

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
 ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
 ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
 FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
 WITHDRAWN \_\_\_\_\_ (Y/N)  
 OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
 2 Representative Santiago offered the following:

**Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Subsections (5) and (6) are added to section  
 7 311.12, Florida Statutes, to read:

8 311.12 Seaport security.—

9 (5) ADVISORY COMMITTEE.—

10 (a) There is created the Seaport Security Advisory  
 11 Committee, which shall be under the direction of the Florida  
 12 Seaport Transportation and Economic Development Council.

13 (b) The committee shall consist of the following members:

14 1. Five or more port security directors appointed by the  
 15 council chair shall serve as voting members. The council chair  
 16 shall designate one member of the committee to serve as  
 17 committee chair.

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18 2. A designee from the United States Coast Guard shall  
19 serve ex officio as a nonvoting member.

20 3. A designee from United States Customs and Border  
21 Protection shall serve ex officio as a nonvoting member.

22 4. Two representatives from local law enforcement agencies  
23 providing security services at a Florida seaport shall serve ex  
24 officio as nonvoting members.

25 (c) The committee shall meet at the call of the chair but  
26 at least annually. A majority of the voting members constitutes  
27 a quorum for the purpose of transacting business of the  
28 committee, and a vote of the majority of the voting members  
29 present is required for official action by the committee.

30 (d) The committee shall provide a forum for discussion of  
31 seaport security issues, including, but not limited to, matters  
32 such as national and state security strategy and policy, actions  
33 required to meet current and future security threats, statewide  
34 cooperation on security issues, and security concerns of the  
35 state's maritime industry.

36 (e) The committee shall work closely with the United  
37 States Coast Guard, United States Customs and Border Protection,  
38 and the ports listed in s. 311.09(1) to advise, report to, and  
39 make recommendations to the council on matters relating to  
40 maritime security in the state.

41 (6) GRANT PROGRAM.—

42 (a) The Florida Seaport Transportation and Economic  
43 Development Council shall establish a Seaport Security Grant

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44 Program for the purpose of assisting in the implementation of  
45 security plans and security measures at the seaports listed in  
46 s. 311.09(1). Funds may be used for the purchase of equipment,  
47 infrastructure needs, cybersecurity programs, and other security  
48 measures identified in a seaport's approved federal security  
49 plan. Such grants may not exceed 75 percent of the total cost of  
50 the request and are subject to legislative appropriation.

51 (b) The Seaport Security Advisory Committee shall review  
52 applications for the grant program and make recommendations to  
53 the council for grant approvals. The council shall adopt by rule  
54 criteria to implement this subsection.

55 Section 2. Section 316.003, Florida Statutes, is reordered  
56 and amended to read:

57 316.003 Definitions.—The following words and phrases, when  
58 used in this chapter, shall have the meanings respectively  
59 ascribed to them in this section, except where the context  
60 otherwise requires:

61 (1) AUTHORIZED EMERGENCY VEHICLES.—Vehicles of the fire  
62 department (fire patrol), police vehicles, and such ambulances  
63 and emergency vehicles of municipal departments, public service  
64 corporations operated by private corporations, the Fish and  
65 Wildlife Conservation Commission, the Department of  
66 Environmental Protection, the Department of Health, the  
67 Department of Transportation, and the Department of Corrections  
68 as are designated or authorized by their respective department  
69 or the chief of police of an incorporated city or any sheriff of

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70 any of the various counties.

71 (2) AUTONOMOUS TECHNOLOGY.—Technology installed on a motor  
72 vehicle that has the capability to drive the vehicle on which  
73 the technology is installed without active control or monitoring  
74 by a human operator.

75 (3) ~~(90)~~ AUTONOMOUS VEHICLE.—Any vehicle equipped with  
76 autonomous technology. ~~The term "autonomous technology" means~~  
77 ~~technology installed on a motor vehicle that has the capability~~  
78 ~~to drive the vehicle on which the technology is installed~~  
79 ~~without the active control or monitoring by a human operator.~~  
80 The term does not include ~~excludes~~ a motor vehicle enabled with  
81 active safety systems or driver assistance systems, including,  
82 without limitation, a system to provide electronic blind spot  
83 assistance, crash avoidance, emergency braking, parking  
84 assistance, adaptive cruise control, lane keep assistance, lane  
85 departure warning, or traffic jam and queuing assistant, unless  
86 any such system alone or in combination with other systems has  
87 the capability to drive the vehicle ~~enables the vehicle~~ on which  
88 the technology is installed ~~to drive~~ without ~~the~~ active control  
89 or monitoring by a human operator.

90 (4) ~~(2)~~ BICYCLE.—Every vehicle propelled solely by human  
91 power, and every motorized bicycle propelled by a combination of  
92 human power and an electric helper motor capable of propelling  
93 the vehicle at a speed of not more than 20 miles per hour on  
94 level ground upon which any person may ride, having two tandem  
95 wheels, and including any device generally recognized as a

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96 bicycle though equipped with two front or two rear wheels. The  
97 term does not include such a vehicle with a seat height of no  
98 more than 25 inches from the ground when the seat is adjusted to  
99 its highest position or a scooter or similar device. A ~~No~~ person  
100 under the age of 16 may not operate or ride upon a motorized  
101 bicycle.

102 ~~(5)-(63)~~ BICYCLE PATH.—Any road, path, or way that is open  
103 to bicycle travel, which road, path, or way is physically  
104 separated from motorized vehicular traffic by an open space or  
105 by a barrier and is located either within the highway right-of-  
106 way or within an independent right-of-way.

107 ~~(6)-(76)~~ BRAKE HORSEPOWER.—The actual unit of torque  
108 developed per unit of time at the output shaft of an engine, as  
109 measured by a dynamometer.

110 ~~(7)-(3)~~ BUS.—Any motor vehicle designed for carrying more  
111 than 10 passengers and used for the transportation of persons  
112 and any motor vehicle, other than a taxicab, designed and used  
113 for the transportation of persons for compensation.

114 ~~(8)-(4)~~ BUSINESS DISTRICT.—The territory contiguous to, and  
115 including, a highway when 50 percent or more of the frontage  
116 thereon, for a distance of 300 feet or more, is occupied by  
117 buildings in use for business.

118 ~~(9)-(5)~~ CANCELLATION.—Declaration of Cancellation means  
119 ~~that~~ a license ~~which was~~ issued through error or fraud as is  
120 ~~declared~~ void and terminated. A new license may be obtained only  
121 as permitted in this chapter.

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122 (10)~~(64)~~ CHIEF ADMINISTRATIVE OFFICER.—The head, or his or  
123 her designee, of any law enforcement agency which is authorized  
124 to enforce traffic laws.

125 (11)~~(65)~~ CHILD.—A child as defined in s. 39.01, s. 984.03,  
126 or s. 985.03.

127 (12) COMMERCIAL MEGACYCLE.—A vehicle that has fully  
128 operational pedals for propulsion entirely by human power and  
129 meets all of the following requirements:

130 (a) Has four wheels and is operated in a manner similar to  
131 a bicycle.

132 (b) Has at least five but no more than 15 seats for  
133 passengers.

134 (c) Is primarily powered by pedaling but may have an  
135 auxiliary motor capable of propelling the vehicle at no more  
136 than 15 miles per hour.

137 (d) Is used for commercial purposes.

138 (13)~~(66)~~ COMMERCIAL MOTOR VEHICLE.—Any self-propelled or  
139 towed vehicle used on the public highways in commerce to  
140 transport passengers or cargo, if such vehicle:

141 (a) Has a gross vehicle weight rating of 10,000 pounds or  
142 more;

143 (b) Is designed to transport more than 15 passengers,  
144 including the driver; or

145 (c) Is used in the transportation of materials found to be  
146 hazardous for the purposes of the Hazardous Materials  
147 Transportation Act, as amended (49 U.S.C. ss. 1801 et seq.).

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148  
149 A vehicle that occasionally transports personal property to and  
150 from a closed-course motorsport facility, as defined in s.  
151 549.09(1)(a), is not a commercial motor vehicle if it is not  
152 used for profit and corporate sponsorship is not involved. As  
153 used in this subsection, the term "corporate sponsorship" means  
154 a payment, donation, gratuity, in-kind service, or other benefit  
155 provided to or derived by a person in relation to the underlying  
156 activity, other than the display of product or corporate names,  
157 logos, or other graphic information on the property being  
158 transported.

159 ~~(14)(67)~~ COURT.—The court having jurisdiction over traffic  
160 offenses.

161 ~~(15)(6)~~ CROSSWALK.—

162 (a) That part of a roadway at an intersection included  
163 within the connections of the lateral lines of the sidewalks on  
164 opposite sides of the highway, measured from the curbs or, in  
165 the absence of curbs, from the edges of the traversable roadway.

166 (b) Any portion of a roadway at an intersection or  
167 elsewhere distinctly indicated for pedestrian crossing by lines  
168 or other markings on the surface.

169 ~~(16)(7)~~ DAYTIME.—The period from a half hour before  
170 sunrise to a half hour after sunset. The term "nighttime" means  
171 at any other hour.

172 ~~(17)(8)~~ DEPARTMENT.—The Department of Highway Safety and  
173 Motor Vehicles as defined in s. 20.24. Any reference herein to

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174 the Department of Transportation shall be construed as referring  
175 to the Department of Transportation as defined in s. 20.23~~7~~ or  
176 the appropriate division thereof.

177 ~~(18)(9)~~ DIRECTOR.—The Director of the Division of the  
178 Florida Highway Patrol of the Department of Highway Safety and  
179 Motor Vehicles.

180 ~~(19)(10)~~ DRIVER.—Any person who drives or is in actual  
181 physical control of a vehicle on a highway or who is exercising  
182 control of a vehicle or steering a vehicle being towed by a  
183 motor vehicle.

184 (20) DRIVER-ASSISTIVE TRUCK PLATOONING TECHNOLOGY.—Vehicle  
185 automation and safety technology that integrates sensor array,  
186 wireless vehicle-to-vehicle communications, active safety  
187 systems, and specialized software to link safety systems and  
188 synchronize acceleration and braking between two vehicles while  
189 leaving each vehicle's steering control and systems command in  
190 the control of the vehicle's driver.

191 ~~(21)(83)~~ ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE.—Any  
192 self-balancing, two-nontandem-wheeled device, designed to  
193 transport only one person, with an electric propulsion system  
194 with average power of 750 watts (1 horsepower), the maximum  
195 speed of which, on a paved level surface when powered solely by  
196 such a propulsion system while being ridden by an operator who  
197 weighs 170 pounds, is less than 20 miles per hour. Electric  
198 personal assistive mobility devices are not vehicles as defined  
199 in this section.



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200        ~~(22)~~~~(11)~~ EXPLOSIVE.—Any chemical compound or mechanical  
201 mixture that is commonly used or intended for the purpose of  
202 producing an explosion and which contains any oxidizing and  
203 combustive units or other ingredients in such proportions,  
204 quantities, or packing that an ignition by fire, friction,  
205 concussion, percussion, or detonator of any part of the compound  
206 or mixture may cause such a sudden generation of highly heated  
207 gases that the resultant gaseous pressures are capable of  
208 producing destructive effect on contiguous objects or of  
209 destroying life or limb.

210        ~~(23)~~~~(62)~~ FARM LABOR VEHICLE.—Any vehicle equipped and used  
211 for the transportation of nine or more migrant or seasonal farm  
212 workers, in addition to the driver, to or from a place of  
213 employment or employment-related activities. The term does not  
214 include:

215            (a) Any vehicle carrying only members of the immediate  
216 family of the owner or driver.

217            (b) Any vehicle being operated by a common carrier of  
218 passengers.

219            (c) Any carpool as defined in s. 450.28(3).

220        ~~(24)~~~~(12)~~ FARM TRACTOR.—Any motor vehicle designed and used  
221 primarily as a farm implement for drawing plows, mowing  
222 machines, and other implements of husbandry.

223        ~~(25)~~~~(13)~~ FLAMMABLE LIQUID.—Any liquid which has a flash  
224 point of 70 degrees Fahrenheit or less, as determined by a  
225 Tagliabue or equivalent closed-cup test device.

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226 ~~(26)~~~~(68)~~ GOLF CART.—A motor vehicle designed and  
227 manufactured for operation on a golf course for sporting or  
228 recreational purposes.

229 ~~(27)~~~~(14)~~ GROSS WEIGHT.—The weight of a vehicle without  
230 load plus the weight of any load thereon.

231 ~~(28)~~~~(69)~~ HAZARDOUS MATERIAL.—Any substance or material  
232 which has been determined by the secretary of the United States  
233 Department of Transportation to be capable of imposing an  
234 unreasonable risk to health, safety, and property. This term  
235 includes hazardous waste as defined in s. 403.703(13).

236 ~~(29)~~~~(15)~~ HOUSE TRAILER.—

237 (a) A trailer or semitrailer which is designed,  
238 constructed, and equipped as a dwelling place, living abode, or  
239 sleeping place, ~~(either permanently or temporarily,)~~ and is  
240 equipped for use as a conveyance on streets and highways;~~7~~ or

241 (b) A trailer or a semitrailer the chassis and exterior  
242 shell of which is designed and constructed for use as a house  
243 trailer, as defined in paragraph (a), but which is used instead,  
244 permanently or temporarily, for the advertising, sales, display,  
245 or promotion of merchandise or services or for any other  
246 commercial purpose except the transportation of property for  
247 hire or the transportation of property for distribution by a  
248 private carrier.

