

1 A bill to be entitled  
2 An act relating to transportation; amending s. 120.80,  
3 F.S., relating to rulemaking; exempting the adjustment of  
4 tolls under specified provisions from provisions requiring  
5 a statement of estimated regulatory costs and a  
6 requirement for legislative ratification; amending s.  
7 316.091, F.S.; prohibiting use of human-powered vehicles  
8 on limited access highways and bridges; requiring the  
9 Department of Transportation to establish a pilot program  
10 to open certain limited access highways and bridges to  
11 bicycles and other human-powered vehicles; providing  
12 requirements for the pilot program; authorizing the  
13 department to continue or expand the program after the end  
14 of the pilot period; requiring a report to the Governor  
15 and the Legislature; amending s. 316.302, F.S.; exempting  
16 operators of farm labor vehicles from certain safety  
17 regulations under certain circumstances; amending s.  
18 331.303, F.S.; defining "spaceport launch support  
19 facilities"; amending s. 334.03, F.S.; revising  
20 definitions for purposes of the Florida Transportation  
21 Code; amending s. 334.044, F.S.; revising the powers and  
22 duties of the department relating to jurisdictional  
23 responsibility and designating facilities; revising the  
24 types of transportation projects for which landscaping  
25 materials must be purchased; limiting the amount of funds  
26 that may be allocated for such purchases; revising the  
27 department's duties related to agreements with Space  
28 Florida; amending s. 334.047, F.S.; removing a provision

29 prohibiting the department from establishing a maximum  
30 number of miles of urban principal arterial roads within a  
31 district or county; amending s. 336.021, F.S.; revising  
32 the date when imposition of the ninth-cent fuel tax is to  
33 be levied; amending s. 336.025, F.S.; revising the dates  
34 when impositions or rate changes of the local option fuel  
35 tax are to be levied and when counties must notify the  
36 Department of Revenue of such rates or rate changes;  
37 revising the definition of "transportation expenditures";  
38 amending s. 337.111, F.S.; providing additional forms of  
39 security for the cost of removal of monuments or memorials  
40 or modifications to an installation site at highway rest  
41 areas; removing a provision requiring renewal of a bond;  
42 amending ss. 337.403 and 337.404, F.S.; revising  
43 provisions for alleviation of interference with a public  
44 road or publically owned rail corridor caused by a utility  
45 facility; requiring the utility owner to initiate and  
46 complete the work necessary within a certain time period;  
47 providing for notice to the utility; revising provisions  
48 for payment of costs; revising provisions for completion  
49 of work when the utility owner does not perform the work;  
50 amending s. 337.408, F.S.; revising provisions for certain  
51 facilities installed within the right-of-way limits of  
52 roads; requiring counties and municipalities to indemnify  
53 the department from certain claims relating to the  
54 installation, removal, or relocation of a noncompliant  
55 bench or shelter; authorizing the department to direct a  
56 county or municipality to remove or relocate a bus stop,

57 | bench, transit shelter, waste disposal receptacle, public  
58 | pay telephone, or modular news rack that is not in  
59 | compliance with applicable laws or rules; directing the  
60 | department to remove or relocate such installation and  
61 | charge the cost to the county or municipality; authorizing  
62 | the department to deduct the cost from funding available  
63 | to the municipality or county from the department;  
64 | removing a provision for the replacement of an unusable  
65 | transit bus bench that was in service before a certain  
66 | date; revising the title of chapter 338, F.S.; repealing  
67 | s. 338.001, F.S., relating to provisions for the Florida  
68 | Intrastate Highway System Plan; amending s. 338.01, F.S.;  
69 | including authority of the department in provisions for  
70 | the establishment of limited access facilities; amending  
71 | s. 339.155, F.S.; revising provisions for statewide  
72 | transportation planning by the department; providing for  
73 | federally required transportation planning factors;  
74 | revising provisions for the Florida Transportation Plan;  
75 | removing requirements that the plan include a long-range  
76 | component and a short-range component; removing certain  
77 | reporting requirements; revising requirements for public  
78 | participation in the planning process; amending s.  
79 | 339.175, F.S.; providing that representatives of the  
80 | department shall serve as nonvoting advisers to a  
81 | metropolitan planning organization; authorizing the  
82 | appointment of additional nonvoting advisers; amending s.  
83 | 339.63, F.S.; providing for inclusion of certain access  
84 | facilities in the Strategic Intermodal System and the

85 Emerging Strategic Intermodal System; amending s. 339.64,  
86 F.S.; revising provisions for development of the Strategic  
87 Intermodal System Plan; removing the Statewide Intermodal  
88 Transportation Advisory Council; creating s. 339.65, F.S.;  
89 providing for the department to plan and develop Strategic  
90 Intermodal System highway corridors; providing for  
91 allocations of funds on a specified basis; providing for  
92 corridor projects to be included in the department's  
93 adopted work program and changes to be a separate part of  
94 the tentative work program; amending s. 341.302, F.S.;  
95 providing for construction of safety measures along  
96 passenger rail corridors and improvements at intermodal  
97 stations; amending s. 348.0003, F.S.; revising financial  
98 disclosure requirements for certain transportation  
99 authorities; amending s. 349.03, F.S.; providing for  
100 financial disclosure requirements for the Jacksonville  
101 Transportation Authority; amending s. 349.04, F.S.;  
102 providing that the Jacksonville Transportation Authority  
103 may conduct meetings and workshops using communications  
104 media technology; providing that certain actions may not  
105 be taken unless a quorum is present in person; providing  
106 that members must be physically present to vote on any  
107 item; amending s. 373.413, F.S.; providing legislative  
108 intent regarding flexibility in the permitting of  
109 stormwater management systems; requiring the cost of  
110 stormwater treatment for a transportation project to be  
111 balanced with benefits to the public; absolving the  
112 Department of Transportation of responsibility for the

113 abatement of pollutants entering its stormwater facilities  
114 from offsite sources and from updating permits for  
115 adjacent lands impacted by right-of-way acquisition;  
116 authorizing the water management districts and the  
117 Department of Environmental Protection to adopt rules;  
118 creating s. 479.075, F.S.; defining the terms "sign" and  
119 "sign permit fee"; establishing limitations on fees  
120 charged for sign permits; requiring a fee schedule to be  
121 based on actual costs; providing that the fee may not  
122 exceed certain costs; requiring the local government  
123 maintain information to justify certain costs; providing  
124 that specified provisions do not apply to certain signs;  
125 providing for effect with respect to any agreement,  
126 resolution, or ordinance; requiring removal of a sign to  
127 adhere to specified provisions; amending s. 479.106, F.S.;  
128 revising requirements for an application for a permit to  
129 remove, cut, or trim trees or vegetation around a sign;  
130 requiring that the application include a vegetation  
131 management plan, a mitigation contribution to a trust  
132 fund, or a combination of both; providing certain  
133 evaluation criteria; providing criteria for the use of  
134 herbicides; providing a time limit within which the  
135 Department of Transportation must act; providing that the  
136 permit is valid for 5 years; providing for an extension of  
137 the permit; reducing the number of nonconforming signs  
138 that must be removed before a permit may be issued for  
139 certain signs; providing criteria for view zones;  
140 requiring the department to provide notice to the sign

141 owner of beautification projects or vegetation planting;  
142 amending s. 28, ch. 2008-174, Laws of Florida; revising  
143 the expiration of a pilot program that authorizes the Palm  
144 Beach County school district to recognize its business  
145 partners by displaying such business partners' names on  
146 school district property in unincorporated areas;  
147 designating Edna S. Hargrett-Thrower Avenue in Orange  
148 County; designating SP4 Thomas Berry Corbin Memorial  
149 Highway and U.S. Navy BMC Samuel Calhoun Chavous, Jr.  
150 Memorial Highway in Dixie County; designating Marine Lance  
151 Corporal Brian R. Buesing Memorial Highway, United States  
152 Army Sergeant Karl A. Campbell Memorial Highway, and U.S.  
153 Army SPC James A. Page Memorial Highway in Levy County;  
154 designating Veterans Memorial Highway in Putnam County;  
155 designating Ben G. Watts Highway in Washington County;  
156 designating Mardi Gras Way, West Park Boulevard, and  
157 Pembroke Park Boulevard in Broward County; designating  
158 Stark Memorial Drive and Duval County Law Enforcement  
159 Memorial Overpass in Duval County; designating Verna Bell  
160 Way in Nassau County; designating Deputy Hal P. Croft and  
161 Deputy Ronald Jackson Memorial Highway in Union County;  
162 designating Dr. Oscar Elias Biscet Boulevard in Miami-Dade  
163 County; designating Alma Lee Loy Bridge in Indian River  
164 County; amending ss. 24 and 45, ch. 2010-230, Laws of  
165 Florida; revising the designation for Miss Lillie Williams  
166 Boulevard and Father Gerard Jean-Juste Street in Miami-  
167 Dade County; directing the Department of Transportation to  
168 erect suitable markers; amending ss. 163.3180, 288.063,

169 311.07, 311.09, 316.2122, 316.515, 336.01, 338.222,  
170 338.223, 338.2275, 338.228, 339.2819, 339.285, 341.8225,  
171 479.01, 479.07, and 479.261, F.S., relating to  
172 transportation concurrency, contracts, port facilities,  
173 Florida Seaport Transportation and Economic Development  
174 Council, low-speed vehicles and mini trucks, width and  
175 height limitations, the county road system, turnpike  
176 projects, revenue bonds, Transportation Regional Incentive  
177 Program, Enhanced Bridge Program for Sustainable  
178 Transportation, high-speed rail projects, outdoor  
179 advertising, sign permits, and the Logo sign program,  
180 respectively; revising cross-references; amending ss.  
181 163.3187, 318.12, 335.02, 338.227, 338.234, 339.62,  
182 341.053, and 403.7211, F.S., relating to comprehensive  
183 plans, traffic infractions, standards for lanes, services  
184 related to the financing of projects, concessions along  
185 the turnpike, components of the Strategic Intermodal  
186 System, Intermodal Development Program, and hazardous  
187 waste facilities, respectively; revising references to  
188 conform to the incorporation of the Florida Intrastate  
189 Highway System into the Strategic Intermodal System and to  
190 changes made by the act; amending s. 20.23, F.S.;  
191 providing that the Florida Statewide Passenger Rail  
192 Commission has the primary and exclusive authority to  
193 monitor certain designated functions related to passenger  
194 rail systems; removing from the Florida Transportation  
195 Commission the responsibility and duty to monitor the  
196 efficiency, productivity, and management of all publicly

197 funded passenger rail systems in the state; amending s.  
 198 311.09, F.S.; providing that Citrus County may apply for a  
 199 grant for a feasibility study through the Florida Seaport  
 200 Transportation and Economic Development Council; providing  
 201 for the evaluation of the application; requiring the  
 202 Department of Transportation to include the study in its  
 203 budget request under certain circumstances; amending s.  
 204 212.055, F.S.; requiring counties to revise, as necessary,  
 205 any interlocal agreements entered into with municipalities  
 206 for the distribution of proceeds of the discretionary  
 207 sales surcharge in order that newly participating  
 208 municipalities may receive a share of the distribution;  
 209 specifying conditions by which a municipality may receive  
 210 a distribution of the sales surcharge; amending s.  
 211 316.613, F.S.; providing an exception for certain for-hire  
 212 passenger vehicles from provisions requiring the use of  
 213 child restraint devices in motor vehicles; providing  
 214 effective dates.

215  
 216 Be It Enacted by the Legislature of the State of Florida:

217  
 218 Section 1. Subsection (17) is added to section 120.80,  
 219 Florida Statutes, to read:

220 120.80 Exceptions and special requirements; agencies.—

221 (17) DEPARTMENT OF TRANSPORTATION.—Sections 120.54(3)(b)  
 222 and 120.541 do not apply to the adjustment of tolls pursuant to  
 223 s. 338.165(3).



224 Section 2. Subsection (4) of section 316.091, Florida  
 225 Statutes, is amended, present subsection (5) of that section is  
 226 renumbered as subsection (6), and a new subsection (5) is added  
 227 to that section, to read:

228 316.091 Limited access facilities; interstate highways;  
 229 use restricted.—

230 (4) No person shall operate a bicycle or other human-  
 231 powered vehicle on the roadway or along the shoulder of a  
 232 limited access highway, including bridges, unless official signs  
 233 and a designated marked bicycle lane are present at the entrance  
 234 of the section of highway indicating that such use is permitted  
 235 pursuant to a pilot program of the Department of Transportation  
 236 an interstate highway.

237 (5) The Department of Transportation shall establish a 2-  
 238 year pilot program, in three separate urban areas, in which it  
 239 shall erect signs and designate marked bicycle lanes indicating  
 240 highway approaches and bridge segments of limited access  
 241 highways as open to use by operators of bicycles and other  
 242 human-powered vehicles, under the following conditions:

243 (a) The limited access highway approaches and bridge  
 244 segments chosen must cross a river, lake, bay, inlet, or surface  
 245 water where no street or highway crossing the water body is  
 246 available for use within 2 miles of the entrance to the limited  
 247 access facility measured along the shortest public right-of-way.

248 (b) The Department of Transportation, with the concurrence  
 249 of the Federal Highway Administration on the interstate  
 250 facilities, shall establish the three highway approaches and  
 251 bridge segments for the pilot project by October 1, 2011. In

252 selecting the highway approaches and bridge segments, the  
253 Department of Transportation shall consider, without limitation,  
254 a minimum size of population in the urban area within 5 miles of  
255 the highway approach and bridge segment, the lack of bicycle  
256 access by other means, cost, safety, and operational impacts.

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

263 (d) The Department of Transportation shall conduct the  
264 pilot program for a minimum of 2 years following the  
265 implementation date. The department may continue to provide  
266 bicycle access on the highway approaches and bridge segments  
267 chosen for the pilot program or initiate bicycle access on other  
268 limited access facilities after the end of the program.

269 (e) The Department of Transportation shall submit a report  
270 of its findings and recommendations from the pilot program to  
271 the Governor, the President of the Senate, and the Speaker of  
272 the House of Representatives by September 1, 2014. The report  
273 shall include, at a minimum, bicycle crash data occurring in the  
274 designated segments of the pilot program, usage by operators of  
275 bicycles and other human-powered vehicles, enforcement issues,  
276 operational impacts, and the cost of the pilot program.

277 Section 3. Paragraph (b) of subsection (2) of section  
278 316.302, Florida Statutes, is amended to read:

279 316.302 Commercial motor vehicles; safety regulations;  
 280 transporters and shippers of hazardous materials; enforcement.-

281 (2)

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

286 1. More than 12 hours following 10 consecutive hours off  
 287 duty; or

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

290

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

295 Section 4. Subsection (17) of section 331.303, Florida  
 296 Statutes, is amended to read:

297 331.303 Definitions.-

298 (17) "Spaceport launch support facilities" means  
 299 industrial facilities as described in s. 380.0651(3)(c) and  
 300 includes ~~include~~ any launch pad, launch control center, ~~and~~  
 301 fixed launch-support equipment, facilities located at launch  
 302 sites or launch ranges that are required to support launch  
 303 activities, including launch vehicle assembly, launch vehicle  
 304 operations and control, communications, flight safety functions,  
 305 and payload operations, control, and processing, as defined in  
 306 chapter 84 of Title 15 of the United States Code, Commercial

307 Space Competitiveness, 15 U.S.C. s. 5802, launch support  
 308 infrastructure, and transportation infrastructure necessary to  
 309 support space launch activities.

310 Section 5. Section 334.03, Florida Statutes, is amended to  
 311 read:

312 334.03 Definitions.—When used in the Florida  
 313 Transportation Code, the term:

314 (1)~~(37)~~ "511" or "511 services" means three-digit  
 315 telecommunications dialing to access interactive voice response  
 316 telephone traveler information services provided in the state as  
 317 defined by the Federal Communications Commission in FCC Order  
 318 No. 00-256, July 31, 2000.

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

324 (2)~~(2)~~ "Bridge" means a structure, including supports,  
 325 erected over a depression or an obstruction, such as water or a  
 326 highway or railway, and having a track or passageway for  
 327 carrying traffic as defined in chapter 316 or other moving  
 328 loads.

329 (3) "City street system" means all local roads within a  
 330 municipality, and all collector roads inside that municipality,  
 331 which are not in the county road system.

332 ~~(4) "Collector road" means a route providing service which~~  
 333 ~~is of relatively moderate average traffic volume, moderately~~  
 334 ~~average trip length, and moderately average operating speed.~~

335 ~~Such a route also collects and distributes traffic between local~~  
 336 ~~roads or arterial roads and serves as a linkage between land~~  
 337 ~~access and mobility needs.~~

338 (4)~~(5)~~ "Commissioners" means the governing body of a  
 339 county.

340 (5)~~(6)~~ "Consolidated metropolitan statistical area" means  
 341 two or more metropolitan statistical areas that are socially and  
 342 economically interrelated as defined by the United States Bureau  
 343 of the Census.

344 (6)~~(7)~~ "Controlled access facility" means a street or  
 345 highway to which the right of access is highly regulated by the  
 346 governmental entity having jurisdiction over the facility in  
 347 order to maximize the operational efficiency and safety of the  
 348 high-volume through traffic utilizing the facility. Owners or  
 349 occupants of abutting lands and other persons have a right of  
 350 access to or from such facility at such points only and in such  
 351 manner as may be determined by the governmental entity.

352 (7)~~(8)~~ "County road system" means all collector roads in  
 353 the unincorporated areas of a county and all extensions of such  
 354 collector roads into and through any incorporated areas, all  
 355 local roads in the unincorporated areas, and all urban minor  
 356 arterial roads not in the State Highway System.

357 (8)~~(9)~~ "Department" means the Department of  
 358 Transportation.

