

By the Committee on Transportation; and Senator Brandes

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1 A bill to be entitled
2 An act relating to transportation; amending s. 20.23,
3 F.S.; deleting the requirement that the Secretary of
4 Transportation appoint an inspector general pursuant
5 to s. 20.055, F.S.; deleting the requirement that the
6 district director for the Fort Myers Urban Office of
7 the Department of Transportation be responsible for
8 developing the 5-year Transportation Plan and other
9 duties for specified counties; amending s. 215.82,
10 F.S.; deleting a cross-reference; amending s.
11 260.0144, F.S.; providing that certain commercial
12 sponsorship may be displayed on state greenway and
13 trail facilities not included within the Florida
14 Shared-Use Nonmotorized Trail Network; deleting
15 provisions relating to the authorization of sponsored
16 state greenways and trails at specified facilities or
17 property; amending s. 311.07, F.S.; increasing the
18 minimum amount that shall be made available annually
19 from the State Transportation Fund to fund the Florida
20 Seaport Transportation and Economic Development
21 Program; amending s. 311.09, F.S.; reducing the number
22 of members of the Florida Seaport Transportation and
23 Economic Development Council; removing Port Citrus
24 from the council membership; increasing the amount per
25 year the department must include in its annual
26 legislative budget request for the Florida Seaport
27 Transportation and Economic Development Program;
28 deleting obsolete language; amending s. 316.003, F.S.;
29 defining and redefining terms; amending s. 316.0895,

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30 F.S.; providing that provisions prohibiting a driver
31 from following certain vehicles within a certain
32 distance do not apply to truck tractor-semitrailer
33 combinations under certain conditions; providing for
34 financial responsibility; amending s. 316.130, F.S.;
35 revising traffic regulations relating to pedestrians
36 crossing roadways; amending s. 316.303, F.S.;
37 providing exceptions to the prohibition of certain
38 television-type receiving equipment and certain
39 electronic displays in vehicles; amending s. 316.515,
40 F.S.; extending the allowable length of certain
41 semitrailers authorized to operate on public roads
42 under certain conditions; authorizing the Department
43 of Transportation to permit truck tractor-semitrailer
44 combinations where the total number of overwidth
45 deliveries of manufactured buildings may be reduced by
46 the transport of multiple sections or single units on
47 an overlength trailer of no more than a specified
48 length under certain circumstances; amending s.
49 316.545, F.S.; providing a specified penalty for
50 commercial motor vehicles that obtain temporary
51 registration permits entering the state at, or
52 operating on designated routes to, a port-of-entry
53 location; amending s. 333.01, F.S.; defining and
54 redefining terms; amending s. 333.025, F.S.; revising
55 requirements relating to securing a permit for the
56 proposed construction or alteration of structures that
57 would exceed specified federal obstruction standards;
58 requiring such permits only within an airport hazard

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59 area if the proposed construction is within a set
60 radius of a certain airport reference point; providing
61 that existing, planned, and proposed facilities at
62 public-use airports contained in certain plans or
63 documents will be protected from structures that
64 exceed federal obstruction standards; providing that a
65 permit is not required when political subdivisions
66 have adopted adequate airport protection zoning
67 regulations and have established a permitting process,
68 subject to certain requirements; providing for a
69 review period by the department to run concurrent with
70 such permitting process, subject to certain
71 requirements and exemptions; specifying certain
72 factors the department shall consider in determining
73 whether to issue or deny a permit; directing the
74 department to require an owner of a permitted
75 obstruction or vegetation to install, operate, and
76 maintain marking and lighting subject to certain
77 requirements; prohibiting a permit from being approved
78 solely on the basis that a proposed structure will not
79 exceed specified federal obstruction standards;
80 providing certain administrative review for the denial
81 of a permit; amending s. 333.03, F.S.; revising the
82 requirements relating to the adoption of airport
83 protection zoning regulations by certain political
84 subdivisions; revising the requirements of such
85 adopted airport protection zoning regulations;
86 providing that the department is available to assist
87 political subdivisions with regard to federal

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88 obstruction standards; revising requirements relating
89 to airport land use compatibility zoning regulations
90 that address, at a minimum, landfill locations and
91 noise contours; requiring adoption of airport zoning
92 regulations that restrict substantial modifications to
93 existing incompatible uses within runway protection
94 zones; requiring that updates and amendments to local
95 airport zoning codes, rules, and regulations be filed
96 with the department within a certain time after
97 adoption; revising requirements relating to
98 educational structures or sites; providing that a
99 governing body operating a public-use airport may
100 establish more restrictive airport protection zoning
101 regulations for certain purposes; amending s. 333.04,
102 F.S.; revising provisions relating to comprehensive
103 plan or policy regulations, including airport
104 protection zoning regulations under certain
105 circumstances; amending s. 333.05, F.S.; revising
106 provisions relating to the procedure for adoption,
107 amendment, or deletion of airport zoning regulations;
108 revising provisions relating to airport zoning
109 commissions; amending s. 333.06, F.S.; revising
110 provisions relating to airport zoning requirements,
111 and airport master plans that are prepared by certain
112 public-use airports; repealing s. 333.065, F.S.,
113 relating to guidelines regarding land use near
114 airports; amending s. 333.07, F.S.; revising
115 provisions relating to permits for use of structures
116 or vegetation in violation of airport protection

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117 zoning regulations; specifying factors a political
118 subdivision or its administrative agency must consider
119 when determining whether to issue or deny a permit;
120 deleting provisions relating to applying for a
121 variance from zoning regulations; revising provisions
122 relating to obstruction marking and lighting
123 requirements when a political subdivision or its
124 administrative agency issues a permit; repealing s.
125 333.08, F.S., relating to appeals in regard to airport
126 zoning regulations; amending s. 333.09, F.S.;
127 requiring all airport zoning regulations to provide
128 for the administration and enforcement of such
129 regulations by the affected political subdivisions or
130 an administrative agency created by the subdivisions;
131 requiring a political subdivision that must adopt
132 airport zoning regulations to provide a permitting
133 process subject to certain requirements and
134 exceptions; providing for an appeals process for
135 decisions in the administration of airport zoning
136 regulations, subject to certain requirements;
137 repealing s. 333.10, F.S., relating to boards of
138 adjustment provided for by all airport zoning
139 regulations; amending s. 333.11, F.S.; revising
140 provisions relating to judicial review for decisions
141 made by any governing body of a political subdivision,
142 joint airport zoning board, or administrative agency;
143 requiring the appellant to exhaust all its remedies
144 through application for local government permits,
145 exceptions, and appeals before judicial appeal is

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146 permitted; amending s. 333.12, F.S.; revising
147 provisions relating to the acquisition of air rights;
148 providing that a certain political subdivision may
149 acquire air right, avigation easement, other estate,
150 or interest in a nonconforming structure or use that
151 presents an air hazard and cannot be removed, lowered,
152 or otherwise terminated, subject to certain
153 requirements; creating s. 333.135, F.S.; requiring
154 that certain airport zoning regulations be amended to
155 conform by a certain date; requiring certain political
156 subdivisions to adopt airport zoning regulations by a
157 certain date; directing the department to administer
158 the permitting process for local governments that have
159 not adopted airport protection zoning regulations;
160 repealing s. 333.14, F.S., relating to a short title;
161 amending s. 334.03, F.S.; redefining the term "511" or
162 "511 services"; deleting the term "interactive voice
163 response"; amending s. 334.044, F.S.; removing the
164 provision of interactive voice response telephone
165 systems accessible via the 511 number that may be
166 included in traveler information systems; removing a
167 requirement that applied uniform standards and
168 criteria for collection and dissemination of traveler
169 information using interactive voice response systems;
170 authorizing the department to assume certain
171 responsibilities under the National Environmental
172 Policy Act with respect to highway projects within the
173 state and certain related responsibilities relating to
174 review or approval of a highway project; authorizing

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175 the department to enter into certain agreements
176 related to the federal surface transportation project
177 delivery program under certain federal law;
178 authorizing the department to adopt implementing
179 rules; authorizing the department to adopt certain
180 relevant federal environmental standards; providing a
181 limited waiver of sovereign immunity to civil suit in
182 federal court consistent with certain federal law;
183 amending s. 334.60, F.S.; revising provisions relating
184 to the 511 traveler information system; amending s.
185 335.065, F.S.; deleting provisions relating to certain
186 commercial sponsorship displays on multiuse trails and
187 related facilities; deleting provisions relating to
188 funding a statewide system of interconnected multiuse
189 trails; creating s. 335.21, F.S.; requiring the
190 governing body of any independent special district
191 created to regulate the operation of public vehicles
192 on public highways to consist of a certain number of
193 members; providing appointment requirements for such
194 members; providing exceptions; amending s. 338.165,
195 F.S.; removing an option to issue certain bonds
196 secured by toll revenues collected on the Beeline-East
197 Expressway and the Navarre Bridge; amending s.
198 338.227, F.S.; providing that bonds issued are not
199 required to be validated pursuant to ch. 75, F.S., but
200 may be validated at the option of the Division of Bond
201 Finance; providing filing, notice, and service
202 requirements relating to complaints for such
203 validation; amending s. 338.231, F.S.; increasing the

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204 number of years before an inactive prepaid toll
205 account shall be presumed unclaimed; deleting
206 provisions relating to using the revenues from the
207 turnpike system to pay the principal and interest of a
208 specified series of bonds and certain expenses of the
209 Sawgrass Expressway; amending s. 339.175, F.S.;

210 requiring certain long-range transportation plans to
211 include assessment of capital investment and other
212 measures necessary to make the most efficient use of
213 existing transportation facilities to improve safety;
214 requiring the assessments to include consideration of
215 infrastructure and technological improvements
216 necessary to accommodate advances in vehicle
217 technology; amending s. 339.64, F.S.; requiring the
218 Department of Transportation to coordinate with
219 certain partners and industry representatives to
220 consider infrastructure and technological improvements
221 necessary to accommodate advances in vehicle
222 technology in Strategic Intermodal System facilities;
223 requiring the Strategic Intermodal System Plan to
224 include a needs assessment regarding such
225 infrastructure and technological improvements;

226 creating s. 339.81, F.S.; creating the Florida Shared-
227 Use Nonmotorized Trail Network; specifying the
228 composition, purpose, and requirements of the network;
229 authorizing the department certain powers related to
230 the planning, development, operation, and maintenance
231 of the network; creating s. 339.82, F.S.; directing
232 the department to develop a Shared-Use Nonmotorized

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233 Trail Network Plan, subject to certain requirements;
234 creating s. 339.83, F.S.; creating a trail sponsorship
235 program, subject to certain requirements and
236 restrictions; directing the Office of Economic and
237 Demographic Research to evaluate and determine the
238 economic benefits of the state's investment in the
239 Department of Transportation's adopted work program
240 for a certain timeframe, subject to certain
241 requirements; directing the Department of
242 Transportation and each of its district offices to
243 provide the Office of Economic and Demographic
244 Research full access to certain data; requiring the
245 Office of Economic and Demographic Research to submit
246 the analysis to the Legislature by a certain date;
247 repealing s. 341.0532, F.S., relating to statewide
248 transportation corridors; providing a directive to the
249 Division of Law Revision and Information; creating s.
250 345.0001, F.S.; providing a short title; creating s.
251 345.0002, F.S.; defining terms; creating s. 345.0003,
252 F.S.; authorizing certain counties to form the
253 Northwest Florida Regional Transportation Finance
254 Authority to construct, maintain, or operate
255 transportation projects in a given region of the
256 state; specifying procedural requirements; creating s.
257 345.0004, F.S.; specifying the powers and duties of
258 the authority, subject to certain restrictions;
259 requiring that the authority comply with certain
260 reporting and documentation requirements; creating s.
261 345.0005, F.S.; authorizing the issuing of bonds on

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262 behalf of the authority under the State Bond Act and
263 by the authority itself; specifying requirements and
264 restrictions for such bonds under certain
265 circumstances; creating s. 345.0006, F.S.; providing
266 rights and remedies of bondholders; creating s.
267 345.0007, F.S.; designating the Department of
268 Transportation as the agent of the authority for
269 specified purposes; authorizing the administration and
270 management of projects by the department; limiting the
271 powers of the department as an agent; establishing the
272 fiscal responsibilities of the authority; creating s.
273 345.0008, F.S.; authorizing the department to provide
274 for or commit its resources for the authority project
275 or system, if approved by the Legislature, subject to
276 legislative budget request procedures and prohibitions
277 and appropriation procedures; authorizing the payment
278 of expenses incurred by the department on behalf of
279 the authority; requiring the department to receive a
280 share of the revenue from the authority; providing
281 calculations for disbursement of revenues; creating s.
282 345.0009, F.S.; authorizing the authority to acquire
283 private or public property and property rights for a
284 project or plan; establishing the rights and
285 liabilities and remedial actions relating to property
286 acquired for a transportation project or corridor;
287 creating s. 345.001, F.S.; authorizing contracts
288 between governmental entities and the authority;
289 creating s. 345.0011, F.S.; pledging that the state
290 will not limit or alter the vested rights of the

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291 authority or the department with regard to any issued
292 bonds or other rights relating to the bonds if such
293 vested rights affect the rights of bondholders;
294 creating s. 345.0012, F.S.; exempting the authority
295 from certain taxes and assessments; providing
296 exceptions; creating s. 345.0013, F.S.; providing that
297 bonds or obligations issued under this chapter are
298 legal investments for specified entities; creating s.
299 345.0014, F.S.; providing applicability; providing
300 legislative findings and intent relating to
301 transportation funding; directing the Center for Urban
302 Transportation Research to conduct a study on
303 implementing a system in this state which charges
304 drivers based on their vehicle miles traveled as an
305 alternative to the present fuel tax structure to fund
306 transportation projects; specifying requirements of
307 the study; requiring that the findings of the study be
308 presented to the Legislature by a certain date;
309 directing the center, in consultation with the Florida
310 Transportation Commission, to establish the framework
311 for a pilot project that will evaluate the feasibility
312 of implementing a system that charges drivers based on
313 their vehicle miles traveled; specifying requirements
314 for the design of the pilot project framework;
315 authorizing the center to expend up to a certain
316 amount for the study and pilot project design
317 contingent upon legislative appropriation; requiring
318 that the pilot project design be completed by a
319 certain date and submitted in a report to the

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320 Legislature; reenacting s. 350.81(6), F.S., relating
321 to the definition of the term "airport layout plan,"
322 to incorporate the amendment made to s. 333.01, F.S.,
323 in a reference thereto; providing an effective date.
324

325 Be It Enacted by the Legislature of the State of Florida:
326

327 Section 1. Paragraph (d) of subsection (3) and paragraph
328 (d) of subsection (4) of section 20.23, Florida Statutes, are
329 amended to read:

330 20.23 Department of Transportation.—There is created a
331 Department of Transportation which shall be a decentralized
332 agency.

333 (3)

334 ~~(d) The secretary shall appoint an inspector general~~
335 ~~pursuant to s. 20.055 who shall be directly responsible to the~~
336 ~~secretary and shall serve at the pleasure of the secretary.~~

337 (4)

338 ~~(d) The district director for the Fort Myers Urban Office~~
339 ~~of the Department of Transportation is responsible for~~
340 ~~developing the 5-year Transportation Plan for Charlotte,~~
341 ~~Collier, DeSoto, Glades, Hendry, and Lee Counties. The Fort~~
342 ~~Myers Urban Office also is responsible for providing policy,~~
343 ~~direction, local government coordination, and planning for those~~
344 ~~counties.~~

345 Section 2. Subsection (2) of section 215.82, Florida
346 Statutes, is amended to read:

347 215.82 Validation; when required.—

348 (2) Any bonds issued pursuant to this act which are

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349 validated shall be validated in the manner provided by chapter
350 75. In actions to validate bonds to be issued in the name of the
351 State Board of Education under s. 9(a) and (d), Art. XII of the
352 State Constitution and bonds to be issued pursuant to chapter
353 259, the Land Conservation Act of 1972, the complaint shall be
354 filed in the circuit court of the county where the seat of state
355 government is situated, the notice required to be published by
356 s. 75.06 shall be published only in the county where the
357 complaint is filed, and the complaint and order of the circuit
358 court shall be served only on the state attorney of the circuit
359 in which the action is pending. In any action to validate bonds
360 issued pursuant to s. 1010.62 or issued pursuant to s. 9(a)(1),
361 Art. XII of the State Constitution or issued pursuant to s.
362 215.605 ~~or s. 338.227~~, the complaint shall be filed in the
363 circuit court of the county where the seat of state government
364 is situated, the notice required to be published by s. 75.06
365 shall be published in a newspaper of general circulation in the
366 county where the complaint is filed and in two other newspapers
367 of general circulation in the state, and the complaint and order
368 of the circuit court shall be served only on the state attorney
369 of the circuit in which the action is pending; provided,
370 however, that if publication of notice pursuant to this section
371 would require publication in more newspapers than would
372 publication pursuant to s. 75.06, such publication shall be made
373 pursuant to s. 75.06.

374 Section 3. Section 260.0144, Florida Statutes, is amended
375 to read:

376 260.0144 Sponsorship of state greenways and trails.—The
377 department may enter into a concession agreement with a not-for-

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378 profit entity or private sector business or entity for
379 commercial sponsorship to be displayed on state greenway and
380 trail facilities not included within the Florida Shared-Use
381 Nonmotorized Trail Network established in chapter 339 ~~or~~
382 ~~property specified in this section~~. The department may establish
383 the cost for entering into a concession agreement.

384 (1) A concession agreement shall be administered by the
385 department and must include the requirements found in this
386 section.

387 (2) (a) Space for a commercial sponsorship display may be
388 provided through a concession agreement on certain state-owned
389 greenway or trail facilities or property.

390 (b) Signage or displays erected under this section shall
391 comply with the provisions of s. 337.407 and chapter 479, and
392 shall be limited as follows:

393 1. One large sign or display, not to exceed 16 square feet
394 in area, may be located at each trailhead or parking area.

395 2. One small sign or display, not to exceed 4 square feet
396 in area, may be located at each designated trail public access
397 point.

398 (c) Before installation, each name or sponsorship display
399 must be approved by the department.