249 ~~(30)~~~~(16)~~ IMPLEMENT OF HUSBANDRY.—Any vehicle designed and  
250 adapted exclusively for agricultural, horticultural, or  
251 livestock-raising operations or for lifting or carrying an

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252 implement of husbandry and in either case not subject to  
253 registration if used upon the highways.

254 ~~(31)-(17)~~ INTERSECTION.—

255 (a) The area embraced within the prolongation or  
256 connection of the lateral curblines; or, if none, then the  
257 lateral boundary lines of the roadways of two highways which  
258 join one another at, or approximately at, right angles; or the  
259 area within which vehicles traveling upon different highways  
260 joining at any other angle may come in conflict.

261 (b) Where a highway includes two roadways 30 feet or more  
262 apart, ~~then~~ every crossing of each roadway of such divided  
263 highway by an intersecting highway shall be regarded as a  
264 separate intersection. If the ~~In the event such~~ intersecting  
265 highway also includes two roadways 30 feet or more apart, ~~then~~  
266 every crossing of two roadways of such highways shall be  
267 regarded as a separate intersection.

268 ~~(32)-(18)~~ LANED HIGHWAY.—A highway the roadway of which is  
269 divided into two or more clearly marked lanes for vehicular  
270 traffic.

271 ~~(33)-(19)~~ LIMITED ACCESS FACILITY.—A street or highway  
272 especially designed for through traffic and over, from, or to  
273 which owners or occupants of abutting land or other persons have  
274 no right or easement, or only a limited right or easement, of  
275 access, light, air, or view by reason of the fact that their  
276 property abuts upon such limited access facility or for any  
277 other reason. Such highways or streets may be parkways from

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278 which trucks, buses, and other commercial vehicles are excluded,  
279 or ~~they~~ may be freeways open to use by all customary forms of  
280 street and highway traffic.

281 ~~(34)-(20)~~ LOCAL AUTHORITIES.—~~Includes~~ All officers and  
282 public officials of the several counties and municipalities of  
283 this state.

284 ~~(35)-(91)~~ LOCAL HEARING OFFICER.—The person, designated by  
285 a department, county, or municipality that elects to authorize  
286 traffic infraction enforcement officers to issue traffic  
287 citations under s. 316.0083(1)(a), who is authorized to conduct  
288 hearings related to a notice of violation issued pursuant to s.  
289 316.0083. The charter county, noncharter county, or municipality  
290 may use its currently appointed code enforcement board or  
291 special magistrate to serve as the local hearing officer. The  
292 department may enter into an interlocal agreement to use the  
293 local hearing officer of a county or municipality.

294 ~~(36)-(80)~~ MAXI-CUBE VEHICLE.—A specialized combination  
295 vehicle consisting of a truck carrying a separable cargo-  
296 carrying unit combined with a semitrailer designed so that the  
297 separable cargo-carrying unit is to be loaded and unloaded  
298 through the semitrailer. The entire combination may not exceed  
299 65 feet in length, and a single component of that combination  
300 may not exceed 34 feet in length.

301 ~~(37)-(61)~~ MIGRANT OR SEASONAL FARM WORKER.—Any person  
302 employed in hand labor operations in planting, cultivation, or  
303 harvesting agricultural crops.

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304        ~~(38)(77)~~ MOPED.—Any vehicle with pedals to permit  
305 propulsion by human power, having a seat or saddle for the use  
306 of the rider and designed to travel on not more than three  
307 wheels, ~~+~~ with a motor rated not in excess of 2 brake horsepower  
308 and not capable of propelling the vehicle at a speed greater  
309 than 30 miles per hour on level ground~~+~~ and with a power-drive  
310 system that functions directly or automatically without  
311 clutching or shifting gears by the operator after the drive  
312 system is engaged. If an internal combustion engine is used, the  
313 displacement may not exceed 50 cubic centimeters.

314        ~~(39)(86)~~ MOTOR CARRIER TRANSPORTATION CONTRACT.—

315        (a) A contract, agreement, or understanding covering:

316            1. The transportation of property for compensation or hire  
317 by the motor carrier;

318            2. Entrance on property by the motor carrier for the  
319 purpose of loading, unloading, or transporting property for  
320 compensation or hire; or

321            3. A service incidental to activity described in  
322 subparagraph 1. or subparagraph 2., including, but not limited  
323 to, storage of property.

324        (b) "Motor carrier transportation contract" does not  
325 include the Uniform Intermodal Interchange and Facilities Access  
326 Agreement administered by the Intermodal Association of North  
327 America or other agreements providing for the interchange, use,  
328 or possession of intermodal chassis, containers, or other  
329 intermodal equipment.

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330       ~~(40)-(21)~~ MOTOR VEHICLE.—Except when used in s. 316.1001, a  
331 self-propelled vehicle not operated upon rails or guideway, but  
332 not including any bicycle, motorized scooter, electric personal  
333 assistive mobility device, swamp buggy, or moped. For purposes  
334 of s. 316.1001, "motor vehicle" has the same meaning as provided  
335 in s. 320.01(1) (a).

336       ~~(41)-(22)~~ MOTORCYCLE.—Any motor vehicle having a seat or  
337 saddle for the use of the rider and designed to travel on not  
338 more than three wheels in contact with the ground, but excluding  
339 a tractor or a moped.

340       ~~(42)-(82)~~ MOTORIZED SCOOTER.—Any vehicle not having a seat  
341 or saddle for the use of the rider, designed to travel on not  
342 more than three wheels, and not capable of propelling the  
343 vehicle at a speed greater than 30 miles per hour on level  
344 ground.

345       ~~(43)-(78)~~ NONPUBLIC SECTOR BUS.—Any bus which is used for  
346 the transportation of persons for compensation and which is not  
347 owned, leased, operated, or controlled by a municipal, county,  
348 or state government or a governmentally owned or managed  
349 nonprofit corporation.

350       ~~(44)-(23)~~ OFFICIAL TRAFFIC CONTROL DEVICES.—All signs,  
351 signals, markings, and devices, not inconsistent with this  
352 chapter, placed or erected by authority of a public body or  
353 official having jurisdiction for the purpose of regulating,  
354 warning, or guiding traffic.

355       ~~(45)-(24)~~ OFFICIAL TRAFFIC CONTROL SIGNAL.—Any device,

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356 whether manually, electrically, or mechanically operated, by  
357 which traffic is alternately directed to stop and permitted to  
358 proceed.

359 ~~(46)-(25)~~ OPERATOR.—Any person who is in actual physical  
360 control of a motor vehicle upon the highway~~7~~ or who is  
361 exercising control over or steering a vehicle being towed by a  
362 motor vehicle.

363 ~~(47)-(26)~~ OWNER.—A person who holds the legal title of a  
364 vehicle. ~~If, or, in the event~~ a vehicle is the subject of an  
365 agreement for the conditional sale or lease thereof with the  
366 right of purchase upon performance of the conditions stated in  
367 the agreement and with an immediate right of possession vested  
368 in the conditional vendee or lessee, or ~~if in the event~~ a  
369 mortgagor of a vehicle is entitled to possession, ~~then~~ such  
370 conditional vendee~~7~~ or lessee~~7~~ or mortgagor shall be deemed the  
371 owner~~7~~ for the purposes of this chapter.

372 ~~(48)-(27)~~ PARK OR PARKING.—The standing of a vehicle,  
373 whether occupied or not occupied, otherwise than temporarily for  
374 the purpose of and while actually engaged in loading or  
375 unloading merchandise or passengers as may be permitted by law  
376 under this chapter.

377 ~~(49)-(28)~~ PEDESTRIAN.—Any person afoot.

378 ~~(50)-(29)~~ PERSON.—Any natural person, firm, copartnership,  
379 association, or corporation.

380 ~~(51)-(30)~~ PNEUMATIC TIRE.—Any tire in which compressed air  
381 is designed to support the load.

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382        ~~(52)~~~~(31)~~ POLE TRAILER.—Any vehicle without motive power  
383 designed to be drawn by another vehicle and attached to the  
384 towing vehicle by means of a reach or pole, or by being boomed  
385 or otherwise secured to the towing vehicle, and ordinarily used  
386 for transporting long or irregularly shaped loads such as poles,  
387 pipes, or structural members capable, generally, of sustaining  
388 themselves as beams between the supporting connections.

389        ~~(53)~~~~(32)~~ POLICE OFFICER.—Any officer authorized to direct  
390 or regulate traffic or to make arrests for violations of traffic  
391 regulations, including Florida highway patrol officers,  
392 sheriffs, deputy sheriffs, and municipal police officers.

393        ~~(54)~~~~(33)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise  
394 provided in paragraph (76) (b) ~~(53)~~~~(b)~~, any privately owned way  
395 or place used for vehicular travel by the owner and those having  
396 express or implied permission from the owner, but not by other  
397 persons.

398        ~~(55)~~~~(34)~~ RADIOACTIVE MATERIALS.—Any materials or  
399 combination of materials which emit ionizing radiation  
400 spontaneously in which the radioactivity per gram of material,  
401 in any form, is greater than 0.002 microcuries.

402        ~~(56)~~~~(35)~~ RAILROAD.—A carrier of persons or property upon  
403 cars operated upon stationary rails.

404        ~~(57)~~~~(36)~~ RAILROAD SIGN OR SIGNAL.—Any sign, signal, or  
405 device erected by authority of a public body or official, or by  
406 a railroad, and intended to give notice of the presence of  
407 railroad tracks or the approach of a railroad train.

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408        ~~(58)(37)~~ RAILROAD TRAIN.—A steam engine, electric or other  
409 motor, with or without cars coupled thereto, operated upon  
410 rails, except a streetcar.

411        ~~(59)(38)~~ RESIDENCE DISTRICT.—The territory contiguous to,  
412 and including, a highway, not comprising a business district,  
413 when the property on such highway, for a distance of 300 feet or  
414 more, is, in the main, improved with residences or residences  
415 and buildings in use for business.

416        ~~(60)(39)~~ REVOCATION.—Termination of Revocation means that  
417 a licensee's privilege to drive a motor vehicle ~~is terminated~~. A  
418 new license may be obtained only as permitted by law.

419        ~~(61)(40)~~ RIGHT-OF-WAY.—The right of one vehicle or  
420 pedestrian to proceed in a lawful manner in preference to  
421 another vehicle or pedestrian approaching under such  
422 circumstances of direction, speed, and proximity as to give rise  
423 to danger of collision unless one grants precedence to the  
424 other.

425        ~~(62)(41)~~ ROAD TRACTOR.—Any motor vehicle designed and used  
426 for drawing other vehicles and not so constructed as to carry  
427 any load thereon, either independently or as any part of the  
428 weight of a vehicle or load so drawn.

429        ~~(63)(42)~~ ROADWAY.—That portion of a highway improved,  
430 designed, or ordinarily used for vehicular travel, exclusive of  
431 the berm or shoulder. If ~~In the event~~ a highway includes two or  
432 more separate roadways, the term "roadway" ~~as used herein~~ refers  
433 to any such roadway separately, but not to all such roadways

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434 collectively.

435 ~~(64)-(43)~~ SADDLE MOUNT; FULL MOUNT.—An arrangement whereby  
436 the front wheels of one vehicle rest in a secured position upon  
437 another vehicle. All of the wheels of the towing vehicle are  
438 upon the ground, and only the rear wheels of the towed vehicle  
439 rest upon the ground. Such combinations may include one full  
440 mount, whereby a smaller transport vehicle is placed completely  
441 on the last towed vehicle.

442 ~~(65)-(44)~~ SAFETY ZONE.—The area or space officially set  
443 apart within a roadway for the exclusive use of pedestrians and  
444 protected or so marked by adequate signs or authorized pavement  
445 markings as to be plainly visible at all times while set apart  
446 as a safety zone.

447 ~~(66)-(92)~~ SANITATION VEHICLE.—A motor vehicle that bears an  
448 emblem that is visible from the roadway and clearly identifies  
449 that the vehicle belongs to or is under contract with a person,  
450 entity, cooperative, board, commission, district, or unit of  
451 local government that provides garbage, trash, refuse, or  
452 recycling collection.

453 ~~(67)-(45)~~ SCHOOL BUS.—Any motor vehicle that complies with  
454 the color and identification requirements of chapter 1006 and is  
455 used to transport children to or from public or private school  
456 or in connection with school activities, but not including buses  
457 operated by common carriers in urban transportation of school  
458 children. The term "school" includes all preelementary,  
459 elementary, secondary, and postsecondary schools.

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460        ~~(68)~~~~(46)~~ SEMITRAILER.—Any vehicle with or without motive  
461 power, other than a pole trailer, designed for carrying persons  
462 or property and for being drawn by a motor vehicle and so  
463 constructed that some part of its weight and that of its load  
464 rests upon, or is carried by, another vehicle.