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

363        (9)~~(11)~~ "Functional classification" means the assignment  
364 of roads into systems according to the character of service they  
365 provide in relation to the total road network using procedures  
366 developed by the Federal Highway Administration. ~~Basic~~  
367 ~~functional categories include arterial roads, collector roads,~~  
368 ~~and local roads which may be subdivided into principal, major,~~  
369 ~~or minor levels. Those levels may be additionally divided into~~  
370 ~~rural and urban categories.~~

371        (10)~~(12)~~ "Governmental entity" means a unit of government,  
372 or any officially designated public agency or authority of a  
373 unit of government, that has the responsibility for planning,  
374 construction, operation, or maintenance or jurisdiction over  
375 transportation facilities; the term includes the Federal  
376 Government, the state government, a county, an incorporated  
377 municipality, a metropolitan planning organization, an  
378 expressway or transportation authority, a road and bridge  
379 district, a special road and bridge district, and a regional  
380 governmental unit.

381        (11)~~(38)~~ "Interactive voice response" means a software  
382 application that accepts a combination of voice telephone input  
383 and touch-tone keypad selection and provides appropriate  
384 responses in the form of voice, fax, callback, e-mail, and other  
385 media.

386        (12)~~(13)~~ "Limited access facility" means a street or  
387 highway especially designed for through traffic, and over, from,  
388 or to which owners or occupants of abutting land or other  
389 persons have no right or easement of access, light, air, or view  
390 by reason of the fact that their property abuts upon such

391 limited access facility or for any other reason. Such highways  
392 or streets may be facilities from which trucks, buses, and other  
393 commercial vehicles are excluded; or they may be facilities open  
394 to use by all customary forms of street and highway traffic.

395 (13)~~(14)~~ "Local governmental entity" means a unit of  
396 government with less than statewide jurisdiction, or any  
397 officially designated public agency or authority of such a unit  
398 of government, that has the responsibility for planning,  
399 construction, operation, or maintenance of, or jurisdiction  
400 over, a transportation facility; the term includes, but is not  
401 limited to, a county, an incorporated municipality, a  
402 metropolitan planning organization, an expressway or  
403 transportation authority, a road and bridge district, a special  
404 road and bridge district, and a regional governmental unit.

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

409 (14)~~(16)~~ "Metropolitan area" means a geographic region  
410 comprising as a minimum the existing urbanized area and the  
411 contiguous area projected to become urbanized within a 20-year  
412 forecast period. The boundaries of a metropolitan area may be  
413 designated so as to encompass a metropolitan statistical area or  
414 a consolidated metropolitan statistical area. If a metropolitan  
415 area, or any part thereof, is located within a nonattainment  
416 area, the boundaries of the metropolitan area must be designated  
417 so as to include the boundaries of the entire nonattainment

418 area, unless otherwise provided by agreement between the  
419 applicable metropolitan planning organization and the Governor.

420 (15)~~(17)~~ "Metropolitan statistical area" means an area  
421 that includes a municipality of 50,000 persons or more, or an  
422 urbanized area of at least 50,000 persons as defined by the  
423 United States Bureau of the Census, provided that the component  
424 county or counties have a total population of at least 100,000.

425 (16)~~(18)~~ "Nonattainment area" means an area designated by  
426 the United States Environmental Protection Agency, pursuant to  
427 federal law, as exceeding national primary or secondary ambient  
428 air quality standards for the pollutants carbon monoxide or  
429 ozone.

430 (17)~~(19)~~ "Periodic maintenance" means activities that are  
431 large in scope and require a major work effort to restore  
432 deteriorated components of the transportation system to a safe  
433 and serviceable condition, including, but not limited to, the  
434 repair of large bridge structures, major repairs to bridges and  
435 bridge systems, and the mineral sealing of lengthy sections of  
436 roadway.

437 (18)~~(20)~~ "Person" means any person described in s. 1.01 or  
438 any unit of government in or outside the state.

439 (19)~~(21)~~ "Right of access" means the right of ingress to a  
440 highway from abutting land and egress from a highway to abutting  
441 land.

442 (20)~~(22)~~ "Right-of-way" means land in which the state, the  
443 department, a county, or a municipality owns the fee or has an  
444 easement devoted to or required for use as a transportation  
445 facility.



446        ~~(21)-(23)~~ "Road" means a way open to travel by the public,  
 447 including, but not limited to, a street, highway, or alley. The  
 448 term includes associated sidewalks, the roadbed, the right-of-  
 449 way, and all culverts, drains, sluices, ditches, water storage  
 450 areas, waterways, embankments, slopes, retaining walls, bridges,  
 451 tunnels, and viaducts necessary for the maintenance of travel  
 452 and all ferries used in connection therewith.

453        ~~(22)-(24)~~ "Routine maintenance" means minor repairs and  
 454 associated tasks necessary to maintain a safe and efficient  
 455 transportation system. The term includes: pavement patching;  
 456 shoulder repair; cleaning and repair of drainage ditches,  
 457 traffic signs, and structures; mowing; bridge inspection and  
 458 maintenance; pavement striping; litter cleanup; and other  
 459 similar activities.

460        ~~(23)-(25)~~ "State Highway System" means ~~the following, which~~  
 461 ~~shall be facilities to which access is regulated:~~

462        ~~(a)~~ the interstate system and all other roads within the  
 463 state which were under the jurisdiction of the state on June 10,  
 464 1995, and roads constructed by an agency of the state for the  
 465 State Highway System, and roads transferred to the state's  
 466 jurisdiction after that date by mutual consent with another  
 467 governmental entity, but not roads so transferred from the  
 468 state's jurisdiction. Such facilities shall be facilities to  
 469 which access is regulated.

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

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

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

476  
477 ~~However, not less than 2 percent of the public road mileage of~~  
478 ~~each urbanized area on record as of June 30, 1986, shall be~~  
479 ~~included as minor arterials in the State Highway System.~~

480 ~~Urbanized areas not meeting the foregoing minimum requirement~~  
481 ~~shall have transferred to the State Highway System additional~~  
482 ~~minor arterials of the highest significance in which case the~~  
483 ~~total minor arterials in the State Highway System from any~~  
484 ~~urbanized area shall not exceed 2.5 percent of that area's total~~  
485 ~~public urban road mileage.~~

486 (24)~~(26)~~ "State Park Road System" means roads embraced  
487 within the boundaries of state parks and state roads leading to  
488 state parks, other than roads of the State Highway System, the  
489 county road systems, or the city street systems.

490 (25)~~(27)~~ "State road" means a street, road, highway, or  
491 other way open to travel by the public generally and dedicated  
492 to the public use according to law or by prescription and  
493 designated by the department, as provided by law, as part of the  
494 State Highway System.

495 (26)~~(28)~~ "Structure" means a bridge, viaduct, tunnel,  
496 causeway, approach, ferry slip, culvert, toll plaza, gate, or  
497 other similar facility used in connection with a transportation  
498 facility.

499 (27)~~(29)~~ "Sufficiency rating" means the objective rating  
500 of a road or section of a road for the purpose of determining

501 its capability to serve properly the actual or anticipated  
502 volume of traffic using the road.

503 (28)~~(30)~~ "Transportation corridor" means any land area  
504 designated by the state, a county, or a municipality which is  
505 between two geographic points and which area is used or suitable  
506 for the movement of people and goods by one or more modes of  
507 transportation, including areas necessary for management of  
508 access and securing applicable approvals and permits.

509 Transportation corridors shall contain, but are not limited to,  
510 the following:

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

512 (b) All property or property interests necessary for  
513 future transportation facilities, including rights of access,  
514 air, view, and light, whether public or private, for the purpose  
515 of securing and utilizing future transportation rights-of-way,  
516 including, but not limited to, any lands reasonably necessary  
517 now or in the future for securing applicable approvals and  
518 permits, borrow pits, drainage ditches, water retention areas,  
519 rest areas, replacement access for landowners whose access could  
520 be impaired due to the construction of a future facility, and  
521 replacement rights-of-way for relocation of rail and utility  
522 facilities.

523 (29)~~(31)~~ "Transportation facility" means any means for the  
524 transportation of people or property from place to place which  
525 is constructed, operated, or maintained in whole or in part from  
526 public funds. The term includes the property or property rights,  
527 both real and personal, which have been or may be established by

528 public bodies for the transportation of people or property from  
 529 place to place.

530 (30)~~(32)~~ "Urban area" means a geographic region comprising  
 531 as a minimum the area inside the United States Bureau of the  
 532 Census boundary of an urban place with a population of 5,000 or  
 533 more persons, expanded to include adjacent developed areas as  
 534 provided for by Federal Highway Administration regulations.

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

541 (31)~~(34)~~ "Urban place" means a geographic region composed  
 542 of one or more contiguous census tracts that have been found by  
 543 the United States Bureau of the Census to contain a population  
 544 density of at least 1,000 persons per square mile.

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

551 (32)~~(36)~~ "Urbanized area" means a geographic region  
 552 comprising as a minimum the area inside an urban place of 50,000  
 553 or more persons, as designated by the United States Bureau of  
 554 the Census, expanded to include adjacent developed areas as  
 555 provided for by Federal Highway Administration regulations.

556 Urban areas with a population of fewer than 50,000 persons which  
557 are located within the expanded boundary of an urbanized area  
558 are not separately recognized.

559 Section 6. Subsections (11), (13), (26), and (33) of  
560 section 334.044, Florida Statutes, are amended to read:

561 334.044 Department; powers and duties.—The department  
562 shall have the following general powers and duties:

563 (11) To establish a numbering system for public roads, and  
564 to functionally classify such roads, ~~and to assign~~  
565 ~~jurisdictional responsibility.~~

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

569 (26) To provide for the enhancement of environmental  
570 benefits, including air and water quality; to prevent roadside  
571 erosion; to conserve the natural roadside growth and scenery;  
572 and to provide for the implementation and maintenance of  
573 roadside conservation, enhancement, and stabilization programs.  
574 No more less than 1.5 percent of the amount contracted for  
575 construction projects that add capacity to the existing system  
576 shall be allocated by the department for the purchase of plant  
577 materials. ~~, with,~~ To the greatest extent practical, a minimum of  
578 50 percent of these funds shall be allocated for large plant  
579 materials and the remaining funds for other plant materials. All  
580 such plant materials shall be purchased from Florida commercial  
581 nursery stock in this state on a uniform competitive bid basis.  
582 The department will develop grades and standards for landscaping  
583 materials purchased through this process. To accomplish these

584 activities, the department may contract with nonprofit  
 585 organizations having the primary purpose of developing youth  
 586 employment opportunities.

587 (33) To enter into agreement with Space Florida to  
 588 coordinate and cooperate in the development of spaceport  
 589 infrastructure as defined in s. 331.303(10) and (17) and related  
 590 transportation facilities contained in the Strategic Intermodal  
 591 System Plan and, where appropriate, encourage the cooperation  
 592 and integration of airports and spaceports in order to meet  
 593 transportation-related needs.

594 Section 7. Section 334.047, Florida Statutes, is amended  
 595 to read:

596 334.047 Prohibition.—Notwithstanding any other provision  
 597 of law to the contrary, the Department of Transportation may not  
 598 establish a cap on the number of miles in the State Highway  
 599 System ~~or a maximum number of miles of urban principal arterial~~  
 600 ~~roads, as defined in s. 334.03, within a district or county.~~

601 Section 8. Subsection (5) of section 336.021, Florida  
 602 Statutes, is amended to read:

603 336.021 County transportation system; levy of ninth-cent  
 604 fuel tax on motor fuel and diesel fuel.—

605 (5) All impositions of the tax shall be levied before  
 606 October 1 ~~July 1~~ of each year to be effective January 1 of the  
 607 following year. However, levies of the tax which were in effect  
 608 on July 1, 2002, and which expire on August 31 of any year may  
 609 be reimposed at the current authorized rate to be effective  
 610 September 1 of the year of expiration. All impositions shall be  
 611 required to end on December 31 of a year. A decision to rescind

612 the tax shall not take effect on any date other than December 31  
613 and shall require a minimum of 60 days' notice to the department  
614 of such decision.

615 Section 9. Paragraphs (a) and (b) of subsection (1),  
616 paragraph (a) of subsection (5), and paragraphs (d) and (e) of  
617 subsection (7) of section 336.025, Florida Statutes, are amended  
618 to read:

619 336.025 County transportation system; levy of local option  
620 fuel tax on motor fuel and diesel fuel.—

621 (1) (a) In addition to other taxes allowed by law, there  
622 may be levied as provided in ss. 206.41(1)(e) and 206.87(1)(c) a  
623 1-cent, 2-cent, 3-cent, 4-cent, 5-cent, or 6-cent local option  
624 fuel tax upon every gallon of motor fuel and diesel fuel sold in  
625 a county and taxed under the provisions of part I or part II of  
626 chapter 206.

627 1. All impositions and rate changes of the tax shall be  
628 levied before October 1 ~~July 1~~ to be effective January 1 of the  
629 following year for a period not to exceed 30 years, and the  
630 applicable method of distribution shall be established pursuant  
631 to subsection (3) or subsection (4). However, levies of the tax  
632 which were in effect on July 1, 2002, and which expire on August  
633 31 of any year may be reimposed at the current authorized rate  
634 effective September 1 of the year of expiration. Upon  
635 expiration, the tax may be releived provided that a  
636 redetermination of the method of distribution is made as  
637 provided in this section.

638           2. County and municipal governments shall utilize moneys  
 639 received pursuant to this paragraph only for transportation  
 640 expenditures.

641           3. Any tax levied pursuant to this paragraph may be  
 642 extended on a majority vote of the governing body of the county.  
 643 A redetermination of the method of distribution shall be  
 644 established pursuant to subsection (3) or subsection (4), if,  
 645 after July 1, 1986, the tax is extended or the tax rate changed,  
 646 for the period of extension or for the additional tax.

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

654           1. All impositions and rate changes of the tax shall be  
 655 levied before October 1 ~~July 1~~, to be effective January 1 of the  
 656 following year. However, levies of the tax which were in effect  
 657 on July 1, 2002, and which expire on August 31 of any year may  
 658 be reimposed at the current authorized rate effective September  
 659 1 of the year of expiration.

660           2. The county may, prior to levy of the tax, establish by  
 661 interlocal agreement with one or more municipalities located  
 662 therein, representing a majority of the population of the  
 663 incorporated area within the county, a distribution formula for  
 664 dividing the entire proceeds of the tax among county government  
 665 and all eligible municipalities within the county. If no



666 interlocal agreement is adopted before the effective date of the  
667 tax, tax revenues shall be distributed pursuant to the  
668 provisions of subsection (4). If no interlocal agreement exists,  
669 a new interlocal agreement may be established prior to June 1 of  
670 any year pursuant to this subparagraph. However, any interlocal  
671 agreement agreed to under this subparagraph after the initial  
672 levy of the tax or change in the tax rate authorized in this  
673 section shall under no circumstances materially or adversely  
674 affect the rights of holders of outstanding bonds which are  
675 backed by taxes authorized by this paragraph, and the amounts  
676 distributed to the county government and each municipality shall  
677 not be reduced below the amount necessary for the payment of  
678 principal and interest and reserves for principal and interest  
679 as required under the covenants of any bond resolution  
680 outstanding on the date of establishment of the new interlocal  
681 agreement.

682 3. County and municipal governments shall use moneys  
683 received pursuant to this paragraph for transportation  
684 expenditures needed to meet the requirements of the capital  
685 improvements element of an adopted comprehensive plan or for  
686 expenditures needed to meet immediate local transportation  
687 problems and for other transportation-related expenditures that  
688 are critical for building comprehensive roadway networks by  
689 local governments. For purposes of this paragraph, expenditures  
690 for the construction of new roads, the reconstruction or  
691 resurfacing of existing paved roads, or the paving of existing  
692 graded roads shall be deemed to increase capacity and such  
693 projects shall be included in the capital improvements element

694 of an adopted comprehensive plan. Expenditures for purposes of  
 695 this paragraph shall not include routine maintenance of roads.

696 (5) (a) By October 1 ~~July 1~~ of each year, the county shall  
 697 notify the Department of Revenue of the rate of the taxes levied  
 698 pursuant to paragraphs (1) (a) and (b), and of its decision to  
 699 rescind or change the rate of a tax, if applicable, and shall  
 700 provide the department with a certified copy of the interlocal  
 701 agreement established under subparagraph (1) (b)2. or  
 702 subparagraph (3) (a)1. with distribution proportions established  
 703 by such agreement or pursuant to subsection (4), if applicable.  
 704 A decision to rescind a tax shall not take effect on any date  
 705 other than December 31 and shall require a minimum of 60 days'  
 706 notice to the Department of Revenue of such decision.

707 (7) For the purposes of this section, "transportation  
 708 expenditures" means expenditures by the local government from  
 709 local or state shared revenue sources, excluding expenditures of  
 710 bond proceeds, for the following programs:

711 (d) Street lighting installation, operation, maintenance,  
 712 and repair.

713 (e) Traffic signs;~~;~~ traffic engineering;~~;~~ signalization  
 714 installation, operation, maintenance, and repair; and pavement  
 715 markings.

716 Section 10. Subsection (4) of section 337.111, Florida  
 717 Statutes, is amended to read:

718 337.111 Contracting for monuments and memorials to  
 719 military veterans at rest areas.—The Department of  
 720 Transportation is authorized to enter into contract with any  
 721 not-for-profit group or organization that has been operating for

722 not less than 2 years for the installation of monuments and  
 723 memorials honoring Florida's military veterans at highway rest  
 724 areas around the state pursuant to the provisions of this  
 725 section.

