transportation
3750 planning factors; revising provisions for the Florida
3751 Transportation Plan; removing requirements that the
3752 plan include a long-range component and a short-range
3753 component; removing certain reporting requirements;
3754 revising requirements for public participation in the



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3755 planning process; amending s. 339.175, F.S.; providing
3756 that representatives of the department shall serve as
3757 nonvoting advisers to a metropolitan planning
3758 organization; authorizing the appointment of
3759 additional nonvoting advisers; amending s. 339.63,
3760 F.S.; providing for inclusion of certain access
3761 facilities in the Strategic Intermodal System and the
3762 Emerging Strategic Intermodal System; amending s.
3763 339.64, F.S.; revising provisions for development of
3764 the Strategic Intermodal System Plan; removing the
3765 Statewide Intermodal Transportation Advisory Council;
3766 creating s. 339.65, F.S.; providing for the department
3767 to plan and develop Strategic Intermodal System
3768 highway corridors; providing for allocations of funds
3769 on a specified basis; providing for corridor projects
3770 to be included in the department's adopted work
3771 program and changes to be a separate part of the
3772 tentative work program; amending s. 341.302, F.S.;
3773 providing for construction of safety measures along
3774 passenger rail corridors and improvements at
3775 intermodal stations; amending s. 348.0003, F.S.;
3776 revising financial disclosure requirements for certain
3777 transportation authorities; amending s. 349.03, F.S.;
3778 providing for financial disclosure requirements for
3779 the Jacksonville Transportation Authority; amending s.
3780 349.04, F.S.; providing that the Jacksonville
3781 Transportation Authority may conduct meetings and
3782 workshops using communications media technology;
3783 providing that certain actions may not be taken unless



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3784 a quorum is present in person; providing that members
3785 must be physically present to vote on any item;
3786 amending s. 373.413, F.S.; providing legislative
3787 intent regarding flexibility in the permitting of
3788 stormwater management systems; requiring the cost of
3789 stormwater treatment for a transportation project to
3790 be balanced with benefits to the public; absolving the
3791 Department of Transportation of responsibility for the
3792 abatement of pollutants entering its stormwater
3793 facilities from offsite sources and from updating
3794 permits for adjacent lands impacted by right-of-way
3795 acquisition; authorizing the water management
3796 districts and the Department of Environmental
3797 Protection to adopt rules; amending s. 373.4137, F.S.;
3798 revising mitigation requirements for transportation
3799 projects to include other nonspecified mitigation
3800 options; providing for the release of escrowed
3801 mitigation funds under certain circumstances;
3802 providing for the exclusion of projects from a
3803 mitigation plan upon the election of one or more
3804 agencies rather than the agreement of all parties;
3805 amending s. 479.01, F.S.; redefining the terms
3806 "commercial or industrial zone" and "unzoned
3807 commercial or industrial area"; correcting a cross-
3808 reference; amending s. 479.02, F.S.; deleting obsolete
3809 provisions; amending s. 479.106, F.S.; revising
3810 requirements for an application for a permit to
3811 remove, cut, or trim trees or vegetation around a
3812 sign; requiring that the application include a



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3813 vegetation management plan, a mitigation contribution
3814 to a trust fund, or a combination of both; providing
3815 certain evaluation criteria; providing criteria for
3816 the use of herbicides; providing a time limit within
3817 which the Department of Transportation must act;
3818 providing that the permit is valid for 5 years;
3819 providing for an extension of the permit; reducing the
3820 number of nonconforming signs that must be removed
3821 before a permit may be issued for certain signs;
3822 providing criteria for view zones; requiring the
3823 department to provide notice to the sign owner of
3824 beautification projects or vegetation planting;
3825 amending 479.16; creating 479.263; amending 311.09;
3826 repealing s. 316.2045, F.S., relating to obstruction
3827 of public streets, highways, and roads; creating s.
3828 316.2046, F.S., relating to obstruction of public
3829 streets, highways, and roads; providing legislative
3830 findings; defining the term "solicit"; requiring a
3831 permit in order to obstruct the use of any public
3832 street, highway, or road when that obstruction may
3833 endanger the safe movement of vehicles or pedestrians;
3834 requiring each county or municipality to adopt a
3835 permitting process that protects public safety but
3836 does not impair the rights of free speech; providing
3837 criteria for the permitting process; limiting the cost
3838 of the permit to the amount required to administer the
3839 permitting process; prohibiting the denial of a permit
3840 due to lack of funds, as attested to by a signed
3841 affidavit; providing for jurisdiction over non-limited