400 (d) The department shall ensure that the size, color,
401 materials, construction, and location of all signs are
402 consistent with the management plan for the property and the
403 standards of the department, do not intrude on natural and
404 historic settings, and contain only a logo selected by the
405 sponsor and the following sponsorship wording:
406

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407 ...(Name of the sponsor)... proudly sponsors the costs
408 of maintaining the ...(Name of the greenway or
409 trail)....

410
411 ~~(e) Sponsored state greenways and trails are authorized at~~
412 ~~the following facilities or property:~~

- 413 ~~1. Florida Keys Overseas Heritage Trail.~~
- 414 ~~2. Blackwater Heritage Trail.~~
- 415 ~~3. Tallahassee St. Marks Historic Railroad State Trail.~~
- 416 ~~4. Nature Coast State Trail.~~
- 417 ~~5. Withlacoochee State Trail.~~
- 418 ~~6. General James A. Van Fleet State Trail.~~
- 419 ~~7. Palatka-Lake Butler State Trail.~~

420 (e)~~(f)~~ The department may enter into commercial sponsorship
421 agreements for other state greenways or trails as authorized in
422 this section. A qualified entity that desires to enter into a
423 commercial sponsorship agreement shall apply to the department
424 on forms adopted by department rule.

425 (f)~~(g)~~ All costs of a display, including development,
426 construction, installation, operation, maintenance, and removal
427 costs, shall be paid by the concessionaire.

428 (3) A concession agreement shall be for a minimum of 1
429 year, but may be for a longer period under a multiyear
430 agreement, and may be terminated for just cause by the
431 department upon 60 days' advance notice. Just cause for
432 termination of a concession agreement includes, but is not
433 limited to, violation of the terms of the concession agreement
434 or any provision of this section.

435 (4) Commercial sponsorship pursuant to a concession

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436 agreement is for public relations or advertising purposes of the
437 not-for-profit entity or private sector business or entity, and
438 may not be construed by that not-for-profit entity or private
439 sector business or entity as having a relationship to any other
440 actions of the department.

441 (5) This section does not create a proprietary or
442 compensable interest in any sign, display site, or location.

443 (6) Proceeds from concession agreements shall be
444 distributed as follows:

445 (a) Eighty-five percent shall be deposited into the
446 appropriate department trust fund that is the source of funding
447 for management and operation of state greenway and trail
448 facilities and properties.

449 (b) Fifteen percent shall be deposited into the State
450 Transportation Trust Fund for use in the Traffic and Bicycle
451 Safety Education Program and the Safe Paths to School Program
452 administered by the Department of Transportation.

453 (7) The department may adopt rules to administer this
454 section.

455 Section 4. Subsection (2) of section 311.07, Florida
456 Statutes, is amended to read:

457 311.07 Florida seaport transportation and economic
458 development funding.—

459 (2) A minimum of \$25 ~~\$15~~ million per year shall be made
460 available from the State Transportation Trust Fund to fund the
461 Florida Seaport Transportation and Economic Development Program.
462 The Florida Seaport Transportation and Economic Development
463 Council created in s. 311.09 shall develop guidelines for
464 project funding. Council staff, the Department of

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465 Transportation, and the Department of Economic Opportunity shall
466 work in cooperation to review projects and allocate funds in
467 accordance with the schedule required for the Department of
468 Transportation to include these projects in the tentative work
469 program developed pursuant to s. 339.135(4).

470 Section 5. Subsections (1), (9), and (12) of section
471 311.09, Florida Statutes, are amended to read:

472 311.09 Florida Seaport Transportation and Economic
473 Development Council.—

474 (1) The Florida Seaport Transportation and Economic
475 Development Council is created within the Department of
476 Transportation. The council consists of the following 16 ~~17~~
477 members: the port director, or the port director's designee, of
478 each of the ports of Jacksonville, Port Canaveral, ~~Port Citrus,~~
479 Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee,
480 St. Petersburg, Tampa, Port St. Joe, Panama City, Pensacola, Key
481 West, and Fernandina; the secretary of the Department of
482 Transportation or his or her designee; and the director of the
483 Department of Economic Opportunity or his or her designee.

484 (9) The Department of Transportation shall include at least
485 \$25 ~~no less than \$15~~ million per year in its annual legislative
486 budget request for the Florida Seaport Transportation and
487 Economic Development Program funded under s. 311.07. Such budget
488 shall include funding for projects approved by the council which
489 have been determined by each agency to be consistent. The
490 department shall include the specific approved Florida Seaport
491 Transportation and Economic Development Program projects to be
492 funded under s. 311.07 during the ensuing fiscal year in the
493 tentative work program developed pursuant to s. 339.135(4). The

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494 total amount of funding to be allocated to Florida Seaport
495 Transportation and Economic Development Program projects under
496 s. 311.07 during the successive 4 fiscal years shall also be
497 included in the tentative work program developed pursuant to s.
498 339.135(4). The council may submit to the department a list of
499 approved projects that could be made production-ready within the
500 next 2 years. The list shall be submitted by the department as
501 part of the needs and project list prepared pursuant to s.
502 339.135(2)(b). However, the department shall, upon written
503 request of the Florida Seaport Transportation and Economic
504 Development Council, submit work program amendments pursuant to
505 s. 339.135(7) to the Governor within 10 days after the later of
506 the date the request is received by the department or the
507 effective date of the amendment, termination, or closure of the
508 applicable funding agreement between the department and the
509 affected seaport, as required to release the funds from the
510 existing commitment. Notwithstanding s. 339.135(7)(c), any work
511 program amendment to transfer prior year funds from one approved
512 seaport project to another seaport project is subject to the
513 procedures in s. 339.135(7)(d). Notwithstanding any provision of
514 law to the contrary, the department may transfer unexpended
515 budget between the seaport projects as identified in the
516 approved work program amendments.

517 ~~(12) Until July 1, 2014, Citrus County may apply for a~~
518 ~~grant through the Florida Seaport Transportation and Economic~~
519 ~~Development Council to perform a feasibility study regarding the~~
520 ~~establishment of a port in Citrus County. The council shall~~
521 ~~evaluate such application pursuant to subsections (5)-(8) and,~~
522 ~~if approved, the Department of Transportation shall include the~~

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523 ~~feasibility study in its budget request pursuant to subsection~~
524 ~~(9). If the study determines that a port in Citrus County is not~~
525 ~~feasible, the membership of Port Citrus on the council shall~~
526 ~~terminate.~~

527 Section 6. Subsections (6), (47), and present subsection
528 (90) of section 316.003, Florida Statutes, are amended, present
529 subsections (91), (92), and (93) of that section are
530 redesignated as subsections (93), (95), and (96), respectively,
531 and new subsections (90), (92), and (94) are added to that
532 section, to read:

533 316.003 Definitions.—The following words and phrases, when
534 used in this chapter, shall have the meanings respectively
535 ascribed to them in this section, except where the context
536 otherwise requires:

537 (6) CROSSWALK.—

538 (a) Unmarked crosswalk.—An unmarked part of the roadway at
539 an intersection used by pedestrians for crossing the roadway
540 ~~That part of a roadway at an intersection included within the~~
541 ~~connections of the lateral lines of the sidewalks on opposite~~
542 ~~sides of the highway, measured from the curbs or, in the absence~~
543 ~~of curbs, from the edges of the traversable roadway.~~

544 (b) Marked crosswalk.—Pavement marking lines on the roadway
545 surface, which may include contrasting pavement texture, style,
546 or colored portions of the roadway at an intersection used by
547 pedestrians for crossing the roadway ~~Any portion of a roadway at~~
548 ~~an intersection or elsewhere distinctly indicated for pedestrian~~
549 ~~crossing by lines or other markings on the surface.~~

550 (c) Midblock crosswalk.—A location between intersections
551 where the roadway surface is marked by pavement marking lines,

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552 which may include contrasting pavement texture, style or colored
553 portion of the roadway at a signalized or unsignalized crosswalk
554 used for pedestrian roadway crossings and may include a
555 pedestrian refuge island.

556 (47) SIDEWALK.—That portion of a street ~~between the~~
557 ~~curbline, or the lateral line, of a roadway and the adjacent~~
558 ~~property lines,~~ intended for use by pedestrians, adjacent to the
559 roadway between the curb or edge of the roadway and the property
560 line.

561 (90) AUTONOMOUS TECHNOLOGY.—Technology installed on a motor
562 vehicle which has the capability to drive the vehicle on which
563 the technology is installed without the active control of or
564 monitoring by a human operator.

565 ~~(91)~~ (90) AUTONOMOUS VEHICLE.—Any vehicle equipped with
566 autonomous technology. ~~The term “autonomous technology” means~~
567 ~~technology installed on a motor vehicle that has the capability~~
568 ~~to drive the vehicle on which the technology is installed~~
569 ~~without the active control or monitoring by a human operator.~~
570 The term excludes a motor vehicle enabled with active safety
571 systems or driver assistance systems, including, without
572 limitation, a system to provide electronic blind spot
573 assistance, crash avoidance, emergency braking, parking
574 assistance, adaptive cruise control, lane keep assistance, lane
575 departure warning, or traffic jam and queuing assistant, unless
576 any such system alone or in combination with other systems
577 enables the vehicle on which the technology is installed to
578 drive without the active control or monitoring by a human
579 operator.

580 (92) DRIVER-ASSISTIVE TRUCK PLATOONING TECHNOLOGY.—Vehicle

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581 automation technology that integrates sensor array, wireless
582 communications, vehicle controls, and specialized software to
583 synchronize acceleration and braking between up to two truck
584 tractor-semitrailer combinations, while leaving each vehicle's
585 steering control and systems command in the control of the
586 vehicle's driver.

587 (94) PORT-OF-ENTRY.—A designated location that allows
588 drivers of commercial motor vehicles to purchase temporary
589 registration permits necessary to operate legally within the
590 state. The locations and the designated routes to such locations
591 shall be determined by the Department of Transportation.

592 Section 7. Subsection (2) of section 316.0895, Florida
593 Statutes, is amended to read:

594 316.0895 Following too closely.—

595 (2) It is unlawful for the driver of any motor truck, motor
596 truck drawing another vehicle, or vehicle towing another vehicle
597 or trailer, when traveling upon a roadway outside of a business
598 or residence district, to follow within 300 feet of another
599 motor truck, motor truck drawing another vehicle, or vehicle
600 towing another vehicle or trailer. The provisions of this
601 subsection shall not be construed to prevent overtaking and
602 passing nor shall the same apply upon any lane specially
603 designated for use by motor trucks or other slow-moving
604 vehicles. This subsection does not apply to two truck tractor-
605 semitrailer combinations equipped and connected with driver-
606 assistive truck-platooning technology, as defined in s. 316.003,
607 and operating on a multilane limited access facility, if the
608 owner or operator complies with the financial responsibility
609 requirement of s. 316.86.

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610 Section 8. Paragraphs (b) and (c) of subsection (7) of
611 section 316.130, Florida Statutes, are amended to read:

612 316.130 Pedestrians; traffic regulations.—

613 (7)

614 (b) The driver of a vehicle at any crosswalk location where
615 the approach is not controlled by a traffic signal or stop sign
616 must signage so indicates shall stop and remain stopped to allow
617 a pedestrian to cross a roadway when the pedestrian is in the
618 crosswalk or steps into the crosswalk and is upon the half of
619 the roadway upon which the vehicle is traveling or turning, or
620 when the pedestrian is approaching so closely from the opposite
621 half of the roadway as to be in danger. Any pedestrian crossing
622 a roadway at a point where a pedestrian tunnel or overhead
623 pedestrian crossing has been provided must yield the right-of-
624 way to all vehicles upon the roadway.

625 ~~(c) When traffic control signals are not in place or in~~
626 ~~operation and there is no signage indicating otherwise, the~~
627 ~~driver of a vehicle shall yield the right-of-way, slowing down~~
628 ~~or stopping if need be to so yield, to a pedestrian crossing the~~
629 ~~roadway within a crosswalk when the pedestrian is upon the half~~
630 ~~of the roadway upon which the vehicle is traveling or when the~~
631 ~~pedestrian is approaching so closely from the opposite half of~~
632 ~~the roadway as to be in danger. Any pedestrian crossing a~~
633 ~~roadway at a point where a pedestrian tunnel or overhead~~
634 ~~pedestrian crossing has been provided shall yield the right-of-~~
635 ~~way to all vehicles upon the roadway.~~

636 Section 9. Subsections (1) and (3) of section 316.303,
637 Florida Statutes, are amended to read:

638 316.303 Television receivers.—

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639 (1) No motor vehicle operated on the highways of this state
640 shall be equipped with television-type receiving equipment so
641 located that the viewer or screen is visible from the driver's
642 seat, unless the vehicle is equipped with autonomous technology,
643 as defined in s. 316.003(90), and is being operated in
644 autonomous mode, as provided in s. 316.85(2); or unless the
645 vehicle is equipped and operating with driver-assistive truck-
646 platooning technology, as defined in s. 316.003(92).

647 (3) This section does not prohibit the use of an electronic
648 display used in conjunction with a vehicle navigation system; or
649 an electronic display used by an operator of a vehicle equipped
650 with autonomous technology, as defined in s. 316.003(90), while
651 the vehicle is being operated in autonomous mode, as provided in
652 s. 316.85(2); or an electronic display used by the operator of a
653 vehicle equipped and operating with driver-assistive truck
654 platooning technology, as defined in s. 316.003(92).

655 Section 10. Paragraph (b) of subsection (3) and subsection
656 (14) of section 316.515, Florida Statutes, are amended to read:

657 316.515 Maximum width, height, length.—

658 (3) LENGTH LIMITATION.—Except as otherwise provided in this
659 section, length limitations apply solely to a semitrailer or
660 trailer, and not to a truck tractor or to the overall length of
661 a combination of vehicles. No combination of commercial motor
662 vehicles coupled together and operating on the public roads may
663 consist of more than one truck tractor and two trailing units.
664 Unless otherwise specifically provided for in this section, a
665 combination of vehicles not qualifying as commercial motor
666 vehicles may consist of no more than two units coupled together;
667 such nonqualifying combination of vehicles may not exceed a

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668 total length of 65 feet, inclusive of the load carried thereon,
669 but exclusive of safety and energy conservation devices approved
670 by the department for use on vehicles using public roads.
671 Notwithstanding any other provision of this section, a truck
672 tractor-semitrailer combination engaged in the transportation of
673 automobiles or boats may transport motor vehicles or boats on
674 part of the power unit; and, except as may otherwise be mandated
675 under federal law, an automobile or boat transporter semitrailer
676 may not exceed 50 feet in length, exclusive of the load;
677 however, the load may extend up to an additional 6 feet beyond
678 the rear of the trailer. The 50-foot length limitation does not
679 apply to non-stinger-steered automobile or boat transporters
680 that are 65 feet or less in overall length, exclusive of the
681 load carried thereon, or to stinger-steered automobile or boat
682 transporters that are 75 feet or less in overall length,
683 exclusive of the load carried thereon. For purposes of this
684 subsection, a "stinger-steered automobile or boat transporter"
685 is an automobile or boat transporter configured as a semitrailer
686 combination wherein the fifth wheel is located on a drop frame
687 located behind and below the rearmost axle of the power unit.
688 Notwithstanding paragraphs (a) and (b), any straight truck or
689 truck tractor-semitrailer combination engaged in the
690 transportation of horticultural trees may allow the load to
691 extend up to an additional 10 feet beyond the rear of the
692 vehicle, provided said trees are resting against a retaining bar
693 mounted above the truck bed so that the root balls of the trees
694 rest on the floor and to the front of the truck bed and the tops
695 of the trees extend up over and to the rear of the truck bed,
696 and provided the overhanging portion of the load is covered with

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697 protective fabric.

698 (b) *Semitrailers.*—

699 1. A semitrailer operating in a truck tractor-semitrailer
700 combination may not exceed 48 feet in extreme overall outside
701 dimension, measured from the front of the unit to the rear of
702 the unit and the load carried thereon, exclusive of safety and
703 energy conservation devices approved by the department for use
704 on vehicles using public roads, unless it complies with
705 subparagraph 2. A semitrailer which exceeds 48 feet in length
706 and is used to transport divisible loads may operate in this
707 state only if issued a permit under s. 316.550 and if such
708 trailer meets the requirements of this chapter relating to
709 vehicle equipment and safety. Except for highways on the tandem
710 trailer truck highway network, public roads deemed unsafe for
711 longer semitrailer vehicles or those roads on which such longer
712 vehicles are determined not to be in the interest of public
713 convenience shall, in conformance with s. 316.006, be restricted
714 by the Department of Transportation or by the local authority to
715 use by semitrailers not exceeding a length of 48 feet, inclusive
716 of the load carried thereon but exclusive of safety and energy
717 conservation devices approved by the department for use on
718 vehicles using public roads. Truck tractor-semitrailer
719 combinations shall be afforded reasonable access to terminals;
720 facilities for food, fuel, repairs, and rest; and points of
721 loading and unloading.

722 2. A semitrailer which is more than 48 feet but not more
723 than 57 ~~53~~ feet in extreme overall outside dimension, as
724 measured pursuant to subparagraph 1., may operate on public
725 roads, except roads on the State Highway System which are

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726 restricted by the Department of Transportation or other roads
727 restricted by local authorities, if:

728 a. The distance between the kingpin or other peg that locks
729 into the fifth wheel of a truck tractor and the center of the
730 rear axle or rear group of axles does not exceed 41 feet, or, in
731 the case of a semitrailer used exclusively or primarily to
732 transport vehicles in connection with motorsports competition
733 events, the distance does not exceed 46 feet from the kingpin to
734 the center of the rear axles; and

735 b. It is equipped with a substantial rear-end underride
736 protection device meeting the requirements of 49 C.F.R. s.
737 393.86, "Rear End Protection."

738 (14) MANUFACTURED BUILDINGS.—The Department of
739 Transportation may, in its discretion and upon application and
740 good cause shown therefor that the same is not contrary to the
741 public interest, issue a special permit for truck tractor-
742 semitrailer combinations where the total number of overwidth
743 deliveries of manufactured buildings, as defined in s.
744 553.36(13), may be reduced by permitting the use of multiple
745 sections or single units on an overlength trailer of no more
746 than 80 ~~54~~ feet.