726 (4) The group or organization making the proposal shall  
 727 provide a 10-year bond, an annual renewable bond, an irrevocable  
 728 letter of credit, or other form of security as approved by the  
 729 department's comptroller, for the purpose of securing the cost  
 730 of removal of the monument and any modifications made to the  
 731 site as part of the placement of the monument should the  
 732 Department of Transportation determine it necessary to remove or  
 733 relocate the monument. Such removal or relocation shall be  
 734 approved by the committee described in subsection (1). ~~Prior to~~  
 735 ~~expiration, the bond shall be renewed for another 10-year period~~  
 736 ~~if the memorial is to remain in place.~~

737 Section 11. Section 337.403, Florida Statutes, is amended  
 738 to read:

739 337.403 Interference caused by Relocation of utility;  
 740 expenses.—

741 (1) When a ~~Any~~ utility heretofore or hereafter placed  
 742 upon, under, over, or along any public road or publicly owned  
 743 rail corridor ~~that~~ is found by the authority to be unreasonably  
 744 interfering in any way with the convenient, safe, or continuous  
 745 use, or the maintenance, improvement, extension, or expansion,  
 746 of such public road or publicly owned rail corridor, the utility  
 747 owner shall, upon 30 days' written notice to the utility or its  
 748 agent by the authority, initiate the work necessary to alleviate  
 749 the interference ~~be removed or relocated by such utility at its~~

750 own expense except as provided in paragraphs (a)-(f). The work  
751 shall be completed within such reasonable time as stated in the  
752 notice or such time as agreed to by the authority and the  
753 utility owner.

754 (a) If the relocation of utility facilities, as referred  
755 to in s. 111 of the Federal-Aid Highway Act of 1956, Pub. L. No.  
756 627 of the 84th Congress, is necessitated by the construction of  
757 a project on the federal-aid interstate system, including  
758 extensions thereof within urban areas, and the cost of the  
759 project is eligible and approved for reimbursement by the  
760 Federal Government to the extent of 90 percent or more under the  
761 Federal Aid Highway Act, or any amendment thereof, then in that  
762 event the utility owning or operating such facilities shall  
763 perform any necessary work ~~relocate the facilities~~ upon notice  
764 from ~~order of~~ the department, and the state shall pay the entire  
765 expense properly attributable to such work ~~relocation~~ after  
766 deducting therefrom any increase in the value of any ~~the~~ new  
767 facility and any salvage value derived from any ~~the~~ old  
768 facility.

769 (b) When a joint agreement between the department and the  
770 utility is executed for utility ~~improvement, relocation, or~~  
771 ~~removal~~ work to be accomplished as part of a contract for  
772 construction of a transportation facility, the department may  
773 participate in those utility work ~~improvement, relocation, or~~  
774 ~~removal~~ costs that exceed the department's official estimate of  
775 the cost of the work by more than 10 percent. The amount of such  
776 participation shall be limited to the difference between the  
777 official estimate of all the work in the joint agreement plus 10

778 percent and the amount awarded for this work in the construction  
779 contract for such work. The department may not participate in  
780 any utility work ~~improvement, relocation, or removal~~ costs that  
781 occur as a result of changes or additions during the course of  
782 the contract.

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

788 (d) If the utility facility involved ~~being removed or~~  
789 ~~relocated~~ was initially installed to exclusively serve the  
790 department, its tenants, or both, the department shall bear the  
791 costs of the utility work ~~removing or relocating that utility~~  
792 ~~facility~~. However, the department is not responsible for bearing  
793 the cost of utility work related to ~~removing or relocating~~ any  
794 subsequent additions to that facility for the purpose of serving  
795 others.

796 (e) If, under an agreement between a utility and the  
797 authority entered into after July 1, 2009, the utility conveys,  
798 subordinates, or relinquishes a compensable property right to  
799 the authority for the purpose of accommodating the acquisition  
800 or use of the right-of-way by the authority, without the  
801 agreement expressly addressing future responsibility for the  
802 cost of necessary utility work ~~removing or relocating the~~  
803 ~~utility~~, the authority shall bear the cost of removal or  
804 relocation. This paragraph does not impair or restrict, and may

805 not be used to interpret, the terms of any such agreement  
806 entered into before July 1, 2009.

807 (f) If the utility is an electric facility being relocated  
808 underground in order to enhance vehicular, bicycle, and  
809 pedestrian safety and in which ownership of the electric  
810 facility to be placed underground has been transferred from a  
811 private to a public utility within the past 5 years, the  
812 department shall incur all costs of the necessary utility work  
813 ~~relocation~~.

814 (2) If such utility work ~~removal or relocation~~ is  
815 incidental to work to be done on such road or publicly owned  
816 rail corridor, the notice shall be given at the same time the  
817 contract for the work is advertised for bids, or no less than 30  
818 days prior to the commencement of such work by the authority,  
819 whichever is greater.

820 (3) Whenever the notice from an order ~~of~~ the authority  
821 requires such utility work ~~removal or change in the location of~~  
822 ~~any utility from the right-of-way of a public road or publicly~~  
823 ~~owned rail corridor,~~ and the owner thereof fails perform the  
824 work to remove or change the same at his or her own expense ~~to~~  
825 ~~conform to the order~~ within the time stated in the notice or  
826 such other time as agreed to by the authority and the utility  
827 owner, the authority shall proceed to cause the utility work to  
828 be performed ~~to be removed~~. The expense thereby incurred shall  
829 be paid out of any money available therefor, and such expense  
830 shall, except as provided in subsection (1), be charged against  
831 the owner and levied and collected and paid into the fund from  
832 which the expense of such relocation was paid.

833 Section 12. Subsection (1) of section 337.404, Florida  
 834 Statutes, is amended to read:

835 337.404 Removal or relocation of utility facilities;  
 836 notice and order; court review.—

837 (1) Whenever it shall become necessary for the authority  
 838 to perform utility work ~~remove or relocate any utility~~ as  
 839 provided in s. 337.403 ~~the preceding section~~, the owner of the  
 840 utility, or the owner's chief agent, shall be given notice that  
 841 the authority will perform ~~of such work removal or relocation~~  
 842 and, after the work is complete, shall be given an order  
 843 requiring the payment of the cost thereof, and a ~~shall be given~~  
 844 reasonable time, which shall not be less than 20 nor more than  
 845 30 days, in which to appear before the authority to contest the  
 846 reasonableness of the order. Should the owner or the owner's  
 847 representative not appear, the determination of the cost to the  
 848 owner shall be final. Authorities considered agencies for the  
 849 purposes of chapter 120 shall adjudicate removal or relocation  
 850 of utilities pursuant to chapter 120.

851 Section 13. Subsections (1) and (4) of section 337.408,  
 852 Florida Statutes, are amended to read:

853 337.408 Regulation of bus stops, benches, transit  
 854 shelters, street light poles, waste disposal receptacles, and  
 855 modular news racks within rights-of-way.—

856 (1) Benches or transit shelters, including advertising  
 857 displayed on benches or transit shelters, may be installed  
 858 within the right-of-way limits of any municipal, county, or  
 859 state road, except a limited access highway, provided that such  
 860 benches or transit shelters are for the comfort or convenience

861 of the general public or are at designated stops on official bus  
862 routes and provided that written authorization has been given to  
863 a qualified private supplier of such service by the municipal  
864 government within whose incorporated limits such benches or  
865 transit shelters are installed or by the county government  
866 within whose unincorporated limits such benches or transit  
867 shelters are installed. A municipality or county may authorize  
868 the installation, without public bid, of benches and transit  
869 shelters together with advertising displayed thereon within the  
870 right-of-way limits of such roads. All installations shall be in  
871 compliance with all applicable laws and rules, including,  
872 without limitation, the Americans with Disabilities Act.  
873 Municipalities or counties shall indemnify, defend, and hold  
874 harmless the department from any suits, actions, proceedings,  
875 claims, losses, costs, charges, expenses, damages, liabilities,  
876 attorney fees, and court costs relating to the installation,  
877 removal, or relocation of such installations. Any contract for  
878 the installation of benches or transit shelters or advertising  
879 on benches or transit shelters which was entered into before  
880 April 8, 1992, without public bidding is ratified and affirmed.  
881 Such benches or transit shelters may not interfere with right-  
882 of-way preservation and maintenance. Any bench or transit  
883 shelter located on a sidewalk within the right-of-way limits of  
884 any road on the State Highway System or the county road system  
885 shall be located so as to leave at least 36 inches of clearance  
886 for pedestrians and persons in wheelchairs. Such clearance shall  
887 be measured in a direction perpendicular to the centerline of  
888 the road.



889 (4) The department has the authority to direct the  
890 immediate relocation or removal of any bus stop, bench, transit  
891 shelter, waste disposal receptacle, public pay telephone, or  
892 modular news rack that endangers life or property, or that is  
893 otherwise not in compliance with applicable laws and rules,  
894 except that transit bus benches that were placed in service  
895 before April 1, 1992, are not required to comply with bench size  
896 and advertising display size requirements established by the  
897 department before March 1, 1992. If a municipality or county  
898 fails to comply with the department's direction, the department  
899 shall remove the noncompliant installation, charge the cost of  
900 the removal to the municipality or county, and may deduct or  
901 offset such cost from any other funding available to the  
902 municipality or county from the department. ~~Any transit bus~~  
903 ~~bench that was in service before April 1, 1992, may be replaced~~  
904 ~~with a bus bench of the same size or smaller, if the bench is~~  
905 ~~damaged or destroyed or otherwise becomes unusable.~~ The  
906 department may adopt rules relating to the regulation of bench  
907 size and advertising display size requirements. If a  
908 municipality or county within which a bench is to be located has  
909 adopted an ordinance or other applicable regulation that  
910 establishes bench size or advertising display sign requirements  
911 different from requirements specified in department rule, the  
912 local government requirement applies within the respective  
913 municipality or county. Placement of any bench or advertising  
914 display on the National Highway System under a local ordinance  
915 or regulation adopted under this subsection is subject to  
916 approval of the Federal Highway Administration.

917 Section 14. Chapter 338, Florida Statutes, is retitled  
 918 "LIMITED ACCESS AND TOLL FACILITIES."

919 Section 15. Section 338.001, Florida Statutes, is  
 920 repealed.

921 Section 16. Subsections (1) through (6) of section 338.01,  
 922 Florida Statutes, are renumbered as subsections (2) through (7),  
 923 respectively, and a new subsection (1) is added to that section  
 924 to read:

925 338.01 Authority to establish and regulate limited access  
 926 facilities.—

927 (1) The department is authorized to establish limited  
 928 access facilities as provided in s. 335.02. The primary function  
 929 of such limited access facilities is to allow high-speed and  
 930 high-volume traffic movements within the state. Access to  
 931 abutting land is subordinate to this function, and such access  
 932 must be prohibited or highly regulated.

933 Section 17. Section 339.155, Florida Statutes, is amended  
 934 to read:

935 339.155 Transportation planning.—

936 (1) THE FLORIDA TRANSPORTATION PLAN.—The department shall  
 937 develop ~~and annually update~~ a statewide transportation plan, to  
 938 be known as the Florida Transportation Plan. The plan shall be  
 939 designed so as to be easily read and understood by the general  
 940 public. The purpose of the Florida Transportation Plan is to  
 941 establish and define the state's long-range transportation goals  
 942 and objectives to be accomplished over a period of at least 20  
 943 years within the context of the State Comprehensive Plan, and  
 944 any other statutory mandates and authorizations and based upon

945 the prevailing principles of: preserving the existing  
946 transportation infrastructure; enhancing Florida's economic  
947 competitiveness; and improving travel choices to ensure  
948 mobility. The Florida Transportation Plan shall consider the  
949 needs of the entire state transportation system and examine the  
950 use of all modes of transportation to effectively and  
951 efficiently meet such needs.

952 (2) SCOPE OF PLANNING PROCESS.—The department shall carry  
953 out a transportation planning process in conformance with s.  
954 334.046(1) and 23 U.S.C. s. 135. ~~which provides for~~  
955 ~~consideration of projects and strategies that will:~~

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

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

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

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

965 ~~(e) Enhance the integration and connectivity of the~~  
966 ~~transportation system, across and between modes throughout~~  
967 ~~Florida, for people and freight;~~

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

969 ~~(g) Emphasize the preservation of the existing~~  
970 ~~transportation system.~~

971 (3) FORMAT, SCHEDULE, AND REVIEW.—The Florida  
972 Transportation Plan shall be a unified, concise planning

973 document that clearly defines the state's long-range  
 974 transportation goals and objectives ~~and documents the~~  
 975 ~~department's short-range objectives developed to further such~~  
 976 ~~goals and objectives.~~ The plan shall:

977       (a) Include a glossary that clearly and succinctly defines  
 978 any and all phrases, words, or terms of art included in the  
 979 plan, with which the general public may be unfamiliar, ~~and shall~~  
 980 ~~consist of, at a minimum, the following components:~~

981       (b) ~~(a)~~ Document ~~A long-range component documenting the~~  
 982 ~~goals and long-term objectives necessary to implement the~~  
 983 ~~results of the~~ department consistent with ~~department's findings~~  
 984 ~~from its examination of the criteria listed in subsection (2)~~  
 985 ~~and s. 334.046(1) and 23 U.S.C. s. 135.~~ ~~The long-range component~~  
 986 ~~must~~

987       (c) Be developed in cooperation with the metropolitan  
 988 planning organizations and reconciled, to the maximum extent  
 989 feasible, with the long-range plans developed by metropolitan  
 990 planning organizations pursuant to s. 339.175. ~~The plan must~~  
 991 ~~also~~

992       (d) Be developed in consultation with affected local  
 993 officials in nonmetropolitan areas and with any affected Indian  
 994 tribal governments. ~~The plan must~~

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

998       (f) Be updated at least once every 5 years, or more often  
 999 as necessary, to reflect substantive changes to federal or state  
 1000 law.

1001 ~~(b) A short-range component documenting the short-term~~  
 1002 ~~objectives and strategies necessary to implement the goals and~~  
 1003 ~~long-term objectives contained in the long-range component. The~~  
 1004 ~~short-range component must define the relationship between the~~  
 1005 ~~long-range goals and the short-range objectives, specify those~~  
 1006 ~~objectives against which the department's achievement of such~~  
 1007 ~~goals will be measured, and identify transportation strategies~~  
 1008 ~~necessary to efficiently achieve the goals and objectives in the~~  
 1009 ~~plan. It must provide a policy framework within which the~~  
 1010 ~~department's legislative budget request, the strategic~~  
 1011 ~~information resource management plan, and the work program are~~  
 1012 ~~developed. The short-range component shall serve as the~~  
 1013 ~~department's annual agency strategic plan pursuant to s.~~  
 1014 ~~186.021. The short-range component shall be developed consistent~~  
 1015 ~~with available and forecasted state and federal funds. The~~  
 1016 ~~short-range component shall also be submitted to the Florida~~  
 1017 ~~Transportation Commission.~~

1018 ~~(4) ANNUAL PERFORMANCE REPORT. The department shall~~  
 1019 ~~develop an annual performance report evaluating the operation of~~  
 1020 ~~the department for the preceding fiscal year. The report shall~~  
 1021 ~~also include a summary of the financial operations of the~~  
 1022 ~~department and shall annually evaluate how well the adopted work~~  
 1023 ~~program meets the short-term objectives contained in the short-~~  
 1024 ~~range component of the Florida Transportation Plan. This~~  
 1025 ~~performance report shall be submitted to the Florida~~  
 1026 ~~Transportation Commission and the legislative appropriations and~~  
 1027 ~~transportation committees.~~

1028 (4)~~(5)~~ ADDITIONAL TRANSPORTATION PLANS.—

1029 (a) Upon request by local governmental entities, the  
1030 department may in its discretion develop and design  
1031 transportation corridors, arterial and collector streets,  
1032 vehicular parking areas, and other support facilities which are  
1033 consistent with the plans of the department for major  
1034 transportation facilities. The department may render to local  
1035 governmental entities or their planning agencies such technical  
1036 assistance and services as are necessary so that local plans and  
1037 facilities are coordinated with the plans and facilities of the  
1038 department.

1039 (b) Each regional planning council, as provided for in s.  
1040 186.504, or any successor agency thereto, shall develop, as an  
1041 element of its strategic regional policy plan, transportation  
1042 goals and policies. The transportation goals and policies must  
1043 be prioritized to comply with the prevailing principles provided  
1044 in subsection (2) and s. 334.046(1). The transportation goals  
1045 and policies shall be consistent, to the maximum extent  
1046 feasible, with the goals and policies of the metropolitan  
1047 planning organization and the Florida Transportation Plan. The  
1048 transportation goals and policies of the regional planning  
1049 council will be advisory only and shall be submitted to the  
1050 department and any affected metropolitan planning organization  
1051 for their consideration and comments. Metropolitan planning  
1052 organization plans and other local transportation plans shall be  
1053 developed consistent, to the maximum extent feasible, with the  
1054 regional transportation goals and policies. The regional  
1055 planning council shall review urbanized area transportation  
1056 plans and any other planning products stipulated in s. 339.175

1057 and provide the department and respective metropolitan planning  
1058 organizations with written recommendations which the department  
1059 and the metropolitan planning organizations shall take under  
1060 advisement. Further, the regional planning councils shall  
1061 directly assist local governments which are not part of a  
1062 metropolitan area transportation planning process in the  
1063 development of the transportation element of their comprehensive  
1064 plans as required by s. 163.3177.

1065 (c) Regional transportation plans may be developed in  
1066 regional transportation areas in accordance with an interlocal  
1067 agreement entered into pursuant to s. 163.01 by two or more  
1068 contiguous metropolitan planning organizations; one or more  
1069 metropolitan planning organizations and one or more contiguous  
1070 counties, none of which is a member of a metropolitan planning  
1071 organization; a multicounty regional transportation authority  
1072 created by or pursuant to law; two or more contiguous counties  
1073 that are not members of a metropolitan planning organization; or  
1074 metropolitan planning organizations comprised of three or more  
1075 counties.