465        ~~(69)~~~~(47)~~ SIDEWALK.—That portion of a street between the  
466 curblineline, or the lateral line, of a roadway and the adjacent  
467 property lines, intended for use by pedestrians.

468        ~~(70)~~~~(48)~~ SPECIAL MOBILE EQUIPMENT.—Any vehicle not  
469 designed or used primarily for the transportation of persons or  
470 property and only incidentally operated or moved over a highway,  
471 including, but not limited to, ditchdigging apparatus, well-  
472 boring apparatus, and road construction and maintenance  
473 machinery, such as asphalt spreaders, bituminous mixers, bucket  
474 loaders, tractors other than truck tractors, ditchers, leveling  
475 graders, finishing machines, motor graders, road rollers,  
476 scarifiers, earthmoving carryalls and scrapers, power shovels  
477 and draglines, and self-propelled cranes and earthmoving  
478 equipment. The term does not include house trailers, dump  
479 trucks, truck-mounted transit mixers, cranes or shovels, or  
480 other vehicles designed for the transportation of persons or  
481 property to which machinery has been attached.

482        ~~(71)~~~~(49)~~ STAND OR STANDING.—The halting of a vehicle,  
483 whether occupied or not occupied, otherwise than temporarily,  
484 for the purpose of, and while actually engaged in, receiving or  
485 discharging passengers, as may be permitted by law under this

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486 chapter.

487 ~~(72)-(50)~~ STATE ROAD.—Any highway designated as a state-  
488 maintained road by the Department of Transportation.489 ~~(73)-(51)~~ STOP.—When required, complete cessation from  
490 movement.491 ~~(74)-(52)~~ STOP OR STOPPING.—When prohibited, any halting,  
492 even momentarily, of a vehicle, whether occupied or not  
493 occupied, except when necessary to avoid conflict with other  
494 traffic or to comply with the directions of a law enforcement  
495 officer or traffic control sign or signal.496 ~~(75)-(70)~~ STRAIGHT TRUCK.—Any truck on which the cargo unit  
497 and the motive power unit are located on the same frame so as to  
498 form a single, rigid unit.499 ~~(76)-(53)~~ STREET OR HIGHWAY.—500 (a) The entire width between the boundary lines of every  
501 way or place of whatever nature when any part thereof is open to  
502 the use of the public for purposes of vehicular traffic;503 (b) The entire width between the boundary lines of any  
504 privately owned way or place used for vehicular travel by the  
505 owner and those having express or implied permission from the  
506 owner, but not by other persons, or any limited access road  
507 owned or controlled by a special district, whenever, by written  
508 agreement entered into under s. 316.006(2)(b) or (3)(b), a  
509 county or municipality exercises traffic control jurisdiction  
510 over said way or place;

511 (c) Any area, such as a runway, taxiway, ramp, clear zone,

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512 or parking lot, within the boundary of any airport owned by the  
513 state, a county, a municipality, or a political subdivision,  
514 which area is used for vehicular traffic but which is not open  
515 for vehicular operation by the general public; or

516 (d) Any way or place used for vehicular traffic on a  
517 controlled access basis within a mobile home park recreation  
518 district which has been created under s. 418.30 and the  
519 recreational facilities of which district are open to the  
520 general public.

521 ~~(77)-(54)~~ SUSPENSION.—Temporary withdrawal of a licensee's  
522 privilege to drive a motor vehicle.

523 ~~(78)-(89)~~ SWAMP BUGGY.—A motorized off-road vehicle that is  
524 designed or modified to travel over swampy or varied terrain and  
525 that may use large tires or tracks operated from an elevated  
526 platform. The term does not include any vehicle defined in  
527 chapter 261 or otherwise defined or classified in this chapter.

528 ~~(79)-(81)~~ TANDEM AXLE.—Any two axles the whose centers of  
529 which are more than 40 inches but not more than 96 inches apart  
530 and are individually attached to or articulated from, or both, a  
531 common attachment to the vehicle, including a connecting  
532 mechanism designed to equalize the load between axles.

533 ~~(80)-(71)~~ TANDEM TRAILER TRUCK.—Any combination of a truck  
534 tractor, semitrailer, and trailer coupled together so as to  
535 operate as a complete unit.

536 ~~(81)-(72)~~ TANDEM TRAILER TRUCK HIGHWAY NETWORK.—A highway  
537 network consisting primarily of four or more lanes, including

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538 all interstate highways; highways designated by the United  
539 States Department of Transportation as elements of the National  
540 Network; and any street or highway designated by the Florida  
541 Department of Transportation for use by tandem trailer trucks,  
542 in accordance with s. 316.515, except roads on which truck  
543 traffic was specifically prohibited on January 6, 1983.

544 ~~(82)-(73)~~ TERMINAL.—Any location where:

545 (a) Freight ~~either~~ originates, terminates, or is handled  
546 in the transportation process; or

547 (b) Commercial motor carriers maintain operating  
548 facilities.

549 ~~(83)-(55)~~ THROUGH HIGHWAY.—Any highway or portion thereof  
550 on which vehicular traffic is given the right-of-way and at the  
551 entrances to which vehicular traffic from intersecting highways  
552 is required to yield right-of-way to vehicles on such through  
553 highway in obedience to ~~either~~ a stop sign or yield sign, or  
554 otherwise in obedience to law.

555 ~~(84)-(56)~~ TIRE WIDTH.—~~The Tire width is that~~ width stated  
556 on the surface of the tire by the manufacturer of the tire, if  
557 the width stated does not exceed 2 inches more than the width of  
558 the tire contacting the surface.

559 ~~(85)-(57)~~ TRAFFIC.—Pedestrians, ridden or herded animals,  
560 and vehicles, streetcars, and other conveyances ~~either~~ singly or  
561 together while using any street or highway for purposes of  
562 travel.

563 ~~(86)-(87)~~ TRAFFIC INFRACTION DETECTOR.—A vehicle sensor

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564 installed to work in conjunction with a traffic control signal  
565 and a camera or cameras synchronized to automatically record two  
566 or more sequenced photographic or electronic images or streaming  
567 video of only the rear of a motor vehicle at the time the  
568 vehicle fails to stop behind the stop bar or clearly marked stop  
569 line when facing a traffic control signal steady red light. Any  
570 notification under s. 316.0083(1)(b) or traffic citation issued  
571 by the use of a traffic infraction detector must include a  
572 photograph or other recorded image showing both the license tag  
573 of the offending vehicle and the traffic control device being  
574 violated.

575 ~~(87)-(84)~~ TRAFFIC SIGNAL PREEMPTION SYSTEM.—Any system or  
576 device with the capability of activating a control mechanism  
577 mounted on or near traffic signals which alters a traffic  
578 signal's timing cycle.

579 ~~(88)-(58)~~ TRAILER.—Any vehicle with or without motive  
580 power, other than a pole trailer, designed for carrying persons  
581 or property and for being drawn by a motor vehicle.

582 ~~(89)-(74)~~ TRANSPORTATION.—The conveyance or movement of  
583 goods, materials, livestock, or persons from one location to  
584 another on any road, street, or highway open to travel by the  
585 public.

586 ~~(90)-(88)~~ TRI-VEHICLE.—An enclosed three-wheeled passenger  
587 vehicle that:

588 (a) Is designed to operate with three wheels in contact  
589 with the ground;

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- 590 (b) Has a minimum unladen weight of 900 pounds;
- 591 (c) Has a single, completely enclosed, occupant  
592 compartment;
- 593 (d) Is produced in a minimum quantity of 300 in any  
594 calendar year;
- 595 (e) Is capable of a speed greater than 60 miles per hour  
596 on level ground; and
- 597 (f) Is equipped with:
- 598 1. Seats that are certified by the vehicle manufacturer to  
599 meet the requirements of Federal Motor Vehicle Safety Standard  
600 No. 207, "Seating systems" (49 C.F.R. s. 571.207);
- 601 2. A steering wheel used to maneuver the vehicle;
- 602 3. A propulsion unit located forward or aft of the  
603 enclosed occupant compartment;
- 604 4. A seat belt for each vehicle occupant certified to meet  
605 the requirements of Federal Motor Vehicle Safety Standard No.  
606 209, "Seat belt assemblies" (49 C.F.R. s. 571.209);
- 607 5. A windshield and an appropriate windshield wiper and  
608 washer system that are certified by the vehicle manufacturer to  
609 meet the requirements of Federal Motor Vehicle Safety Standard  
610 No. 205, "Glazing materials" (49 C.F.R. s. 571.205) and Federal  
611 Motor Vehicle Safety Standard No. 104, "Windshield wiping and  
612 washing systems" (49 C.F.R. s. 571.104); and
- 613 6. A vehicle structure certified by the vehicle  
614 manufacturer to meet the requirements of Federal Motor Vehicle  
615 Safety Standard No. 216, "Rollover crush resistance" (49 C.F.R.

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616 s. 571.216).

617 ~~(91)(59)~~ TRUCK.—Any motor vehicle designed, used, or  
618 maintained primarily for the transportation of property.

619 ~~(92)(60)~~ TRUCK TRACTOR.—Any motor vehicle designed and  
620 used primarily for drawing other vehicles and not so constructed  
621 as to carry a load other than a part of the weight of the  
622 vehicle and load so drawn.

623 ~~(93)(93)~~ UTILITY SERVICE VEHICLE.—A motor vehicle that  
624 bears an emblem that is visible from the roadway and clearly  
625 identifies that the vehicle belongs to or is under contract with  
626 a person, entity, cooperative, board, commission, district, or  
627 unit of local government that provides electric, natural gas,  
628 water, wastewater, cable, telephone, or communications services.

629 ~~(94)(75)~~ VEHICLE.—Every device, in, upon, or by which any  
630 person or property is or may be transported or drawn upon a  
631 highway, except ~~excepting~~ devices used exclusively upon  
632 stationary rails or tracks.

633 ~~(95)(85)~~ VICTIM SERVICES PROGRAMS.—Any community-based  
634 organization the ~~whose~~ primary purpose of which is to act as an  
635 advocate for the victims and survivors of traffic crashes and  
636 for their families. The victims services offered by these  
637 programs may include grief and crisis counseling, assistance  
638 with preparing victim compensation claims excluding third-party  
639 legal action, or connecting persons with other service  
640 providers, and providing emergency financial assistance.

641 ~~(96)(79)~~ WORK ZONE AREA.—The area and its approaches on

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642 any state-maintained highway, county-maintained highway, or  
643 municipal street where construction, repair, maintenance, or  
644 other street-related or highway-related work is being performed  
645 or where one or more lanes are ~~is~~ closed to traffic.

646 Section 3. Section 316.2069, Florida Statutes, is created  
647 to read:

648 316.2069 Commercial megacycles.-

649 (1) The governing body of a municipality, or the governing  
650 board of a county with respect to an unincorporated portion of  
651 the county, may permit the use of a commercial megacycle within  
652 its jurisdiction pursuant to the following:

653 (a) The authorization by the governing body must clearly  
654 limit the area of operation of commercial megacycles and their  
655 hours of operation.

656 (b) During commercial operation, a commercial megacycle  
657 must be:

658 1. Propelled solely by pedal power. Except under emergency  
659 circumstances, an auxiliary motor may not be operating while a  
660 passenger is in a commercial megacycle.

661 2. Operated at all times by its owner or lessee or an  
662 employee of the owner or lessee.

663 3. Operated by a driver at least 21 years of age who  
664 possesses a Class E driver license and must be occupied by a  
665 safety monitor at least 21 years of age who shall supervise the  
666 passengers while the commercial megacycle is in motion.

667 (2) The governing body of a municipality, or the governing

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668 board of a county with respect to an unincorporated portion of  
669 the county, may permit the use of a commercial megacycle within  
670 its jurisdiction for the sale of beer or wine pursuant to the  
671 requirements of subsection (1) and the following:

672 (a) The owner or lessee of the commercial megacycle must  
673 be authorized to sell beer and wine under the Beverage Law.

674 (b) A commercial megacycle may not operate within 100 feet  
675 of a licensed vendor of beer or spirituous beverages unless the  
676 commercial megacycle is owned or operated by such vendor.

677 (3) Section 316.1936 does not apply to a commercial  
678 megacycle while operating under subsections (1) and (2).

679 Section 4. Subsection (5) of section 316.235, Florida  
680 Statutes, is amended to read:

681 316.235 Additional lighting equipment.—

682 (5) A bus, ~~as defined in s. 316.003(3),~~ may be equipped  
683 with a deceleration lighting system which cautions following  
684 vehicles that the bus is slowing, is preparing to stop, or is  
685 stopped. Such lighting system shall consist of two red or amber  
686 lights mounted in horizontal alignment on the rear of the  
687 vehicle at ~~or near~~ the vertical centerline of the vehicle, no  
688 greater than 12 inches apart, and not higher than the lower edge  
689 of the rear window or, if the vehicle has no rear window, not  
690 higher than 72 inches from the ground. Such lights shall be  
691 visible from a distance of not less than 300 feet to the rear in  
692 normal sunlight. Lights are permitted to light and flash during  
693 deceleration, braking, or standing and idling of the bus.

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694 Vehicular hazard warning flashers may be used in conjunction  
695 with or in lieu of a rear-mounted deceleration lighting system.