747 Section 11. Paragraph (b) of subsection (2) of section
748 316.545, Florida Statutes, is amended to read:

749 316.545 Weight and load unlawful; special fuel and motor
750 fuel tax enforcement; inspection; penalty; review.—

751 (2)

752 (b) The officer or inspector shall inspect the license
753 plate or registration certificate of the commercial vehicle, as
754 defined in s. 316.003(66), to determine if its gross weight is

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755 in compliance with the declared gross vehicle weight. If its
756 gross weight exceeds the declared weight, the penalty shall be 5
757 cents per pound on the difference between such weights. In those
758 cases when the commercial vehicle, as defined in s. 316.003(66),
759 is being operated over the highways of the state with an expired
760 registration or with no registration from this or any other
761 jurisdiction or is not registered under the applicable
762 provisions of chapter 320, the penalty herein shall apply on the
763 basis of 5 cents per pound on that scaled weight which exceeds
764 35,000 pounds on laden truck tractor-semitrailer combinations or
765 tandem trailer truck combinations, 10,000 pounds on laden
766 straight trucks or straight truck-trailer combinations, or
767 10,000 pounds on any unladen commercial motor vehicle. A
768 commercial motor vehicle entering the state at a designated
769 port-of-entry location, as defined in s. 316.003(94), or
770 operating on designated routes to a port-of-entry location,
771 which obtains a temporary registration permit shall be assessed
772 a penalty limited to the difference between its gross weight and
773 the declared gross vehicle weight at 5 cents per pound. If the
774 license plate or registration has not been expired for more than
775 90 days, the penalty imposed under this paragraph may not exceed
776 \$1,000. In the case of special mobile equipment as defined in s.
777 316.003(48), which qualifies for the license tax provided for in
778 s. 320.08(5)(b), being operated on the highways of the state
779 with an expired registration or otherwise not properly
780 registered under the applicable provisions of chapter 320, a
781 penalty of \$75 shall apply in addition to any other penalty
782 which may apply in accordance with this chapter. A vehicle found
783 in violation of this section may be detained until the owner or

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784 operator produces evidence that the vehicle has been properly
785 registered. Any costs incurred by the retention of the vehicle
786 shall be the sole responsibility of the owner. A person who has
787 been assessed a penalty pursuant to this paragraph for failure
788 to have a valid vehicle registration certificate pursuant to the
789 provisions of chapter 320 is not subject to the delinquent fee
790 authorized in s. 320.07 if such person obtains a valid
791 registration certificate within 10 working days after such
792 penalty was assessed.

793 Section 12. Section 333.01, Florida Statutes, is amended to
794 read:

795 333.01 Definitions.—For the purpose of this chapter, the
796 following words, terms, and phrases shall have the following
797 meanings ~~herein given, unless otherwise specifically defined, or~~
798 ~~unless another intention clearly appears, or the context~~
799 ~~otherwise requires:~~

800 (1) "Aeronautical study" means a Federal Aviation
801 Administration review conducted pursuant to 14 C.F.R. part 77,
802 concerning the effect of proposed construction or alteration on
803 the use of air navigation facilities or navigable airspace by
804 aircraft. ~~"Aeronautics" means transportation by aircraft; the~~
805 ~~operation, construction, repair, or maintenance of aircraft,~~
806 ~~aircraft power plants and accessories, including the repair,~~
807 ~~packing, and maintenance of parachutes; the design,~~
808 ~~establishment, construction, extension, operation, improvement,~~
809 ~~repair, or maintenance of airports, restricted landing areas, or~~
810 ~~other air navigation facilities, and air instruction.~~

811 (2) "Airport" means any area of land or water designed and
812 set aside for the landing and taking off of aircraft and

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813 utilized or to be utilized in the interest of the public for
814 such purpose.

815 (3) "Airport hazard" means any obstruction that exceeds
816 ~~structure or tree or use of land which would exceed~~ the federal
817 obstruction standards as contained in 14 C.F.R. ss. 77.15,
818 77.17, 77.19, 77.21, and 77.23 ~~77.21, 77.23, 77.25, 77.28, and~~
819 ~~77.29~~ and which obstructs the airspace required for the flight
820 of aircraft in taking off, maneuvering, or landing, or that is
821 otherwise hazardous to such taking off, maneuvering, or landing
822 of aircraft and for which no person has ~~previously~~ obtained a
823 permit ~~or variance~~ pursuant to s. 333.025 or s. 333.07.

824 (4) "Airport hazard area" means any area of land or water
825 upon which an airport hazard might be established ~~if not~~
826 ~~prevented as provided in this chapter.~~

827 (5) "Airport land use compatibility zoning" means airport
828 zoning regulations governing ~~restricting~~ the use of land
829 adjacent to or in the immediate vicinity of airports in the
830 manner provided ~~enumerated~~ in ss. 333.03(2) ~~s. 333.03(2)~~ to
831 ~~activities and (3) purposes compatible with the continuation of~~
832 ~~normal airport operations including landing and takeoff of~~
833 ~~aircraft in order to promote public health, safety, and general~~
834 ~~welfare.~~

835 (6) "Airport layout plan" means a scaled detailed, scale
836 ~~engineering~~ drawing or set of drawings in either paper or
837 electronic form of the existing, including pertinent dimensions,
838 ~~of an airport's current and planned~~ airport facilities which
839 provides a graphic representation of the existing and long-term
840 development plan for the airport and demonstrates the
841 preservation and continuity of safety, utility, and efficiency

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842 ~~of the airport, their locations, and runway usage.~~

843 (7) "Airport master plan" means a comprehensive plan for an
844 airport that describes the immediate and long-term development
845 plans to meet future aviation demand.

846 (8) "Airport protection zoning" means airport zoning
847 regulations governing airport hazards in the manner provided in
848 s. 333.03.

849 (9) "Department" means the Department of Transportation as
850 created by s. 20.23.

851 (10) "Educational facility" means any structure, land, or
852 use thereof that includes a public or private kindergarten
853 through grade 12 school, charter school, magnet school, college
854 campus, or university campus. Space used for educational
855 purposes within a multitenant building may not be treated as an
856 educational facility for the purpose of this chapter.

857 (11) "Landfill" has the same meaning as in s. 403.703.

858 (12) ~~(7)~~ "Obstruction" means any object of natural growth,
859 terrain, or permanent or temporary construction or alteration,
860 including equipment or materials used and any permanent or
861 temporary apparatus, or alteration of any permanent or temporary
862 existing structure by a change in its height, including existing
863 or proposed appurtenances, or lateral dimensions, including
864 equipment or material used therein, which exceeds ~~existing or~~
865 ~~proposed manmade object or object of natural growth or terrain~~
866 that violates the standards contained in 14 C.F.R. ss. 77.15,
867 77.17, 77.19, 77.21, and 77.23 ~~77.21, 77.23, 77.25, 77.28, and~~
868 ~~77.29.~~

869 (13) ~~(8)~~ "Person" means any individual, firm, copartnership,
870 corporation, company, association, joint-stock association, or

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871 body politic, and includes any trustee, receiver, assignee, or
872 other similar representative thereof.

873 (14)~~(9)~~ "Political subdivision" means the local government
874 of any county, city, town, village, or other subdivision or
875 agency thereof, or any district or special district, port
876 commission, port authority, or other such agency authorized to
877 establish or operate airports in the state.

878 (15) "Public-use airport" means an airport, publicly or
879 privately owned and licensed by the state, which is open for use
880 by the public.

881 (16)~~(10)~~ "Runway protection clear zone" or "RPZ" means an
882 area at ground level beyond the a runway end which is intended
883 to enhance the safety and protection of people and property on
884 the ground clear zone as defined in 14 C.F.R. s. 151.9(b).

885 (17)~~(11)~~ "Structure" means any object, constructed,
886 erected, altered, or installed by humans, including, but without
887 limitation thereof, buildings, towers, smokestacks, utility
888 poles, power generation equipment, and overhead transmission
889 lines.

890 (18) "Substantial modification" means any repair,
891 reconstruction, rehabilitation, or improvement of a structure
892 when the actual cost of the repair, reconstruction,
893 rehabilitation, or improvement of the structure equals or
894 exceeds 50 percent of the market value of the structure.

895 ~~(12) "Tree" includes any plant of the vegetable kingdom.~~

896 Section 13. Section 333.025, Florida Statutes, is amended
897 to read:

898 333.025 Permit required for structures exceeding federal
899 obstruction standards.-

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900 (1) A person proposing the construction or alteration ~~In~~
901 ~~order to prevent the erection of structures~~ hazardous ~~dangerous~~
902 to air navigation, subject to the provisions of subsections (2),
903 (3), and (4), must ~~each person shall~~ secure from the department
904 ~~of Transportation~~ a permit for the proposed construction or
905 ~~erection, alteration, or modification~~ of any structure the
906 result of which would exceed the federal obstruction standards
907 as contained in 14 C.F.R. ss. 77.15, 77.17, 77.19, 77.21, and
908 77.23 ~~77.21, 77.23, 77.25, 77.28, and 77.29~~. However, permits
909 from the department ~~of Transportation~~ will be required only
910 within an airport hazard area where federal obstruction
911 standards are exceeded and if the proposed construction is
912 within a 10-nautical-mile radius of the airport reference point,
913 located at the approximate geometric ~~geographical~~ center of all
914 useable runways of public-use airports or a publicly owned or
915 ~~operated airport,~~ a military airport, ~~or an airport licensed by~~
916 ~~the state for public use.~~

917 (2) Existing, planned, and proposed ~~Affected airports will~~
918 ~~be considered as having those facilities~~ at public-use airports
919 contained in an ~~which are shown on the~~ airport master plan, on
920 ~~or~~ an airport layout plan submitted to the Federal Aviation
921 Administration Airport District Office, or in comparable
922 military documents, ~~and will be so~~ protected from structures
923 that exceed federal obstruction standards. ~~Planned or proposed~~
924 ~~public-use airports which are the subject of a notice or~~
925 ~~proposal submitted to the Federal Aviation Administration or to~~
926 ~~the Department of Transportation shall also be protected.~~

927 (3) Permit requirements of subsection (1) do ~~shall~~ not
928 apply to structures ~~projects~~ which received construction permits

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929 from the Federal Communications Commission for structures
930 exceeding federal obstruction standards prior to May 20, 1975,
931 ~~provided such structures now exist;~~ nor does subsection (1)
932 ~~shall it~~ apply to previously approved structures now existing,
933 or any necessary replacement or repairs to such existing
934 structures, so long as the height and location is unchanged.

935 (4) When political subdivisions have adopted adequate
936 airport airspace protection zoning regulations in compliance
937 with s. 333.03~~7~~, and such regulations are on file with the
938 department ~~of Transportation~~, and have established a permitting
939 process in compliance with s. 333.09(2), a permit for such
940 structure shall not be required from the department ~~of~~
941 ~~Transportation~~. To evaluate technical consistency with this
942 section, there is a 15-day department review period concurrent
943 with the permitting process prescribed by s. 333.09. Upon
944 receipt of a complete permit application, the local government
945 shall forward to the department's Aviation Office by certified
946 mail, return receipt requested, or by delivery service that
947 provides a receipt evidencing delivery, a copy of the
948 application. Cranes, construction equipment, and other temporary
949 structures, in use or in place for a period not to exceed 18
950 consecutive months, are exempt from this requirement, unless
951 requested by the department's Aviation Office.

952 (5) The department ~~of Transportation~~ shall, within 30 days
953 of the receipt of an application for a permit, issue or deny a
954 permit for the construction or erection, alteration, ~~or~~
955 ~~modification~~ of any structure ~~the result of~~ which would exceed
956 federal obstruction standards as contained in 14 C.F.R. ss.
957 77.15, 77.17, 77.19, 77.21, and 77.23 ~~77.21, 77.23, 77.25,~~

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958 ~~77.28, and 77.29.~~ The department shall review permit
959 applications in conformity with s. 120.60.

960 (6) In determining whether to issue or deny a permit, the
961 department shall consider:

962 (a) The safety of persons on the ground and in the air ~~The~~
963 ~~nature of the terrain and height of existing structures.~~

964 (b) The safe and efficient use of navigable airspace ~~Public~~
965 ~~and private interests and investments.~~

966 (c) The nature of the terrain and height of existing
967 structures ~~The character of flying operations and planned~~
968 ~~developments of airports.~~

969 (d) Whether the construction of the proposed structure
970 would impact the state licensing standards for a public-use
971 airport, contained in chapter 330 and chapter 14-60, Florida
972 Administrative Code ~~Federal airways as designated by the Federal~~
973 ~~Aviation Administration.~~

974 (e) The character of existing and planned flight operations
975 and developments at public-use airports ~~Whether the construction~~
976 ~~of the proposed structure would cause an increase in the minimum~~
977 ~~descent altitude or the decision height at the affected airport.~~

978 (f) Federal airways; visual flight rules, flyways and
979 corridors; and instrument approaches as designated by the
980 Federal Aviation Administration ~~Technological advances.~~

981 (g) Whether the construction of the proposed structure
982 would cause an increase in the minimum descent altitude or the
983 decision height at the affected airport ~~The safety of persons on~~
984 ~~the ground and in the air.~~

985 (h) The cumulative effects on navigable airspace of all
986 existing structures and all other known and proposed structures

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987 in the area ~~Land use density.~~

988 ~~(i) The safe and efficient use of navigable airspace.~~

989 ~~(j) The cumulative effects on navigable airspace of all~~
990 ~~existing structures, proposed structures identified in the~~
991 ~~applicable jurisdictions' comprehensive plans, and all other~~
992 ~~known proposed structures in the area.~~

993 (7) When issuing a permit under this section, the
994 department ~~of Transportation~~ shall, ~~as a specific condition of~~
995 ~~such permit,~~ require the owner ~~obstruction marking and lighting~~
996 ~~of the permitted~~ structure or vegetation to install, operate,
997 and maintain thereon, at his or her own expense, marking and
998 lighting in conformance with the specific standards established
999 by the Federal Aviation Administration ~~structure as provided in~~
1000 ~~s. 333.07(3)(b).~~

1001 (8) The department may ~~of Transportation~~ shall not approve
1002 a permit for the construction or alteration ~~erection~~ of a
1003 structure unless the applicant submits both documentation
1004 showing compliance with the federal requirement for notification
1005 of proposed construction or alteration and a valid aeronautical
1006 study evaluation, and no permit shall be approved solely on the
1007 basis that such proposed structure will not exceed federal
1008 obstruction standards as contained in 14 C.F.R. ss. 77.15,
1009 77.17, 77.19, 77.21, or 77.23 ~~77.21, 77.23, 77.25, 77.28, or~~
1010 ~~77.29,~~ or any other federal aviation regulation.

1011 (9) The denial of a permit under this section is subject to
1012 the administrative review provisions of chapter 120.

1013 Section 14. Section 333.03, Florida Statutes, is amended to
1014 read:

1015 333.03 Requirement ~~Power~~ to adopt airport zoning

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1016 regulations.-

1017 (1) (a) Every ~~In order to prevent the creation or~~
1018 ~~establishment of airport hazards,~~ every political subdivision
1019 having an airport hazard area within its territorial limits
1020 shall, ~~by October 1, 1977,~~ adopt, administer, and enforce, ~~under~~
1021 ~~the police power and~~ in the manner and upon the conditions
1022 hereinafter prescribed in this section, airport protection
1023 zoning regulations for ~~such~~ airport hazards ~~hazard area.~~

1024 (b) Where an airport is owned or controlled by a political
1025 subdivision and an any airport hazard area ~~appertaining to such~~
1026 ~~airport~~ is located wholly or partly outside the territorial
1027 limits of the said political subdivision, the political
1028 subdivision owning or controlling the airport and any the
1029 political subdivision within which the airport hazard area is
1030 located, must ~~shall~~ either:

1031 1. By interlocal agreement, ~~in accordance with the~~
1032 ~~provisions of chapter 163,~~ adopt, administer, and enforce a set
1033 of airport protection zoning regulations applicable to the
1034 airport hazard area ~~in question;~~ or

1035 2. By ordinance, regulation, or resolution duly adopted,
1036 create a joint airport zoning board, which must ~~board shall have~~
1037 ~~the same power to~~ adopt, administer, and enforce a set of
1038 airport protection zoning regulations applicable to the airport
1039 hazard area in each ~~question as that vested in paragraph (a) in~~
1040 ~~the~~ political subdivision in within which the airport hazard
1041 ~~such~~ area is located. Each such joint airport zoning board shall
1042 have as members two representatives appointed by each
1043 participating political subdivision ~~participating in its~~
1044 ~~creation and,~~ in addition, a chair elected by a majority of the

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1045 members so appointed. ~~The~~ ~~However,~~ the airport manager or
 1046 representative of each airport in ~~managers of the affected~~
 1047 participating political subdivisions shall serve on the board in
 1048 a nonvoting capacity.

1049 (c) Airport protection zoning regulations adopted under
 1050 paragraph (a) must ~~shall~~, at ~~as~~ a minimum, require:

1051 1. A permit ~~variance~~ for the ~~erection,~~ construction or
 1052 ~~alteration, or modification~~ of any structure that ~~which~~ would
 1053 cause the structure to exceed the federal obstruction standards
 1054 as contained in 14 C.F.R. ss. 77.15, 77.17, 77.19, 77.21, and
 1055 77.23. ~~77.21, 77.23, 77.25, 77.28, and 77.29;~~

1056 2. Obstruction marking and lighting for structures
 1057 exceeding the federal obstruction standards as contained in 14
 1058 C.F.R. ss. 77.15, 77.17, 77.19, 77.21, and 77.23, as specified
 1059 in s. 333.07(3). ~~†~~

1060 3. Documentation showing compliance with the federal
 1061 requirement for notification of proposed construction or
 1062 alteration and a valid aeronautical study ~~evaluation~~ submitted
 1063 by each person applying for a permit. ~~variance;~~

1064 4. Consideration of the criteria in s. 333.025(6), when
 1065 determining whether to issue or deny a permit. ~~variance;~~ and

1066 5. That a permit may not ~~no variance shall~~ be approved
 1067 solely on the basis that the ~~such~~ proposed structure will not
 1068 exceed federal obstruction standards as contained in 14 C.F.R.
 1069 ss. 77.15, 77.17, 77.19, 77.21, or 77.23 ~~77.21, 77.23, 77.25,~~
 1070 ~~77.28, or 77.29,~~ or any other federal aviation regulation.