1076 (d) The interlocal agreement must, at a minimum, identify  
1077 the entity that will coordinate the development of the regional  
1078 transportation plan; delineate the boundaries of the regional  
1079 transportation area; provide the duration of the agreement and  
1080 specify how the agreement may be terminated, modified, or  
1081 rescinded; describe the process by which the regional  
1082 transportation plan will be developed; and provide how members  
1083 of the entity will resolve disagreements regarding  
1084 interpretation of the interlocal agreement or disputes relating

1085 to the development or content of the regional transportation  
 1086 plan. Such interlocal agreement shall become effective upon its  
 1087 recordation in the official public records of each county in the  
 1088 regional transportation area.

1089 (e) The regional transportation plan developed pursuant to  
 1090 this section must, at a minimum, identify regionally significant  
 1091 transportation facilities located within a regional  
 1092 transportation area and contain a prioritized list of regionally  
 1093 significant projects. The level-of-service standards for  
 1094 facilities to be funded under this subsection shall be adopted  
 1095 by the appropriate local government in accordance with s.  
 1096 163.3180(10). The projects shall be adopted into the capital  
 1097 improvements schedule of the local government comprehensive plan  
 1098 pursuant to s. 163.3177(3).

1099 (5)~~(6)~~ PROCEDURES FOR PUBLIC PARTICIPATION IN  
 1100 TRANSPORTATION PLANNING.—

1101 (a) During the development of the ~~long range component of~~  
 1102 ~~the~~ Florida Transportation Plan and prior to substantive  
 1103 revisions, the department shall provide citizens, affected  
 1104 public agencies, representatives of transportation agency  
 1105 employees, other affected employee representatives, private  
 1106 providers of transportation, and other known interested parties  
 1107 with an opportunity to comment on the proposed plan or  
 1108 revisions. These opportunities shall include, at a minimum,  
 1109 publishing a notice in the Florida Administrative Weekly and  
 1110 within a newspaper of general circulation within the area of  
 1111 each department district office.



1112 (b) During development of major transportation  
1113 improvements, such as those increasing the capacity of a  
1114 facility through the addition of new lanes or providing new  
1115 access to a limited or controlled access facility or  
1116 construction of a facility in a new location, the department  
1117 shall hold one or more hearings prior to the selection of the  
1118 facility to be provided; prior to the selection of the site or  
1119 corridor of the proposed facility; and prior to the selection of  
1120 and commitment to a specific design proposal for the proposed  
1121 facility. Such public hearings shall be conducted so as to  
1122 provide an opportunity for effective participation by interested  
1123 persons in the process of transportation planning and site and  
1124 route selection and in the specific location and design of  
1125 transportation facilities. The various factors involved in the  
1126 decision or decisions and any alternative proposals shall be  
1127 clearly presented so that the persons attending the hearing may  
1128 present their views relating to the decision or decisions which  
1129 will be made.

1130 (c) Opportunity for design hearings:

1131 1. The department, prior to holding a design hearing,  
1132 shall duly notify all affected property owners of record, as  
1133 recorded in the property appraiser's office, by mail at least 20  
1134 days prior to the date set for the hearing. The affected  
1135 property owners shall be:

1136 a. Those whose property lies in whole or in part within  
1137 300 feet on either side of the centerline of the proposed  
1138 facility.

1139           b. Those whom the department determines will be  
 1140 substantially affected environmentally, economically, socially,  
 1141 or safetywise.

1142           2. For each subsequent hearing, the department shall  
 1143 publish notice prior to the hearing date in a newspaper of  
 1144 general circulation for the area affected. These notices must be  
 1145 published twice, with the first notice appearing at least 15  
 1146 days, but no later than 30 days, before the hearing.

1147           3. A copy of the notice of opportunity for the hearing  
 1148 must be furnished to the United States Department of  
 1149 Transportation and to the appropriate departments of the state  
 1150 government at the time of publication.

1151           4. The opportunity for another hearing shall be afforded  
 1152 in any case when proposed locations or designs are so changed  
 1153 from those presented in the notices specified above or at a  
 1154 hearing as to have a substantially different social, economic,  
 1155 or environmental effect.

1156           5. The opportunity for a hearing shall be afforded in each  
 1157 case in which the department is in doubt as to whether a hearing  
 1158 is required.

1159           Section 18. Paragraph (a) of subsection (4) of section  
 1160 339.175, Florida Statutes, is amended to read:

1161           339.175 Metropolitan planning organization.—

1162           (4) APPORTIONMENT.—

1163           (a) The Governor shall, with the agreement of the affected  
 1164 units of general-purpose local government as required by federal  
 1165 rules and regulations, apportion the membership on the  
 1166 applicable M.P.O. among the various governmental entities within

1167 the area. At the request of a majority of the affected units of  
1168 general-purpose local government comprising an M.P.O., the  
1169 Governor and a majority of units of general-purpose local  
1170 government serving on an M.P.O. shall cooperatively agree upon  
1171 and prescribe who may serve as an alternate member and a method  
1172 for appointing alternate members who may vote at any M.P.O.  
1173 meeting that an alternate member attends in place of a regular  
1174 member. The method shall be set forth as a part of the  
1175 interlocal agreement describing the M.P.O.'s membership or in  
1176 the M.P.O.'s operating procedures and bylaws. The governmental  
1177 entity so designated shall appoint the appropriate number of  
1178 members to the M.P.O. from eligible officials. Representatives  
1179 of the department shall serve as nonvoting advisers to ~~members~~  
1180 ~~of~~ the M.P.O. governing board. Additional nonvoting advisers may  
1181 be appointed by the M.P.O. as deemed necessary; however, to the  
1182 maximum extent feasible, each M.P.O. shall seek to appoint  
1183 nonvoting representatives of various multimodal forms of  
1184 transportation not otherwise represented by voting members of  
1185 the M.P.O. An M.P.O. shall appoint nonvoting advisers  
1186 representing major military installations located within the  
1187 jurisdictional boundaries of the M.P.O. upon the request of the  
1188 aforesaid major military installations and subject to the  
1189 agreement of the M.P.O. All nonvoting advisers may attend and  
1190 participate fully in governing board meetings but shall not have  
1191 a vote and shall not be members of the governing board. The  
1192 Governor shall review the composition of the M.P.O. membership  
1193 in conjunction with the decennial census as prepared by the

1194 United States Department of Commerce, Bureau of the Census, and  
 1195 reapportion it as necessary to comply with subsection (3).

1196 Section 19. Subsection (2) of section 339.63, Florida  
 1197 Statutes, is amended to read:

1198 339.63 System facilities designated; additions and  
 1199 deletions.—

1200 (2) The Strategic Intermodal System and the Emerging  
 1201 Strategic Intermodal System include four ~~three~~ different types  
 1202 of facilities that each form one component of an interconnected  
 1203 transportation system which types include:

1204 (a) Existing or planned hubs that are ports and terminals  
 1205 including airports, seaports, spaceports, passenger terminals,  
 1206 and rail terminals serving to move goods or people between  
 1207 Florida regions or between Florida and other markets in the  
 1208 United States and the rest of the world.†

1209 (b) Existing or planned corridors that are highways, rail  
 1210 lines, waterways, and other exclusive-use facilities connecting  
 1211 major markets within Florida or between Florida and other states  
 1212 or nations.† ~~and~~

1213 (c) Existing or planned intermodal connectors that are  
 1214 highways, rail lines, waterways or local public transit systems  
 1215 serving as connectors between the components listed in  
 1216 paragraphs (a) and (b).

1217 (d) Existing or planned military access facilities that  
 1218 are highways or rail lines linking Strategic Intermodal System  
 1219 corridors to the state's strategic military installations.

1220 Section 20. Section 339.64, Florida Statutes, is amended  
 1221 to read:

1222 339.64 Strategic Intermodal System Plan.—

1223 (1) The department shall develop, in cooperation with  
 1224 metropolitan planning organizations, regional planning councils,  
 1225 local governments, ~~the Statewide Intermodal Transportation~~  
 1226 ~~Advisory Council~~ and other transportation providers, a Strategic  
 1227 Intermodal System Plan. The plan shall be consistent with the  
 1228 Florida Transportation Plan developed pursuant to s. 339.155 and  
 1229 shall be updated at least once every 5 years, subsequent to  
 1230 updates of the Florida Transportation Plan.

1231 (2) In association with the continued development of the  
 1232 Strategic Intermodal System Plan, the Florida Transportation  
 1233 Commission, as part of its work program review process, shall  
 1234 conduct an annual assessment of the progress that the department  
 1235 and its transportation partners have made in realizing the goals  
 1236 of economic development, improved mobility, and increased  
 1237 intermodal connectivity of the Strategic Intermodal System. The  
 1238 Florida Transportation Commission shall coordinate with the  
 1239 department, ~~the Statewide Intermodal Transportation Advisory~~  
 1240 ~~Council~~, and other appropriate entities when developing this  
 1241 assessment. The Florida Transportation Commission shall deliver  
 1242 a report to the Governor and Legislature no later than 14 days  
 1243 after the regular session begins, with recommendations as  
 1244 necessary to fully implement the Strategic Intermodal System.

1245 (3) (a) During the development of updates to the Strategic  
 1246 Intermodal System Plan, the department shall provide  
 1247 metropolitan planning organizations, regional planning councils,  
 1248 local governments, transportation providers, affected public

1249 agencies, and citizens with an opportunity to participate in and  
1250 comment on the development of the update.

1251 (b) The department also shall coordinate with federal,  
1252 regional, and local partners the planning for the Strategic  
1253 Highway Network and the Strategic Rail Corridor Network  
1254 transportation facilities that either are included in the  
1255 Strategic Intermodal System or that provide a direct connection  
1256 between military installations and the Strategic Intermodal  
1257 System. In addition, the department shall coordinate with  
1258 regional and local partners to determine whether the road and  
1259 other transportation infrastructure that connect military  
1260 installations to the Strategic Intermodal System, the Strategic  
1261 Highway Network, or the Strategic Rail Corridor is regionally  
1262 significant and should be included in the Strategic Intermodal  
1263 System Plan.

1264 (4) The Strategic Intermodal System Plan shall include the  
1265 following:

1266 (a) A needs assessment.

1267 (b) A project prioritization process.

1268 (c) A map of facilities designated as Strategic Intermodal  
1269 System facilities; facilities that are emerging in importance  
1270 and that are likely to become part of the system in the future;  
1271 and planned facilities that will meet the established criteria.

1272 (d) A finance plan based on reasonable projections of  
1273 anticipated revenues, including both 10-year and at least 20-  
1274 year cost-feasible components.

1275 (e) An assessment of the impacts of proposed improvements  
1276 to Strategic Intermodal System corridors on military

1277 installations that are either located directly on the Strategic  
 1278 Intermodal System or located on the Strategic Highway Network or  
 1279 Strategic Rail Corridor Network.

1280 ~~(5) STATEWIDE INTERMODAL TRANSPORTATION ADVISORY COUNCIL.~~

1281 ~~(a) The Statewide Intermodal Transportation Advisory~~  
 1282 ~~Council is created to advise and make recommendations to the~~  
 1283 ~~Legislature and the department on policies, planning, and~~  
 1284 ~~funding of intermodal transportation projects. The council's~~  
 1285 ~~responsibilities shall include:~~

1286 ~~1. Advising the department on the policies, planning, and~~  
 1287 ~~implementation of strategies related to intermodal~~  
 1288 ~~transportation.~~

1289 ~~2. Providing advice and recommendations to the Legislature~~  
 1290 ~~on funding for projects to move goods and people in the most~~  
 1291 ~~efficient and effective manner for the State of Florida.~~

1292 ~~(b) MEMBERSHIP. Members of the Statewide Intermodal~~  
 1293 ~~Transportation Advisory Council shall consist of the following:~~

1294 ~~1. Six intermodal industry representatives selected by the~~  
 1295 ~~Governor as follows:~~

1296 ~~a. One representative from an airport involved in the~~  
 1297 ~~movement of freight and people from their airport facility to~~  
 1298 ~~another transportation mode.~~

1299 ~~b. One individual representing a fixed route, local-~~  
 1300 ~~government transit system.~~

1301 ~~e. One representative from an intercity bus company~~  
 1302 ~~providing regularly scheduled bus travel as determined by~~  
 1303 ~~federal regulations.~~

1304 ~~d. One representative from a spaceport.~~

1305 ~~e. One representative from intermodal trucking companies.~~  
 1306 ~~f. One representative having command responsibilities of a~~  
 1307 ~~major military installation.~~  
 1308 ~~2. Three intermodal industry representatives selected by~~  
 1309 ~~the President of the Senate as follows:~~  
 1310 ~~a. One representative from major line railroads.~~  
 1311 ~~b. One representative from seaports listed in s. 311.09(1)~~  
 1312 ~~from the Atlantic Coast.~~  
 1313 ~~e. One representative from an airport involved in the~~  
 1314 ~~movement of freight and people from their airport facility to~~  
 1315 ~~another transportation mode.~~  
 1316 ~~3. Three intermodal industry representatives selected by~~  
 1317 ~~the Speaker of the House of Representatives as follows:~~  
 1318 ~~a. One representative from short line railroads.~~  
 1319 ~~b. One representative from seaports listed in s. 311.09(1)~~  
 1320 ~~from the Gulf Coast.~~  
 1321 ~~e. One representative from intermodal trucking companies.~~  
 1322 ~~In no event may this representative be employed by the same~~  
 1323 ~~company that employs the intermodal trucking company~~  
 1324 ~~representative selected by the Governor.~~  
 1325 ~~(c) Initial appointments to the council must be made no~~  
 1326 ~~later than 30 days after the effective date of this section.~~  
 1327 ~~1. The initial appointments made by the President of the~~  
 1328 ~~Senate and the Speaker of the House of Representatives shall~~  
 1329 ~~serve terms concurrent with those of the respective appointing~~  
 1330 ~~officer. Beginning January 15, 2005, and for all subsequent~~  
 1331 ~~appointments, council members appointed by the President of the~~  
 1332 ~~Senate and the Speaker of the House of Representatives shall~~



1333 ~~serve 2-year terms, concurrent with the term of the respective~~  
 1334 ~~appointing officer.~~

1335 ~~2. The initial appointees, and all subsequent appointees,~~  
 1336 ~~made by the Governor shall serve 2-year terms.~~

1337 ~~3. Vacancies on the council shall be filled in the same~~  
 1338 ~~manner as the initial appointments.~~

1339 ~~(d) Each member of the council shall be allowed one vote.~~  
 1340 ~~The council shall select a chair from among its membership.~~  
 1341 ~~Meetings shall be held at the call of the chair, but not less~~  
 1342 ~~frequently than quarterly. The members of the council shall be~~  
 1343 ~~reimbursed for per diem and travel expenses as provided in s.~~  
 1344 ~~112.061.~~

1345 ~~(e) The department shall provide administrative staff~~  
 1346 ~~support and shall ensure that council meetings are~~  
 1347 ~~electronically recorded. Such recordings and all documents~~  
 1348 ~~received, prepared for, or used by the council in conducting its~~  
 1349 ~~business shall be preserved pursuant to chapters 119 and 257.~~

1350 Section 21. Section 339.65, Florida Statutes, is created  
 1351 to read:

1352 339.65 Strategic Intermodal System highway corridors.-

1353 (1) The department shall plan and develop Strategic  
 1354 Intermodal System highway corridors, including limited and  
 1355 controlled access facilities, allowing for high-speed and high-  
 1356 volume traffic movements within the state. The primary function  
 1357 of these corridors is to provide such traffic movements. Access  
 1358 to abutting land is subordinate to this function, and such  
 1359 access must be prohibited or highly regulated.

1360           (2) Strategic Intermodal System highway corridors shall  
 1361 include facilities from the following components of the State  
 1362 Highway System that meet the criteria adopted by the department  
 1363 pursuant to s. 339.63:

1364           (a) Interstate highways.

1365           (b) The Florida Turnpike System.

1366           (c) Interregional and intercity limited access facilities.

1367           (d) Existing interregional and intercity arterial highways  
 1368 previously upgraded or upgraded in the future to limited access  
 1369 or controlled access facility standards.

1370           (e) New limited access facilities necessary to complete a  
 1371 balanced statewide system.

1372           (3) The department shall adhere to the following policy  
 1373 guidelines in the development of Strategic Intermodal System  
 1374 highway corridors:

1375           (a) Make capacity improvements to existing facilities  
 1376 where feasible to minimize costs and environmental impacts.

1377           (b) Identify appropriate arterial highways in major  
 1378 transportation corridors for inclusion in a program to bring  
 1379 these facilities up to limited access or controlled access  
 1380 facility standards.

1381           (c) Coordinate proposed projects with appropriate limited  
 1382 access projects undertaken by expressway authorities and local  
 1383 governmental entities.

1384           (d) Maximize the use of limited access facility standards  
 1385 when constructing new arterial highways.

1386           (e) Identify appropriate new limited access highways for  
 1387 inclusion as a part of the Florida Turnpike System.

1388        (f) To the maximum extent feasible, ensure that proposed  
 1389 projects are consistent with approved local government  
 1390 comprehensive plans of the local jurisdictions in which such  
 1391 facilities are to be located and with the transportation  
 1392 improvement program of any metropolitan planning organization in  
 1393 which such facilities are to be located.

1394        (4) The department shall develop and maintain a plan of  
 1395 Strategic Intermodal System highway corridor projects that are  
 1396 anticipated to be let to contract for construction within a time  
 1397 period of at least 20 years. The plan shall also identify when  
 1398 segments of the corridor will meet the standards and criteria  
 1399 developed pursuant to subsection (5).

1400        (5) The department shall establish the standards and  
 1401 criteria for the functional characteristics and design of  
 1402 facilities proposed as part of Strategic Intermodal System  
 1403 highway corridors.