696 Section 5. Subsections (1) and (3) of section 316.303,  
697 Florida Statutes, are amended to read:

698 316.303 Television receivers.—

699 (1) A ~~No~~ motor vehicle operated on the highways of this  
700 state may not shall be equipped with television-type receiving  
701 equipment so located that the viewer or screen is visible from  
702 the driver's seat unless the vehicle is operating in autonomous  
703 mode as provided in s. 316.85(2) or operating with driver-  
704 assistive truck platooning technology.

705 (3) This section does not prohibit the use of an  
706 electronic display used in conjunction with a vehicle navigation  
707 system, used by the operator of a vehicle operating in  
708 autonomous mode as provided in s. 316.85(2), or used by the  
709 operator of a vehicle operating with driver-assistive truck  
710 platooning technology.

711 Section 6. Subsection (1) of section 320.525, Florida  
712 Statutes, is amended to read:

713 320.525 Port vehicles and equipment; definition;  
714 exemption.—

715 (1) As used in this section, the term "port vehicles and  
716 equipment" means trucks, tractors, trailers, truck cranes, top  
717 loaders, fork lifts, hostling tractors, chassis, or other  
718 vehicles or equipment used for transporting cargo, containers,  
719 or other equipment. The term includes motor vehicles being

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720 relocated within a port facility or via designated port district  
721 roads.

722 Section 7. Section 332.0012, Florida Statutes, is created  
723 to read:

724 332.0012 Florida aviation transportation and economic  
725 development funding.-

726 (1) The Florida Aviation Transportation and Economic  
727 Development Program is created within the Department of  
728 Transportation to finance airport transportation or airport  
729 facilities projects that will improve the movement and  
730 intermodal transportation of cargo or passengers in commerce and  
731 trade and support the interests, purposes, and requirements of  
732 all airports listed in s. 332.0014(1) (a)1.

733 (2) A minimum of \$15 million per year shall be made  
734 available from the State Transportation Trust Fund to fund the  
735 Florida Aviation Transportation and Economic Development  
736 Program. The Florida Aviation Transportation and Economic  
737 Development Council created in s. 332.0014 shall develop  
738 guidelines for project funding. The Florida Aviation  
739 Transportation and Economic Development Council, the Department  
740 of Transportation, and the Department of Economic Opportunity  
741 shall work in cooperation to review projects and allocate funds  
742 in accordance with the schedule required for the Department of  
743 Transportation to include these projects in the tentative work  
744 program developed pursuant to s. 339.135.

745 (3) (a) Florida Aviation Transportation and Economic

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746 Development Program funds shall be used for approved projects in  
747 accordance with s. 332.007. Program funds may also be used by  
748 the Florida Aviation Transportation and Economic Development  
749 Council for data and analysis that will assist the state's  
750 airports and international trade.

751 (b) The following airport facilities or airport  
752 transportation projects are eligible for funding under the  
753 program:

754 1. Transportation facilities within the jurisdiction of  
755 the airport.

756 2. The construction, acquisition, improvement,  
757 enlargement, extension, or rehabilitation of airport facilities,  
758 storage facilities, terminals, or automated people mover systems  
759 or any related facilities that are necessary or useful.

760 3. The acquisition of mechanized equipment used in the  
761 movement of cargo or passengers in international commerce.

762 4. The acquisition of land to be used for airport  
763 purposes.

764 5. Environmental protection projects that result from the  
765 funding of eligible projects or that are necessary because of  
766 requirements imposed by a state agency as a condition of a  
767 permit or other form of state approval or for environmental  
768 mitigation required as a condition of a state, federal, or local  
769 environmental permit.

770 6. Transportation facilities as defined in s. 334.03 which  
771 are not otherwise part of the Department of Transportation's

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772 adopted work program.

773 7. Intermodal access projects.

774 (4) An airport that receives funding under the program  
775 must adopt procedures to ensure that jobs created as a result of  
776 state funding comply with equal opportunity hiring practices as  
777 provided in s. 110.112.

778 (5) The Department of Transportation may require a final  
779 audit of any project that receives funds under this section. The  
780 Department of Transportation may adopt rules and perform such  
781 other acts necessary to ensure that the final audits are  
782 conducted and that any deficiency or questioned costs noted by  
783 the audit are resolved.

784 Section 8. Section 332.0014, Florida Statutes, is created  
785 to read:

786 332.0014 Florida Aviation Transportation and Economic  
787 Development Council.—

788 (1) The Florida Aviation Transportation and Economic  
789 Development Council is created within the Department of  
790 Transportation.

791 (a) The council consists of the following members:

792 1. The airport director, or the airport director's  
793 designee, of each of the following airports:

794 a. Fort Lauderdale-Hollywood International Airport.

795 b. Jacksonville International Airport.

796 c. Miami International Airport.

797 d. Orlando International Airport.

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- 798 e. Palm Beach International Airport.  
799 f. Southwest Florida International Airport.  
800 g. Tampa International Airport.  
801 h. Miami Executive Airport.  
802 i. Kissimmee Gateway Airport.  
803 j. Daytona Beach International Airport.  
804 k. Destin-Fort Walton Beach Airport.  
805 l. Gainesville Regional Airport.  
806 m. Melbourne International Airport.  
807 n. Northwest Florida Beaches International Airport.  
808 o. Orlando Sanford International Airport.  
809 p. Pensacola International Airport.  
810 q. Sarasota-Bradenton International Airport.  
811 r. Saint Petersburg-Clearwater International Airport.  
812 s. Tallahassee International Airport.  
813 2. The Secretary of Transportation or his or her designee.  
814 3. The executive director of the Department of Economic  
815 Opportunity or his or her designee.  
816 (b) The council shall meet at the call of its chair, at  
817 the request of a majority of its membership, or at such times as  
818 may be prescribed in its bylaws. However, the council must meet  
819 at least semiannually. A majority of voting members of the  
820 council constitutes a quorum for the purpose of transacting the  
821 business of the council. All members of the council are voting  
822 members. A vote of the majority of the members present is  
823 sufficient for any action of the council, except that a member



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824 representing the Department of Transportation or the Department  
825 of Economic Opportunity may vote to overrule any action of the  
826 council approving a project pursuant to subsection (4). The  
827 bylaws of the council may require a greater vote for a  
828 particular action.

829 (c) Members of the council shall serve without  
830 compensation but are entitled to reimbursement for per diem and  
831 travel expenses as provided in s. 112.061.

832 (d) The council may employ an administrative staff to  
833 provide services to the council on matters relating to the  
834 Florida Aviation Transportation and Economic Development Program  
835 and the council. The cost for such administrative services shall  
836 be paid by all airports that receive funding from the Florida  
837 Aviation Transportation and Economic Development Program, based  
838 on a pro rata formula measured by each recipient's share of the  
839 funds as compared to the total funds disbursed to all recipients  
840 during the year. The share of costs for administrative services  
841 shall be paid in its total amount by the recipient airport upon  
842 execution by the airport and the Department of Transportation of  
843 a joint participation agreement for each council-approved  
844 project. Such payment is in addition to the matching funds  
845 required to be paid by the recipient airport.

846 (e) The council shall adopt bylaws governing the conduct  
847 of business of the council. The bylaws shall specify the  
848 procedure for election of the council chair.

849 (2) (a) The council shall prepare a 5-year aviation mission

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850 plan defining the goals and objectives of the council concerning  
851 the development of airport facilities and an intermodal  
852 transportation system consistent with the goals of the Florida  
853 Transportation Plan. The mission plan shall include specific  
854 recommendations for the construction of transportation  
855 facilities connecting any airport to another transportation mode  
856 and for the efficient, cost-effective development of  
857 transportation facilities or airport facilities for the purpose  
858 of enhancing trade, promoting cargo flow, increasing passenger  
859 movements, increasing airport revenues, and providing economic  
860 benefits to the state. Each year, the council shall update the  
861 5-year mission plan and submit the plan no later than February 1  
862 to the President of the Senate, the Speaker of the House of  
863 Representatives, the Department of Economic Opportunity, and the  
864 Department of Transportation.

865 (b) Each year, the council shall develop a prioritized  
866 list of projects based on the recommendations in the mission  
867 plan and submit the list to the Department of Transportation.

868 (c) The council shall develop programs, based on a review  
869 of existing programs in this state and other states, for the  
870 training of minorities and secondary school students in job  
871 skills associated with employment opportunities in the aviation  
872 industry and annually submit a report on progress and  
873 recommendations for further action to the President of the  
874 Senate and the Speaker of the House of Representatives.

875 (3) The council shall adopt rules for evaluating projects

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876 that may be funded through the Florida Aviation Transportation  
877 and Economic Development Program. The rules shall provide  
878 criteria for evaluating a potential project, including, but not  
879 limited to, consistency with appropriate plans, economic  
880 benefit, readiness for construction, noncompetition with other  
881 airports in this state, and capacity within the airport system.  
882 Priority shall be given to projects eligible for funding as a  
883 strategic airport investment project pursuant to s. 332.007(10).

884 (4) The council shall review and approve or disapprove  
885 each project for funding under the Florida Aviation  
886 Transportation and Economic Development Program. Each year, the  
887 council shall submit a list of approved projects to the  
888 Secretary of Transportation and the executive director of the  
889 Department of Economic Opportunity. The list shall specify the  
890 recommended funding level for each project and, if staged  
891 implementation of the project is appropriate, the funding  
892 requirements for each stage.

893 (5) The Department of Transportation shall review the  
894 application of each project on the list to determine whether the  
895 project is consistent with the Florida Transportation Plan, the  
896 statewide aviation system plan, and the Department of  
897 Transportation's adopted work program. In evaluating the  
898 consistency of a project, the Department of Transportation shall  
899 assess the transportation impacts and economic benefits of the  
900 project. The Department of Transportation shall identify those  
901 projects that are inconsistent with the Florida Transportation

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902 Plan, the statewide aviation system plan, or the adopted work  
903 program and notify the council of its findings. A project may  
904 not be approved for funding if it is determined to be  
905 inconsistent with the Florida Transportation Plan, the statewide  
906 aviation system plan, or the adopted work program pursuant to  
907 this subsection.

908 (6) The Department of Economic Opportunity shall review  
909 the application of each project on the list to evaluate the  
910 economic benefit of each project and to determine whether the  
911 project is consistent with the statewide aviation system plan  
912 and the state's economic development goals and policies. The  
913 Department of Economic Opportunity shall review the proposed  
914 project's consistency with state, regional, and local plans, as  
915 appropriate, and the economic benefits of each project based on  
916 the rules adopted pursuant to subsection (3). The Department of  
917 Economic Opportunity shall identify those projects that it  
918 determines do not offer an economic benefit to the state or that  
919 are inconsistent with an appropriate plan, the statewide  
920 aviation system plan, or the state's economic development goals  
921 and policies and shall notify the council of its findings. A  
922 project may not be approved for funding if it is determined to  
923 be inconsistent with an appropriate plan, the statewide aviation  
924 system plan, or the state's economic development goals and  
925 policies pursuant to this subsection.

926 (7) The Department of Transportation shall include at  
927 least \$15 million per year in its annual legislative budget

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928 request for funding the Florida Aviation Transportation and  
929 Economic Development Program under s. 332.0012, including  
930 funding for those projects approved for funding under this  
931 section. The Department of Transportation shall include the  
932 specific projects to be funded through the Florida Aviation  
933 Transportation and Economic Development Program during the  
934 ensuing fiscal year in the tentative work program developed  
935 pursuant to s. 339.135. The total amount of funding to be  
936 allocated to Florida Aviation Transportation and Economic  
937 Development Program projects during the successive 4 fiscal  
938 years shall also be included in the tentative work program. The  
939 council may submit to the Department of Transportation a list of  
940 approved projects that could be made production ready within the  
941 next 2 years. The list shall be submitted by the Department of  
942 Transportation as part of the needs and project list prepared  
943 pursuant to s. 339.135(2)(b). However, the Department of  
944 Transportation shall, upon written request by the council,  
945 submit work program amendments pursuant to s. 339.135(7) to the  
946 Governor within 10 days after the later of the date the request  
947 is received by the Department of Transportation or the effective  
948 date of an amendment to, or termination or closure of, the  
949 applicable funding agreement between the Department of  
950 Transportation and the affected airport, as required to release  
951 the funds from the existing commitment. Notwithstanding s.  
952 339.135(7)(c), any work program amendment to transfer prior year  
953 funds from one approved airport project to another airport

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954 project is subject to the procedures in s. 339.135(7)(d).  
955 Notwithstanding any law provision of law, the Department of  
956 Transportation may transfer unexpended budget funds between the  
957 airport projects as identified in the approved work program  
958 amendments.

959 (8) Except as otherwise provided by law, all moneys  
960 derived from the Florida Aviation Transportation and Economic  
961 Development Program shall be expended in accordance with s.  
962 287.057. Airports subject to competitive negotiation  
963 requirements of a local governing body must comply with s.  
964 287.055.