1071 (d) The department is available to provide assistance to
 1072 political subdivisions with regard to federal obstruction
 1073 standards ~~shall issue copies of the federal obstruction~~

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standards as contained in 14 C.F.R. ss. ~~77.21, 77.23, 77.25, 77.28, and 77.29~~ to each political subdivision having airport hazard areas and, in cooperation with political subdivisions, shall issue appropriate airport zoning maps depicting within each county the maximum allowable height of any structure or tree. Material distributed pursuant to this subsection shall be at no cost to authorized recipients.

(2) In the manner provided in subsection (1), ~~interim~~ airport land use compatibility zoning regulations must ~~shall~~ be adopted, administered, and enforced. Airport land-use compatibility zoning ~~When political subdivisions have adopted land development~~ regulations must, at a minimum, in accordance with the provisions of chapter 163 which address the use of land in the manner consistent with the provisions herein, adoption of airport land use compatibility regulations pursuant to this subsection shall not be required. Interim airport land use compatibility zoning regulations shall consider the following:

(a) Prohibiting any new and restricting any existing ~~Whether sanitary~~ landfills are located within the following areas:

1. Within 10,000 feet from the nearest point of any runway used or planned to be used by turbine ~~turbojet or turboprop~~ aircraft.

2. Within 5,000 feet from the nearest point of any runway used only by nonturbine ~~piston-type~~ aircraft.

3. Outside the perimeters defined in subparagraphs 1. and 2., but still within the lateral limits of the civil airport imaginary surfaces defined in 14 C.F.R. part 77.19 ~~77.25~~. Case-by-case review of such landfills is advised.

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1103 (b) Where ~~Whether~~ any landfill is located and constructed
1104 so that it attracts or sustains hazardous bird movements from
1105 feeding, water, or roosting areas into, or across, the runways
1106 or approach and departure patterns of aircraft, ~~the political~~
1107 ~~subdivision shall request from the airport authority or other~~
1108 ~~governing body operating the airport a report on such bird~~
1109 ~~feeding or roosting areas that at the time of the request are~~
1110 ~~known to the airport. In preparing its report, the authority, or~~
1111 ~~other governing body, shall consider whether the landfill~~
1112 operator will be required to incorporate bird management
1113 techniques or other practices to minimize bird hazards to
1114 airborne aircraft. The airport authority or other governing body
1115 shall respond to the political subdivision no later than 30 days
1116 after receipt of such request.

1117 (c) Where an airport authority or other governing body
1118 operating a ~~publicly owned~~, public-use airport has conducted a
1119 noise study in accordance with the provisions of 14 C.F.R. part
1120 150, or where the public-use airport owner has established noise
1121 contours pursuant to another public study approved by the
1122 Federal Aviation Administration, incompatible uses, as
1123 established in 14 C.F.R. part 150, appendix A noise study, or as
1124 a part of an alternative FAA-approved public study, may not be
1125 permitted within the noise contours established by that study,
1126 except where such use is specifically contemplated by such study
1127 with appropriate mitigation or similar techniques described in
1128 the study ~~neither residential construction nor any educational~~
1129 ~~facility as defined in chapter 1013, with the exception of~~
1130 ~~aviation school facilities, shall be permitted within the area~~
1131 ~~contiguous to the airport defined by an outer noise contour that~~

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1132 ~~is considered incompatible with that type of construction by 14~~
1133 ~~C.F.R. part 150, Appendix A or an equivalent noise level as~~
1134 ~~established by other types of noise studies.~~

1135 (d) Where an airport authority or other governing body
1136 operating a ~~publicly owned,~~ public-use airport has not conducted
1137 a noise study, neither residential construction nor any
1138 educational facility ~~as defined in chapter 1013,~~ with the
1139 exception of aviation school facilities, shall be permitted
1140 within an area contiguous to the airport measuring one-half the
1141 length of the longest runway on either side of and at the end of
1142 each runway centerline.

1143 (3) In the manner provided in subsection (1), airport
1144 zoning regulations ~~shall be adopted~~ which restrict new
1145 incompatible uses, ~~activities,~~ or substantial modifications to
1146 existing incompatible uses ~~construction~~ within runway protection
1147 clear zones shall be adopted , ~~including uses, activities, or~~
1148 ~~construction in runway clear zones which are incompatible with~~
1149 ~~normal airport operations or endanger public health, safety, and~~
1150 ~~welfare by resulting in congregations of people, emissions of~~
1151 ~~light or smoke, or attraction of birds. Such regulations shall~~
1152 ~~prohibit the construction of an educational facility of a public~~
1153 ~~or private school at either end of a runway of a publicly owned,~~
1154 ~~public-use airport within an area which extends 5 miles in a~~
1155 ~~direct line along the centerline of the runway, and which has a~~
1156 ~~width measuring one-half the length of the runway. Exceptions~~
1157 ~~approving construction of an educational facility within the~~
1158 ~~delineated area shall only be granted when the political~~
1159 ~~subdivision administering the zoning regulations makes specific~~
1160 ~~findings detailing how the public policy reasons for allowing~~

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1161 ~~the construction outweigh health and safety concerns prohibiting~~
1162 ~~such a location.~~

1163 ~~(4) The procedures outlined in subsections (1), (2), and~~
1164 ~~(3) for the adoption of such regulations are supplemental to any~~
1165 ~~existing procedures utilized by political subdivisions in the~~
1166 ~~adoption of such regulations.~~

1167 (4)~~(5)~~ The department of Transportation shall provide
1168 technical assistance to any political subdivision requesting
1169 assistance in the preparation of an airport zoning regulation
1170 ~~code~~. A copy of all local airport zoning codes, rules, and
1171 regulations, and amendments and proposed and granted permits
1172 ~~variances thereto~~, shall be filed with the department. All
1173 updates and amendments to local airport zoning codes, rules, and
1174 regulations must be filed with the department within 30 days
1175 after adoption.

1176 (5)~~(6)~~ ~~Nothing in~~ Subsection (2) and ~~or~~ subsection (3) may
1177 not shall be construed to require the removal, alteration, sound
1178 conditioning, or other change, or to interfere with the
1179 continued use or adjacent expansion of any educational structure
1180 or site in existence on July 1, 1993, ~~or be construed to~~
1181 ~~prohibit the construction of any new structure for which a site~~
1182 ~~has been determined as provided in former s. 235.19, as of July~~
1183 ~~1, 1993.~~

1184 (6) This section may not preclude an airport authority,
1185 local government, or other governing body operating a public-use
1186 airport from establishing airport protection zoning regulations
1187 more restrictive than herein prescribed in order to protect the
1188 safety and welfare of the public in the air and on the ground.

1189 Section 15. Section 333.04, Florida Statutes, is amended to

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1190 read:

1191 333.04 Comprehensive zoning regulations; most stringent to
1192 prevail where conflicts occur.—

1193 (1) INCORPORATION.—In the event that a political
1194 subdivision has adopted, or hereafter adopts, a comprehensive
1195 plan or policy ~~zoning ordinance~~ regulating, among other things,
1196 the height of buildings, structures, and natural objects, and
1197 uses of property, any airport zoning regulations applicable to
1198 the same area or portion thereof may be incorporated in and made
1199 a part of such comprehensive plans or policies ~~zoning~~
1200 ~~regulations~~, and be administered and enforced in connection
1201 therewith.

1202 (2) CONFLICT.—In the event of conflict between any airport
1203 zoning regulations adopted under this chapter and any other
1204 regulations applicable to the same area, whether the conflict be
1205 with respect to the height of structures or vegetation ~~trees~~,
1206 the use of land, or any other matter, and whether such
1207 regulations were adopted by the political subdivision which
1208 adopted the airport zoning regulations or by some other
1209 political subdivision, the more stringent limitation or
1210 requirement shall govern and prevail.

1211 Section 16. Section 333.05, Florida Statutes, is amended to
1212 read:

1213 333.05 Procedure for adoption of zoning regulations.—

1214 (1) NOTICE AND HEARING.—~~No~~ Airport zoning regulations may
1215 not shall be adopted, amended, or deleted ~~changed~~ under this
1216 chapter except by action of the legislative body of the
1217 political subdivision ~~in question~~, or the joint board provided
1218 in s. 333.03(1)(b) by the political subdivisions ~~bodies~~ therein

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1219 provided and set forth, after a public hearing in relation
1220 thereto, at which parties in interest and citizens shall have an
1221 opportunity to be heard. Notice of the hearing shall be
1222 published at least once a week for 2 consecutive weeks in an
1223 official paper, or a paper of general circulation, in the
1224 political subdivision or subdivisions where ~~in which are located~~
1225 the airport zoning regulations are ~~areas~~ to be adopted, amended,
1226 or deleted ~~zoned~~.

1227 (2) AIRPORT ZONING COMMISSION.—Prior to the initial zoning
1228 of any airport area under this chapter the political subdivision
1229 or joint airport zoning board which is to adopt, administer, and
1230 enforce the regulations shall appoint a commission, to be known
1231 as the airport zoning commission, to recommend the boundaries of
1232 the various zones to be established and the regulations to be
1233 adopted therefor. Such commission shall make a preliminary
1234 report and hold public hearings thereon before submitting its
1235 final report, and the legislative body of the political
1236 subdivision or the joint airport zoning board shall not hold its
1237 public hearings or take any action until it has received the
1238 final report of such commission, and at least 15 days shall
1239 elapse between the receipt of the final report of the commission
1240 and the hearing to be held by the latter board. Where a planning
1241 ~~city plan~~ commission, airport commission, or comprehensive
1242 zoning commission already exists, it may be appointed as the
1243 airport zoning commission.

1244 Section 17. Section 333.06, Florida Statutes, is amended to
1245 read:

1246 333.06 Airport zoning requirements.—

1247 (1) REASONABLENESS.—All airport zoning regulations adopted

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1248 under this chapter shall be reasonable and ~~none~~ shall not impose
1249 any requirement or restriction which is not reasonably necessary
1250 to effectuate the purposes of this chapter. In determining what
1251 regulations it may adopt, each political subdivision and joint
1252 airport zoning board shall consider, among other things, the
1253 character of the flying operations expected to be conducted at
1254 the airport, the nature of the terrain within the airport hazard
1255 area and runway protection ~~clear~~ zones, the character of the
1256 neighborhood, the uses to which the property to be zoned is put
1257 and adaptable, and the impact of any new use, activity, or
1258 construction on the airport's operating capability and capacity.

1259 (2) INDEPENDENT JUSTIFICATION.—The purpose of all airport
1260 zoning regulations adopted under this chapter is to provide both
1261 airspace protection and land uses ~~use~~ compatible with airport
1262 operations. Each aspect of this purpose requires independent
1263 justification in order to promote the public interest in safety,
1264 health, and general welfare. Specifically, construction in a
1265 runway protection ~~clear~~ zone which does not exceed airspace
1266 height restrictions is not conclusive ~~evidence per se~~ that such
1267 use, activity, or construction is compatible with airport
1268 operations.

1269 (3) NONCONFORMING USES.—No airport protection zoning
1270 regulations adopted under this chapter shall require the
1271 removal, lowering, or other change or alteration of any
1272 structure or vegetation ~~tree~~ not conforming to the regulations
1273 when adopted or amended, or otherwise interfere with the
1274 continuance of any nonconforming use, except as provided in s.
1275 333.07(1) and (3).

1276 (4) ADOPTION OF AIRPORT MASTER PLAN AND NOTICE TO AFFECTED

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1277 LOCAL GOVERNMENTS.—An airport master plan shall be prepared by
1278 each public-use ~~publicly owned and operated~~ airport licensed by
1279 the department ~~of Transportation~~ under chapter 330. The
1280 authorized entity having responsibility for governing the
1281 operation of the airport, when either requesting from or
1282 submitting to a state or federal governmental agency with
1283 funding or approval jurisdiction a “finding of no significant
1284 impact,” an environmental assessment, a site-selection study, an
1285 airport master plan, or any amendment to an airport master plan,
1286 shall submit simultaneously a copy of said request, submittal,
1287 assessment, study, plan, or amendments by certified mail to all
1288 affected local governments. For the purposes of this subsection,
1289 “affected local government” is defined as any city or county
1290 having jurisdiction over the airport and any city or county
1291 located within 2 miles of the boundaries of the land subject to
1292 the airport master plan.

1293 Section 18. Section 333.065, Florida Statutes, is repealed.

1294 Section 19. Section 333.07, Florida Statutes, is amended to
1295 read:

1296 333.07 Local government permitting of airspace obstructions
1297 ~~Permits and variances.—~~

1298 (1) PERMITS.—

1299 (a) Any person proposing to erect, construct, or alter any
1300 structure, increase the height of any structure, permit the
1301 growth of any vegetation, or otherwise use his or her property
1302 in violation of the airport protection zoning regulations
1303 adopted under this chapter shall apply for a permit. A ~~Any~~
1304 ~~airport zoning regulations adopted under this chapter may~~
1305 ~~require that a permit be obtained before any new structure or~~

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1306 use may be constructed or established and before any existing
1307 use or structure may be substantially changed or substantially
1308 altered or repaired. In any event, however, all such regulations
1309 shall provide that before any nonconforming structure or tree
1310 may be replaced, substantially altered or repaired, rebuilt,
1311 allowed to grow higher, or replanted, a permit must be secured
1312 from the administrative agency authorized to administer and
1313 enforce the regulations, authorizing such replacement, change,
1314 or repair. ~~No permit may not shall be issued granted~~ that would
1315 allow the establishment or creation of an airport hazard or
1316 would permit a nonconforming structure or vegetation tree or
1317 nonconforming use to be made or become higher or to become a
1318 greater hazard to air navigation than it was when the applicable
1319 regulation was adopted or than it is when the application for a
1320 permit is made.

1321 (b) Whenever the political subdivision or its
1322 administrative agency determines that a nonconforming use or
1323 nonconforming structure or vegetation tree has been abandoned or
1324 is more than 80 percent torn down, destroyed, deteriorated, or
1325 decayed, a ~~no~~ permit may not shall be granted that would allow
1326 the said structure or vegetation tree to exceed the applicable
1327 height limit or otherwise deviate from the zoning regulations. ~~and,~~
1328 and, Whether an application is made for a permit under this
1329 subsection or not, the ~~said agency may by appropriate action,~~
1330 ~~compel the owner of the nonconforming structure or vegetation~~
1331 may be required tree, at his or her own expense, to lower,
1332 remove, reconstruct, alter, or equip such object as may be
1333 necessary to conform to the regulations. If the owner of the
1334 nonconforming structure or vegetation neglects or refuses tree

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1335 shall ~~neglect or refuse~~ to comply with the such order for 10
1336 days after notice ~~thereof~~, the ~~said~~ agency may report the
1337 violation to the political subdivision involved therein. The,
1338 ~~which~~ subdivision, through its appropriate agency, may proceed
1339 to have the object so lowered, removed, reconstructed, altered,
1340 or equipped, and assess the cost and expense thereof upon the
1341 object or the land where ~~whereon~~ it is or was located, ~~and~~,
1342 ~~unless such an assessment is paid within 90 days from the~~
1343 ~~service of notice thereof on the owner or the owner's agent, of~~
1344 ~~such object or land, the sum shall be a lien on said land, and~~
1345 ~~shall bear interest thereafter at the rate of 6 percent per~~
1346 ~~annum until paid, and shall be collected in the same manner as~~
1347 ~~taxes on real property are collected by said political~~
1348 ~~subdivision, or, at the option of said political subdivision,~~
1349 ~~said lien may be enforced in the manner provided for enforcement~~
1350 ~~of liens by chapter 85.~~

1351 ~~(c) Except as provided herein, applications for permits~~
1352 ~~shall be granted, provided the matter applied for meets the~~
1353 ~~provisions of this chapter and the regulations adopted and in~~
1354 ~~force hereunder.~~

1355 (2) CONSIDERATIONS WHEN ISSUING OR DENYING PERMITS.-In
1356 determining whether to issue or deny a permit, the political
1357 subdivision or its administrative agency must consider the
1358 following, as applicable:

1359 (a) The safety of persons on the ground and in the air.

1360 (b) The safe and efficient use of navigable airspace.

1361 (c) The nature of the terrain and height of existing
1362 structures.

1363 (d) The construction or alteration of the proposed

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1364 structure on the state licensing standards for a public-use
 1365 airport, contained in chapter 330 and chapter 14-60 of the
 1366 Florida Administrative Code.

1367 (e) The character of existing and planned flight operations
 1368 and developments at public-use airports.

1369 (f) Federal airways; visual flight rules, flyways and
 1370 corridors; and instrument approaches as designated by the
 1371 Federal Aviation Administration.

1372 (g) The construction or alteration of the proposed
 1373 structure on the minimum descent altitude or the decision height
 1374 at the affected airport.

1375 (h) The cumulative effects on navigable airspace of all
 1376 existing structures, and all other known proposed structures in
 1377 the area.

1378 (i) Requirements contained in s. 333.03(2) and (3).

1379 (j) Additional requirements adopted by the local
 1380 jurisdiction pertinent to evaluation and protection of airspace
 1381 and airport operations.