1404        (6) For the purposes of developing the proposed Strategic  
 1405 Intermodal System highway corridors, beginning in fiscal year  
 1406 2003-2004 and for each fiscal year thereafter, the minimum  
 1407 amount allocated shall be based on the fiscal year 2003-2004  
 1408 allocation of \$450 million adjusted annually by the change in  
 1409 the Consumer Price Index for the prior fiscal year compared to  
 1410 the Consumer Price Index for fiscal year 2003-2004.

1411        (7) Any project to be constructed as part of a Strategic  
 1412 Intermodal System highway corridor shall be included in the  
 1413 department's adopted work program. Any Strategic Intermodal  
 1414 System highway corridor projects that are added to or deleted  
 1415 from the previous adopted work program, or any modification to

1416 Strategic Intermodal System highway corridor projects contained  
1417 in the previous adopted work program, shall be specifically  
1418 identified and submitted as a separate part of the tentative  
1419 work program.

1420 Section 22. Subsection (3) of section 341.302, Florida  
1421 Statutes, is amended to read:

1422 341.302 Rail program; duties and responsibilities of the  
1423 department.—The department, in conjunction with other  
1424 governmental entities, including the rail enterprise and the  
1425 private sector, shall develop and implement a rail program of  
1426 statewide application designed to ensure the proper maintenance,  
1427 safety, revitalization, and expansion of the rail system to  
1428 assure its continued and increased availability to respond to  
1429 statewide mobility needs. Within the resources provided pursuant  
1430 to chapter 216, and as authorized under federal law, the  
1431 department shall:

1432 (3) Develop and periodically update the rail system plan,  
1433 on the basis of an analysis of statewide transportation needs.

1434 (a) The plan may contain detailed regional components,  
1435 consistent with regional transportation plans, as needed to  
1436 ensure connectivity within the state's regions, and it shall be  
1437 consistent with the Florida Transportation Plan developed  
1438 pursuant to s. 339.155. The rail system plan shall include an  
1439 identification of priorities, programs, and funding levels  
1440 required to meet statewide and regional needs. The rail system  
1441 plan shall be developed in a manner that will assure the maximum  
1442 use of existing facilities and the optimum integration and  
1443 coordination of the various modes of transportation, public and

1444 private, in the most cost-effective manner possible. The rail  
 1445 system plan shall be updated no later than January 1, 2011, and  
 1446 at least every 5 years thereafter, and include plans for both  
 1447 passenger rail service and freight rail service, accompanied by  
 1448 a report to the Legislature regarding the status of the plan.

1449 (b) In recognition of the department's role in the  
 1450 enhancement of the state's rail system to improve freight and  
 1451 passenger mobility, the department shall:

1452 1. Work closely with all affected communities along an  
 1453 impacted freight rail corridor to identify and address  
 1454 anticipated impacts associated with an increase in freight rail  
 1455 traffic due to implementation of passenger rail.

1456 2. In coordination with the affected local governments and  
 1457 CSX Transportation, Inc., finalize all viable alternatives from  
 1458 the department's Rail Traffic Evaluation Study to identify and  
 1459 develop an alternative route for through freight rail traffic  
 1460 moving through Central Florida, including the counties of Polk  
 1461 and Hillsborough, which would address, to the extent  
 1462 practicable, the effects of commuter rail.

1463 3. Provide technical assistance to a coalition of local  
 1464 governments in Central Florida, including the counties of  
 1465 Brevard, Citrus, Hernando, Hillsborough, Lake, Marion, Orange,  
 1466 Osceola, Pasco, Pinellas, Polk, Manatee, Sarasota, Seminole,  
 1467 Sumter, and Volusia, and the municipalities within those  
 1468 counties, to develop a regional rail system plan that addresses  
 1469 passenger and freight opportunities in the region, is consistent  
 1470 with the Florida Rail System Plan, and incorporates appropriate  
 1471 elements of the Tampa Bay Area Regional Authority Master Plan,

1472 the Metroplan Orlando Regional Transit System Concept Plan,  
 1473 including the SunRail project, and the Florida Department of  
 1474 Transportation Alternate Rail Traffic Evaluation.

1475 4. Provide for, to the extent funds are available and  
 1476 funding for high hazard grade crossing safety projects is not  
 1477 adversely affected:

1478 a. Construction of supplemental safety measures, known as  
 1479 quadrant gates, as authorized by the Federal Railroad  
 1480 Administration for quiet zone crossings, at any rail crossing  
 1481 located along a passenger rail corridor and giving priority to  
 1482 such projects in areas where a one-to-one local match is  
 1483 available; and

1484 b. Improvements at multimodal transportation centers, only  
 1485 for the period of time that the passenger rail system is  
 1486 operated and maintained by the department, that serve more than  
 1487 one transportation mode, including, but not limited to, buses,  
 1488 bicycles, and passenger rail, in an effort to maximize the  
 1489 benefits of a passenger rail system. Priority shall be given to  
 1490 multimodal transportation centers that have established the  
 1491 regulatory framework for transit-oriented development in and  
 1492 around its downtown service area.

1493 Section 23. Paragraph (c) of subsection (4) of section  
 1494 348.0003, Florida Statutes, is amended to read:

1495 348.0003 Expressway authority; formation; membership.—

1496 (4)

1497 (c) Members of each expressway authority, transportation  
 1498 authority, bridge authority, or toll authority, created pursuant  
 1499 to this chapter, chapter 343, ~~or chapter 349~~ or any other

1500 general legislative enactment shall comply with the applicable  
1501 financial disclosure requirements of s. 8, Art. II of the State  
1502 Constitution. This paragraph does not subject any statutorily  
1503 created authority, other than an expressway authority created  
1504 under this part, to any other requirement of this part except  
1505 the requirement of this paragraph.

1506 Section 24. Subsection (3) of section 349.03, Florida  
1507 Statutes, is amended to read:

1508 349.03 Jacksonville Transportation Authority.—

1509 (3) (a) The terms of appointed members shall be for 4 years  
1510 deemed to have commenced on June 1 of the year in which they are  
1511 appointed. Each member shall hold office until a successor has  
1512 been appointed and has qualified. A vacancy during a term shall  
1513 be filled by the respective appointing authority only for the  
1514 balance of the unexpired term. Any member appointed to the  
1515 authority for two consecutive full terms shall not be eligible  
1516 for appointment to the next succeeding term. One of the members  
1517 so appointed shall be designated annually by the members as  
1518 chair of the authority, one member shall be designated annually  
1519 as the vice chair of the authority, one member shall be  
1520 designated annually as the secretary of the authority, and one  
1521 member shall be designated annually as the treasurer of the  
1522 authority. The members of the authority shall not be entitled to  
1523 compensation, but shall be reimbursed for travel expenses or  
1524 other expenses actually incurred in their duties as provided by  
1525 law. Four voting members of the authority shall constitute a  
1526 quorum, and no resolution adopted by the authority shall become  
1527 effective unless with the affirmative vote of at least four

1528 | members. Members of the authority shall file as their mandatory  
 1529 | financial disclosure a statement of financial interest with the  
 1530 | Commission on Ethics as provided in s. 112.3145(2)(b).

1531 |       (b) The authority shall employ an executive director, and  
 1532 | the executive director may hire such staff, permanent or  
 1533 | temporary, as he or she may determine and may organize the staff  
 1534 | of the authority into such departments and units as he or she  
 1535 | may determine. The executive director may appoint department  
 1536 | directors, deputy directors, division chiefs, and staff  
 1537 | assistants to the executive director, as he or she may  
 1538 | determine. In so appointing the executive director, the  
 1539 | authority may fix the compensation of such appointee, who shall  
 1540 | serve at the pleasure of the authority. All employees of the  
 1541 | authority shall be exempt from the provisions of part II of  
 1542 | chapter 110. The authority may employ such financial advisers  
 1543 | and consultants, technical experts, engineers, and agents and  
 1544 | employees, permanent or temporary, as it may require and may fix  
 1545 | the compensation and qualifications of such persons, firms, or  
 1546 | corporations. The authority may delegate to one or more of its  
 1547 | agents or employees such of its powers as it shall deem  
 1548 | necessary to carry out the purposes of this chapter, subject  
 1549 | always to the supervision and control of the governing body of  
 1550 | the authority.

1551 |       Section 25. Subsection (8) is added to section 349.04,  
 1552 | Florida Statutes, to read:

1553 |       349.04 Purposes and powers.—

1554 |       (8) The authority may conduct public meetings and  
 1555 | workshops by means of communications media technology, as



1556 provided in s. 120.54(5). However, a resolution, rule, or formal  
1557 action is not binding unless a quorum is physically present at  
1558 the noticed meeting location, and only members physically  
1559 present may vote on any item.

1560 Section 26. Subsection (6) is added to section 373.413,  
1561 Florida Statutes, to read:

1562 373.413 Permits for construction or alteration.—

1563 (6) It is the intent of the Legislature that the governing  
1564 board or department exercise flexibility in the permitting of  
1565 stormwater management systems associated with the construction  
1566 or alteration of systems serving state transportation projects  
1567 and facilities. Because of the unique limitations of linear  
1568 facilities, the governing board or department shall balance the  
1569 expenditure of public funds for stormwater treatment for state  
1570 transportation projects and facilities with the benefits to the  
1571 public in providing the most cost efficient and effective method  
1572 of achieving the treatment objectives. In consideration thereof,  
1573 the governing board or department shall allow alternatives to  
1574 onsite treatment, including, but not limited to, regional  
1575 stormwater treatment systems. The Department of Transportation  
1576 is responsible for treating stormwater generated from state  
1577 transportation projects but is not responsible for the abatement  
1578 of pollutants and flows entering its stormwater management  
1579 systems from offsite. However, this subsection does not prohibit  
1580 the Department of Transportation from receiving and managing  
1581 such pollutants and flows when it is found to be cost-effective  
1582 and prudent. Further, in association with rights-of-way  
1583 acquisition for state transportation projects, the Department of

1584 Transportation is responsible for providing stormwater treatment  
1585 and attenuation for additional rights-of-way, but is not  
1586 responsible for modifying permits of adjacent lands when it is  
1587 not the permittee. To accomplish this, the governing board or  
1588 department shall adopt rules for these activities.

1589 Section 27. Section 479.075, Florida Statutes, is created  
1590 to read:

1591 479.075 Sign permit fee limitations.-

1592 (1) As used in this section, the term:

1593 (a) "Sign" means any sign, wall mural, or media tower as  
1594 defined in s. 479.01 or as defined by a local government  
1595 agreement, resolution, or ordinance.

1596 (b) "Sign permit fee" means any payment required as a  
1597 condition for building, erecting, inspecting, renewing,  
1598 maintaining, operating, relocating, or reconstructing a sign or  
1599 required pursuant to any agreement, ordinance, or resolution  
1600 that includes any provision relating to the issuance of a sign  
1601 permit or otherwise authorizing the building, erection,  
1602 inspection, renewal, maintenance, operation, relocation, or  
1603 reconstruction of a sign.

1604 (2) A local government may establish by agreement,  
1605 resolution, or ordinance a sign permit fee schedule and may  
1606 assess fees for sign permits. The fee schedule must be based on  
1607 the actual cost of administering the local government sign  
1608 permitting program, the fee may not exceed the actual cost of  
1609 administering the program, and the local government shall  
1610 maintain information to justify the cost of administering the  
1611 program.

1612           (3) The provisions of this section do not apply to a sign  
 1613 on property which a governmental entity has a property interest.  
 1614 This section does not affect the validity of any other aspect of  
 1615 any agreement, resolution, or ordinance regarding signs or  
 1616 require the removal of any sign or repayment of any fees already  
 1617 paid. A local government that requires the removal of a sign as  
 1618 the result of the adoption of this section must adhere to the  
 1619 provision of s. 70.20(2).

1620           Section 28. Section 479.106, Florida Statutes, is amended  
 1621 to read:

1622           479.106 Vegetation management.—

1623           (1) The removal, cutting, or trimming of trees or  
 1624 vegetation on public right-of-way to make visible or to ensure  
 1625 future visibility of the facing of a proposed sign or previously  
 1626 permitted sign shall be performed only with the written  
 1627 permission of the department in accordance with the provisions  
 1628 of this section.

1629           (2) Any person desiring to engage in the removal, cutting,  
 1630 or trimming of trees or vegetation for the purposes herein  
 1631 described shall apply for an appropriate permit by ~~make~~ written  
 1632 application to the department. The application for a permit  
 1633 shall include, at the election of the applicant, one of the  
 1634 following:

1635           (a) A vegetation management plan consisting of a property  
 1636 sketch indicating the onsite location of the vegetation or  
 1637 individual trees to be removed, cut, or trimmed and describing  
 1638 the existing conditions and proposed work to be accomplished.

1639 (b) Mitigation contribution to the Federal Grants Trust  
 1640 Fund pursuant to s. 589.277(2) using values of a wholesale plant  
 1641 nursery registered with the Division of Plant Industry of the  
 1642 Department of Agriculture and Consumer Services.

1643 (c) A combination of both a vegetation management plan and  
 1644 mitigation contribution ~~the applicant's plan for the removal,~~  
 1645 ~~cutting, or trimming and for the management of any vegetation~~  
 1646 ~~planted as part of a mitigation plan.~~

1647 (3) In evaluating a vegetation management plan or  
 1648 mitigation contribution, the department ~~As a condition of any~~  
 1649 ~~removal of trees or vegetation, and where the department deems~~  
 1650 ~~appropriate as a condition of any cutting or trimming, the~~  
 1651 ~~department may require a vegetation management plan, approved by~~  
 1652 ~~the department, which considers conservation and mitigation, or~~  
 1653 ~~contribution to a plan of mitigation, for the replacement of~~  
 1654 ~~such vegetation. Each plan or contribution shall reasonably~~  
 1655 evaluate the application as it relates ~~relate~~ to the vegetation  
 1656 being affected by the application, taking into consideration the  
 1657 condition of such vegetation, and, where appropriate, require a  
 1658 vegetation management plan to consider conservation and  
 1659 mitigation, or a contribution to a plan of mitigation, for the  
 1660 cutting or removal of such vegetation. The department may  
 1661 approve ~~shall include~~ plantings that ~~which~~ will allow reasonable  
 1662 visibility of sign facings while screening sign structural  
 1663 supports. Only herbicides approved by the Department of  
 1664 Agriculture and Consumer Services may be used in the removal of  
 1665 vegetation. The department shall act on the application for  
 1666 approval of vegetation management plans, or approval of

1667 mitigation contribution, within 30 days after receipt of such  
1668 application. A permit issued in response to such application is  
1669 valid for 5 years, may be renewed for an additional 5 years by  
1670 payment of the applicable application fee, and is binding upon  
1671 the department. The department may establish special mitigation  
1672 programs for the beautification and aesthetic improvement of  
1673 designated areas and permit individual applicants to contribute  
1674 to such programs as a part or in lieu of other mitigation  
1675 requirements.

1676 (4) The department may establish an application fee not to  
1677 exceed \$25 for each individual application to defer the costs of  
1678 processing such application and a fee not to exceed \$200 to  
1679 defer the costs of processing an application for multiple sites.

1680 (5) The department may only grant a permit pursuant to s.  
1681 479.07 for a new sign which requires the removal, cutting, or  
1682 trimming of existing trees or vegetation on public right-of-way  
1683 for the sign face to be visible from the highway when the sign  
1684 owner has removed one ~~at least two~~ nonconforming sign ~~signs~~ of  
1685 approximate comparable size and surrendered the permits for the  
1686 nonconforming signs to the department for cancellation. For  
1687 signs originally permitted after July 1, 1996, no permit for the  
1688 removal, cutting, or trimming of trees or vegetation shall be  
1689 granted where such trees or vegetation are part of a  
1690 beautification project implemented prior to the date of the  
1691 original sign permit application, when the beautification  
1692 project is specifically identified in the department's  
1693 construction plans, permitted landscape projects, or agreements.

1694 (6) As a minimum, view zones shall be established along  
 1695 the public rights-of-way of interstate highways, expressways,  
 1696 federal-aid primary highways, and the State Highway System in  
 1697 the state, excluding privately or other publicly owned property,  
 1698 as follows:

1699 (a) A view zone of 350 feet for posted speed limits of 35  
 1700 miles per hour or less.

1701 (b) A view zone of 500 feet for posted speed limits of  
 1702 more than 35 miles per hour.

1703  
 1704 The established view zone shall be within the first 1,000 feet  
 1705 measured along the edge of the pavement in the direction of  
 1706 approaching traffic from a point on the edge of the pavement  
 1707 perpendicular to the edge of the sign facing nearest the highway  
 1708 and shall be continuous unless interrupted by vegetation that  
 1709 has established historical significance, is protected by state  
 1710 law, or has a circumference, measured at 4 and 1/2 feet above  
 1711 grade, equal to or greater than 70 percent of the circumference  
 1712 of the Florida Champion of the same species as listed in the  
 1713 Florida Register of Big Trees of the Florida Native Plant  
 1714 Society. The sign owner may designate the specific location of  
 1715 the view zone for each sign facing. In the absence of such  
 1716 designation, the established view zone shall be measured from  
 1717 the sign along the edge of the pavement in the direction of  
 1718 approaching traffic as provided in this subsection.

1719 (7) ~~(6)~~ Beautification projects, trees, or other vegetation  
 1720 shall not be planted or located in the view zone of legally  
 1721 erected and permitted outdoor advertising signs which have been

1722 permitted prior to the date of the beautification project or  
 1723 other planting, where such planting will, at the time of  
 1724 planting or after future growth, screen such sign from view. The  
 1725 department shall provide written notice to the owner not less  
 1726 than 90 days before commencing a beautification project or other  
 1727 vegetation planting that may affect a sign, allowing such owner  
 1728 not less than 60 days to designate the specific location of the  
 1729 view zone of such affected sign. A sign owner is not required to  
 1730 prepare a vegetation management plan or secure a vegetation  
 1731 management permit for the implementation of beautification  
 1732 projects.