965 Section 9. Paragraph (c) of subsection (1) of section  
966 332.08, Florida Statutes, is amended to read:

967 332.08 Additional powers.—

968 (1) In addition to the general powers in ss. 332.01-332.12  
969 conferred and without limitation thereof, a municipality that  
970 has established or may hereafter establish airports, restricted  
971 landing areas, or other air navigation facilities, or that has  
972 acquired or set apart or may hereafter acquire or set apart real  
973 property for such purposes, is authorized:

974 (c) To lease for a term not exceeding 50 ~~30~~ years such  
975 airports or other air navigation facilities, or real property  
976 acquired or set apart for airport purposes, to private parties,  
977 any municipal or state government or the national government, or  
978 any department of either thereof, for operation; to lease or  
979 assign for a term not exceeding 50 ~~30~~ years to private parties,

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980 any municipal or state government or the national government, or  
981 any department of either thereof, for operation or use  
982 consistent with the purposes of ss. 332.01-332.12, space, area,  
983 improvements, or equipment on such airports; to sell any part of  
984 such airports, other air navigation facilities, or real property  
985 to any municipal or state government, or the United States or  
986 any department or instrumentality thereof, for aeronautical  
987 purposes or purposes incidental thereto, and to confer the  
988 privileges of concessions of supplying upon its airports goods,  
989 commodities, things, services, and facilities; provided, that in  
990 each case in so doing the public is not deprived of its rightful  
991 equal and uniform use thereof.

992 Section 10. Section 333.01, Florida Statutes, is amended  
993 to read:

994 333.01 Definitions.—As used in ~~For the purpose of this~~  
995 ~~chapter, the term following words, terms, and phrases shall have~~  
996 ~~the meanings herein given, unless otherwise specifically~~  
997 ~~defined, or unless another intention clearly appears, or the~~  
998 ~~context otherwise requires:~~

999 (1) "Aeronautical study" means a Federal Aviation  
1000 Administration study, conducted in accordance with the standards  
1001 of 14 C.F.R. part 77, subpart C, and Federal Aviation  
1002 Administration policy and guidance, on the effect of proposed  
1003 construction or alteration on the operation of air navigation  
1004 facilities and the safe and efficient use of navigable airspace.

1005 ~~(1) "Aeronautics" means transportation by aircraft; the~~

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1006 ~~operation, construction, repair, or maintenance of aircraft,~~  
1007 ~~aircraft power plants and accessories, including the repair,~~  
1008 ~~packing, and maintenance of parachutes; the design,~~  
1009 ~~establishment, construction, extension, operation, improvement,~~  
1010 ~~repair, or maintenance of airports, restricted landing areas, or~~  
1011 ~~other air navigation facilities, and air instruction.~~

1012 (2) "Airport" means any area of land or water designed and  
1013 set aside for the landing and taking off of aircraft and used  
1014 ~~utilized~~ or to be used ~~utilized~~ in the interest of the public  
1015 for such purpose.

1016 (3) "Airport hazard" means an obstruction to air  
1017 navigation that affects the safe and efficient use of navigable  
1018 airspace or the operation of planned or existing air navigation  
1019 and communication facilities ~~any structure or tree or use of~~  
1020 ~~land which would exceed the federal obstruction standards as~~  
1021 ~~contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29~~  
1022 ~~and which obstructs the airspace required for the flight of~~  
1023 ~~aircraft in taking off, maneuvering, or landing or is otherwise~~  
1024 ~~hazardous to such taking off, maneuvering, or landing of~~  
1025 ~~aircraft and for which no person has previously obtained a~~  
1026 ~~permit or variance pursuant to s. 333.025 or s. 333.07.~~

1027 (4) "Airport hazard area" means any area of land or water  
1028 upon which an airport hazard might be established ~~if not~~  
1029 ~~prevented as provided in this chapter.~~

1030 (5) "Airport land use compatibility zoning" means airport  
1031 zoning regulations governing ~~restricting~~ the use of land on,



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1032 adjacent to, or in the immediate vicinity of airports ~~in the~~  
1033 ~~manner enumerated in s. 333.03(2) to activities and purposes~~  
1034 ~~compatible with the continuation of normal airport operations~~  
1035 ~~including landing and takeoff of aircraft in order to promote~~  
1036 ~~public health, safety, and general welfare.~~

1037 (6) "Airport layout plan" means a set of scaled drawings  
1038 that provides a graphic representation of the existing and  
1039 future development plan for the airport and demonstrates the  
1040 preservation and continuity of safety, utility, and efficiency  
1041 of the airport detailed, scale engineering drawing, including  
1042 pertinent dimensions, of an airport's current and planned  
1043 facilities, their locations, and runway usage.

1044 (7) "Airport master plan" means a comprehensive plan of an  
1045 airport which typically describes current and future plans for  
1046 airport development designed to support existing and future  
1047 aviation demand.

1048 (8) "Airport protection zoning" means airport zoning  
1049 regulations governing airport hazards.

1050 (9) "Department" means the Department of Transportation.

1051 (10) "Educational facility" means any structure, land, or  
1052 use thereof that includes a public or private K-12 school,  
1053 charter school, magnet school, college campus, or university  
1054 campus. The term does not include space used for educational  
1055 purposes within a multitenant building.

1056 (11) "Landfill" has the same meaning as provided in s.  
1057 403.703.

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1058        ~~(12)(7)~~ "Obstruction" means any object of natural growth  
1059 or terrain, or permanent or temporary construction or  
1060 alteration, including equipment or materials used and any  
1061 permanent or temporary apparatus, or alteration of any permanent  
1062 or temporary existing structure by a change in its height,  
1063 including appurtenances, or lateral dimensions, including  
1064 equipment or material used therein, existing or proposed, which  
1065 exceeds ~~manmade object or object of natural growth or terrain~~  
1066 ~~that violates~~ the federal obstruction standards contained in 14  
1067 C.F.R. part 77, subpart C ss. 77.21, 77.23, 77.25, 77.28, and  
1068 77.29.

1069        ~~(13)(8)~~ "Person" means any individual, firm,  
1070 copartnership, corporation, company, association, joint-stock  
1071 association, or body politic, and includes any trustee,  
1072 receiver, assignee, or other similar representative thereof.

1073        ~~(14)(9)~~ "Political subdivision" means the local government  
1074 of any county, city, town, village, or other subdivision or  
1075 agency thereof, or any district or special district, port  
1076 commission, port authority, or other such agency authorized to  
1077 establish or operate airports in the state.

1078        ~~(15)~~ "Public-use airport" means an airport, publicly or  
1079 privately owned, licensed by the state, which is open for use by  
1080 the public.

1081        ~~(16)(10)~~ "Runway protection clear zone" means an area at  
1082 ground level beyond the runway end to enhance the safety and  
1083 protection of people and property on the ground ~~a runway clear~~

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1084 ~~zone as defined in 14 C.F.R. s. 151.9(b).~~

1085 ~~(17)-(11)~~ "Structure" means any object, constructed,  
1086 erected, altered, or installed by humans, including, but not  
1087 limited to without limitation thereof, buildings, towers,  
1088 smokestacks, utility poles, power generation equipment, and  
1089 overhead transmission lines.

1090 (18) "Substantial modification" means any repair,  
1091 reconstruction, rehabilitation, or improvement of a structure  
1092 the actual cost of which equals or exceeds 50 percent of the  
1093 market value of the structure.

1094 ~~(12) "Tree" includes any plant of the vegetable kingdom.~~

1095 Section 11. Section 333.025, Florida Statutes, is amended  
1096 to read:

1097 333.025 Permit required for obstructions ~~structures~~  
1098 ~~exceeding federal obstruction standards.-~~

1099 (1) A person proposing the construction or alteration of  
1100 an obstruction shall obtain a permit from the department ~~in~~  
1101 order to prevent the erection of structures dangerous to air  
1102 navigation, subject to the provisions of subsections (2), (3),  
1103 and (4), each person shall secure from the Department of  
1104 Transportation a permit for the erection, alteration, or  
1105 modification of any structure the result of which would exceed  
1106 the federal obstruction standards as contained in 14 C.F.R. ss.  
1107 77.21, 77.23, 77.25, 77.28, and 77.29. However, permits from the  
1108 department are of Transportation will be required only within an  
1109 airport hazard area where federal obstruction standards are

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1110 exceeded and if the proposed construction or alteration is  
1111 within a 10-nautical-mile radius of the airport reference point,  
1112 located at the approximate geometric ~~geographical~~ center of all  
1113 usable runways of a public-use airport or a ~~publicly owned or~~  
1114 ~~operated airport~~, a military airport, or an airport licensed by  
1115 the state for public use.

1116 (2) Existing, planned, and proposed ~~Affected airports will~~  
1117 ~~be considered as having these~~ facilities on public-use airports  
1118 contained in an ~~which are shown on the~~ airport master plan, on  
1119 ~~or~~ an airport layout plan submitted to the Federal Aviation  
1120 Administration, ~~Airport District Office~~ or in comparable  
1121 military documents shall, ~~and will be so~~ protected from airport  
1122 hazards. ~~Planned or proposed public-use airports which are the~~  
1123 ~~subject of a notice or proposal submitted to the Federal~~  
1124 ~~Aviation Administration or to the Department of Transportation~~  
1125 ~~shall also be protected.~~

1126 (3) A permit is not required for existing structures that  
1127 ~~requirements of subsection (1) shall not apply to projects which~~  
1128 received construction permits from the Federal Communications  
1129 Commission for structures exceeding federal obstruction  
1130 standards before ~~prior to~~ May 20, 1975, and a permit is not  
1131 required for ~~provided such structures now exist; nor shall it~~  
1132 ~~apply to previously approved structures now existing, or any~~  
1133 necessary replacement or repairs to such existing structures  
1134 provided, ~~so long as~~ the height and location are ~~is~~ unchanged.

1135 (4) When political subdivisions have, in compliance with

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1136 this chapter, adopted adequate airport airspace protection  
1137 zoning regulations, placed in compliance with s. 333.03, and  
1138 such regulations are on file with the department's Aviation and  
1139 Spaceports Office Department of Transportation, and established  
1140 a permitting process, a permit for such structure is shall not  
1141 be required from the department of Transportation. Upon receipt  
1142 of a complete permit application, the local government shall  
1143 provide a copy of the application to the department's Aviation  
1144 and Spaceports Office by certified mail, return receipt  
1145 requested, or by delivery service that provides a receipt  
1146 evidencing delivery. To evaluate technical consistency with this  
1147 subsection, the department has a 15-day review period following  
1148 receipt of the application, which runs concurrently with the  
1149 local government permitting process. Cranes, construction  
1150 equipment, and other temporary structures in use or in place for  
1151 a period not to exceed 18 consecutive months are exempt from  
1152 department review unless such review is requested by the  
1153 department.

1154 (5) The department ~~of Transportation~~ shall, within 30 days  
1155 after of the receipt of an application for a permit, issue or  
1156 deny a permit for the construction or erection, alteration, or  
1157 modification of an obstruction. The department shall review  
1158 permit applications in accordance with s. 120.60 any structure  
1159 the result of which would exceed federal obstruction standards  
1160 as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and  
1161 77.29.

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1162 (6) In determining whether to issue or deny a permit, the  
1163 department shall consider:

1164 (a) The safety of persons on the ground and in the air.

1165 (b) The safe and efficient use of navigable airspace.

1166 (c) ~~(a)~~ The nature of the terrain and height of existing  
1167 structures.

1168 (d) The effect of the construction or alteration of an  
1169 obstruction on the state licensing standards for a public-use  
1170 airport contained in chapter 330 and rules adopted thereunder.

1171 ~~(b) Public and private interests and investments.~~

1172 (e) ~~(c)~~ The character of existing and planned flight flying  
1173 operations and ~~planned~~ developments at public-use of airports.

1174 (f) ~~(d)~~ Federal airways, visual flight rules, flyways and  
1175 corridors, and instrument approaches as designated by the Federal  
1176 Aviation Administration.

1177 (g) ~~(e)~~ The effect of Whether the construction or  
1178 alteration of an obstruction on of the proposed structure would  
1179 ~~cause an increase in~~ the minimum descent altitude or the  
1180 decision height at the affected airport.

1181 ~~(f) Technological advances.~~

1182 ~~(g) The safety of persons on the ground and in the air.~~

1183 ~~(h) Land use density.~~

1184 ~~(i) The safe and efficient use of navigable airspace.~~

1185 (h) ~~(j)~~ The cumulative effects on navigable airspace of all  
1186 existing obstructions structures, ~~proposed structures identified~~  
1187 ~~in the applicable jurisdictions' comprehensive plans, and all~~

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1188 other known proposed obstructions ~~structures~~ in the area.