1382 ~~(2) VARIANCES.—~~

1383 ~~(a) Any person desiring to erect any structure, increase~~
 1384 ~~the height of any structure, permit the growth of any tree, or~~
 1385 ~~otherwise use his or her property in violation of the airport~~
 1386 ~~zoning regulations adopted under this chapter or any land~~
 1387 ~~development regulation adopted pursuant to the provisions of~~
 1388 ~~chapter 163 pertaining to airport land use compatibility, may~~
 1389 ~~apply to the board of adjustment for a variance from the zoning~~
 1390 ~~regulations in question. At the time of filing the application,~~
 1391 ~~the applicant shall forward to the department by certified mail,~~
 1392 ~~return receipt requested, a copy of the application. The~~

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1393 ~~department shall have 45 days from receipt of the application to~~
1394 ~~comment and to provide its comments or waiver of that right to~~
1395 ~~the applicant and the board of adjustment. The department shall~~
1396 ~~include its explanation for any objections stated in its~~
1397 ~~comments. If the department fails to provide its comments within~~
1398 ~~45 days of receipt of the application, its right to comment is~~
1399 ~~waived. The board of adjustment may proceed with its~~
1400 ~~consideration of the application only upon the receipt of the~~
1401 ~~department's comments or waiver of that right as demonstrated by~~
1402 ~~the filing of a copy of the return receipt with the board.~~
1403 ~~Noncompliance with this section shall be grounds to appeal~~
1404 ~~pursuant to s. 333.08 and to apply for judicial relief pursuant~~
1405 ~~to s. 333.11. Such variances may only be allowed where a literal~~
1406 ~~application or enforcement of the regulations would result in~~
1407 ~~practical difficulty or unnecessary hardship and where the~~
1408 ~~relief granted would not be contrary to the public interest but~~
1409 ~~would do substantial justice and be in accordance with the~~
1410 ~~spirit of the regulations and this chapter. However, any~~
1411 ~~variance may be allowed subject to any reasonable conditions~~
1412 ~~that the board of adjustment may deem necessary to effectuate~~
1413 ~~the purposes of this chapter.~~

1414 ~~(b) The Department of Transportation shall have the~~
1415 ~~authority to appeal any variance granted under this chapter~~
1416 ~~pursuant to s. 333.08, and to apply for judicial relief pursuant~~
1417 ~~to s. 333.11.~~

1418 (3) OBSTRUCTION MARKING AND LIGHTING.—

1419 (a) In issuing a granting ~~any permit or variance~~ under this
1420 section, the political subdivision or its administrative agency
1421 ~~or board of adjustment~~ shall require the owner of the structure

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1422 or vegetation ~~tree in question~~ to install, operate, and maintain
1423 thereon, at his or her own expense, ~~such~~ marking and lighting in
1424 conformance with the specific standards established by the
1425 Federal Aviation Administration ~~as may be necessary to indicate~~
1426 ~~to aircraft pilots the presence of an obstruction.~~

1427 (b) Such marking and lighting shall conform to the specific
1428 standards established by rule by the department ~~of~~
1429 Transportation.

1430 ~~(c) Existing structures not in compliance on October 1,~~
1431 ~~1988, shall be required to comply whenever the existing marking~~
1432 ~~requires refurbishment, whenever the existing lighting requires~~
1433 ~~replacement, or within 5 years of October 1, 1988, whichever~~
1434 ~~occurs first.~~

1435 Section 20. Section 333.08, Florida Statutes, is repealed.

1436 Section 21. Section 333.09, Florida Statutes, is amended to
1437 read:

1438 333.09 Administration of airport zoning regulations.-

1439 (1) ADMINISTRATION AND ENFORCEMENT.-All airport zoning
1440 regulations adopted under this chapter shall provide for the
1441 administration and enforcement of such regulations by the
1442 political subdivisions or their ~~by an~~ administrative agency
1443 ~~which may be an agency created by such regulations or any~~
1444 ~~official, board, or other existing agency of the political~~
1445 ~~subdivision adopting the regulations or of one of the political~~
1446 ~~subdivisions which participated in the creation of the joint~~
1447 ~~airport zoning board adopting the regulations, if satisfactory~~
1448 ~~to that political subdivision, but in no case shall such~~
1449 ~~administrative agency be or include any member of the board of~~
1450 ~~adjustment.~~ The duties of any administrative agency designated

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1451 pursuant to this chapter shall include that of hearing and
1452 deciding all permits under s. 333.07 ~~s. 333.07(1)~~, ~~deciding all~~
1453 ~~matters under s. 333.07(3)~~, as they pertain to such agency, and
1454 all other matters under this chapter applying to said agency,
1455 ~~but such agency shall not have or exercise any of the powers~~
1456 ~~herein delegated to the board of adjustment.~~

1457 (2) LOCAL GOVERNMENT PROCESS.-

1458 (a) Any political subdivision required to adopt airport
1459 zoning regulations under this chapter must provide a process to:

1460 1. Issue or deny permits consistent with s. 333.07,
1461 including requests for exceptions to airport zoning regulations.

1462 2. Notify the department of receipt of a complete permit
1463 application consistent with s. 333.025(4).

1464 3. Enforce any permit, order, requirement, decision, or
1465 determination made by the administrative agency with respect to
1466 the airport zoning regulations.

1467 (b) Where a zoning board or permitting body already exists
1468 within a political subdivision, the zoning board or permitting
1469 body may implement the permitting and appeals process.

1470 Otherwise, the political subdivision shall implement the
1471 permitting and appeals process in a manner consistent with its
1472 constitutional powers and areas of jurisdiction.

1473 (3) APPEALS.-

1474 (a) Any person, political subdivision or its administrative
1475 agency, or any joint airport zoning board, which contends that
1476 the decision made by a political subdivision or its
1477 administrative agency is an improper application of airport
1478 zoning regulations may use the process established for an
1479 appeal.

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1480 (b) All appeals taken under this section must be taken
1481 within a reasonable time, as provided by the political
1482 subdivision or its administrative agency, by filing with the
1483 entity from which appeal is taken a notice of appeal specifying
1484 the grounds for appeal.

1485 (c) An appeal stays all proceedings in the underlying
1486 action, unless the entity from which the appeal is taken
1487 certifies pursuant to the rules for appeal that by reason of the
1488 facts stated in the certificate, a stay would, in its opinion,
1489 cause imminent peril to life or property. In that case,
1490 proceedings may not be stayed except by an order of the
1491 political subdivision or its administrative agency following
1492 notice to the entity from which the appeal is taken and on good
1493 cause shown.

1494 (d) The political subdivision or its administrative agency
1495 must set a reasonable time for the hearing of appeals, give
1496 public notice and due notice to the parties in interest, and
1497 decide the same within a reasonable time. At the hearing, a
1498 party may appear in person, by agent, or by attorney.

1499 (e) The political subdivision or its administrative agency
1500 may, in conformity with the provisions of this chapter, reverse,
1501 affirm, or modify the underlying order, requirement, decision,
1502 or determination from which the appeal is taken.

1503 Section 22. Section 333.10, Florida Statutes, is repealed.

1504 Section 23. Section 333.11, Florida Statutes, is amended to
1505 read:

1506 333.11 Judicial review.—

1507 (1) Any person, ~~aggrieved, or taxpayer affected, by any~~
1508 ~~decision of a board of adjustment, or any governing body of a~~

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1509 political subdivision or its administrative agency, or the
1510 ~~Department of Transportation or any joint airport zoning board~~
1511 affected by a decision of a political subdivision, or its ~~of any~~
1512 administrative agency ~~hereunder,~~ may apply for judicial relief
1513 to the circuit court in the judicial circuit where the political
1514 subdivision ~~board of adjustment~~ is located within 30 days after
1515 rendition of the decision ~~by the board of adjustment.~~ Review
1516 shall be by petition for writ of certiorari, which shall be
1517 governed by the Florida Rules of Appellate Procedure.

1518 ~~(2) Upon presentation of such petition to the court, it may~~
1519 ~~allow a writ of certiorari, directed to the board of adjustment,~~
1520 ~~to review such decision of the board. The allowance of the writ~~
1521 ~~shall not stay the proceedings upon the decision appealed from,~~
1522 ~~but the court may, on application, on notice to the board, on~~
1523 ~~due hearing and due cause shown, grant a restraining order.~~

1524 ~~(3) The board of adjustment shall not be required to return~~
1525 ~~the original papers acted upon by it, but it shall be sufficient~~
1526 ~~to return certified or sworn copies thereof or of such portions~~
1527 ~~thereof as may be called for by the writ. The return shall~~
1528 ~~concisely set forth such other facts as may be pertinent and~~
1529 ~~material to show the grounds of the decision appealed from and~~
1530 ~~shall be verified.~~

1531 ~~(2)-(4)~~ The court shall have exclusive jurisdiction to
1532 affirm, modify, or set aside the decision brought up for review,
1533 ~~in whole or in part,~~ and if need be, to order further
1534 proceedings by the political subdivision or its administrative
1535 agency ~~board of adjustment.~~ The findings of fact by the
1536 political subdivision or its administrative agency ~~board,~~ if
1537 supported by substantial evidence, shall be accepted by the

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1538 court as conclusive. ~~An, and no~~ objection to a decision of the
1539 political subdivision or its administrative agency may not board
1540 ~~shall~~ be considered by the court unless such objection was
1541 raised in the underlying proceeding shall have been urged before
1542 ~~the board, or, if it was not so urged, unless there were~~
1543 ~~reasonable grounds for failure to do so.~~

1544 ~~(3)-(5) If~~ In any case in which airport zoning regulations
1545 adopted under this chapter, ~~although generally reasonable,~~ are
1546 held by a court to interfere with the use and enjoyment of a
1547 particular structure or parcel of land to such an extent, or to
1548 be so onerous in their application to such a structure or parcel
1549 of land, as to constitute a taking or deprivation of that
1550 property in violation of the State Constitution or the
1551 Constitution of the United States, such holding shall not affect
1552 the application of such regulations to other structures and
1553 parcels of land, or such regulations as are not involved in the
1554 particular decision.

1555 ~~(4)-(6) No~~ Judicial appeal ~~shall be or is not~~ permitted
1556 under this section, ~~to any courts~~ until the appellant has
1557 exhausted all its remedies through application for local
1558 government permits, exceptions, and appeals, ~~as herein provided,~~
1559 ~~save and except an appeal from a decision of the board of~~
1560 ~~adjustment, the appeal herein provided being from such final~~
1561 ~~decision of such board only, the appellant being hereby required~~
1562 ~~to exhaust his or her remedies hereunder of application for~~
1563 ~~permits, exceptions and variances, and appeal to the board of~~
1564 ~~adjustment, and gaining a determination by said board, before~~
1565 ~~being permitted to appeal to the court hereunder.~~

1566 Section 24. Section 333.12, Florida Statutes, is amended to

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1567 read:

1568 333.12 Acquisition of air rights. ~~When In any case which:~~
1569 ~~it is desired to remove, lower or otherwise terminate a~~
1570 nonconforming structure or use presents an air hazard and the
1571 structure cannot be removed, lowered, or otherwise terminated;
1572 or the approach protection necessary cannot, because of
1573 constitutional limitations, be provided by airport regulations
1574 under this chapter; or it appears advisable that the necessary
1575 approach protection be provided by acquisition of property
1576 rights rather than by airport zoning regulations, the political
1577 subdivision within which the property or nonconforming use is
1578 located, or the political subdivision owning or operating the
1579 airport or being served by it, may acquire, by purchase, grant,
1580 or condemnation in the manner provided by chapter 73, such air
1581 right, avigation ~~navigation~~ easement conveying the airspace over
1582 another property for use by the airport, or other estate,
1583 portion or interest in the property or nonconforming structure
1584 or use or such interest in the air above such property,
1585 vegetation ~~tree~~, structure, or use, in question, as may be
1586 necessary to effectuate the purposes of this chapter, and in so
1587 doing, if by condemnation, to have the right to take immediate
1588 possession of the property, interest in property, air right, or
1589 other right sought to be condemned, at the time, and in the
1590 manner and form, and as authorized by chapter 74. In the case of
1591 the purchase of any property, or any ~~any~~ easement, or estate or
1592 interest therein or the acquisition of the same by the power of
1593 eminent domain, the political subdivision making such purchase
1594 or exercising such power shall in addition to the damages for
1595 the taking, injury, or destruction of property also pay the cost

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1596 of the removal and relocation of any structure or any public
1597 utility which is required to be moved to a new location.

1598 Section 25. Section 333.135, Florida Statutes, is created
1599 to read:

1600 333.135 Transition provisions.—

1601 (1) A provision of an airport zoning regulation in effect
1602 on July 1, 2015, that conflicts with this chapter must be
1603 amended to conform to the requirements of this chapter by July
1604 1, 2016.

1605 (2) By October 1, 2017, a political subdivision having an
1606 airport within its territorial limits, which has not adopted
1607 airport zoning regulations, must adopt airport zoning
1608 regulations which are consistent with this chapter.

1609 (3) For those political subdivisions that have not yet
1610 adopted airport zoning regulations pursuant to this chapter, the
1611 department shall administer the permitting process as provided
1612 in s. 333.025.

1613 Section 26. Section 333.14, Florida Statutes, is repealed.

1614 Section 27. Subsections (36) and (37) of section 334.03,
1615 Florida Statutes, are amended to read:

1616 334.03 Definitions.—When used in the Florida Transportation
1617 Code, the term:

1618 (36) "511" or "511 services" means all three-digit
1619 ~~telecommunications dialing to access interactive voice response~~
1620 ~~telephone~~ traveler information services provided in the state to
1621 include, but not be limited to, the terms as defined by the
1622 Federal Communications Commission in FCC Order No. 00-256, July
1623 31, 2000.

1624 ~~(37) "Interactive voice response" means a software~~

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1625 ~~application that accepts a combination of voice telephone input~~
1626 ~~and touch-tone keypad selection and provides appropriate~~
1627 ~~responses in the form of voice, fax, callback, e-mail, and other~~
1628 ~~media.~~

1629 Section 28. Subsection (31) of section 334.044, Florida
1630 Statutes, is amended, and subsection (34) of that section is
1631 created, to read:

1632 334.044 Department; powers and duties.—The department shall
1633 have the following general powers and duties:

1634 (31) To provide oversight of traveler information systems
1635 ~~that may include the provision of interactive voice response~~
1636 ~~telephone systems accessible via the 511 services number~~ as
1637 assigned by the Federal Communications Commission for traveler
1638 information services. The department shall ensure that uniform
1639 standards and criteria for the collection and dissemination of
1640 traveler information are applied ~~using interactive voice~~
1641 ~~response systems.~~

1642 (34) The department may assume responsibilities of the
1643 United States Department of Transportation with respect to
1644 highway projects within the state under the National
1645 Environmental Policy Act of 1969 (42 U.S.C. s. 4321 et seq.) and
1646 with respect to related responsibilities for environmental
1647 review, consultation, or other action required under any federal
1648 environmental law pertaining to review or approval of a highway
1649 project within the state. The department may assume
1650 responsibilities under 23 U.S.C. s. 327 and enter into one or
1651 more agreements, including memoranda of understanding, with the
1652 United States Secretary of Transportation related to the federal
1653 surface transportation project delivery program for the delivery

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1654 of highway projects, as provided by 23 U.S.C. s. 327. The
1655 department may adopt rules to implement this subsection and may
1656 adopt relevant federal environmental standards as the standards
1657 for this state for a program described in this subsection.
1658 Sovereign immunity to civil suit in federal court is waived
1659 consistent with 23 U.S.C. s. 327 and limited to the compliance,
1660 discharge, or enforcement of a responsibility assumed by the
1661 department under this subsection.

1662 Section 29. Section 334.60, Florida Statutes, is amended to
1663 read:

1664 334.60 511 traveler information system.—The department is
1665 the state's lead agency for implementing 511 services and is the
1666 state's point of contact for coordinating all 511 services ~~with~~
1667 ~~telecommunications service providers.~~

1668 (1) The department shall:

1669 (a) ~~(1)~~ Implement and administer 511 services in the state;

1670 (b) ~~(2)~~ Coordinate with other transportation authorities in
1671 the state to provide multimodal traveler information through 511
1672 services and other means;

1673 (c) ~~(3)~~ Develop uniform standards and criteria for the
1674 collection and dissemination of traveler information using ~~the~~
1675 511 services number or other interactive voice response systems;
1676 and

1677 (d) ~~(4)~~ Enter into joint participation agreements or
1678 contracts with highway authorities and public transit districts
1679 to share the costs of implementing and administering 511
1680 services in the state. The department may also enter into other
1681 agreements or contracts with private firms relating to the 511
1682 services to offset the costs of implementing and administering

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1683 511 services in the state.

1684 (2) The department shall adopt rules to administer the
1685 coordination of 511 traveler information ~~phone~~ services in the
1686 state.

1687 Section 30. Subsections (3) and (4) of section 335.065,
1688 Florida Statutes, are amended to read:

1689 335.065 Bicycle and pedestrian ways along state roads and
1690 transportation facilities.—

1691 (3) The department, in cooperation with the Department of
1692 Environmental Protection, shall establish a statewide integrated
1693 system of bicycle and pedestrian ways in such a manner as to
1694 take full advantage of any such ways which are maintained by any
1695 governmental entity. ~~The department may enter into a concession~~
1696 ~~agreement with a not for profit entity or private sector~~
1697 ~~business or entity for commercial sponsorship displays on~~
1698 ~~multiuse trails and related facilities and use any concession~~
1699 ~~agreement revenues for the maintenance of the multiuse trails~~
1700 ~~and related facilities. Commercial sponsorship displays are~~
1701 ~~subject to the requirements of the Highway Beautification Act of~~
1702 ~~1965 and all federal laws and agreements, when applicable. For~~
1703 ~~the purposes of this section, bicycle facilities may be~~
1704 ~~established as part of or separate from the actual roadway and~~
1705 ~~may utilize existing road rights of way or other rights of way~~
1706 ~~or easements acquired for public use.~~

1707 ~~(a) A concession agreement shall be administered by the~~
1708 ~~department and must include the requirements of this section.~~

1709 ~~(b)1. Signage or displays erected under this section shall~~
1710 ~~comply with s. 337.407 and chapter 479 and shall be limited as~~
1711 ~~follows:~~

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1712 ~~a. One large sign or display, not to exceed 16 square feet~~
1713 ~~in area, may be located at each trailhead or parking area.~~

1714 ~~b. One small sign or display, not to exceed 4 square feet~~
1715 ~~in area, may be located at each designated trail public access~~
1716 ~~point.~~

1717 ~~2. Before installation, each name or sponsorship display~~
1718 ~~must be approved by the department.~~

1719 ~~3. The department shall ensure that the size, color,~~
1720 ~~materials, construction, and location of all signs are~~
1721 ~~consistent with the management plan for the property and the~~
1722 ~~standards of the department, do not intrude on natural and~~
1723 ~~historic settings, and contain only a logo selected by the~~
1724 ~~sponsor and the following sponsorship wording:~~

1725
1726 ~~... (Name of the sponsor) ... proudly sponsors the costs~~
1727 ~~of maintaining the ... (Name of the greenway or~~
1728 ~~trail)~~

1729
1730 ~~4. All costs of a display, including development,~~
1731 ~~construction, installation, operation, maintenance, and removal~~
1732 ~~costs, shall be paid by the concessionaire.~~

1733 ~~(c) A concession agreement shall be for a minimum of 1~~
1734 ~~year, but may be for a longer period under a multiyear~~
1735 ~~agreement, and may be terminated for just cause by the~~
1736 ~~department upon 60 days' advance notice. Just cause for~~
1737 ~~termination of a concession agreement includes, but is not~~
1738 ~~limited to, violation of the terms of the concession agreement~~
1739 ~~or this section.~~

1740 ~~(4) (a) The department may use appropriated funds to support~~

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1741 ~~the establishment of a statewide system of interconnected~~
1742 ~~multiuse trails and to pay the costs of planning, land~~
1743 ~~acquisition, design, and construction of such trails and related~~
1744 ~~facilities. The department shall give funding priority to~~
1745 ~~projects that:~~

1746 ~~1. Are identified by the Florida Greenways and Trails~~
1747 ~~Council as a priority within the Florida Greenways and Trails~~
1748 ~~System under chapter 260.~~

1749 ~~2. Support the transportation needs of bicyclists and~~
1750 ~~pedestrians.~~

1751 ~~3. Have national, statewide, or regional importance.~~

1752 ~~4. Facilitate an interconnected system of trails by~~
1753 ~~completing gaps between existing trails.~~

1754 ~~(b) A project funded under this subsection shall:~~

1755 ~~1. Be included in the department's work program developed~~
1756 ~~in accordance with s. 339.135.~~

1757 ~~2. Be operated and maintained by an entity other than the~~
1758 ~~department upon completion of construction. The department is~~
1759 ~~not obligated to provide funds for the operation and maintenance~~
1760 ~~of the project.~~

1761 Section 31. Section 335.21, Florida Statutes, is created to
1762 read:

1763 335.21 Governing bodies of independent special districts
1764 regulating the operation of public vehicles on public highways.-
1765 Notwithstanding any provision of local law, the membership of
1766 the governing body of any independent special district created
1767 for the purpose of regulating the operation of public vehicles
1768 upon the public highways under the jurisdiction of any such
1769 independent special district shall consist of seven members.