1733 ~~(a) View zones are established along the public rights-of-~~  
 1734 ~~way of interstate highways, expressways, federal-aid primary~~  
 1735 ~~highways, and the State Highway System in the state, excluding~~  
 1736 ~~privately or other publicly owned property, as follows:~~

1737 ~~1. A view zone of 350 feet for posted speed limits of 35~~  
 1738 ~~miles per hour or less.~~

1739 ~~2. A view zone of 500 feet for posted speed limits of over~~  
 1740 ~~35 miles per hour.~~

1741 ~~(b) The established view zone shall be within the first~~  
 1742 ~~1,000 feet measured along the edge of the pavement in the~~  
 1743 ~~direction of approaching traffic from a point on the edge of the~~  
 1744 ~~pavement perpendicular to the edge of the sign facing nearest~~  
 1745 ~~the highway and shall be continuous unless interrupted by~~  
 1746 ~~existing, naturally occurring vegetation. The department and the~~  
 1747 ~~sign owner may enter into an agreement identifying the specific~~  
 1748 ~~location of the view zone for each sign facing. In the absence~~  
 1749 ~~of such agreement, the established view zone shall be measured~~

1750 ~~from the sign along the edge of the pavement in the direction of~~  
1751 ~~approaching traffic as provided in this subsection.~~

1752 (a)~~(e)~~ If a sign owner alleges any governmental entity or  
1753 other party has violated this subsection, the sign owner must  
1754 provide 90 days' written notice to the governmental entity or  
1755 other party allegedly violating this subsection. If the alleged  
1756 violation is not cured by the governmental entity or other party  
1757 within the 90-day period, the sign owner may file a claim in the  
1758 circuit court where the sign is located. A copy of such  
1759 complaint shall be served contemporaneously upon the  
1760 governmental entity or other party. If the circuit court  
1761 determines a violation of this subsection has occurred, the  
1762 court shall award a claim for compensation equal to the lesser  
1763 of the revenue from the sign lost during the time of screening  
1764 or the fair market value of the sign, and the governmental  
1765 entity or other party shall pay the award of compensation  
1766 subject to available appeal. Any modification or removal of  
1767 material within a beautification project or other planting by  
1768 the governmental entity or other party to cure an alleged  
1769 violation shall not require the issuance of a permit from the  
1770 Department of Transportation provided not less than 48 hours'  
1771 notice is provided to the department of the modification or  
1772 removal of the material. A natural person, private corporation,  
1773 or private partnership licensed under part II of chapter 481  
1774 providing design services for beautification or other projects  
1775 shall not be subject to a claim of compensation under this  
1776 section when the initial project design meets the requirements  
1777 of this section.



1778            (b)~~(d)~~ This subsection shall not apply to the provisions  
 1779 of any existing written agreement executed before July 1, 2006,  
 1780 between any local government and the owner of an outdoor  
 1781 advertising sign.

1782            (8)~~(7)~~ Any person engaging in removal, cutting, or  
 1783 trimming of trees or vegetation in violation of this section or  
 1784 benefiting from such actions shall be subject to an  
 1785 administrative penalty of up to \$1,000 and required to mitigate  
 1786 for the unauthorized removal, cutting, or trimming in such  
 1787 manner and in such amount as may be required under the rules of  
 1788 the department.

1789            (9)~~(8)~~ The intent of this section is to create partnering  
 1790 relationships which will have the effect of improving the  
 1791 appearance of Florida's highways and creating a net increase in  
 1792 the vegetative habitat along the roads. Department rules shall  
 1793 encourage the use of plants which are low maintenance and native  
 1794 to the general region in which they are planted.

1795            Section 29. Effective upon this act becoming a law,  
 1796 section 3 of chapter 2008-174, Laws of Florida, is amended to  
 1797 read:

1798            Section 3. (1) School districts are encouraged to enter  
 1799 into partnerships with local businesses for purposes of  
 1800 mentorship opportunities, the development of employment options  
 1801 and additional funding sources, and other mutual benefits.

1802            (2) As a pilot program through June 30, 2013 ~~2011~~, the  
 1803 Palm Beach County school district may recognize its business  
 1804 partners by publicly displaying such business partners' names on  
 1805 school district property in the unincorporated areas. "Project

1806 Graduation" and athletic sponsorships are examples of  
 1807 appropriate recognition. The district shall make every effort to  
 1808 display its business partners' names in a manner that is  
 1809 consistent with the county standards for uniformity in size,  
 1810 color, and placement of signs. If the provisions of this section  
 1811 are inconsistent with the county ordinances or regulations  
 1812 relating to signs in the unincorporated areas or inconsistent  
 1813 with chapter 125, chapter 166, or chapter 479, Florida Statutes,  
 1814 the provisions of this section prevail.

1815 Section 30. Edna S. Hargrett-Thrower Avenue designated;  
 1816 Department of Transportation to erect suitable markers.-

1817 (1) That portion of Orange Blossom Trail between Gore  
 1818 Street and Church Street in Orange County is designated as "Edna  
 1819 S. Hargrett-Thrower Avenue."

1820 (2) The Department of Transportation is directed to erect  
 1821 suitable markers designating Edna S. Hargrett-Thrower Avenue as  
 1822 described in subsection (1).

1823 Section 31. SP4 Thomas Berry Corbin Memorial Highway  
 1824 designated; Department of Transportation to erect suitable  
 1825 markers.-

1826 (1) That portion of U.S. Highway 19/27A/98/State Road 55  
 1827 between the Suwannee River Bridge and N.E. 592nd Street/Chavous  
 1828 Road/Kate Green Road in Dixie County is designated as "SP4  
 1829 Thomas Berry Corbin Memorial Highway."

1830 (2) The Department of Transportation is directed to erect  
 1831 suitable markers designating SP4 Thomas Berry Corbin Memorial  
 1832 Highway as described in subsection (1).

1833           Section 32. U.S. Navy BMC Samuel Calhoun Chavous, Jr.  
 1834 Memorial Highway designated; Department of Transportation to  
 1835 erect suitable markers.-

1836           (1) That portion of U.S. Highway 19/98/State Road 55  
 1837 between N.E. 592nd Street/Chavous Road/Kate Green Road and N.E.  
 1838 170th Street in Dixie County is designated as "U.S. Navy BMC  
 1839 Samuel Calhoun Chavous, Jr. Memorial Highway."

1840           (2) The Department of Transportation is directed to erect  
 1841 suitable markers designating U.S. Navy BMC Samuel Calhoun  
 1842 Chavous, Jr. Memorial Highway as described in subsection (1).

1843           Section 33. Marine Lance Corporal Brian R. Buesing  
 1844 Memorial Highway designated; Department of Transportation to  
 1845 erect suitable markers.-

1846           (1) That portion of State Road 24 between County Road 347  
 1847 and Bridge Number 340053 in Levy County is designated as "Marine  
 1848 Lance Corporal Brian R. Buesing Memorial Highway."

1849           (2) The Department of Transportation is directed to erect  
 1850 suitable markers designating Marine Lance Corporal Brian R.  
 1851 Buesing Memorial Highway as described in subsection (1).

1852           Section 34. United States Army Sergeant Karl A. Campbell  
 1853 Memorial Highway designated; Department of Transportation to  
 1854 erect suitable markers.-

1855           (1) That portion of U.S. Highway 19/98/State Road 55/S.  
 1856 Main Street between N.W. 1st Avenue and S.E. 2nd Avenue in Levy  
 1857 County is designated as "United States Army Sergeant Karl A.  
 1858 Campbell Memorial Highway."

1859 (2) The Department of Transportation is directed to erect  
 1860 suitable markers designating United States Army Sergeant Karl A.  
 1861 Campbell Memorial Highway as described in subsection (1).

1862 Section 35. U.S. Army SPC James A. Page Memorial Highway  
 1863 designated; Department of Transportation to erect suitable  
 1864 markers.-

1865 (1) That portion of U.S. Highway 27A/State Road  
 1866 500/Hathaway Avenue between State Road 24/Thrasher Drive and  
 1867 Town Court in Levy County is designated as "U.S. Army SPC James  
 1868 A. Page Memorial Highway."

1869 (2) The Department of Transportation is directed to erect  
 1870 suitable markers designating U.S. Army SPC James A. Page  
 1871 Memorial Highway as described in subsection (1).

1872 Section 36. Veterans Memorial Highway designated;  
 1873 Department of Transportation to erect suitable markers.-

1874 (1) That portion of State Road 19 between U.S. Highway  
 1875 17/State Road 15 and Carriage Drive in the City of Palatka in  
 1876 Putnam County is designated as "Veterans Memorial Highway."

1877 (2) The Department of Transportation is directed to erect  
 1878 suitable markers designating Veterans Memorial Highway as  
 1879 described in subsection (1).

1880 Section 37. Ben G. Watts Highway designated; Department of  
 1881 Transportation to erect suitable markers.-

1882 (1) That portion of U.S. Highway 90/State Road 10 between  
 1883 the Holmes County line and the Jackson County line in Washington  
 1884 County is designated as "Ben G. Watts Highway."

1885 (2) The Department of Transportation is directed to erect  
 1886 suitable markers designating Ben G. Watts Highway as described  
 1887 in subsection (1).

1888 Section 38. Mardi Gras Way designated; Department of  
 1889 Transportation to erect suitable markers.-

1890 (1) That portion of State Road 824 between Interstate 95  
 1891 and U.S. Highway 1 in Broward County is designated as "Mardi  
 1892 Gras Way."

1893 (2) The Department of Transportation is directed to erect  
 1894 suitable markers designating Mardi Gras Way as described in  
 1895 subsection (1).

1896 Section 39. West Park Boulevard designated; Department of  
 1897 Transportation to erect suitable markers.-

1898 (1) That portion of State Road 7 between Pembroke Road and  
 1899 County Line Road in Broward County is designated as "West Park  
 1900 Boulevard."

1901 (2) The Department of Transportation is directed to erect  
 1902 suitable markers designating West Park Boulevard as described in  
 1903 subsection (1).

1904 Section 40. Pembroke Park Boulevard designated; Department  
 1905 of Transportation to erect suitable markers.-

1906 (1) That portion of State Road 858/Hallandale Beach  
 1907 Boulevard between Interstate 95 and U.S. Highway 441/State Road  
 1908 7 in Broward County is designated as "Pembroke Park Boulevard."

1909 (2) The Department of Transportation is directed to erect  
 1910 suitable markers designating Pembroke Park Boulevard as  
 1911 described in subsection (1).

1912           Section 41. Stark Memorial Drive designated; Department of  
 1913 Transportation to erect suitable markers.-

1914           (1) That portion of State Road 101/Mayport Road between  
 1915 State Road A1A and Wonderwood Connector in Duval County is  
 1916 designated as "Stark Memorial Drive."

1917           (2) The Department of Transportation is directed to erect  
 1918 suitable markers designating Stark Memorial Drive as described  
 1919 in subsection (1).

1920           Section 42. Duval County Law Enforcement Memorial Overpass  
 1921 designated; Department of Transportation to erect suitable  
 1922 markers.-

1923           (1) The Interstate 295/State Road 9A overpass (Bridge  
 1924 Numbers 720256 and 720347) over Interstate 10/State Road 8 in  
 1925 Duval County is designated as "Duval County Law Enforcement  
 1926 Memorial Overpass."

1927           (2) The Department of Transportation is directed to erect  
 1928 suitable markers designating Duval County Law Enforcement  
 1929 Memorial Overpass as described in subsection (1).

1930           Section 43. Verna Bell Way designated; Department of  
 1931 Transportation to erect suitable markers.-

1932           (1) That portion of State Road 200 between Lime Street and  
 1933 Beech Street in the City of Fernandina Beach in Nassau County is  
 1934 designated as "Verna Bell Way."

1935           (2) The Department of Transportation is directed to erect  
 1936 suitable markers designating Verna Bell Way as described in  
 1937 subsection (1).

1938           Section 44. Deputy Hal P. Croft and Deputy Ronald Jackson  
 1939 Memorial Highway designated; Department of Transportation to  
 1940 erect suitable markers.-

1941           (1) That portion of State Road 100 East in Union County  
 1942 between the Bradford County line and the Columbia County line is  
 1943 designated as "Deputy Hal P. Croft and Deputy Ronald Jackson  
 1944 Memorial Highway."

1945           (2) The Department of Transportation is directed to erect  
 1946 suitable markers designating Deputy Hal P. Croft and Deputy  
 1947 Ronald Jackson Memorial Highway as described in subsection (1).

1948           Section 45. Dr. Oscar Elias Biscet Boulevard designated;  
 1949 Department of Transportation to erect suitable markers.-

1950           (1) That portion of Coral Way between S.W. 32nd Avenue and  
 1951 S.W. 37th Avenue in Miami-Dade County is designated as "Dr.  
 1952 Oscar Elias Biscet Boulevard."

1953           (2) The Department of Transportation is directed to erect  
 1954 suitable markers designating Dr. Oscar Elias Biscet Boulevard as  
 1955 described in subsection (1).

1956           Section 46. Alma Lee Loy Bridge designated; Department of  
 1957 Transportation to erect suitable markers.-

1958           (1) Bridge Number 880077 on State Road 656 between State  
 1959 Road A1A and Indian River Boulevard in the City of Vero Beach in  
 1960 Indian River County is designated as "Alma Lee Loy Bridge."

1961           (2) The Department of Transportation is directed to erect  
 1962 suitable markers designating Alma Lee Loy Bridge as described  
 1963 subsection (1).

1964           Section 47. Section 24 of chapter 2010-230, Laws of  
 1965 Florida, is amended to read:

1966 Section 24. Miss Lillie Williams Boulevard designated;  
 1967 Department of Transportation to erect suitable markers.—

1968 (1) That portion of N.W. 79th Street between N.W. 6th  
 1969 Avenue and N.W. 7th ~~E. 12th~~ Avenue in Miami-Dade County is  
 1970 designated as "Miss Lillie Williams Boulevard."

1971 (2) The Department of Transportation is directed to erect  
 1972 suitable markers designating Miss Lillie Williams Boulevard as  
 1973 described in subsection (1).

1974 Section 48. Section 45 of chapter 2010-230, Laws of  
 1975 Florida, is amended to read:

1976 Section 45. Father Gerard Jean-Juste Street designated;  
 1977 Department of Transportation to erect suitable markers.—

1978 (1) That portion of N.W. 54th Street in Miami-Dade County  
 1979 between N.W. 2nd Avenue and N.E. ~~N.W.~~ 3rd Avenue in Little Haiti  
 1980 is designated "Father Gerard Jean-Juste Street."

1981 (2) The Department of Transportation is directed to erect  
 1982 suitable markers designating Father Gerard Jean-Juste Street as  
 1983 described in subsection (1).

1984 Section 49. Paragraph (a) of subsection (12) of section  
 1985 163.3180, Florida Statutes, is amended to read:

1986 163.3180 Concurrency.—

1987 (12) (a) A development of regional impact may satisfy the  
 1988 transportation concurrency requirements of the local  
 1989 comprehensive plan, the local government's concurrency  
 1990 management system, and s. 380.06 by payment of a proportionate-  
 1991 share contribution for local and regionally significant traffic  
 1992 impacts, if:



1993 1. The development of regional impact which, based on its  
 1994 location or mix of land uses, is designed to encourage  
 1995 pedestrian or other nonautomotive modes of transportation;

1996 2. The proportionate-share contribution for local and  
 1997 regionally significant traffic impacts is sufficient to pay for  
 1998 one or more required mobility improvements that will benefit a  
 1999 regionally significant transportation facility;

2000 3. The owner and developer of the development of regional  
 2001 impact pays or assures payment of the proportionate-share  
 2002 contribution; and

2003 4. If the regionally significant transportation facility  
 2004 to be constructed or improved is under the maintenance authority  
 2005 of a governmental entity, as defined by s. 334.03~~(12)~~, other  
 2006 than the local government with jurisdiction over the development  
 2007 of regional impact, the developer is required to enter into a  
 2008 binding and legally enforceable commitment to transfer funds to  
 2009 the governmental entity having maintenance authority or to  
 2010 otherwise assure construction or improvement of the facility.

2011  
 2012 The proportionate-share contribution may be applied to any  
 2013 transportation facility to satisfy the provisions of this  
 2014 subsection and the local comprehensive plan, but, for the  
 2015 purposes of this subsection, the amount of the proportionate-  
 2016 share contribution shall be calculated based upon the cumulative  
 2017 number of trips from the proposed development expected to reach  
 2018 roadways during the peak hour from the complete buildout of a  
 2019 stage or phase being approved, divided by the change in the peak  
 2020 hour maximum service volume of roadways resulting from

2021 construction of an improvement necessary to maintain the adopted  
 2022 level of service, multiplied by the construction cost, at the  
 2023 time of developer payment, of the improvement necessary to  
 2024 maintain the adopted level of service. For purposes of this  
 2025 subsection, "construction cost" includes all associated costs of  
 2026 the improvement. Proportionate-share mitigation shall be limited  
 2027 to ensure that a development of regional impact meeting the  
 2028 requirements of this subsection mitigates its impact on the  
 2029 transportation system but is not responsible for the additional  
 2030 cost of reducing or eliminating backlogs. This subsection also  
 2031 applies to Florida Quality Developments pursuant to s. 380.061  
 2032 and to detailed specific area plans implementing optional sector  
 2033 plans pursuant to s. 163.3245.