1189 (7) When issuing a permit under this section, the  
1190 department ~~of Transportation~~ shall, ~~as a specific condition of~~  
1191 ~~such permit,~~ require the owner of the obstruction to install,  
1192 operate, and maintain thereon, at the owner's expense, marking  
1193 and lighting in conformance with the specific standards  
1194 established by the Federal Aviation Administration ~~of the~~  
1195 ~~permitted structure as provided in s. 333.07(3)(b).~~

1196 (8) The department may ~~of Transportation~~ shall not approve  
1197 a permit for the construction or alteration of an obstruction  
1198 ~~erection of a structure~~ unless the applicant submits ~~both~~  
1199 documentation showing compliance with the federal requirement  
1200 for notification of proposed construction or alteration and a  
1201 valid aeronautical study. ~~A evaluation, and no permit may not~~  
1202 ~~shall~~ be approved solely because the Federal Aviation  
1203 Administration determines that the proposed obstruction is not  
1204 an airport hazard on the basis that such proposed structure will  
1205 ~~not exceed federal obstruction standards as contained in 14~~  
1206 ~~C.F.R. ss. 77.21, 77.23, 77.25, 77.28, or 77.29, or any other~~  
1207 ~~federal aviation regulation.~~

1208 (9) The denial of a permit under this section is subject  
1209 to administrative review under chapter 120.

1210 Section 12. Section 333.03, Florida Statutes, is amended  
1211 to read:

1212 333.03 ~~Power to adopt~~ Airport protection zoning  
1213 regulations.-

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1214 (1) (a) ~~In order to prevent the creation or establishment~~  
1215 ~~of airport hazards,~~ Every political subdivision having an  
1216 airport hazard area within its territorial limits shall, ~~by~~  
1217 ~~October 1, 1977,~~ adopt, administer, and enforce, under the  
1218 police power and in the manner and upon the conditions  
1219 hereinafter prescribed in this section, airport protection  
1220 zoning regulations for such airport hazard area.

1221 (b) When ~~where~~ an airport is owned or controlled by a  
1222 political subdivision and any other political subdivision has  
1223 land upon which an obstruction may be constructed or altered,  
1224 which land underlies any of the surfaces of the airport  
1225 described in 14 C.F.R. part 77, subpart C, the political  
1226 subdivisions ~~airport hazard area appertaining to such airport is~~  
1227 ~~located wholly or partly outside the territorial limits of said~~  
1228 ~~political subdivision, the political subdivision owning or~~  
1229 ~~controlling the airport and the political subdivision within~~  
1230 ~~which the airport hazard area is located,~~ shall either:

1231 1. By interlocal agreement, ~~in accordance with the~~  
1232 ~~provisions of chapter 163,~~ adopt, administer, and enforce a set  
1233 of airport protection zoning regulations ~~applicable to the~~  
1234 ~~airport hazard area in question;~~ or

1235 2. By ordinance, regulation, or resolution ~~duly adopted,~~  
1236 create a joint airport protection zoning board ~~that, which board~~  
1237 ~~shall have the same power to adopt, administer, and enforce a~~  
1238 set of airport protection zoning regulations ~~applicable to the~~  
1239 ~~airport hazard area in question as that vested in paragraph (a)~~



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1240 ~~in the political subdivision within which such area is located.~~  
1241 The Each such joint airport protection zoning board shall have  
1242 as voting members two representatives appointed by each  
1243 participating political subdivision ~~participating in its~~  
1244 ~~creation~~ and ~~in addition~~ a chair elected by a majority of the  
1245 members ~~so~~ appointed. ~~However,~~ The airport manager or a  
1246 representative of each airport in managers of the participating  
1247 ~~affected~~ political subdivisions shall serve on the board in a  
1248 nonvoting capacity.

1249 (c) Airport protection zoning regulations adopted under  
1250 paragraph (a) shall, at ~~as~~ a minimum, require:

1251 1. A permit variance for the construction or erection,  
1252 ~~alteration, or modification~~ of any obstruction structure which  
1253 ~~would cause the structure to exceed the federal obstruction~~  
1254 ~~standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25,~~  
1255 ~~77.28, and 77.29;~~

1256 2. ~~Obstruction~~ Marking and lighting for obstructions  
1257 ~~structures as specified in s. 333.07(3);~~

1258 3. Documentation showing compliance with the federal  
1259 requirement for notification of proposed construction or  
1260 alteration of structures and a valid aeronautical study  
1261 ~~evaluation~~ submitted by each person applying for a permit  
1262 variance;

1263 4. Consideration of the criteria in s. 333.025(6), when  
1264 determining whether to issue or deny a permit variance; and

1265 5. That a permit may not ~~no variance shall~~ be approved

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1266 solely because the Federal Aviation Administration determines  
1267 that the proposed obstruction is not an airport hazard ~~on the~~  
1268 ~~basis that such proposed structure will not exceed federal~~  
1269 ~~obstruction standards as contained in 14 C.F.R. ss. 77.21,~~  
1270 ~~77.23, 77.25, 77.28, or 77.29, or any other federal aviation~~  
1271 ~~regulation.~~

1272 (d) The department shall be available to provide  
1273 assistance to political subdivisions with regard to ~~issue copies~~  
1274 ~~of the federal obstruction standards as contained in 14 C.F.R.~~  
1275 ~~ss. 77.21, 77.23, 77.25, 77.28, and 77.29 to each political~~  
1276 ~~subdivision having airport hazard areas and, in cooperation with~~  
1277 ~~political subdivisions, shall issue appropriate airport zoning~~  
1278 ~~maps depicting within each county the maximum allowable height~~  
1279 ~~of any structure or tree. Material distributed pursuant to this~~  
1280 ~~subsection shall be at no cost to authorized recipients.~~

1281 (2) In the manner provided in subsection (1), political  
1282 subdivisions shall adopt, administer, and enforce interim  
1283 airport land use compatibility zoning regulations ~~shall be~~  
1284 ~~adopted. Airport land use compatibility zoning regulations~~  
1285 shall, at a minimum, address ~~When political subdivisions have~~  
1286 ~~adopted land development regulations in accordance with the~~  
1287 ~~provisions of chapter 163 which address the use of land in the~~  
1288 ~~manner consistent with the provisions herein, adoption of~~  
1289 ~~airport land use compatibility regulations pursuant to this~~  
1290 ~~subsection shall not be required. Interim airport land use~~  
1291 ~~compatibility zoning regulations shall consider the following:~~

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1292 (a) Prohibiting any new landfills and restricting any  
1293 existing ~~whether sanitary~~ landfills are located within the  
1294 following areas:

1295 1. Within 10,000 feet from the nearest point of any runway  
1296 used or planned to be used by turbine ~~turbojet or turboprop~~  
1297 aircraft.

1298 2. Within 5,000 feet from the nearest point of any runway  
1299 used only by nonturbine ~~piston-type~~ aircraft.

1300 3. Outside the perimeters defined in subparagraphs 1. and  
1301 2., but still within the lateral limits of the civil airport  
1302 imaginary surfaces defined in 14 C.F.R. s. 77.19 ~~part 77.25~~.  
1303 Case-by-case review of such landfills is advised.

1304 (b) Where ~~Whether~~ any landfill is located and constructed  
1305 so that it attracts or sustains hazardous bird movements from  
1306 feeding, water, or roosting areas into, or across, the runways  
1307 or approach and departure patterns of aircraft. The operator of  
1308 such a landfill must be required to ~~political subdivision shall~~  
1309 ~~request from the airport authority or other governing body~~  
1310 ~~operating the airport a report on such bird feeding or roosting~~  
1311 ~~areas that at the time of the request are known to the airport.~~  
1312 ~~In preparing its report, the authority, or other governing body,~~  
1313 ~~shall consider whether the landfill will incorporate bird~~  
1314 ~~management techniques or other practices to minimize bird~~  
1315 ~~hazards to airborne aircraft. The airport authority or other~~  
1316 ~~governing body shall respond to the political subdivision no~~  
1317 ~~later than 30 days after receipt of such request.~~

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1318 (c) Where an airport authority or other governing body  
1319 operating a ~~publicly owned~~, public-use airport has conducted a  
1320 noise study in accordance with ~~the provisions of~~ 14 C.F.R. part  
1321 150 or where a public-use airport owner has established noise  
1322 contours pursuant to another public study approved by the Federal  
1323 Aviation Administration. Noncompatible land uses, as established  
1324 in the noise study under Appendix A to 14 C.F.R. part 150 or as a  
1325 part of an alternative public study approved by the Federal  
1326 Aviation Administration, are not permitted within the noise  
1327 contours established by such study, except where such land use is  
1328 specifically contemplated by such study with appropriate  
1329 mitigation or similar techniques described in the study, ~~neither~~  
1330 ~~residential construction nor any educational facility as defined~~  
1331 ~~in chapter 1013, with the exception of aviation school~~  
1332 ~~facilities, shall be permitted within the area contiguous to the~~  
1333 ~~airport defined by an outer noise contour that is considered~~  
1334 ~~incompatible with that type of construction by 14 C.F.R. part~~  
1335 ~~150, Appendix A or an equivalent noise level as established by~~  
1336 ~~other types of noise studies.~~

1337 (d) Where an airport authority or other governing body  
1338 operating a ~~publicly owned~~, public-use airport has not conducted  
1339 a noise study, ~~neither Residential construction and nor any~~  
1340 ~~educational facility as defined in chapter 1013, with the~~  
1341 ~~exception of an aviation school~~ facility facilities, are not  
1342 ~~shall be permitted within an area contiguous to the airport~~  
1343 ~~measuring one-half the length of the longest runway on either~~

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1344 side of and at the end of each runway centerline.

1345 ~~(e)(3) Restricting In the manner provided in subsection~~  
1346 ~~(1), airport zoning regulations shall be adopted which restrict~~  
1347 ~~new incompatible uses, activities, or substantial modifications~~  
1348 ~~to existing incompatible uses construction within runway~~  
1349 ~~protection clear zones, including uses, activities, or~~  
1350 ~~construction in runway clear zones which are incompatible with~~  
1351 ~~normal airport operations or endanger public health, safety, and~~  
1352 ~~welfare by resulting in congregations of people, emissions of~~  
1353 ~~light or smoke, or attraction of birds. Such regulations shall~~  
1354 ~~prohibit the construction of an educational facility of a public~~  
1355 ~~or private school at either end of a runway of a publicly owned,~~  
1356 ~~public-use airport within an area which extends 5 miles in a~~  
1357 ~~direct line along the centerline of the runway, and which has a~~  
1358 ~~width measuring one half the length of the runway. Exceptions~~  
1359 ~~approving construction of an educational facility within the~~  
1360 ~~delineated area shall only be granted when the political~~  
1361 ~~subdivision administering the zoning regulations makes specific~~  
1362 ~~findings detailing how the public policy reasons for allowing~~  
1363 ~~the construction outweigh health and safety concerns prohibiting~~  
1364 ~~such a location.~~

1365 ~~(4) The procedures outlined in subsections (1), (2), and~~  
1366 ~~(3) for the adoption of such regulations are supplemental to any~~  
1367 ~~existing procedures utilized by political subdivisions in the~~  
1368 ~~adoption of such regulations.~~

1369 ~~(3)(5) Political subdivisions The Department of~~

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1370 Transportation shall provide ~~technical assistance to any~~  
1371 ~~political subdivision requesting assistance in the preparation~~  
1372 ~~of an airport zoning code.~~ a copy of all local airport  
1373 protection zoning codes, rules, and regulations and airport land  
1374 use compatibility zoning regulations, together with any related  
1375 amendments, to the department's Aviation and Spaceports Office  
1376 within 30 days after adoption, ~~and amendments and proposed and~~  
1377 ~~granted variances thereto, shall be filed with the department.~~

1378 ~~(4)-(6) Nothing in Subsection (2) does not or subsection~~  
1379 ~~(3) shall be construed to require the removal, alteration, sound~~  
1380 ~~conditioning, or other change to, or to interfere with the~~  
1381 ~~continued use or adjacent expansion of, any educational facility~~  
1382 ~~structure or site in existence on July 1, 1993, or be construed~~  
1383 ~~to prohibit the construction of any new structure for which a~~  
1384 ~~site has been determined as provided in former s. 235.19, as of~~  
1385 ~~July 1, 1993.~~

1386 (5) This section does not preclude an airport authority, a  
1387 political subdivision or its administrative agency, or other  
1388 governing body operating a public-use airport from establishing  
1389 airport zoning regulations more restrictive than prescribed in  
1390 this section in order to protect the health, safety, and welfare  
1391 of the public in the air and on the ground.

1392 Section 13. Section 333.04, Florida Statutes, is amended  
1393 to read:

1394 333.04 Comprehensive plans or policies ~~zoning regulations;~~  
1395 most stringent zoning regulations to prevail where conflicts

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1396 occur.-

1397 (1) INCORPORATION.-~~If in the event that~~ a political  
1398 subdivision ~~has adopted, or hereafter adopts,~~ a comprehensive  
1399 plan or policy that regulates zoning ordinance regulating, among  
1400 ~~other things,~~ the height of buildings, structures, and natural  
1401 objects, and uses of property, any airport zoning regulations  
1402 applicable to the same area or portion thereof may be  
1403 incorporated in and made a part of such comprehensive plan or  
1404 policy zoning regulations, and be administered and enforced in  
1405 connection therewith.

1406 (2) CONFLICT.-If there is a ~~In the event of~~ conflict  
1407 between any airport zoning regulations adopted under this  
1408 chapter and any other regulations applicable to the same area,  
1409 whether the conflict be with respect to the height of structures  
1410 or vegetation trees, the use of land, or any other matter, and  
1411 whether such regulations were adopted by the political  
1412 subdivision that ~~which~~ adopted the airport zoning regulations or  
1413 by some other political subdivision, the more stringent  
1414 limitation or requirement shall govern and prevail.