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1770 Four members shall be appointed by the Governor, one member
1771 shall be appointed by the governing body of the largest
1772 municipality situated within the jurisdiction of the independent
1773 special district, and two members shall be appointed by the
1774 governing body of the county in which the independent special
1775 district has jurisdiction. All appointees must be residents of
1776 the county in which the independent special district has
1777 jurisdiction. This section does not apply to any entity
1778 authorized under s. 163.567 or under chapter 343, chapter 348,
1779 or chapter 349.

1780 Section 32. Subsection (4) of section 338.165, Florida
1781 Statutes, is amended to read:

1782 338.165 Continuation of tolls.—

1783 (4) Notwithstanding any other law to the contrary, pursuant
1784 to s. 11, Art. VII of the State Constitution, and subject to the
1785 requirements of subsection (2), the Department of Transportation
1786 may request the Division of Bond Finance to issue bonds secured
1787 by toll revenues collected on the Alligator Alley, the Sunshine
1788 Skyway Bridge, ~~the Beeline-East Expressway, the Navarre Bridge,~~
1789 and the Pinellas Bayway to fund transportation projects located
1790 within the county or counties in which the project is located
1791 and contained in the adopted work program of the department.

1792 Section 33. Subsection (5) is added to section 338.227,
1793 Florida Statutes, to read:

1794 338.227 Turnpike revenue bonds.—

1795 (5) Notwithstanding s. 215.82, bonds issued pursuant to
1796 this section are not required to be validated pursuant to
1797 chapter 75, but may be validated at the option of the Division
1798 of Bond Finance. Any complaint for such validation must be filed

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1799 in the circuit court of the county where the seat of state
1800 government is situated. The notice required to be published by
1801 s. 75.06 must be published only in the county where the
1802 complaint is filed. The complaint and order of the circuit court
1803 shall be served only on the state attorney of the circuit in
1804 which the action is pending.

1805 Section 34. Paragraph (c) of subsection (3) of section
1806 338.231, Florida Statutes, and subsections (5) and (6) of that
1807 section, are amended to read:

1808 338.231 Turnpike tolls, fixing; pledge of tolls and other
1809 revenues.—The department shall at all times fix, adjust, charge,
1810 and collect such tolls and amounts for the use of the turnpike
1811 system as are required in order to provide a fund sufficient
1812 with other revenues of the turnpike system to pay the cost of
1813 maintaining, improving, repairing, and operating such turnpike
1814 system; to pay the principal of and interest on all bonds issued
1815 to finance or refinance any portion of the turnpike system as
1816 the same become due and payable; and to create reserves for all
1817 such purposes.

1818 (3)

1819 (c) Notwithstanding any other provision of law to the
1820 contrary, any prepaid toll account of any kind which has
1821 remained inactive for 10 ~~3~~ years shall be presumed unclaimed and
1822 its disposition shall be handled by the Department of Financial
1823 Services in accordance with all applicable provisions of chapter
1824 717 relating to the disposition of unclaimed property, and the
1825 prepaid toll account shall be closed by the department.

1826 ~~(5) In each fiscal year while any of the bonds of the~~
1827 ~~Broward County Expressway Authority series 1984 and series 1986~~

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1828 ~~A remain outstanding, the department is authorized to pledge~~
1829 ~~revenues from the turnpike system to the payment of principal~~
1830 ~~and interest of such series of bonds and the operation and~~
1831 ~~maintenance expenses of the Sawgrass Expressway, to the extent~~
1832 ~~gross toll revenues of the Sawgrass Expressway are insufficient~~
1833 ~~to make such payments. The terms of an agreement relative to the~~
1834 ~~pledge of turnpike system revenue will be negotiated with the~~
1835 ~~parties of the 1984 and 1986 Broward County Expressway Authority~~
1836 ~~lease purchase agreements, and subject to the covenants of those~~
1837 ~~agreements. The agreement must establish that the Sawgrass~~
1838 ~~Expressway is subject to the planning, management, and operating~~
1839 ~~control of the department limited only by the terms of the~~
1840 ~~lease purchase agreements. The department shall provide for the~~
1841 ~~payment of operation and maintenance expenses of the Sawgrass~~
1842 ~~Expressway until such agreement is in effect. This pledge of~~
1843 ~~turnpike system revenues is subordinate to the debt service~~
1844 ~~requirements of any future issue of turnpike bonds, the payment~~
1845 ~~of turnpike system operation and maintenance expenses, and~~
1846 ~~subject to any subsequent resolution or trust indenture relating~~
1847 ~~to the issuance of such turnpike bonds.~~

1848 (5)~~(6)~~ The use and disposition of revenues pledged to bonds
1849 are subject to ss. 338.22-338.241 and such regulations as the
1850 resolution authorizing the issuance of the bonds or such trust
1851 agreement may provide.

1852 Section 35. Paragraph (c) of subsection (7) of section
1853 339.175, Florida Statutes, is amended to read:

1854 339.175 Metropolitan planning organization.—

1855 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must
1856 develop a long-range transportation plan that addresses at least

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1857 a 20-year planning horizon. The plan must include both long-
1858 range and short-range strategies and must comply with all other
1859 state and federal requirements. The prevailing principles to be
1860 considered in the long-range transportation plan are: preserving
1861 the existing transportation infrastructure; enhancing Florida's
1862 economic competitiveness; and improving travel choices to ensure
1863 mobility. The long-range transportation plan must be consistent,
1864 to the maximum extent feasible, with future land use elements
1865 and the goals, objectives, and policies of the approved local
1866 government comprehensive plans of the units of local government
1867 located within the jurisdiction of the M.P.O. Each M.P.O. is
1868 encouraged to consider strategies that integrate transportation
1869 and land use planning to provide for sustainable development and
1870 reduce greenhouse gas emissions. The approved long-range
1871 transportation plan must be considered by local governments in
1872 the development of the transportation elements in local
1873 government comprehensive plans and any amendments thereto. The
1874 long-range transportation plan must, at a minimum:

1875 (c) Assess capital investment and other measures necessary
1876 to:

1877 1. Ensure the preservation of the existing metropolitan
1878 transportation system including requirements for the operation,
1879 resurfacing, restoration, and rehabilitation of major roadways
1880 and requirements for the operation, maintenance, modernization,
1881 and rehabilitation of public transportation facilities; and

1882 2. Make the most efficient use of existing transportation
1883 facilities to relieve vehicular congestion, improve safety, and
1884 maximize the mobility of people and goods. Such efforts shall
1885 include, but not be limited to, consideration of infrastructure

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1886 and technological improvements necessary to accommodate advances
1887 in vehicle technology, such as autonomous vehicle technology and
1888 other developments.

1889
1890 In the development of its long-range transportation plan, each
1891 M.P.O. must provide the public, affected public agencies,
1892 representatives of transportation agency employees, freight
1893 shippers, providers of freight transportation services, private
1894 providers of transportation, representatives of users of public
1895 transit, and other interested parties with a reasonable
1896 opportunity to comment on the long-range transportation plan.
1897 The long-range transportation plan must be approved by the
1898 M.P.O.

1899 Section 36. Paragraph (c) is added to subsection (3) of
1900 section 339.64, Florida Statutes, and paragraph (a) of
1901 subsection (4) of that section is amended, to read:

1902 339.64 Strategic Intermodal System Plan.—

1903 (3)

1904 (c) The department also shall coordinate with federal,
1905 regional, and local partners, as well as industry
1906 representatives, to consider infrastructure and technological
1907 improvements necessary to accommodate advances in vehicle
1908 technology, such as autonomous vehicle technology and other
1909 developments, in Strategic Intermodal System facilities.

1910 (4) The Strategic Intermodal System Plan shall include the
1911 following:

1912 (a) A needs assessment. Such assessment shall include, but
1913 not be limited to, consideration of infrastructure and
1914 technological improvements necessary to accommodate advances in

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1915 vehicle technology, such as autonomous vehicle technology and
1916 other developments.

1917 Section 37. Section 339.81, Florida Statutes, is created to
1918 read:

1919 339.81 Florida Shared-Use Nonmotorized Trail Network.—

1920 (1) The Florida Shared-Use Nonmotorized Trail Network is
1921 created as a component of the Florida Greenways and Trails
1922 System established in chapter 260. The network consists of
1923 multiuse trails or shared-use paths physically separated from
1924 motor vehicle traffic and constructed with asphalt, concrete, or
1925 another hard surface which, by virtue of design, location,
1926 extent of connectivity or potential connectivity, and allowable
1927 uses, provide nonmotorized transportation opportunities for
1928 bicyclists and pedestrians between and within a wide range of
1929 points of origin and destinations, including, but not limited
1930 to, communities, conservation areas, state parks, beaches, and
1931 other natural or cultural attractions for a variety of trip
1932 purposes, including work, school, shopping, and other personal
1933 business, as well as social, recreational, and personal fitness
1934 purposes.

1935 (2) Network components do not include sidewalks, nature
1936 trails, loop trails wholly within a single park or natural area,
1937 or on-road facilities, such as bicycle lanes or routes other
1938 than:

1939 (a) On-road facilities that are no greater than one-half
1940 mile in length connecting two or more nonmotorized trails, if
1941 the provision of non-road facilities is unfeasible and if such
1942 on-road facilities are signed and marked for nonmotorized use;
1943 or

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

(3) The department shall include a project to be constructed as part of the Shared-Use Nonmotorized Trail Network in its work program developed pursuant to s. 339.135.

(4) The planning, development, operation, and maintenance of the Shared-Use Nonmotorized Trail Network is declared to be a public purpose, and the department, together with other agencies of this state and all counties, municipalities, and special districts of this state, may spend public funds for such purposes and may accept gifts and grants of funds, property, or property rights from public or private sources to be used for such purposes.

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

(6) The department may adopt rules to aid in the development and maintenance of components of the network.

Section 38. Section 339.82, Florida Statutes, is created to read:

339.82 Shared-Use Nonmotorized Trail Network Plan.—

(1) The department shall develop a Shared-Use Nonmotorized Trail Network Plan in coordination with the Department of Environmental Protection, metropolitan planning organizations, affected local governments and public agencies, and the Florida Greenways and Trails Council. The plan must be consistent with

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1973 the Florida Greenways and Trails Plan developed under s. 260.014
1974 and must be updated at least once every 5 years.

1975 (2) The Shared-Use Nonmotorized Trail Network Plan must
1976 include all of the following:

1977 (a) A needs assessment, including, but not limited to, a
1978 comprehensive inventory and analysis of existing trails that may
1979 be considered for inclusion in the Shared-Use Nonmotorized Trail
1980 Network.

1981 (b) A project prioritization process that includes
1982 assigning funding priority to projects that:

1983 1. Are identified by the Florida Greenways and Trails
1984 Council as a priority within the Florida Greenways and Trails
1985 System under chapter 260;

1986 2. Facilitate an interconnected network of trails by
1987 completing gaps between existing facilities; and

1988 3. Maximize use of federal, local, and private funding and
1989 support mechanisms, including, but not limited to, donation of
1990 funds, real property, and maintenance responsibilities.

1991 (c) A map illustrating existing and planned facilities and
1992 identifying critical gaps between facilities.

1993 (d) A finance plan based on reasonable projections of
1994 anticipated revenues, including both 5-year and 10-year cost-
1995 feasible components.

1996 (e) Performance measures that include quantifiable
1997 increases in trail network access and connectivity.

1998 (f) A timeline for the completion of the base network using
1999 new and existing data from the department, the Department of
2000 Environmental Protection, and other sources.

2001 (g) A marketing plan prepared in consultation with the

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2002 Florida Tourism Industry Marketing Corporation.

2003 Section 39. Section 339.83, Florida Statutes, is created to
2004 read:

2005 339.83 Sponsorship of Shared-Use Nonmotorized Trails.—

2006 (1) The department may enter into a concession agreement
2007 with a not-for-profit entity or private sector business or
2008 entity for commercial sponsorship signs, pavement markings, and
2009 exhibits on nonmotorized trails and related facilities
2010 constructed as part of the Shared-Use Nonmotorized Trail
2011 Network. The concession agreement may also provide for
2012 recognition of trail sponsors in any brochure, map, or website
2013 providing trail information. Trail websites may provide links to
2014 sponsors. Revenue from such agreements may be used for the
2015 maintenance of the nonmotorized trails and related facilities.

2016 (a) A concession agreement shall be administered by the
2017 department.

2018 (b)1. Signage, pavement markings, or exhibits erected
2019 pursuant to this section must comply with s. 337.407 and chapter
2020 479 and are limited as follows:

2021 a. One large sign, pavement marking, or exhibit, not to
2022 exceed 16 square feet in area, may be located at each trailhead
2023 or parking area.

2024 b. One small sign, pavement marking, or exhibit, not to
2025 exceed 4 square feet in area, may be located at each designated
2026 trail public access point where parking is not provided.

2027 c. Pavement markings denoting specified distances must be
2028 located at least 1 mile apart.

2029 2. Before installation, each sign, pavement marking, or
2030 exhibit must be approved by the department.

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2031 3. The department shall ensure that the size, color,
2032 materials, construction, and location of all signs, pavement
2033 markings, and exhibits are consistent with the management plan
2034 for the property and the standards of the department, do not
2035 intrude on natural and historic settings, and contain a logo
2036 selected by the sponsor and the following sponsorship wording:

2037
2038 ...(Name of the sponsor)... proudly sponsors the costs
2039 of maintaining the ...(Name of the greenway or
2040 trail)....

2041
2042 4. Exhibits may provide additional information and
2043 materials including, but not limited to, maps and brochures for
2044 trail user services related or proximate to the trail. Pavement
2045 markings may display mile marker information.

2046 5. The costs of a sign, pavement marking, or exhibit,
2047 including development, construction, installation, operation,
2048 maintenance, and removal costs, shall be paid by the
2049 concessionaire.

2050 (c) A concession agreement shall be for a minimum of 1
2051 year, but may be for a longer period under a multiyear
2052 agreement, and may be terminated for just cause by the
2053 department upon 60 days' advance notice. Just cause for
2054 termination of a concession agreement includes, but is not
2055 limited to, violation of the terms of the concession agreement
2056 or this section.

2057 (2) Pursuant to s. 287.057, the department may contract for
2058 the provision of services related to the trail sponsorship
2059 program, including recruitment and qualification of businesses,

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2060 review of applications, permit issuance, and fabrication,
2061 installation, and maintenance of signs, pavement markings, and
2062 exhibits. The department may reject all proposals and seek
2063 another request for proposals or otherwise perform the work. The
2064 contract may allow the contractor to retain a portion of the
2065 annual fees as compensation for its services.

2066 (3) This section does not create a proprietary or
2067 compensable interest in any sponsorship site or location for any
2068 permittee, and the department may terminate permits or change
2069 locations of sponsorship sites as it determines necessary for
2070 construction or improvement of facilities.

2071 (4) The department may adopt rules to establish
2072 requirements for qualification of businesses, qualification and
2073 location of sponsorship sites, and permit applications and
2074 processing. The department may adopt rules to establish other
2075 criteria necessary to implement this section and to provide for
2076 variances when necessary to serve the interest of the public or
2077 when required to ensure equitable treatment of program
2078 participants.

2079 Section 40. (1) The Office of Economic and Demographic
2080 Research shall evaluate and determine the economic benefits, as
2081 defined in s. 288.005(1), Florida Statutes, of the state's
2082 investment in the Department of Transportation's adopted work
2083 program developed in accordance with s. 339.135(5), Florida
2084 Statutes, for fiscal year 2015-2016, including the following 4
2085 fiscal years. At a minimum, a separate return on investment
2086 shall be projected for each of the following areas:

2087 (a) Roads and highways;

2088 (b) Rails;

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- 2089 (c) Public transit;
2090 (d) Aviation; and
2091 (e) Seaports.

2092
2093 The analysis is limited to the funding anticipated by the
2094 adopted work program, but may address the continuing economic
2095 impact for those transportation projects in the 5 years beyond
2096 the conclusion of the adopted work program. The analysis must
2097 also evaluate the number of jobs created, the increase or
2098 decrease in personal income, and the impact on gross domestic
2099 product from the direct, indirect, and induced effects on the
2100 state's investment in each area.