2034 Section 50. Paragraph (k) of subsection (1) of section  
 2035 163.3187, Florida Statutes, is amended to read:

2036 163.3187 Amendment of adopted comprehensive plan.—

2037 (1) Amendments to comprehensive plans adopted pursuant to  
 2038 this part may be made not more than two times during any  
 2039 calendar year, except:

2040 (k) A local comprehensive plan amendment directly related  
 2041 to providing transportation improvements to enhance life safety  
 2042 on controlled access major arterial highways identified in the  
 2043 Strategic Intermodal System ~~Florida Intrastate Highway System~~,  
 2044 in counties as defined in s. 125.011, where such roadways have a  
 2045 high incidence of traffic accidents resulting in serious injury  
 2046 or death. Any such amendment shall not include any amendment  
 2047 modifying the designation on a comprehensive development plan

2048 | land use map nor any amendment modifying the allowable densities  
 2049 | or intensities of any land.

2050 |       Section 51. Subsection (3) of section 288.063, Florida  
 2051 | Statutes, is amended to read:

2052 |       288.063 Contracts for transportation projects.-

2053 |       (3) With respect to any contract executed pursuant to this  
 2054 | section, the term "transportation project" means a  
 2055 | transportation facility as defined in s. 334.03~~(31)~~ which is  
 2056 | necessary in the judgment of the Office of Tourism, Trade, and  
 2057 | Economic Development to facilitate the economic development and  
 2058 | growth of the state. Except for applications received prior to  
 2059 | July 1, 1996, such transportation projects shall be approved  
 2060 | only as a consideration to attract new employment opportunities  
 2061 | to the state or expand or retain employment in existing  
 2062 | companies operating within the state, or to allow for the  
 2063 | construction or expansion of a state or federal correctional  
 2064 | facility in a county with a population of 75,000 or less that  
 2065 | creates new employment opportunities or expands or retains  
 2066 | employment in the county. The Office of Tourism, Trade, and  
 2067 | Economic Development shall institute procedures to ensure that  
 2068 | small and minority businesses have equal access to funding  
 2069 | provided under this section. Funding for approved transportation  
 2070 | projects may include any expenses, other than administrative  
 2071 | costs and equipment purchases specified in the contract,  
 2072 | necessary for new, or improvement to existing, transportation  
 2073 | facilities. Funds made available pursuant to this section may  
 2074 | not be expended in connection with the relocation of a business  
 2075 | from one community to another community in this state unless the

2076 Office of Tourism, Trade, and Economic Development determines  
2077 that without such relocation the business will move outside this  
2078 state or determines that the business has a compelling economic  
2079 rationale for the relocation which creates additional jobs.  
2080 Subject to appropriation for projects under this section, any  
2081 appropriation greater than \$10 million shall be allocated to  
2082 each of the districts of the Department of Transportation to  
2083 ensure equitable geographical distribution. Such allocated funds  
2084 that remain uncommitted by the third quarter of the fiscal year  
2085 shall be reallocated among the districts based on pending  
2086 project requests.

2087 Section 52. Paragraph (b) of subsection (3) of section  
2088 311.07, Florida Statutes, is amended to read:

2089 311.07 Florida seaport transportation and economic  
2090 development funding.—

2091 (3)

2092 (b) Projects eligible for funding by grants under the  
2093 program are limited to the following port facilities or port  
2094 transportation projects:

2095 1. Transportation facilities within the jurisdiction of  
2096 the port.

2097 2. The dredging or deepening of channels, turning basins,  
2098 or harbors.

2099 3. The construction or rehabilitation of wharves, docks,  
2100 structures, jetties, piers, storage facilities, cruise  
2101 terminals, automated people mover systems, or any facilities  
2102 necessary or useful in connection with any of the foregoing.

2103 4. The acquisition of vessel tracking systems, container  
 2104 cranes, or other mechanized equipment used in the movement of  
 2105 cargo or passengers in international commerce.

2106 5. The acquisition of land to be used for port purposes.

2107 6. The acquisition, improvement, enlargement, or extension  
 2108 of existing port facilities.

2109 7. Environmental protection projects which are necessary  
 2110 because of requirements imposed by a state agency as a condition  
 2111 of a permit or other form of state approval; which are necessary  
 2112 for environmental mitigation required as a condition of a state,  
 2113 federal, or local environmental permit; which are necessary for  
 2114 the acquisition of spoil disposal sites and improvements to  
 2115 existing and future spoil sites; or which result from the  
 2116 funding of eligible projects listed in this paragraph.

2117 8. Transportation facilities as defined in s. 334.03~~(31)~~  
 2118 which are not otherwise part of the Department of  
 2119 Transportation's adopted work program.

2120 9. Seaport intermodal access projects identified in the 5-  
 2121 year Florida Seaport Mission Plan as provided in s. 311.09(3).

2122 10. Construction or rehabilitation of port facilities as  
 2123 defined in s. 315.02, excluding any park or recreational  
 2124 facilities, in ports listed in s. 311.09(1) with operating  
 2125 revenues of \$5 million or less, provided that such projects  
 2126 create economic development opportunities, capital improvements,  
 2127 and positive financial returns to such ports.

2128 Section 53. Subsection (7) of section 311.09, Florida  
 2129 Statutes, is amended to read:

2130           311.09 Florida Seaport Transportation and Economic  
2131 Development Council.—

2132           (7) The Department of Transportation shall review the list  
2133 of projects approved by the council for consistency with the  
2134 Florida Transportation Plan and the department's adopted work  
2135 program. In evaluating the consistency of a project, the  
2136 department shall determine whether the transportation impact of  
2137 the proposed project is adequately handled by existing state-  
2138 owned transportation facilities or by the construction of  
2139 additional state-owned transportation facilities as identified  
2140 in the Florida Transportation Plan and the department's adopted  
2141 work program. In reviewing for consistency a transportation  
2142 facility project as defined in s. 334.03~~(31)~~ which is not  
2143 otherwise part of the department's work program, the department  
2144 shall evaluate whether the project is needed to provide for  
2145 projected movement of cargo or passengers from the port to a  
2146 state transportation facility or local road. If the project is  
2147 needed to provide for projected movement of cargo or passengers,  
2148 the project shall be approved for consistency as a consideration  
2149 to facilitate the economic development and growth of the state  
2150 in a timely manner. The Department of Transportation shall  
2151 identify those projects which are inconsistent with the Florida  
2152 Transportation Plan and the adopted work program and shall  
2153 notify the council of projects found to be inconsistent.

2154           Section 54. Section 316.2122, Florida Statutes, is amended  
2155 to read:

2156           316.2122 Operation of a low-speed vehicle or mini truck on  
2157 certain roadways.—The operation of a low-speed vehicle as

2158 defined in s. 320.01(42) or a mini truck as defined in s.  
2159 320.01(45) on any road ~~as defined in s. 334.03(15) or (33)~~ is  
2160 authorized with the following restrictions:

2161 (1) A low-speed vehicle or mini truck may be operated only  
2162 on streets where the posted speed limit is 35 miles per hour or  
2163 less. This does not prohibit a low-speed vehicle or mini truck  
2164 from crossing a road or street at an intersection where the road  
2165 or street has a posted speed limit of more than 35 miles per  
2166 hour.

2167 (2) A low-speed vehicle must be equipped with headlamps,  
2168 stop lamps, turn signal lamps, taillamps, reflex reflectors,  
2169 parking brakes, rearview mirrors, windshields, seat belts, and  
2170 vehicle identification numbers.

2171 (3) A low-speed vehicle or mini truck must be registered  
2172 and insured in accordance with s. 320.02 and titled pursuant to  
2173 chapter 319.

2174 (4) Any person operating a low-speed vehicle or mini truck  
2175 must have in his or her possession a valid driver's license.

2176 (5) A county or municipality may prohibit the operation of  
2177 low-speed vehicles or mini trucks on any road under its  
2178 jurisdiction if the governing body of the county or municipality  
2179 determines that such prohibition is necessary in the interest of  
2180 safety.

2181 (6) The Department of Transportation may prohibit the  
2182 operation of low-speed vehicles or mini trucks on any road under  
2183 its jurisdiction if it determines that such prohibition is  
2184 necessary in the interest of safety.

2185 Section 55. Paragraph (c) of subsection (5) of section  
 2186 316.515, Florida Statutes, is amended to read:

2187 316.515 Maximum width, height, length.—

2188 (5) IMPLEMENTS OF HUSBANDRY AND FARM EQUIPMENT;  
 2189 AGRICULTURAL TRAILERS; FORESTRY EQUIPMENT; SAFETY REQUIREMENTS.—

2190 (c) The width and height limitations of this section do  
 2191 not apply to farming or agricultural equipment, whether self-  
 2192 propelled, pulled, or hauled, when temporarily operated during  
 2193 daylight hours upon a public road that is not a limited access  
 2194 facility as defined in s. 334.03(13), and the width and height  
 2195 limitations may be exceeded by such equipment without a permit.  
 2196 To be eligible for this exemption, the equipment shall be  
 2197 operated within a radius of 50 miles of the real property owned,  
 2198 rented, or leased by the equipment owner. However, equipment  
 2199 being delivered by a dealer to a purchaser is not subject to the  
 2200 50-mile limitation. Farming or agricultural equipment greater  
 2201 than 174 inches in width must have one warning lamp mounted on  
 2202 each side of the equipment to denote the width and must have a  
 2203 slow-moving vehicle sign. Warning lamps required by this  
 2204 paragraph must be visible from the front and rear of the vehicle  
 2205 and must be visible from a distance of at least 1,000 feet.

2206 Section 56. Section 318.12, Florida Statutes, is amended  
 2207 to read:

2208 318.12 Purpose.—It is the legislative intent in the  
 2209 adoption of this chapter to decriminalize certain violations of  
 2210 chapter 316, the Florida Uniform Traffic Control Law; chapter  
 2211 320, Motor Vehicle Licenses; chapter 322, Drivers' Licenses;  
 2212 chapter 338, Limited Access ~~Florida Intrastate Highway System~~



2213 and Toll Facilities; and chapter 1006, Support of Learning,  
 2214 thereby facilitating the implementation of a more uniform and  
 2215 expeditious system for the disposition of traffic infractions.

2216 Section 57. Subsection (3) of section 335.02, Florida  
 2217 Statutes, is amended to read:

2218 335.02 Authority to designate transportation facilities  
 2219 and rights-of-way and establish lanes; procedure for  
 2220 redesignation and relocation; application of local regulations.-

2221 (3) The department may establish standards for lanes on  
 2222 the State Highway System, including the Strategic Intermodal  
 2223 System highway corridors ~~Florida Intrastate Highway System~~  
 2224 established pursuant to s. 339.65 ~~338.001~~. In determining the  
 2225 number of lanes for any regional corridor or section of highway  
 2226 on the State Highway System to be funded by the department with  
 2227 state or federal funds, the department shall evaluate all  
 2228 alternatives and seek to achieve the highest degree of efficient  
 2229 mobility for corridor users. In conducting the analysis, the  
 2230 department must give consideration to the following factors  
 2231 consistent with sound engineering principles:

2232 (a) Overall economic importance of the corridor as a trade  
 2233 or tourism corridor.

2234 (b) Safety of corridor users, including the importance of  
 2235 the corridor for evacuation purposes.

2236 (c) Cost-effectiveness of alternative methods of  
 2237 increasing the mobility of corridor users.

2238 (d) Current and projected traffic volumes on the corridor.

2239 (e) Multimodal alternatives.

2240 (f) Use of intelligent transportation technology in  
 2241 increasing the efficiency of the corridor.

2242 (g) Compliance with state and federal policies related to  
 2243 clean air, environmental impacts, growth management, livable  
 2244 communities, and energy conservation.

2245 (h) Addition of special use lanes, such as exclusive truck  
 2246 lanes, high-occupancy-vehicle toll lanes, and exclusive  
 2247 interregional traffic lanes.

2248 (i) Availability and cost of rights-of-way, including  
 2249 associated costs, and the most effective use of existing rights-  
 2250 of-way.

2251 (j) Regional economic and transportation objectives, where  
 2252 articulated.

2253 (k) The future land use plan element of local government  
 2254 comprehensive plans, as appropriate, including designated urban  
 2255 infill and redevelopment areas.

2256 (l) The traffic circulation element, if applicable, of  
 2257 local government comprehensive plans, including designated  
 2258 transportation corridors and public transportation corridors.

2259 (m) The approved metropolitan planning organization's  
 2260 long-range transportation plan, as appropriate.

2261  
 2262 This subsection does not preclude a number of lanes in excess of  
 2263 10 lanes, but an additional factor that must be considered  
 2264 before the department may determine that the number of lanes  
 2265 should be more than 10 is the capacity to accommodate in the  
 2266 future alternative forms of transportation within existing or  
 2267 potential rights-of-way.

2268 Section 58. Section 336.01, Florida Statutes, is amended  
 2269 to read:

2270 336.01 Designation of county road system.—The county road  
 2271 system shall be as defined in s. 334.03~~(8)~~.

2272 Section 59. Subsection (2) of section 338.222, Florida  
 2273 Statutes, is amended to read:

2274 338.222 Department of Transportation sole governmental  
 2275 entity to acquire, construct, or operate turnpike projects;  
 2276 exception.—

2277 (2) The department may contract with any local  
 2278 governmental entity as defined in s. 334.03(13)~~(14)~~ for the  
 2279 design, right-of-way acquisition, or construction of any  
 2280 turnpike project which the Legislature has approved. Local  
 2281 governmental entities may negotiate with the department for the  
 2282 design, right-of-way acquisition, and construction of any  
 2283 section of the turnpike project within areas of their respective  
 2284 jurisdictions or within counties with which they have interlocal  
 2285 agreements.

2286 Section 60. Paragraph (b) of subsection (1) of section  
 2287 338.223, Florida Statutes, is amended to read:

2288 338.223 Proposed turnpike projects.—

2289 (1)

2290 (b) Any proposed turnpike project or improvement shall be  
 2291 developed in accordance with the Florida Transportation Plan and  
 2292 the work program pursuant to s. 339.135. Turnpike projects that  
 2293 add capacity, alter access, affect feeder roads, or affect the  
 2294 operation of the local transportation system shall be included  
 2295 in the transportation improvement plan of the affected

2296 metropolitan planning organization. If such turnpike project  
 2297 does not fall within the jurisdiction of a metropolitan planning  
 2298 organization, the department shall notify the affected county  
 2299 and provide for public hearings in accordance with s.  
 2300 339.155(5)~~(6)~~(c).

2301 Section 61. Subsection (4) of section 338.227, Florida  
 2302 Statutes, is amended to read:

2303 338.227 Turnpike revenue bonds.—

2304 (4) The Department of Transportation and the Department of  
 2305 Management Services shall create and implement an outreach  
 2306 program designed to enhance the participation of minority  
 2307 persons and minority business enterprises in all contracts  
 2308 entered into by their respective departments for services  
 2309 related to the financing of department projects for the  
 2310 Strategic Intermodal System Plan developed pursuant to s. 339.64  
 2311 ~~Florida Intrastate Highway System Plan~~. These services shall  
 2312 include, but not be limited to, bond counsel and bond  
 2313 underwriters.

2314 Section 62. Subsection (2) of section 338.2275, Florida  
 2315 Statutes, is amended to read:

2316 338.2275 Approved turnpike projects.—

2317 (2) The department is authorized to use turnpike revenues,  
 2318 the State Transportation Trust Fund moneys allocated for  
 2319 turnpike projects pursuant to s. 339.65 ~~s. 338.001~~, federal  
 2320 funds, and bond proceeds, and shall use the most cost-efficient  
 2321 combination of such funds, in developing a financial plan for  
 2322 funding turnpike projects. The department must submit a report  
 2323 of the estimated cost for each ongoing turnpike project and for

2324 each planned project to the Legislature 14 days before the  
 2325 convening of the regular legislative session. Verification of  
 2326 economic feasibility and statements of environmental feasibility  
 2327 for individual turnpike projects must be based on the entire  
 2328 project as approved. Statements of environmental feasibility are  
 2329 not required for those projects listed in s. 12, chapter 90-136,  
 2330 Laws of Florida, for which the Project Development and  
 2331 Environmental Reports were completed by July 1, 1990. All  
 2332 required environmental permits must be obtained before the  
 2333 department may advertise for bids for contracts for the  
 2334 construction of any turnpike project.

2335 Section 63. Section 338.228, Florida Statutes, is amended  
 2336 to read:

2337 338.228 Bonds not debts or pledges of credit of state.—  
 2338 Turnpike revenue bonds issued under the provisions of ss.  
 2339 338.22-338.241 are not debts of the state or pledges of the  
 2340 faith and credit of the state. Such bonds are payable  
 2341 exclusively from revenues pledged for their payment. All such  
 2342 bonds shall contain a statement on their face that the state is  
 2343 not obligated to pay the same or the interest thereon, except  
 2344 from the revenues pledged for their payment, and that the faith  
 2345 and credit of the state is not pledged to the payment of the  
 2346 principal or interest of such bonds. The issuance of turnpike  
 2347 revenue bonds under the provisions of ss. 338.22-338.241 does  
 2348 not directly, indirectly, or contingently obligate the state to  
 2349 levy or to pledge any form of taxation whatsoever, or to make  
 2350 any appropriation for their payment. Except as provided in ss.  
 2351 ~~338.001~~, 338.223, ~~and~~ 338.2275, and 339.65, no state funds shall

2352 | be used on any turnpike project or to pay the principal or  
 2353 | interest of any bonds issued to finance or refinance any portion  
 2354 | of the turnpike system, and all such bonds shall contain a  
 2355 | statement on their face to this effect.

2356 |         Section 64. Subsection (2) of section 338.234, Florida  
 2357 | Statutes, is amended to read:

2358 |             338.234 Granting concessions or selling along the turnpike  
 2359 | system; immunity from taxation.—

2360 |             (2) The effectuation of the authorized purposes of the  
 2361 | Strategic Intermodal System, created under ss. 339.61-339.65,  
 2362 | ~~Florida Intrastate Highway System~~ and Florida Turnpike  
 2363 | Enterprise, created under this chapter, is for the benefit of  
 2364 | the people of the state, for the increase of their commerce and  
 2365 | prosperity, and for the improvement of their health and living  
 2366 | conditions; and, because the system and enterprise perform  
 2367 | essential government functions in effectuating such purposes,  
 2368 | neither the turnpike enterprise nor any nongovernment lessee or  
 2369 | licensee renting, leasing, or licensing real property from the  
 2370 | turnpike enterprise, pursuant to an agreement authorized by this  
 2371 | section, are required to pay any commercial rental tax imposed  
 2372 | under s. 212.031 on any capital improvements constructed,  
 2373 | improved, acquired, installed, or used for such purposes.