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3842 access state roads, and local roads, streets, and
3843 highways for counties and municipalities; providing
3844 exceptions; providing that a violation of the act is a
3845 pedestrian violation, punishable under ch. 318, F.S.;
3846 providing for an additional fine; providing for the
3847 disposition of moneys collected; providing for
3848 enforcement by the Department of Highway Safety and
3849 Motor Vehicles and other law enforcement agencies;
3850 creating s. 316.2047, F.S., relating to panhandling;
3851 providing legislative findings; defining terms;
3852 prohibiting aggressive panhandling, panhandling under
3853 certain circumstances, and fraudulent panhandling;
3854 authorizing counties and municipalities to increase
3855 the restrictions on panhandling under certain
3856 conditions; providing that a violation of the act is a
3857 pedestrian violation, punishable under ch. 318, F.S.;
3858 providing for an additional fine; providing for the
3859 disposition of moneys collected; providing for
3860 enforcement by the Department of Highway Safety and
3861 Motor Vehicles and other law enforcement agencies;
3862 amending s. 337.406, F.S.; removing the Department of
3863 Transportation's authority to provide exceptions to
3864 the unlawful use of the right-of-way of any state
3865 transportation facility; broadening provisions to
3866 prohibit the unlawful use of any limited access
3867 highway; removing an exception to prohibited uses
3868 provided for art festivals, parades, fairs, or other
3869 special events; removing a local government's
3870 authority to issue certain permits; authorizing



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3871 counties and municipalities to regulate the use of
3872 transportation facilities within their respective
3873 jurisdictions, with the exception of limited access
3874 highways; authorizing the Department of Transportation
3875 to regulate the use of welcome centers and rest stops;
3876 removing provisions authorizing valid peddler
3877 licensees to make sales from vehicles standing on the
3878 rights-of-way of welcome centers and rest stops;
3879 amending s. 28, ch. 2008-174, Laws of Florida;
3880 revising the expiration of a pilot program that
3881 authorizes the Palm Beach County school district to
3882 recognize its business partners by displaying such
3883 business partners' names on school district property
3884 in unincorporated areas; providing definitions;
3885 authorizing governmental units that regulate the
3886 operation of vehicles for public hire to create a
3887 private property right in the license to operate a
3888 vehicle for public hire; providing for the transfer of
3889 such property right; authorizing governmental units
3890 that regulate the operation of vehicles for public
3891 hire to request and receive criminal history record
3892 information for the purpose of screening applicants;
3893 providing applicability; amending ss. 163.3180,
3894 288.063, 311.07, 311.09, 316.2122, 316.515, 336.01,
3895 338.222, 338.223, 338.2275, 338.228, 339.2819,
3896 339.285, 341.8225, 479.07, and 479.261, F.S., relating
3897 to transportation concurrency, contracts, port
3898 facilities, Florida Seaport Transportation and
3899 Economic Development Council, low-speed vehicles and



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3900 mini trucks, width and height limitations, the county
3901 road system, turnpike projects, revenue bonds,
3902 Transportation Regional Incentive Program, Enhanced
3903 Bridge Program for Sustainable Transportation, high-
3904 speed rail projects, outdoor advertising, sign
3905 permits, and the Logo sign program, respectively;
3906 revising cross-references; amending ss. 163.3187,
3907 318.12, 335.02, 338.227, 338.234, 339.62, 341.053, and
3908 403.7211, F.S., relating to comprehensive plans,
3909 traffic infractions, standards for lanes, services
3910 related to the financing of projects, concessions
3911 along the turnpike, components of the Strategic
3912 Intermodal System, Intermodal Development Program, and
3913 hazardous waste facilities, respectively; revising
3914 references to conform to the incorporation of the
3915 Florida Intrastate Highway System into the Strategic
3916 Intermodal System and to changes made by the act;
3917 amending s. 311.09, F.S.; providing that Citrus County
3918 may apply for a grant for a feasibility study through
3919 the Florida Seaport Transportation and Economic
3920 Development Council; providing for the evaluation of
3921 the application; requiring the Department of
3922 Transportation to include the study in its budget
3923 request under certain circumstances; designating Edna
3924 S. Hargrett-Thrower Avenue in Orange County;
3925 designating SP4 Thomas Berry Corbin Memorial Highway
3926 and U.S. Navy BMC Samuel Calhoun Chavous, Jr. Memorial
3927 Highway in Dixie County; designating Marine Lance
3928 Corporal Brian R. Buesing Memorial Highway, United