1415 Section 14. Section 333.05, Florida Statutes, is amended  
1416 to read:

1417 333.05 Procedure for adoption of zoning regulations.-

1418 (1) NOTICE AND HEARING.-~~No~~ Airport zoning regulations may  
1419 not shall be adopted, amended, or repealed ~~changed~~ under this  
1420 chapter except by action of the legislative body of the  
1421 political subdivision or affected subdivisions ~~in question,~~ or

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1422 the joint board provided for in s. 333.03(1)(b)2. ~~333.03(1)(b)~~  
1423 ~~by the bodies therein provided and set forth,~~ after a public  
1424 hearing on the adoption, amendment, or repeal ~~in relation~~  
1425 ~~thereto,~~ at which parties in interest and citizens shall have an  
1426 opportunity to be heard. Notice of the hearing shall be  
1427 published at least once a week for 2 consecutive weeks in a  
1428 newspaper ~~an official paper, or a paper~~ of general circulation,  
1429 in the political subdivision or subdivisions where ~~in which are~~  
1430 ~~located~~ the airport zoning regulations are ~~areas~~ to be adopted,  
1431 amended, or deleted ~~zoned~~.

1432 (2) AIRPORT ZONING COMMISSION. ~~Before~~ Prior to the initial  
1433 zoning of any airport area under this chapter, the political  
1434 subdivision or joint airport zoning board that ~~which~~ is to  
1435 adopt, administer, and enforce the regulations shall appoint a  
1436 commission, to be known as the airport zoning commission, to  
1437 recommend the boundaries of the various zones to be established  
1438 and the regulations to be adopted therefor. The ~~Such~~ commission  
1439 shall make a preliminary report and hold public hearings on the  
1440 preliminary report ~~thereon~~ before submitting its final report. ~~7~~  
1441 ~~and~~ The legislative body of the political subdivision or the  
1442 joint airport zoning board may ~~shall~~ not hold ~~its~~ public  
1443 hearings or take any action until it has received the final  
1444 report of the ~~such~~ commission, and at least 15 days have elapsed  
1445 ~~shall elapse~~ between the receipt of the final report of the  
1446 commission and the hearing to be held by the legislative body or  
1447 the ~~latter~~ board. Where a planning city plan commission, airport



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1448 commission, or comprehensive zoning commission already exists,  
1449 it may be appointed as the airport zoning commission.

1450 Section 15. Section 333.06, Florida Statutes, is amended  
1451 to read:

1452 333.06 Airport zoning regulation requirements.-

1453 (1) REASONABLENESS.-All airport zoning regulations adopted  
1454 under this chapter shall be reasonable and may not ~~none shall~~  
1455 impose any requirement or restriction that ~~which~~ is not  
1456 reasonably necessary to effectuate the purposes of this chapter.  
1457 In determining what regulations it may adopt, each political  
1458 subdivision and joint airport zoning board shall consider, among  
1459 other things, the character of the flying operations expected to  
1460 be conducted at the airport, the nature of the terrain within  
1461 the airport hazard area and runway protection ~~clear~~ zones, the  
1462 character of the neighborhood, the uses to which the property to  
1463 be zoned is put and adaptable, and the impact of any new use,  
1464 activity, or construction on the airport's operating capability  
1465 and capacity.

1466 (2) INDEPENDENT JUSTIFICATION.-The purpose of all airport  
1467 zoning regulations adopted under this chapter is to provide ~~both~~  
1468 airspace protection and land uses ~~use~~ compatible with airport  
1469 operations. Each aspect of this purpose requires independent  
1470 justification in order to promote the public interest in safety,  
1471 health, and general welfare. Specifically, construction in a  
1472 runway protection ~~clear~~ zone which does not exceed airspace  
1473 height restrictions is not conclusive ~~evidence per se~~ that such

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1474 use, activity, or construction is compatible with airport  
1475 operations.

1476 (3) NONCONFORMING USES.—~~No~~ Airport protection zoning  
1477 regulations adopted under this chapter may not ~~shall~~ require the  
1478 removal, lowering, or other change or alteration of any  
1479 obstruction ~~structure or tree~~ not conforming to the regulations  
1480 when adopted or amended, or otherwise interfere with the  
1481 continuance of any nonconforming use, except as provided in s.  
1482 333.07(1) and (3).

1483 (4) ADOPTION OF AIRPORT MASTER PLAN AND NOTICE TO AFFECTED  
1484 LOCAL GOVERNMENTS.—An airport master plan shall be prepared by  
1485 each public-use ~~publicly owned and operated~~ airport licensed by  
1486 the department ~~of Transportation~~ under chapter 330. The  
1487 authorized entity having responsibility for governing the  
1488 operation of the airport, when ~~either~~ requesting from or  
1489 submitting to a state or federal governmental agency with  
1490 funding or approval jurisdiction a "finding of no significant  
1491 impact," an environmental assessment, a site-selection study, an  
1492 airport master plan, or any amendment to an airport master plan,  
1493 shall submit simultaneously a copy of said request, submittal,  
1494 assessment, study, plan, or amendments by certified mail to all  
1495 affected local governments. For ~~the~~ purposes of this subsection,  
1496 "affected local government" means ~~is defined as~~ any city or  
1497 county having jurisdiction over the airport and any city or  
1498 county located within 2 miles of the boundaries of the land  
1499 subject to the airport master plan.

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1500 Section 16. Section 333.07, Florida Statutes, is amended  
1501 to read:

1502 333.07 Local government permitting of airspace  
1503 obstructions ~~Permits and variances.~~—

1504 (1) PERMITS.—

1505 (a) A person proposing to construct, alter, or allow an  
1506 airport obstruction in an airport hazard area in violation of  
1507 the airport protection zoning regulations adopted under this  
1508 chapter shall apply for a permit. ~~A Any airport zoning~~  
1509 ~~regulations adopted under this chapter may require that a permit~~  
1510 ~~be obtained before any new structure or use may be constructed~~  
1511 ~~or established and before any existing use or structure may be~~  
1512 ~~substantially changed or substantially altered or repaired. In~~  
1513 ~~any event, however, all such regulations shall provide that~~  
1514 ~~before any nonconforming structure or tree may be replaced,~~  
1515 ~~substantially altered or repaired, rebuilt, allowed to grow~~  
1516 ~~higher, or replanted, a permit must be secured from the~~  
1517 ~~administrative agency authorized to administer and enforce the~~  
1518 ~~regulations, authorizing such replacement, change, or repair. No~~  
1519 ~~permit may not shall be issued granted that would allow the~~  
1520 ~~establishment or creation of an airport hazard or that would~~  
1521 ~~permit a nonconforming obstruction structure or tree or~~  
1522 ~~nonconforming use to be made or become higher or to become a~~  
1523 ~~greater hazard to air navigation than it was when the applicable~~  
1524 airport protection zoning regulation was adopted that allowed  
1525 the establishment or creation of the obstruction or than ~~it is~~

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1526 when the application for a permit is made.

1527 (b) Whenever the political subdivision or its  
1528 administrative agency determines that a nonconforming  
1529 obstruction ~~use or nonconforming structure or tree~~ has been  
1530 abandoned or that is more than 80 percent of the obstruction is  
1531 torn down, destroyed, deteriorated, or decayed, a ~~no~~ permit may  
1532 not shall be granted that would allow the obstruction said  
1533 ~~structure or tree~~ to exceed the applicable height limit or  
1534 otherwise deviate from the airport protection zoning  
1535 regulations. Regardless of, and, whether an application is made  
1536 for a permit under this subsection ~~or not, the said agency may~~  
1537 ~~by appropriate action, compel~~ the owner of the nonconforming  
1538 obstruction may be required ~~structure or tree~~, at his or her own  
1539 expense, to lower, remove, reconstruct, alter, or equip such  
1540 obstruction ~~object~~ as ~~may be~~ necessary to conform to the current  
1541 airport protection zoning regulations. If the owner of the  
1542 nonconforming obstruction fails or refuses ~~structure or tree~~  
1543 ~~shall neglect or refuse~~ to comply with such requirement within  
1544 ~~order for~~ 10 days after notice thereof, the administrative said  
1545 agency may report the violation to the political subdivision  
1546 involved therein, which subdivision, through its appropriate  
1547 agency, may proceed to have the obstruction ~~object~~ so lowered,  
1548 removed, reconstructed, altered, or equipped, and assess the  
1549 cost and expense thereof upon the owner of the obstruction  
1550 ~~object~~ or the land on which ~~whereon~~ it is or was located, ~~and,~~  
1551 ~~unless such an assessment is paid within 90 days from the~~

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1552 ~~service of notice thereof on the owner or the owner's agent, of~~  
1553 ~~such object or land, the sum shall be a lien on said land, and~~  
1554 ~~shall bear interest thereafter at the rate of 6 percent per~~  
1555 ~~annum until paid, and shall be collected in the same manner as~~  
1556 ~~taxes on real property are collected by said political~~  
1557 ~~subdivision, or, at the option of said political subdivision,~~  
1558 ~~said lien may be enforced in the manner provided for enforcement~~  
1559 ~~of liens by chapter 85.~~

1560 ~~(c) Except as provided herein, applications for permits~~  
1561 ~~shall be granted, provided the matter applied for meets the~~  
1562 ~~provisions of this chapter and the regulations adopted and in~~  
1563 ~~force hereunder.~~

1564 (2) CONSIDERATIONS WHEN ISSUING OR DENYING PERMITS.—In  
1565 determining whether to issue or deny a permit, the political  
1566 subdivision or its administrative agency shall consider the  
1567 following, as applicable:

1568 (a) The safety of persons on the ground and in the air.

1569 (b) The safe and efficient use of navigable airspace.

1570 (c) The nature of the terrain and height of existing  
1571 structures.

1572 (d) The effect of the construction or alteration on the  
1573 state licensing standards for a public-use airport contained in  
1574 chapter 330 and rules adopted thereunder.

1575 (e) The character of existing and planned flight  
1576 operations and developments at public-use airports.

1577 (f) Federal airways, visual flight rules, flyways and

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1578 corridors, and instrument approaches as designated by the  
1579 Federal Aviation Administration.

1580 (g) The effect of the construction or alteration of the  
1581 proposed structure on the minimum descent altitude or the  
1582 decision height at the affected airport.

1583 (h) The cumulative effects on navigable airspace of all  
1584 existing structures and all other known proposed structures in  
1585 the area.

1586 (i) Additional requirements adopted by the political  
1587 subdivision or administrative agency pertinent to evaluation and  
1588 protection of airspace and airport operations.

1589 ~~(2) VARIANCES.~~

1590 ~~(a) Any person desiring to erect any structure, increase~~  
1591 ~~the height of any structure, permit the growth of any tree, or~~  
1592 ~~otherwise use his or her property in violation of the airport~~  
1593 ~~zoning regulations adopted under this chapter or any land~~  
1594 ~~development regulation adopted pursuant to the provisions of~~  
1595 ~~chapter 163 pertaining to airport land use compatibility, may~~  
1596 ~~apply to the board of adjustment for a variance from the zoning~~  
1597 ~~regulations in question. At the time of filing the application,~~  
1598 ~~the applicant shall forward to the department by certified mail,~~  
1599 ~~return receipt requested, a copy of the application. The~~  
1600 ~~department shall have 45 days from receipt of the application to~~  
1601 ~~comment and to provide its comments or waiver of that right to~~  
1602 ~~the applicant and the board of adjustment. The department shall~~  
1603 ~~include its explanation for any objections stated in its~~

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1604 ~~comments. If the department fails to provide its comments within~~  
1605 ~~45 days of receipt of the application, its right to comment is~~  
1606 ~~waived. The board of adjustment may proceed with its~~  
1607 ~~consideration of the application only upon the receipt of the~~  
1608 ~~department's comments or waiver of that right as demonstrated by~~  
1609 ~~the filing of a copy of the return receipt with the board.~~  
1610 ~~Noncompliance with this section shall be grounds to appeal~~  
1611 ~~pursuant to s. 333.08 and to apply for judicial relief pursuant~~  
1612 ~~to s. 333.11. Such variances may only be allowed where a literal~~  
1613 ~~application or enforcement of the regulations would result in~~  
1614 ~~practical difficulty or unnecessary hardship and where the~~  
1615 ~~relief granted would not be contrary to the public interest but~~  
1616 ~~would do substantial justice and be in accordance with the~~  
1617 ~~spirit of the regulations and this chapter. However, any~~  
1618 ~~variance may be allowed subject to any reasonable conditions~~  
1619 ~~that the board of adjustment may deem necessary to effectuate~~  
1620 ~~the purposes of this chapter.~~

1621 ~~(b) The Department of Transportation shall have the~~  
1622 ~~authority to appeal any variance granted under this chapter~~  
1623 ~~pursuant to s. 333.08, and to apply for judicial relief pursuant~~  
1624 ~~to s. 333.11.~~

1625 (3) OBSTRUCTION MARKING AND LIGHTING.-

1626 ~~(a) When issuing a In granting any permit or variance~~  
1627 ~~under this section, the political subdivision or its~~  
1628 ~~administrative agency or board of adjustment shall require the~~  
1629 ~~owner of the obstruction structure or tree in question to~~