2101 (2) The Department of Transportation and each of its
2102 district offices shall provide the Office of Economic and
2103 Demographic Research full access to all data necessary to
2104 complete the analysis, including any confidential data.

2105 (3) The Office of Economic and Demographic Research shall
2106 submit the analysis to the President of the Senate and the
2107 Speaker of the House of Representatives by January 1, 2016.

2108 Section 41. Section 341.0532, Florida Statutes, is
2109 repealed.

2110 Section 42. The Division of Law Revision and Information is
2111 directed to create chapter 345, Florida Statutes, consisting of
2112 ss. 345.0001-345.0014, Florida Statutes, to be entitled the
2113 "Northwest Florida Regional Transportation Finance Authority."

2114 Section 43. Section 345.0001, Florida Statutes, is created
2115 to read:

2116 345.0001 Short title.—This act may be cited as the
2117 "Northwest Florida Regional Transportation Finance Authority

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2118 Act."2119 Section 44. Section 345.0002, Florida Statutes, is created
2120 to read:2121 345.0002 Definitions.—As used in this chapter, the term:2122 (1) "Agency of the state" means the state and any
2123 department of, or any corporation, agency, or instrumentality
2124 created, designated, or established by, the state.2125 (2) "Area served" means Escambia County. However, upon a
2126 contiguous county's consent to inclusion within the area served
2127 by the authority and with the agreement of the authority, the
2128 term shall also include the geographical area of such county
2129 contiguous to Escambia County.2130 (3) "Authority" means the Northwest Florida Regional
2131 Transportation Finance Authority, a body politic and corporate,
2132 and an agency of the state, established under this chapter.2133 (4) "Bonds" means the notes, bonds, refunding bonds, or
2134 other evidences of indebtedness or obligations, in temporary or
2135 definitive form, which the authority may issue under this
2136 chapter.2137 (5) "Department" means the Department of Transportation.2138 (6) "Division" means the Division of Bond Finance of the
2139 State Board of Administration.2140 (7) "Federal agency" means the United States, the President
2141 of the United States, and any department of, or any bureau,
2142 corporation, agency, or instrumentality created, designated, or
2143 established by, the United States Government.2144 (8) "Members" means the governing body of the authority,
2145 and the term "member" means one of the individuals constituting
2146 such governing body.

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2147 (9) "Regional system" or "system" means, generally, a
2148 modern system of roads, bridges, causeways, tunnels, and mass
2149 transit services within the area of the authority, with access
2150 limited or unlimited as the authority may determine, and the
2151 buildings and structures and appurtenances and facilities
2152 related to the system, including all approaches, streets, roads,
2153 bridges, and avenues of access for the system.

2154 (10) "Revenues" means the tolls, revenues, rates, fees,
2155 charges, receipts, rentals, contributions, and other income
2156 derived from or in connection with the operation or ownership of
2157 a regional system, including the proceeds of any use and
2158 occupancy insurance on any portion of the system, but excluding
2159 state funds available to the authority and any other municipal
2160 or county funds available to the authority under an agreement
2161 with a municipality or county.

2162 Section 45. Section 18. Section 345.0003, Florida Statutes,
2163 is created to read:

2164 345.0003 Regional transportation finance authority
2165 formation and membership.—

2166 (1) Escambia County, alone or together with any consenting
2167 contiguous county, may form a regional finance authority for the
2168 purposes of constructing, maintaining, and operating
2169 transportation projects in the northwest region of this state.
2170 The authority shall be governed in accordance with this chapter.
2171 The area served by the authority may not be expanded beyond
2172 Escambia County without the approval of the county commission of
2173 each contiguous county that will be a part of the authority.

2174 (2) The governing body of the authority shall consist of a
2175 board of voting members as follows:

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2176 (a) The county commission of each county in the area served
2177 by the authority shall appoint two members. Each member must be
2178 a resident of the county from which he or she is appointed and,
2179 if possible, must represent the business and civic interests of
2180 the community.

2181 (b) The Governor shall appoint an equal number of members
2182 to the board as those appointed by the county commissions. The
2183 members appointed by the Governor must be residents of the area
2184 served by the authority.

2185 (c) The district secretary of the department serving in the
2186 district that includes Escambia County.

2187 (3) The term of office of each member shall be for 4 years
2188 or until his or her successor is appointed and qualified.

2189 (4) A member may not hold an elected office during the term
2190 of his or her membership.

2191 (5) A vacancy occurring in the governing body before the
2192 expiration of the member's term shall be filled for the
2193 remainder of the unexpired term by the respective appointing
2194 authority in the same manner as the original appointment.

2195 (6) Before entering upon his or her official duties, each
2196 member must take and subscribe to an oath before an official
2197 authorized by law to administer oaths that he or she will
2198 honestly, faithfully, and impartially perform the duties of his
2199 or her office as a member of the governing body of the authority
2200 and that he or she will not neglect any duties imposed on him or
2201 her by this chapter.

2202 (7) The Governor may remove from office a member of the
2203 authority for misconduct, malfeasance, misfeasance, or
2204 nonfeasance in office.

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2205 (8) Members of the authority shall designate a chair from
2206 among the membership.

2207 (9) Members of the authority shall serve without
2208 compensation, but are entitled to reimbursement for per diem and
2209 other expenses in accordance with s. 112.061 while in
2210 performance of their official duties.

2211 (10) A majority of the members of the authority shall
2212 constitute a quorum, and resolutions enacted or adopted by a
2213 vote of a majority of the members present and voting at any
2214 meeting are effective without publication, posting, or any
2215 further action of the authority.

2216 Section 46. Section 345.0004, Florida Statutes, is created
2217 to read:

2218 345.0004 Powers and duties.-

2219 (1) The authority shall plan, develop, finance, construct,
2220 reconstruct, improve, own, operate, and maintain a regional
2221 system in the area served by the authority. The authority may
2222 not exercise these powers with respect to an existing system for
2223 transporting people and goods by any means that is owned by
2224 another entity without the consent of that entity. If the
2225 authority acquires, purchases, or inherits an existing entity,
2226 the authority shall inherit and assume all rights, assets,
2227 appropriations, privileges, and obligations of the existing
2228 entity.

2229 (2) The authority may exercise all powers necessary,
2230 appurtenant, convenient, or incidental to the carrying out of
2231 the purposes of this section, including, but not limited to, the
2232 following rights and powers:

2233 (a) To sue and be sued, implead and be impleaded, and

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2234 complain and defend in all courts in its own name.

2235 (b) To adopt and use a corporate seal.

2236 (c) To have the power of eminent domain, including the
2237 procedural powers granted under chapters 73 and 74.

2238 (d) To acquire, purchase, hold, lease as a lessee, and use
2239 any property, real, personal, or mixed, tangible or intangible,
2240 or any interest therein, necessary or desirable for carrying out
2241 the purposes of the authority.

2242 (e) To sell, convey, exchange, lease, or otherwise dispose
2243 of any real or personal property acquired by the authority,
2244 including air rights, which the authority and the department
2245 have determined is not needed for the construction, operation,
2246 and maintenance of the system.

2247 (f) To fix, alter, charge, establish, and collect rates,
2248 fees, rentals, and other charges for the use of any system owned
2249 or operated by the authority, which rates, fees, rentals, and
2250 other charges must be sufficient to comply with any covenants
2251 made with the holders of any bonds issued under this act. This
2252 right and power may be assigned or delegated by the authority to
2253 the department.

2254 (g) To borrow money; to make and issue negotiable notes,
2255 bonds, refunding bonds, and other evidences of indebtedness or
2256 obligations, in temporary or definitive form, to finance all or
2257 part of the improvement of the authority's system and
2258 appurtenant facilities, including the approaches, streets,
2259 roads, bridges, and avenues of access for the system and for any
2260 other purpose authorized by this chapter, the bonds to mature no
2261 more than 30 years after the date of the issuance; to secure the
2262 payment of such bonds or any part thereof by a pledge of its

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2263 revenues, rates, fees, rentals, or other charges, including
2264 municipal or county funds received by the authority under an
2265 agreement between the authority and a municipality or county;
2266 and, in general, to provide for the security of the bonds and
2267 the rights and remedies of the holders of the bonds. However,
2268 municipal or county funds may not be pledged for the
2269 construction of a project for which a toll is to be charged
2270 unless the anticipated tolls are reasonably estimated by the
2271 governing board of the municipality or county, on the date of
2272 its resolution pledging the funds, to be sufficient to cover the
2273 principal and interest of such obligations during the period
2274 when the pledge of funds is in effect.

2275 1. The authority shall reimburse a municipality or county
2276 for sums spent from municipal or county funds used for the
2277 payment of the bond obligations.

2278 2. If the authority elects to fund or refund bonds issued
2279 by the authority before the maturity of the bonds, the proceeds
2280 of the funding or refunding bonds, pending the prior redemption
2281 of the bonds to be funded or refunded, shall be invested in
2282 direct obligations of the United States, and the outstanding
2283 bonds may be funded or refunded by the issuance of bonds under
2284 this chapter.

2285 (h) To make contracts of every name and nature, including,
2286 but not limited to, partnerships providing for participation in
2287 ownership and revenues, and to execute each instrument necessary
2288 or convenient for the conduct of its business.

2289 (i) Without limitation of the foregoing, to cooperate with,
2290 to accept grants from, and to enter into contracts or other
2291 transactions with any federal agency, the state, or any agency

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2292 or any other public body of the state.

2293 (j) To employ an executive director, attorney, staff, and
2294 consultants. Upon the request of the authority, the department
2295 shall furnish the services of a department employee to act as
2296 the executive director of the authority.

2297 (k) To accept funds or other property from private
2298 donations.

2299 (l) To act and do things necessary or convenient for the
2300 conduct of its business and the general welfare of the
2301 authority, in order to carry out the powers granted to it by
2302 this act or any other law.

2303 (3) The authority may not pledge the credit or taxing power
2304 of the state or a political subdivision or agency of the state.
2305 Obligations of the authority may not be considered to be
2306 obligations of the state or of any other political subdivision
2307 or agency of the state. Except for the authority, the state or
2308 any political subdivision or agency of the state is not liable
2309 for the payment of the principal or interest on such
2310 obligations.

2311 (4) The authority may not, other than by consent of the
2312 affected county or an affected municipality, enter into an
2313 agreement that would legally prohibit the construction of a road
2314 by the county or the municipality.

2315 (5) The authority shall comply with the statutory
2316 requirements of general application which relate to the filing
2317 of a report or documentation required by law, including the
2318 requirements of ss. 189.015, 189.016, 189.051, and 189.08.

2319 Section 47. Section 345.0005, Florida Statutes, is created
2320 to read:

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2321 345.0005 Bonds.—

2322 (1) Bonds may be issued on behalf of the authority pursuant
2323 to the State Bond Act in such principal amount as the authority
2324 determines is necessary to achieve its corporate purposes,
2325 including construction, reconstruction, improvement, extension,
2326 and repair of the regional system; the acquisition cost of real
2327 property; interest on bonds during construction and for a
2328 reasonable period thereafter; and establishment of reserves to
2329 secure bonds.

2330 (2) Bonds issued on behalf of the authority under
2331 subsection (1) must:

2332 (a) Be authorized by resolution of the members of the
2333 authority and bear such date or dates; mature at such time or
2334 times not exceeding 30 years after their respective dates; bear
2335 interest at a rate or rates not exceeding the maximum rate fixed
2336 by general law for authorities; be in such denominations; be in
2337 such form, either coupon or fully registered; carry such
2338 registration, exchangeability, and interchangeability
2339 privileges; be payable in such medium of payment and at such
2340 place or places; be subject to such terms of redemption; and be
2341 entitled to such priorities of lien on the revenues and other
2342 available moneys as such resolution or any resolution after the
2343 bonds' issuance provides.

2344 (b) Be sold at public sale in the manner provided in the
2345 State Bond Act. Temporary bonds or interim certificates may be
2346 issued to the purchaser or purchasers of such bonds pending the
2347 preparation of definitive bonds and may contain such terms and
2348 conditions as determined by the authority.

2349 (3) A resolution that authorizes bonds may specify

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2350 provisions that must be part of the contract with the holders of
2351 the bonds as to:

2352 (a) The pledging of all or any part of the revenues,
2353 available municipal or county funds, or other charges or
2354 receipts of the authority derived from the regional system.

2355 (b) The construction, reconstruction, improvement,
2356 extension, repair, maintenance, and operation of the system, or
2357 any part or parts of the system, and the duties and obligations
2358 of the authority with reference thereto.

2359 (c) Limitations on the purposes to which the proceeds of
2360 the bonds, then or thereafter issued, or of any loan or grant by
2361 any federal agency or the state or any political subdivision of
2362 the state may be applied.

2363 (d) The fixing, charging, establishing, revising,
2364 increasing, reducing, and collecting of tolls, rates, fees,
2365 rentals, or other charges for use of the services and facilities
2366 of the system or any part of the system.

2367 (e) The setting aside of reserves or sinking funds and the
2368 regulation and disposition of such reserves or sinking funds.

2369 (f) Limitations on the issuance of additional bonds.

2370 (g) The terms of any deed of trust or indenture securing
2371 the bonds, or under which the bonds may be issued.

2372 (h) Any other or additional matters, of like or different
2373 character, which in any way affect the security or protection of
2374 the bonds.

2375 (4) The authority may enter into deeds of trust,
2376 indentures, or other agreements with banks or trust companies
2377 within or without the state, as security for such bonds, and
2378 may, under such agreements, assign and pledge any of the

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2379 revenues and other available moneys, including any available
2380 municipal or county funds, under the terms of this chapter. The
2381 deed of trust, indenture, or other agreement may contain
2382 provisions that are customary in such instruments or that the
2383 authority may authorize, including, but without limitation,
2384 provisions that:

2385 (a) Pledge any part of the revenues or other moneys
2386 lawfully available.

2387 (b) Apply funds and safeguard funds on hand or on deposit.

2388 (c) Provide for the rights and remedies of the trustee and
2389 the holders of the bonds.

2390 (d) Provide for the terms of the bonds or for resolutions
2391 authorizing the issuance of the bonds.

2392 (e) Provide for any additional matters, of like or
2393 different character, which affect the security or protection of
2394 the bonds.

2395 (5) Bonds issued under this act are negotiable instruments
2396 and have the qualities and incidents of negotiable instruments
2397 under the law merchant and the negotiable instruments law of the
2398 state.

2399 (6) A resolution that authorizes the issuance of authority
2400 bonds and pledges the revenues of the system must require that
2401 revenues of the system be periodically deposited into
2402 appropriate accounts in sufficient sums to pay the costs of
2403 operation and maintenance of the system for the current fiscal
2404 year as set forth in the annual budget of the authority and to
2405 reimburse the department for any unreimbursed costs of operation
2406 and maintenance of the system from prior fiscal years before
2407 revenues of the system are deposited into accounts for the

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2408 payment of interest or principal owing or that may become owing
2409 on such bonds.

2410 (7) State funds may not be used or pledged to pay the
2411 principal of or interest on any authority bonds, and all such
2412 bonds must contain a statement on their face to this effect.

2413 Section 48. Section 345.0006, Florida Statutes, is created
2414 to read:

2415 345.0006 Remedies of bondholders.-

2416 (1) The rights and the remedies granted to authority
2417 bondholders under this chapter are in addition to and not in
2418 limitation of any rights and remedies lawfully granted to such
2419 bondholders by the resolution or indenture providing for the
2420 issuance of bonds, or by any deed of trust, indenture, or other
2421 agreement under which the bonds may be issued or secured. If the
2422 authority defaults in the payment of the principal or interest
2423 on the bonds issued under this chapter after such principal or
2424 interest becomes due, whether at maturity or upon call for
2425 redemption, as provided in the resolution or indenture, and such
2426 default continues for 30 days, or if the authority fails or
2427 refuses to comply with this chapter or any agreement made with,
2428 or for the benefit of, the holders of the bonds, the holders of
2429 25 percent in aggregate principal amount of the bonds then
2430 outstanding are entitled as of right to the appointment of a
2431 trustee to represent such bondholders for the purposes of the
2432 default if the holders of 25 percent in aggregate principal
2433 amount of the bonds then outstanding first give written notice
2434 to the authority and to the department of their intention to
2435 appoint a trustee.

2436 (2) The trustee and a trustee under a deed of trust,

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2437 indenture, or other agreement may, or upon the written request
2438 of the holders of 25 percent or such other percentages specified
2439 in any deed of trust, indenture, or other agreement, in
2440 principal amount of the bonds then outstanding, shall, in any
2441 court of competent jurisdiction, in its own name:

2442 (a) By mandamus or other suit, action, or proceeding at
2443 law, or in equity, enforce all rights of the bondholders,
2444 including the right to require the authority to fix, establish,
2445 maintain, collect, and charge rates, fees, rentals, and other
2446 charges, adequate to carry out any agreement as to, or pledge
2447 of, the revenues, and to require the authority to carry out any
2448 other covenants and agreements with or for the benefit of the
2449 bondholders, and to perform its and their duties under this
2450 chapter.

2451 (b) Bring suit upon the bonds.

2452 (c) By action or suit in equity, require the authority to
2453 account as if it were the trustee of an express trust for the
2454 bondholders.

2455 (d) By action or suit in equity, enjoin any acts or things
2456 that may be unlawful or in violation of the rights of the
2457 bondholders.

2458 (3) A trustee, if appointed under this section or acting
2459 under a deed of trust, indenture, or other agreement, and
2460 regardless of whether all bonds have been declared due and
2461 payable, is entitled to the appointment of a receiver. The
2462 receiver may enter upon and take possession of the system or the
2463 facilities or any part or parts of the system, the revenues, and
2464 other pledged moneys, for and on behalf of and in the name of,
2465 the authority and the bondholders. The receiver may collect and

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2466 receive revenues and other pledged moneys in the same manner as
2467 the authority. The receiver shall deposit such revenues and
2468 moneys in a separate account and apply all such revenues and
2469 moneys remaining after allowance for payment of all costs of
2470 operation and maintenance of the system in such manner as the
2471 court directs. In a suit, action, or proceeding by the trustee,
2472 the fees, counsel fees, and expenses of the trustee, and the
2473 receiver, if any, and all costs and disbursements allowed by the
2474 court must be a first charge on any revenues after payment of
2475 the costs of operation and maintenance of the system. The
2476 trustee also has all other powers necessary or appropriate for
2477 the exercise of any functions specifically described in this
2478 section or incident to the representation of the bondholders in
2479 the enforcement and protection of their rights.