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3929 States Army Sergeant Karl A. Campbell Memorial
3930 Highway, and U.S. Army SPC James A. Page Memorial
3931 Highway in Levy County; designating Veterans Memorial
3932 Highway in Putnam County; designating Ben G. Watts
3933 Highway in Washington County; designating Mardi Gras
3934 Way, West Park Boulevard, and Pembroke Park Boulevard
3935 in Broward County; designating Stark Memorial Drive
3936 and Duval County Law Enforcement Memorial Overpass in
3937 Duval County; designating Verna Bell Way in Nassau
3938 County; designating Deputy Hal P. Croft and Deputy
3939 Ronald Jackson Memorial Highway in Union County;
3940 designating Dr. Oscar Elias Biscet Boulevard, Hugh
3941 Anderson Boulevard, Palmetto General Hospital Way,
3942 Senator Javier D. Souto Way, Reverend Max Salvadore
3943 Avenue, BRIGADA 2506 STREET, Carlos Rodriguez Santana,
3944 Rev. Jorge Comesanas Way, Amadeo Lopez-Castro, Jr.
3945 Road, Benjamin Leon, Jr. Way, and Miami Medical Team
3946 Way in Miami-Dade County; designating Alma Lee Loy
3947 Bridge in Indian River County; designating Samuel B.
3948 Love Memorial Highway in Marion County; designating
3949 Elvin Martinez Road in Hillsborough County;
3950 designating Whale Harbor Joe Roth Jr. Bridge in Monroe
3951 County; designating Florida Highway Patrol Trooper
3952 Sgt. Nicholas G. Sottile Memorial in Highlands County;
3953 designating Coach Jimmy Carnes Boulevard in Alachua
3954 County; amending ss. 24 and 45, ch. 2010-230, Laws of
3955 Florida; revising the designation for Miss Lillie
3956 Williams Boulevard and Father Gerard Jean-Juste Street
3957 in Miami-Dade County; designating Tanya Martin Oubre



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3958 Pekel Street in Miami-Dade County; designating Deputy
3959 Jack A. Romeis Road in Alachua County; designating
3960 Nona and Papa Road in St. Johns County; designating
3961 Walter Francis Spence Parkway in Okaloosa County;
3962 designating Florida's Beaches and Rivers Parkway in
3963 Santa Rosa County; designating Corporal Michael J.
3964 Roberts Parkway in Hillsborough County; designating
3965 Harry T. and Harriette V. Moore Memorial Highway in
3966 Brevard County; designating Elizabeth G. Means
3967 Memorial Boulevard, Louise Steward Memorial Boulevard,
3968 and Isiah J. Williams, III, Memorial Boulevard in
3969 Duval County; directing the Department of
3970 Transportation to erect suitable markers; providing an
3971 effective date.

3972
3973 WHEREAS, the state has a significant and substantial
3974 interest in vehicular and pedestrian safety and the free flow of
3975 traffic, and

3976 WHEREAS, studies have shown that Florida is one of the most
3977 dangerous states in the country for pedestrians, and

3978 WHEREAS, while the streets may have been the natural and
3979 proper places for the public dissemination of information prior
3980 to the advent of the automobile, the streets, highways, and
3981 roads of this state are now used primarily for transportation,
3982 and

3983 WHEREAS, obstructing the flow of pedestrian traffic on a
3984 sidewalk can cause pedestrians to enter into the roadway and is
3985 a serious threat to public safety, and

3986 WHEREAS, the current permitting provisions curtail behavior



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3987 only on sidewalks and streets, which is a danger to public
3988 safety, and

3989 WHEREAS, the provisions of this act directed toward
3990 ordinary panhandling are designed to promote public safety,
3991 including minimizing panhandling in transit systems or in areas
3992 where panhandling is likely to intimidate persons who are
3993 solicited, and

3994 WHEREAS, aggressive panhandling may obstruct the free flow
3995 of traffic when carried out in or adjacent to a roadway, may
3996 intimidate citizens who may choose to avoid certain public areas
3997 or give money to panhandlers in order to avoid an escalation of
3998 aggressive behavior, and generally threatens public safety and
3999 diminishes the quality of life for residents and tourists alike,
4000 and

4001 WHEREAS, an important public purpose is served when
4002 the public safety is protected in keeping with rights
4003 granted by the First Amendment to the United States
4004 Constitution, NOW, THEREFORE,

4005