2374 |         Section 65. Subsections (1) and (3) of section 339.2819,  
 2375 | Florida Statutes, are amended to read:

2376 |             339.2819 Transportation Regional Incentive Program.—

2377 |             (1) There is created within the Department of  
 2378 | Transportation a Transportation Regional Incentive Program for  
 2379 | the purpose of providing funds to improve regionally significant

2380 transportation facilities in regional transportation areas  
 2381 created pursuant to s. 339.155(4)~~(5)~~.

2382 (3) The department shall allocate funding available for  
 2383 the Transportation Regional Incentive Program to the districts  
 2384 based on a factor derived from equal parts of population and  
 2385 motor fuel collections for eligible counties in regional  
 2386 transportation areas created pursuant to s. 339.155(4)~~(5)~~.

2387 Section 66. Subsection (6) of section 339.285, Florida  
 2388 Statutes, is amended to read:

2389 339.285 Enhanced Bridge Program for Sustainable  
 2390 Transportation.—

2391 (6) Preference shall be given to bridge projects located  
 2392 on corridors that connect to the Strategic Intermodal System,  
 2393 created under s. 339.64, and that have been identified as  
 2394 regionally significant in accordance with s. 339.155(4)~~(5)~~(c),  
 2395 (d), and (e).

2396 Section 67. Section 339.62, Florida Statutes, is amended  
 2397 to read:

2398 339.62 System components.—The Strategic Intermodal System  
 2399 shall consist of appropriate components of:

2400 (1) Highway corridors ~~The Florida Intrastate Highway~~  
 2401 ~~System~~ established under s. 339.65 ~~s. 338.001~~.

2402 (2) The National Highway System.

2403 (3) Airport, seaport, and spaceport facilities.

2404 (4) Rail lines and rail facilities.

2405 (5) Selected intermodal facilities; passenger and freight  
 2406 terminals; and appropriate components of the State Highway  
 2407 System, county road system, city street system, inland

2408 waterways, and local public transit systems that serve as  
 2409 existing or planned connectors between the components listed in  
 2410 subsections (1)-(4).

2411 (6) Other existing or planned corridors that serve a  
 2412 statewide or interregional purpose.

2413 Section 68. Subsection (2) of section 341.053, Florida  
 2414 Statutes, is amended to read:

2415 341.053 Intermodal Development Program; administration;  
 2416 eligible projects; limitations.—

2417 (2) In recognition of the department's role in the  
 2418 economic development of this state, the department shall develop  
 2419 a proposed intermodal development plan to connect Florida's  
 2420 airports, deepwater seaports, rail systems serving both  
 2421 passenger and freight, and major intermodal connectors to the  
 2422 Strategic Intermodal System highway corridors ~~Florida Intrastate~~  
 2423 ~~Highway System facilities~~ as the primary system for the movement  
 2424 of people and freight in this state in order to make the  
 2425 intermodal development plan a fully integrated and  
 2426 interconnected system. The intermodal development plan must:

2427 (a) Define and assess the state's freight intermodal  
 2428 network, including airports, seaports, rail lines and terminals,  
 2429 intercity bus lines and terminals, and connecting highways.

2430 (b) Prioritize statewide infrastructure investments,  
 2431 including the acceleration of current projects, which are found  
 2432 by the Freight Stakeholders Task Force to be priority projects  
 2433 for the efficient movement of people and freight.

2434 (c) Be developed in a manner that will assure maximum use  
 2435 of existing facilities and optimum integration and coordination



2436 of the various modes of transportation, including both  
 2437 government-owned and privately owned resources, in the most  
 2438 cost-effective manner possible.

2439 Section 69. Subsection (2) of section 341.8225, Florida  
 2440 Statutes, is amended to read:

2441 341.8225 Department of Transportation sole governmental  
 2442 entity to acquire, construct, or operate high-speed rail  
 2443 projects; exception.—

2444 (2) Local governmental entities, as defined in s.  
 2445 334.03 (13) ~~(14)~~, may negotiate with the department for the  
 2446 design, right-of-way acquisition, and construction of any  
 2447 component of the high-speed rail system within areas of their  
 2448 respective jurisdictions or within counties with which they have  
 2449 interlocal agreements.

2450 Section 70. Paragraph (a) of subsection (2) of section  
 2451 403.7211, Florida Statutes, is amended to read:

2452 403.7211 Hazardous waste facilities managing hazardous  
 2453 wastes generated offsite; federal facilities managing hazardous  
 2454 waste.—

2455 (2) The department shall not issue any permit under s.  
 2456 403.722 for the construction, initial operation, or substantial  
 2457 modification of a facility for the disposal, storage, or  
 2458 treatment of hazardous waste generated offsite which is proposed  
 2459 to be located in any of the following locations:

2460 (a) Any area where life-threatening concentrations of  
 2461 hazardous substances could accumulate at any residence or  
 2462 residential subdivision as the result of a catastrophic event at  
 2463 the proposed facility, unless each such residence or residential

2464 subdivision is served by at least one arterial road or urban  
 2465 minor arterial road, as determined under the procedures  
 2466 referenced in s. 334.03(9) ~~defined in s. 334.03~~, which provides  
 2467 safe and direct egress by land to an area where such life-  
 2468 threatening concentrations of hazardous substances could not  
 2469 accumulate in a catastrophic event. Egress by any road leading  
 2470 from any residence or residential subdivision to any point  
 2471 located within 1,000 yards of the proposed facility is unsafe  
 2472 for the purposes of this paragraph. In determining whether  
 2473 egress proposed by the applicant is safe and direct, the  
 2474 department shall also consider, at a minimum, the following  
 2475 factors:

- 2476 1. Natural barriers such as water bodies, and whether any  
 2477 road in the proposed evacuation route is impaired by a natural  
 2478 barrier such as a water body;
- 2479 2. Potential exposure during egress and potential  
 2480 increases in the duration of exposure;
- 2481 3. Whether any road in a proposed evacuation route passes  
 2482 in close proximity to the facility; and
- 2483 4. Whether any portion of the evacuation route is  
 2484 inherently directed toward the facility.

2485  
 2486 For the purposes of this subsection, all distances shall be  
 2487 measured from the outer limit of the active hazardous waste  
 2488 management area. "Substantial modification" includes: any  
 2489 physical change in, change in the operations of, or addition to  
 2490 a facility which could increase the potential offsite impact, or  
 2491 risk of impact, from a release at that facility; and any change

2492 in permit conditions which is reasonably expected to lead to  
 2493 greater potential impacts or risks of impacts, from a release at  
 2494 that facility. "Substantial modification" does not include a  
 2495 change in operations, structures, or permit conditions which  
 2496 does not substantially increase either the potential impact  
 2497 from, or the risk of, a release. Physical or operational changes  
 2498 to a facility related solely to the management of nonhazardous  
 2499 waste at the facility shall not be considered a substantial  
 2500 modification. The department shall, by rule, adopt criteria to  
 2501 determine whether a facility has been substantially modified.  
 2502 "Initial operation" means the initial commencement of operations  
 2503 at the facility.

2504 Section 71. Subsection (27) of section 479.01, Florida  
 2505 Statutes, is amended to read:

2506 479.01 Definitions.—As used in this chapter, the term:  
 2507 (27) "Urban area" has the same meaning as defined in s.  
 2508 334.03~~(29)~~.

2509 Section 72. Subsection (1) of section 479.07, Florida  
 2510 Statutes, is amended to read:

2511 479.07 Sign permits.—

2512 (1) Except as provided in ss. 479.105(1)(e) and 479.16, a  
 2513 person may not erect, operate, use, or maintain, or cause to be  
 2514 erected, operated, used, or maintained, any sign on the State  
 2515 Highway System outside an urban area, as defined in s.  
 2516 334.03~~(32)~~, or on any portion of the interstate or federal-aid  
 2517 primary highway system without first obtaining a permit for the  
 2518 sign from the department and paying the annual fee as provided  
 2519 in this section. As used in this section, the term "on any

2520 | portion of the State Highway System, interstate, or federal-aid  
 2521 | primary system" means a sign located within the controlled area  
 2522 | which is visible from any portion of the main-traveled way of  
 2523 | such system.

2524 |       Section 73. Subsection (5) of section 479.261, Florida  
 2525 | Statutes, is amended to read:

2526 |             479.261 Logo sign program.—

2527 |       (5) At a minimum, permit fees for businesses that  
 2528 | participate in the program must be established in an amount  
 2529 | sufficient to offset the total cost to the department for the  
 2530 | program, including contract costs. The department shall provide  
 2531 | the services in the most efficient and cost-effective manner  
 2532 | through department staff or by contracting for some or all of  
 2533 | the services. The department shall adopt rules that set  
 2534 | reasonable rates based upon factors such as population, traffic  
 2535 | volume, market demand, and costs for annual permit fees.  
 2536 | However, annual permit fees for sign locations inside an urban  
 2537 | area, as defined in s. 334.03~~(32)~~, may not exceed \$3,500, and  
 2538 | annual permit fees for sign locations outside an urban area, as  
 2539 | defined in s. 334.03~~(32)~~, may not exceed \$2,000. After  
 2540 | recovering program costs, the proceeds from the annual permit  
 2541 | fees shall be deposited into the State Transportation Trust Fund  
 2542 | and used for transportation purposes.

2543 |       Section 74. Paragraph (b) of subsection (3) of section  
 2544 | 20.23, Florida Statutes, is amended to read:

2545 |             20.23 Department of Transportation.—There is created a  
 2546 | Department of Transportation which shall be a decentralized  
 2547 | agency.

2548 (3) There is created the Florida Statewide Passenger Rail  
 2549 Commission.

2550 (b) The commission shall have the primary and exclusive  
 2551 functions of:

2552 1. Monitoring the efficiency, productivity, and management  
 2553 of all publicly funded passenger rail systems in the state,  
 2554 including, but not limited to, any authority created under  
 2555 chapter 343, chapter 349, or chapter 163 if the authority  
 2556 receives public funds for providing ~~the provision of~~ passenger  
 2557 rail service. The commission shall advise each monitored  
 2558 authority of its findings and recommendations. The commission  
 2559 shall also conduct periodic reviews of each monitored  
 2560 authority's passenger rail and associated transit operations and  
 2561 budget, acquisition of property, management of revenue and bond  
 2562 proceeds, and compliance with applicable laws and generally  
 2563 accepted accounting principles. The commission may seek the  
 2564 assistance of the Florida Transportation Commission Auditor  
 2565 ~~General~~ in conducting such reviews and shall report the findings  
 2566 of such reviews to the Legislature. ~~This paragraph does not~~  
 2567 ~~preclude the Florida Transportation Commission from conducting~~  
 2568 ~~its performance and work program monitoring responsibilities.~~

2569 2. Advising the department on policies and strategies used  
 2570 in planning, designing, building, operating, financing, and  
 2571 maintaining a coordinated statewide system of passenger rail  
 2572 services.

2573 3. Evaluating passenger rail policies and providing advice  
 2574 and recommendations to the Legislature on passenger rail  
 2575 operations in the state.

2576 Section 75. Subsection (13) is added to section 311.09,  
 2577 Florida Statutes, to read:

2578 311.09 Florida Seaport Transportation and Economic  
 2579 Development Council.—

2580 (13) Until July 1, 2014, Citrus County may apply for a  
 2581 grant through the Florida Seaport Transportation and Economic  
 2582 Development Council to perform a feasibility study regarding the  
 2583 establishment of a port in Citrus County. The council shall  
 2584 evaluate such application in accordance with subsections (5)-(9)  
 2585 and, if approved, the Department of Transportation shall include  
 2586 the feasibility study in its budget request pursuant to  
 2587 subsection (10).

2588 Section 76. Paragraph (d) of subsection (1) of section  
 2589 212.055, Florida Statutes, is amended to read:

2590 212.055 Discretionary sales surtaxes; legislative intent;  
 2591 authorization and use of proceeds.—It is the legislative intent  
 2592 that any authorization for imposition of a discretionary sales  
 2593 surtax shall be published in the Florida Statutes as a  
 2594 subsection of this section, irrespective of the duration of the  
 2595 levy. Each enactment shall specify the types of counties  
 2596 authorized to levy; the rate or rates which may be imposed; the  
 2597 maximum length of time the surtax may be imposed, if any; the  
 2598 procedure which must be followed to secure voter approval, if  
 2599 required; the purpose for which the proceeds may be expended;  
 2600 and such other requirements as the Legislature may provide.  
 2601 Taxable transactions and administrative procedures shall be as  
 2602 provided in s. 212.054.

2603 (1) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM

2604 SURTAX.—

2605 (d) Proceeds from the surtax shall be applied to as many  
 2606 or as few of the uses enumerated below in whatever combination  
 2607 the county commission deems appropriate:

2608 1. Deposited by the county in the trust fund and shall be  
 2609 used for the purposes of development, construction, equipment,  
 2610 maintenance, operation, supportive services, including a  
 2611 countywide bus system, on-demand transportation services, and  
 2612 related costs of a fixed guideway rapid transit system;

2613 2. Remitted by the governing body of the county to an  
 2614 expressway, transit, or transportation authority created by law  
 2615 to be used, at the discretion of such authority, for the  
 2616 development, construction, operation, or maintenance of roads or  
 2617 bridges in the county, for the operation and maintenance of a  
 2618 bus system, for the operation and maintenance of on-demand  
 2619 transportation services, for the payment of principal and  
 2620 interest on existing bonds issued for the construction of such  
 2621 roads or bridges, and, upon approval by the county commission,  
 2622 such proceeds may be pledged for bonds issued to refinance  
 2623 existing bonds or new bonds issued for the construction of such  
 2624 roads or bridges;

2625 3. Used by the county for the development, construction,  
 2626 operation, and maintenance of roads and bridges in the county;  
 2627 for the expansion, operation, and maintenance of bus and fixed  
 2628 guideway systems; for the expansion, operation, and maintenance  
 2629 of on-demand transportation services; and for the payment of  
 2630 principal and interest on bonds issued for the construction of  
 2631 fixed guideway rapid transit systems, bus systems, roads, or

2632 bridges; and such proceeds may be pledged by the governing body  
 2633 of the county for bonds issued to refinance existing bonds or  
 2634 new bonds issued for the construction of such fixed guideway  
 2635 rapid transit systems, bus systems, roads, or bridges and no  
 2636 more than 25 percent used for nontransit uses; and

2637 4. Used by the county for the planning, development,  
 2638 construction, operation, and maintenance of roads and bridges in  
 2639 the county; for the planning, development, expansion, operation,  
 2640 and maintenance of bus and fixed guideway systems; for the  
 2641 planning, development, construction, operation, and maintenance  
 2642 of on-demand transportation services; and for the payment of  
 2643 principal and interest on bonds issued for the construction of  
 2644 fixed guideway rapid transit systems, bus systems, roads, or  
 2645 bridges; and such proceeds may be pledged by the governing body  
 2646 of the county for bonds issued to refinance existing bonds or  
 2647 new bonds issued for the construction of such fixed guideway  
 2648 rapid transit systems, bus systems, roads, or bridges. Pursuant  
 2649 to an interlocal agreement entered into pursuant to chapter 163,  
 2650 the governing body of the county may distribute proceeds from  
 2651 the tax to a municipality, or an expressway or transportation  
 2652 authority created by law to be expended for the purpose  
 2653 authorized by this paragraph. Any county that has entered into  
 2654 interlocal agreements for distribution of proceeds to one or  
 2655 more municipalities in the county shall revise such interlocal  
 2656 agreements as necessary for the sole purpose of including ~~no~~  
 2657 ~~less than every 5 years in order to include~~ any municipalities  
 2658 that have been created during the immediately preceding year,  
 2659 provided that any funds distributed to a new municipality must



2660 come from funds otherwise retained and used by the charter  
 2661 county, must be on a pro rata basis with the allocation of funds  
 2662 to the previously existing municipalities, and must not reduce  
 2663 the percentage allocation to the previously existing  
 2664 municipalities. Notwithstanding the foregoing, the first  
 2665 revision of interlocal agreements pursuant to this subparagraph  
 2666 shall include any municipality that has been created since the  
 2667 surtax was adopted by the charter county. Any charter county  
 2668 that seeks to terminate or substantially modify the distribution  
 2669 of funds to municipalities may do so only pursuant to approval  
 2670 by a majority vote of the electorate of the county ~~since the~~  
 2671 ~~prior interlocal agreements were executed.~~

2672 Section 77. Subsection (5) of section 316.613, Florida  
 2673 Statutes, is renumbered as subsection (6) and a new subsection  
 2674 (5) is added to that section to read:

2675 316.613 Child restraint requirements.—

2676 (5) The child restraint requirements imposed by this  
 2677 section do not apply to a chauffeur-driven taxi, limousine,  
 2678 sedan, van, bus, motor coach, or other passenger vehicle if the  
 2679 operator and the motor vehicle are hired and used for the  
 2680 transportation of persons for compensation. It is the obligation  
 2681 and responsibility of the parent, guardian, or other person  
 2682 responsible for a child's welfare, as defined in s. 39.01(47),  
 2683 to comply with the requirements of this section.

2684 Section 78. Except as otherwise expressly provided in this  
 2685 act and except for this section, which shall take effect upon  
 2686 this act becoming a law, this act shall take effect July 1,  
 2687 2011.