2480 (4) A receiver appointed pursuant to this section to
2481 operate and maintain the system or a facility or a part of a
2482 facility may not sell, assign, mortgage, or otherwise dispose of
2483 any of the assets belonging to the authority. The powers of the
2484 receiver are limited to the operation and maintenance of the
2485 system or any facility or part of a facility and to the
2486 collection and application of revenues and other moneys due the
2487 authority, in the name and for and on behalf of the authority
2488 and the bondholders. A holder of bonds or a trustee does not
2489 have the right in any suit, action, or proceeding, at law or in
2490 equity, to compel a receiver, or a receiver may not be
2491 authorized or a court may not direct a receiver, to sell,
2492 assign, mortgage, or otherwise dispose of any assets of whatever
2493 kind or character belonging to the authority.

2494 Section 49. Section 345.0007, Florida Statutes, is created

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2495 to read:

2496 345.0007 Department to construct, operate, and maintain
2497 facilities.-

2498 (1) The department is the agent of the authority for the
2499 purpose of performing all phases of a project, including, but
2500 not limited to, constructing improvements and extensions to the
2501 system, with the exception of the transit facilities. The
2502 division and the authority shall provide to the department
2503 complete copies of the documents, agreements, resolutions,
2504 contracts, and instruments that relate to the project and shall
2505 request that the department perform the construction work,
2506 including the planning, surveying, design, and actual
2507 construction of the completion of, extensions of, and
2508 improvements to the system. After the issuance of bonds to
2509 finance construction of an improvement or addition to the
2510 system, the division and the authority shall transfer to the
2511 credit of an account of the department in the State Treasury the
2512 necessary funds for construction. The department shall proceed
2513 with construction and use the funds for the purpose authorized
2514 by law for construction of roads and bridges. The authority may
2515 alternatively, with the consent and approval of the department,
2516 elect to appoint a local agency certified by the department to
2517 administer federal aid projects in accordance with federal law
2518 as the authority's agent for the purpose of performing each
2519 phase of a project.

2520 (2) Notwithstanding subsection (1), the department is the
2521 agent of the authority for the purpose of operating and
2522 maintaining the system, with the exception of transit
2523 facilities. The costs incurred by the department for operation

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2524 and maintenance shall be reimbursed from revenues of the system.
2525 The appointment of the department as agent for the authority
2526 does not create an independent obligation on the part of the
2527 department to operate and maintain a system. The authority shall
2528 remain obligated as principal to operate and maintain its
2529 system, and the authority's bondholders do not have an
2530 independent right to compel the department to operate or
2531 maintain the authority's system.

2532 (3) The authority shall fix, alter, charge, establish, and
2533 collect tolls, rates, fees, rentals, and other charges for the
2534 authority's facilities, as otherwise provided in this chapter.

2535 Section 50. Section 345.0008, Florida Statutes, is created
2536 to read:

2537 345.0008 Department contributions to authority projects.-

2538 (1) Subject to appropriation by the Legislature, the
2539 department may, at the request of the authority, pay all or part
2540 of the cost of financial, engineering, or traffic feasibility
2541 studies or of the design, financing, acquisition, or
2542 construction of an authority project or portion of the system
2543 that is included in the 10-year Strategic Intermodal Plan.

2544 (a) Pursuant to chapter 216, the department shall include
2545 funding for such payments in its legislative budget request. The
2546 request for funding may be included in the 5-year Tentative Work
2547 Program developed under s. 339.135; however, it must appear as a
2548 distinct funding item in the legislative budget request and must
2549 be supported by a financial feasibility test provided by the
2550 department.

2551 (b) Funding provided for authority projects shall appear in
2552 the General Appropriations Act as a distinct fixed capital

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2553 outlay item and must clearly identify the related authority
2554 project.

2555 (c) The department may not make a budget request to fund
2556 the acquisition or construction of a proposed authority project
2557 unless the estimated net revenues of the proposed project will
2558 be sufficient to pay at least 50 percent of the annual debt
2559 service on the bonds associated with the project by the end of
2560 12 years of operation and at least 100 percent of the debt
2561 service on the bonds by the end of 30 years of operation.

2562 (2) The department may use its engineers and other
2563 personnel, including consulting engineers and traffic engineers,
2564 to conduct the feasibility studies authorized under subsection
2565 (1).

2566 (3) The department may participate in authority-funded
2567 projects that, at a minimum:

2568 (a) Serve national, statewide, or regional functions and
2569 function as part of an integrated regional transportation
2570 system.

2571 (b) Are identified in the capital improvements element of a
2572 comprehensive plan that has been determined to be in compliance
2573 with part II of chapter 163. Further, the project shall be in
2574 compliance with local government comprehensive plan policies
2575 relative to corridor management.

2576 (c) Are consistent with the Strategic Intermodal System
2577 Plan developed under s. 339.64.

2578 (d) Have a commitment for local, regional, or private
2579 financial matching funds as a percentage of the overall project
2580 cost.

2581 (4) Before approval, the department must determine that the

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2582 proposed project:

2583 (a) Is in the public's best interest;

2584 (b) Does not require state funding, unless the project is
2585 on the State Highway System;

2586 (c) Has adequate safeguards in place to ensure that no
2587 additional costs will be imposed on or service disruptions will
2588 affect the traveling public and residents of this state if the
2589 department cancels or defaults on the agreement; and

2590 (d) Has adequate safeguards in place to ensure that the
2591 department and the authority have the opportunity to add
2592 capacity to the proposed project and other transportation
2593 facilities serving similar origins and destinations.

2594 (5) An obligation or expense incurred by the department
2595 under this section is a part of the cost of the authority
2596 project for which the obligation or expense was incurred. The
2597 department may require that money contributed by the department
2598 under this section be repaid from tolls of the project on which
2599 the money was spent, other revenue of the authority, or other
2600 sources of funds.

2601 (6) The department shall receive from the authority a share
2602 of the authority's net revenues equal to the ratio of the
2603 department's total contributions to the authority under this
2604 section to the sum of: the department's total contributions
2605 under this section; contributions by any local government to the
2606 cost of revenue-producing authority projects; and the sale
2607 proceeds of authority bonds after payment of costs of issuance.
2608 For the purpose of this subsection, the net revenues of the
2609 authority are determined by deducting from gross revenues the
2610 payment of debt service, administrative expenses, operations and

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2611 maintenance expenses, and all reserves required to be
2612 established under any resolution under which authority bonds are
2613 issued.

2614 Section 51. Section 345.0009, Florida Statutes, is created
2615 to read:

2616 345.0009 Acquisition of lands and property.—

2617 (1) For the purposes of this chapter, the authority may
2618 acquire private or public property and property rights,
2619 including rights of access, air, view, and light, by gift,
2620 devise, purchase, condemnation by eminent domain proceedings, or
2621 transfer from another political subdivision of the state, as the
2622 authority may find necessary for any of the purposes of this
2623 chapter, including, but not limited to, any lands reasonably
2624 necessary for securing applicable permits, areas necessary for
2625 management of access, borrow pits, drainage ditches, water
2626 retention areas, rest areas, replacement access for landowners
2627 whose access is impaired due to the construction of a facility,
2628 and replacement rights-of-way for relocated rail and utility
2629 facilities; for existing, proposed, or anticipated
2630 transportation facilities on the system or in a transportation
2631 corridor designated by the authority; or for the purposes of
2632 screening, relocation, removal, or disposal of junkyards and
2633 scrap metal processing facilities. Each authority shall also
2634 have the power to condemn any material and property necessary
2635 for such purposes.

2636 (2) The authority shall exercise the right of eminent
2637 domain conferred under this section in the manner provided by
2638 law.

2639 (3) An authority that acquires property for a

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2640 transportation facility or in a transportation corridor is not
2641 liable under chapter 376 or chapter 403 for preexisting soil or
2642 groundwater contamination due solely to its ownership. This
2643 section does not affect the rights or liabilities of any past or
2644 future owners of the acquired property or the liability of any
2645 governmental entity for the results of its actions which create
2646 or exacerbate a pollution source. The authority and the
2647 Department of Environmental Protection may enter into
2648 interagency agreements for the performance, funding, and
2649 reimbursement of the investigative and remedial acts necessary
2650 for property acquired by the authority.

2651 Section 52. Section 345.001, Florida Statutes, is created
2652 to read:

2653 345.001 Cooperation with other units, boards, agencies, and
2654 individuals.—A county, municipality, drainage district, road and
2655 bridge district, school district, or any other political
2656 subdivision, board, commission, or individual in, or of, the
2657 state may make and enter into a contract, lease, conveyance,
2658 partnership, or other agreement with the authority which
2659 complies with this chapter. The authority may make and enter
2660 into contracts, leases, conveyances, partnerships, and other
2661 agreements with any political subdivision, agency, or
2662 instrumentality of the state and any federal agency,
2663 corporation, or individual to carry out the purposes of this
2664 chapter.

2665 Section 53. Section 345.0011, Florida Statutes, is created
2666 to read:

2667 345.0011 Covenant of the state.—The state pledges to, and
2668 agrees with, any person, firm, or corporation, or federal or

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2669 state agency subscribing to or acquiring the bonds to be issued
2670 by the authority for the purposes of this chapter that the state
2671 will not limit or alter the rights vested by this chapter in the
2672 authority and the department until all bonds at any time issued,
2673 together with the interest thereon, are fully paid and
2674 discharged insofar as the rights vested in the authority and the
2675 department affect the rights of the holders of bonds issued
2676 under this chapter. The state further pledges to, and agrees
2677 with, the United States that if a federal agency constructs or
2678 contributes any funds for the completion, extension, or
2679 improvement of the system, or any parts of the system, the state
2680 will not alter or limit the rights and powers of the authority
2681 and the department in any manner that is inconsistent with the
2682 continued maintenance and operation of the system or the
2683 completion, extension, or improvement of the system, or that
2684 would be inconsistent with the due performance of any agreements
2685 between the authority and any such federal agency, and the
2686 authority and the department shall continue to have and may
2687 exercise all powers granted in this section, so long as the
2688 powers are necessary or desirable to carry out the purposes of
2689 this chapter and the purposes of the United States in the
2690 completion, extension, or improvement of the system, or any part
2691 of the system.

2692 Section 54. Section 345.0012, Florida Statutes, is created
2693 to read:

2694 345.0012 Exemption from taxation.—The authority created
2695 under this chapter is for the benefit of the people of the
2696 state, for the increase of their commerce and prosperity, and
2697 for the improvement of their health and living conditions. The

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2698 authority performs essential governmental functions under this
2699 chapter, therefore, the authority is not required to pay any
2700 taxes or assessments of any kind or nature upon any property
2701 acquired or used by it for such purposes, or upon any rates,
2702 fees, rentals, receipts, income, or charges received by it.
2703 Also, the bonds issued by the authority, their transfer and the
2704 income from their issuance, including any profits made on the
2705 sale of the bonds, shall be free from taxation by the state or
2706 by any political subdivision, taxing agency, or instrumentality
2707 of the state. The exemption granted by this section does not
2708 apply to any tax imposed by chapter 220 on interest, income, or
2709 profits on debt obligations owned by corporations.

2710 Section 55. Section 345.0013, Florida Statutes, is created
2711 to read:

2712 345.0013 Eligibility for investments and security.—Bonds or
2713 other obligations issued under this chapter are legal
2714 investments for banks, savings banks, trustees, executors,
2715 administrators, and all other fiduciaries, and for all state,
2716 municipal, and other public funds, and are also securities
2717 eligible for deposit as security for all state, municipal, or
2718 other public funds, notwithstanding any other law to the
2719 contrary.

2720 Section 56. Section 345.0014, Florida Statutes, is created
2721 to read:

2722 345.0014 Applicability.—

2723 (1) The powers conferred by this chapter are in addition to
2724 the powers conferred by other laws and do not repeal any other
2725 general or special law or local ordinance, but supplement them,
2726 and provide a complete method for the exercise of the powers

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2727 granted in this chapter. The extension and improvement of a
2728 system, and the issuance of bonds under this chapter to finance
2729 all or part of the cost of such extension or improvement, may be
2730 accomplished through compliance with this chapter without regard
2731 to or necessity for compliance with the limitations or
2732 restrictions contained in any other general, special, or local
2733 law, including, but not limited to, s. 215.821. Approval of any
2734 bonds issued under this act by the qualified electors or
2735 qualified electors who are freeholders in the state or in any
2736 political subdivision of the state is not required for the
2737 issuance of such bonds under this chapter.

2738 (2) This act does not repeal, rescind, or modify any other
2739 law relating to the State Board of Administration, the
2740 Department of Transportation, or the Division of Bond Finance of
2741 the State Board of Administration; however, this chapter
2742 supersedes any other law that is inconsistent with its
2743 provisions, including, but not limited to, s. 215.821.

2744 Section 57. (1) LEGISLATIVE FINDINGS AND INTENT.—The
2745 Legislature recognizes that the existing fuel tax structure used
2746 to derive revenues for the funding of transportation projects in
2747 this state will soon be inadequate to meet the state's needs. To
2748 address this emerging need, the Legislature directs the Center
2749 for Urban Transportation Research to establish an extensive
2750 study on the impact of implementing a system that charges
2751 drivers based on the vehicle miles traveled as an alternative,
2752 sustainable source of transportation funding and to establish
2753 the framework for implementation of a pilot demonstration
2754 project. The Legislature recognizes that, over time, the current
2755 fuel tax structure has become less viable as the primary funding

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2756 source for transportation projects. While the fuel tax has
2757 functioned as a true user fee for decades, significant increases
2758 in mandated vehicle fuel efficiency and the introduction of
2759 electric and hybrid vehicles have significantly eroded the
2760 revenues derived from this tax. The Legislature also recognizes
2761 that there are legitimate privacy concerns related to a tax
2762 mechanism that would charge users of the highway system on the
2763 basis of miles traveled. Other concerns include the cost of
2764 implementing such a system and institutional issues associated
2765 with revenue sharing. Therefore, it is the intent of the
2766 Legislature that this study and demonstration design will, at a
2767 minimum, address these issues. To accomplish this task, the
2768 Center for Urban Transportation Research in consultation with
2769 the Florida Transportation Commission shall establish a project
2770 advisory board to assist the center in analyzing this
2771 alternative funding concept and in developing specific elements
2772 of the pilot project that will demonstrate the feasibility of
2773 transitioning Florida to a transportation funding system based
2774 on vehicle miles traveled.

2775 (2) VEHICLE-MILES-TRAVELED STUDY.—The Center for Urban
2776 Transportation Research shall conduct a study on the viability
2777 of implementing a system in this state which charges drivers
2778 based on their vehicle miles traveled as an alternative to the
2779 present fuel tax structure to fund transportation projects. The
2780 study will inventory previous research and findings from pilot
2781 projects being conducted in other states. The study will address
2782 at a minimum previous work conducted in these broad areas:
2783 assessment of technologies; behavioral and privacy concerns;
2784 equity impacts; and policy implications of a vehicle miles

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2785 traveled road charging system. The effort will also quantify the
2786 current costs to collect traditional highway user fees. This
2787 study will synthesize findings of completed research and
2788 demonstrations in the area of vehicle-miles-traveled charges and
2789 analyze their applicability to Florida. The Center for Urban
2790 Transportation Research shall present the findings of this study
2791 phase to the Legislature no later than January 30, 2016.

2792 (3) VEHICLE-MILES-TRAVELED PILOT PROJECT DESIGN.—

2793 (a) In the course of the study, the Center for Urban
2794 Transportation Research in consultation with the Florida
2795 Transportation Commission shall establish the framework for a
2796 pilot project that will evaluate the feasibility of implementing
2797 a system that charges drivers based on their vehicle miles
2798 traveled.

2799 (b) In the design of the pilot project framework, the
2800 Center for Urban Transportation Research shall address at a
2801 minimum these elements: the geographic location for the pilot;
2802 special fleets or classes of vehicles; evaluation criteria for
2803 the demonstration; consumer choice in the method of reporting
2804 miles traveled; privacy options for participants in the pilot
2805 project; the recording of miles traveled with and without
2806 locational information; records retention and destruction; and
2807 cyber security.

2808 (c) Contingent upon legislative appropriation, the Center
2809 for Urban Transportation Research may expend up to \$400,000 for
2810 the study and pilot project design.

2811 (d) The pilot project design shall be completed no later
2812 than December 31, 2016, and submitted in a report to the
2813 Legislature so that implementation of a pilot project can occur

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2814 in 2017.

2815 Section 58. For the purpose of incorporating the amendment
2816 made by this act to section 333.01, Florida Statutes, in a
2817 reference thereto, subsection (6) of section 350.81, Florida
2818 Statutes, is reenacted to read:

2819 350.81 Communications services offered by governmental
2820 entities.—

2821 (6) To ensure the safe and secure transportation of
2822 passengers and freight through an airport facility, as defined
2823 in s. 159.27(17), an airport authority or other governmental
2824 entity that provides or is proposing to provide communications
2825 services only within the boundaries of its airport layout plan,
2826 as defined in s. 333.01(6), to subscribers which are integral
2827 and essential to the safe and secure transportation of
2828 passengers and freight through the airport facility, is exempt
2829 from this section. An airport authority or other governmental
2830 entity that provides or is proposing to provide shared-tenant
2831 service under s. 364.339, but not dial tone enabling subscribers
2832 to complete calls outside the airport layout plan, to one or
2833 more subscribers within its airport layout plan which are not
2834 integral and essential to the safe and secure transportation of
2835 passengers and freight through the airport facility is exempt
2836 from this section. An airport authority or other governmental
2837 entity that provides or is proposing to provide communications
2838 services to one or more subscribers within its airport layout
2839 plan which are not integral and essential to the safe and secure
2840 transportation of passengers and freight through the airport
2841 facility, or to one or more subscribers outside its airport
2842 layout plan, is not exempt from this section. By way of example

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2843 and not limitation, the integral, essential subscribers may
2844 include airlines and emergency service entities, and the
2845 nonintegral, nonessential subscribers may include retail shops,
2846 restaurants, hotels, or rental car companies.

2847 Section 59. This act shall take effect July 1, 2015.