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1630 install, operate, and maintain thereon, at the owner's ~~his or~~  
1631 ~~her own~~ expense, ~~such~~ marking and lighting in conformance with  
1632 the specific standards established by the Federal Aviation  
1633 Administration ~~as may be necessary to indicate to aircraft~~  
1634 ~~pilots the presence of an obstruction.~~

1635 ~~(b) Such marking and lighting shall conform to the~~  
1636 ~~specific standards established by rule by the Department of~~  
1637 ~~Transportation.~~

1638 ~~(c) Existing structures not in compliance on October 1,~~  
1639 ~~1988, shall be required to comply whenever the existing marking~~  
1640 ~~requires refurbishment, whenever the existing lighting requires~~  
1641 ~~replacement, or within 5 years of October 1, 1988, whichever~~  
1642 ~~occurs first.~~

1643 Section 17. Section 333.09, Florida Statutes, is amended  
1644 to read:

1645 333.09 Administration of airport zoning regulations.—

1646 (1) ADMINISTRATION.—All airport zoning regulations adopted  
1647 under this chapter shall provide for the administration and  
1648 enforcement of such regulations by the political subdivision or  
1649 its ~~an~~ administrative agency ~~which may be an agency created by~~  
1650 ~~such regulations or any official, board, or other existing~~  
1651 ~~agency of the political subdivision adopting the regulations or~~  
1652 ~~of one of the political subdivisions which participated in the~~  
1653 ~~creation of the joint airport zoning board adopting the~~  
1654 ~~regulations, if satisfactory to that political subdivision, but~~  
1655 ~~in no case shall such administrative agency be or include any~~



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1656 ~~member of the board of adjustment.~~ The duties of an any  
1657 administrative agency designated pursuant to this chapter shall  
1658 include ~~that of~~ hearing and deciding all permits under s. 333.07  
1659 ~~333.07(1), deciding all matters under s. 333.07(3),~~ as they  
1660 pertain to such agency, and all other matters under this chapter  
1661 applying to such said agency, but such agency shall not have or  
1662 exercise any of the powers herein delegated to the board of  
1663 adjustment.

1664 (2) LOCAL GOVERNMENT PROCESS.-

1665 (a) A political subdivision required to adopt airport  
1666 zoning regulations under this chapter shall provide a process to:

1667 1. Issue or deny permits consistent with s. 333.07.

1668 2. Provide the department with a copy of a complete  
1669 application consistent with s. 333.025(4).

1670 3. Enforce the issuance or denial of a permit or other  
1671 determination made by the administrative agency with respect to  
1672 airport zoning regulations.

1673 (b) If a zoning board or permitting body already exists  
1674 within a political subdivision, the zoning board or permitting  
1675 body may implement the airport zoning regulation permitting and  
1676 appeals processes.

1677 (3) APPEALS.-

1678 (a) A person, a political subdivision or its administrative  
1679 agency, or a joint airport zoning board that contends that a  
1680 decision made by a political subdivision or its administrative  
1681 agency is an improper application of airport zoning regulations

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1682 may use the process established for an appeal.

1683 (b) All appeals taken under this section must be taken  
1684 within a reasonable time, as provided by the political  
1685 subdivision or its administrative agency, by filing with the  
1686 entity from which the appeal is taken a notice of appeal  
1687 specifying the grounds for appeal.

1688 (c) An appeal shall stay all proceedings in the underlying  
1689 action appealed from, unless the entity from which the appeal is  
1690 taken certifies, pursuant to the rules for appeal, that by reason  
1691 of the facts stated in the certificate a stay would, in its  
1692 opinion, cause imminent peril to life or property. In such cases,  
1693 proceedings may not be stayed except by order of the political  
1694 subdivision or its administrative agency on notice to the entity  
1695 from which the appeal is taken and for good cause shown.

1696 (d) The political subdivision or its administrative agency  
1697 shall set a reasonable time for the hearing of appeals, give  
1698 public notice and due notice to the parties in interest, and  
1699 decide the issue within a reasonable time. Upon the hearing, any  
1700 party may appear in person, by agent, or by attorney.

1701 (e) The political subdivision or its administrative agency  
1702 may, in accordance with this chapter, affirm, reverse, or modify  
1703 the decision on the permit or other determination from which the  
1704 appeal is taken.

1705 Section 18. Section 333.11, Florida Statutes, is amended  
1706 to read:

1707 333.11 Judicial review.—

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1708           (1) A ~~Any person, aggrieved, or taxpayer affected, by any~~  
1709 ~~decision of a board of adjustment, or any governing body of a~~  
1710 ~~political subdivision, or the Department of Transportation or~~  
1711 ~~any joint airport zoning board affected by a decision of a~~  
1712 ~~political subdivision, or its of any administrative agency~~  
1713 ~~hereunder,~~ may apply for judicial relief to the circuit court in  
1714 the judicial circuit where the political subdivision board of  
1715 ~~adjustment~~ is located within 30 days after rendition of the  
1716 decision ~~by the board of adjustment~~. Review shall be by petition  
1717 for writ of certiorari, which shall be governed by the Florida  
1718 Rules of Appellate Procedure.

1719           ~~(2) Upon presentation of such petition to the court, it~~  
1720 ~~may allow a writ of certiorari, directed to the board of~~  
1721 ~~adjustment, to review such decision of the board. The allowance~~  
1722 ~~of the writ shall not stay the proceedings upon the decision~~  
1723 ~~appealed from, but the court may, on application, on notice to~~  
1724 ~~the board, on due hearing and due cause shown, grant a~~  
1725 ~~restraining order.~~

1726           ~~(3) The board of adjustment shall not be required to~~  
1727 ~~return the original papers acted upon by it, but it shall be~~  
1728 ~~sufficient to return certified or sworn copies thereof or of~~  
1729 ~~such portions thereof as may be called for by the writ. The~~  
1730 ~~return shall concisely set forth such other facts as may be~~  
1731 ~~pertinent and material to show the grounds of the decision~~  
1732 ~~appealed from and shall be verified.~~

1733           ~~(2)-(4)~~ The court has ~~shall~~ have exclusive jurisdiction to

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1734 affirm, reverse, or modify, ~~or set aside~~ the decision on the  
1735 permit or other determination from which the appeal is taken  
1736 ~~brought up for review, in whole or in part,~~ and, if appropriate  
1737 ~~need be,~~ to order further proceedings by the political  
1738 subdivision or its administrative agency board of adjustment.  
1739 The findings of fact by the political subdivision or its  
1740 administrative agency board, if supported by substantial  
1741 evidence, shall be accepted by the court as conclusive, and an  
1742 ~~no~~ objection to a decision of the political subdivision or its  
1743 administrative agency may not board shall be considered by the  
1744 court unless such objection was raised in the underlying  
1745 proceeding shall have been urged before the board, or, if it was  
1746 ~~not so urged, unless there were reasonable grounds for failure~~  
1747 ~~to do so.~~

1748 (3)-(5) In any case in which airport zoning regulations  
1749 adopted under this chapter, ~~although generally reasonable,~~ are  
1750 held by a court to interfere with the use and enjoyment of a  
1751 particular structure or parcel of land to such an extent, or to  
1752 be so onerous in their application to such a structure or parcel  
1753 of land, as to constitute a taking or deprivation of that  
1754 property in violation of the State Constitution or the  
1755 Constitution of the United States, such holding shall not affect  
1756 the application of such regulations to other structures and  
1757 parcels of land, or such regulations as are not involved in the  
1758 particular decision.

1759 (4)-(6) A judicial ~~no~~ appeal to any court may not shall be

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1760 ~~or is~~ permitted under this section until the appellant has  
1761 exhausted all of its remedies through application for local  
1762 government permits, exceptions, and appeals, ~~to any courts, as~~  
1763 ~~herein provided, save and except an appeal from a decision of~~  
1764 ~~the board of adjustment, the appeal herein provided being from~~  
1765 ~~such final decision of such board only, the appellant being~~  
1766 ~~hereby required to exhaust his or her remedies hereunder of~~  
1767 ~~application for permits, exceptions and variances, and appeal to~~  
1768 ~~the board of adjustment, and gaining a determination by said~~  
1769 ~~board, before being permitted to appeal to the court hereunder.~~

1770 Section 19. Section 333.12, Florida Statutes, is amended  
1771 to read:

1772 333.12 Acquisition of air rights. ~~If In any case which: it~~  
1773 ~~is desired to remove, lower or otherwise terminate a~~  
1774 nonconforming obstruction is determined to be an airport hazard  
1775 and the owner will not remove, lower, or otherwise eliminate it  
1776 ~~structure or use; if~~ ~~or~~ the approach protection necessary  
1777 cannot, because of constitutional limitations, be provided by  
1778 airport regulations under this chapter; or if it appears  
1779 advisable that the necessary approach protection be provided by  
1780 acquisition of property rights rather than by airport zoning  
1781 regulations, the political subdivision within which the property  
1782 or nonconforming obstruction ~~use~~ is located, or the political  
1783 subdivision owning or operating the airport or being served by  
1784 it, may acquire ~~by~~ purchase, grant, or condemnation in the  
1785 manner provided by chapter 73 ~~such~~ property, air right,

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1786 ~~avigation~~ navigation easement, or other estate, portion, or  
1787 interest in the property or nonconforming obstruction ~~structure~~  
1788 ~~or use~~ or such interest in the air above such property, ~~tree,~~  
1789 ~~structure, or use, in question,~~ as may be necessary to  
1790 effectuate the purposes of this chapter, and ~~in so doing,~~ if by  
1791 condemnation, may ~~to have the right to~~ take immediate possession  
1792 of the property, interest in property, air right, or other right  
1793 sought to be condemned, at the time, ~~and~~ in the manner and form,  
1794 and as authorized by chapter 74. If the political subdivision  
1795 acquires any ~~In the case of the purchase of any~~ property, ~~or any~~  
1796 easement, or estate or interest therein by purchase or ~~the~~  
1797 ~~acquisition of the same~~ by the power of eminent domain, the  
1798 political subdivision ~~making such purchase or exercising such~~  
1799 ~~power~~ shall, in addition to the damages for the taking, injury,  
1800 or destruction of property, ~~also~~ pay the cost of the removal and  
1801 relocation of any structure or any public utility that must  
1802 ~~which is required to~~ be moved to a new location.

1803 Section 20. Section 333.13, Florida Statutes, is amended  
1804 to read:

1805 333.13 Enforcement and remedies.—

1806 (1) A ~~Each~~ violation of this chapter or ~~of~~ any airport  
1807 zoning regulations, orders, or rulings adopted ~~promulgated~~ or  
1808 made under ~~pursuant to~~ this chapter is ~~shall constitute~~ a  
1809 misdemeanor of the second degree, punishable as provided in s.  
1810 775.082 or s. 775.083, and each day a violation continues to  
1811 exist constitutes ~~shall constitute~~ a separate offense.

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1812 (2) In addition, the political subdivision or agency  
1813 adopting the airport zoning regulations under this chapter may  
1814 institute in any court of competent jurisdiction an action to  
1815 prevent, restrain, correct, or abate a any violation of this  
1816 chapter, any ~~or of~~ airport zoning regulations adopted under this  
1817 chapter, or of any order or ruling made in connection with their  
1818 administration or enforcement, and the court shall adjudge to  
1819 the plaintiff such relief, by way of injunction (which may be  
1820 mandatory) or otherwise, as may be proper under all the facts  
1821 and circumstances of the case in order to fully effectuate the  
1822 purposes of this chapter and of the regulations adopted and  
1823 orders and rulings made pursuant thereto.

1824 (3) The department ~~of Transportation~~ may institute a civil  
1825 action for injunctive relief in the appropriate circuit court to  
1826 prevent violation of ~~any provision of~~ this chapter.

1827 Section 21. Section 333.135, Florida Statutes, is created  
1828 to read:

1829 333.135 Transition provisions.—

1830 (1) For those political subdivisions that have not adopted  
1831 airport zoning regulations pursuant to this chapter, the  
1832 department shall administer the permitting process as provided in  
1833 s. 333.025.

1834 (2) By July 1, 2017:

1835 (a) Any airport zoning regulation in effect on July 1,  
1836 2016, that includes provisions in conflict with this chapter  
1837 shall be amended to conform to the requirements of this chapter.

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1838        (b) Any political subdivision having an airport within its  
1839 territorial limits which has not adopted airport zoning  
1840 regulations shall adopt airport zoning regulations consistent  
1841 with this chapter.

1842        Section 22. Sections 333.065, 333.08, 333.10, and 333.14,  
1843 Florida Statutes, are repealed.

1844        Section 23. For the purpose of incorporating the amendment  
1845 made by this act to section 333.01, Florida Statutes, in a  
1846 reference thereto, subsection (6) of section 350.81, Florida  
1847 Statutes, is reenacted to read:

1848        350.81 Communications services offered by governmental  
1849 entities.—

1850        (6) To ensure the safe and secure transportation of  
1851 passengers and freight through an airport facility, as defined  
1852 in s. 159.27(17), an airport authority or other governmental  
1853 entity that provides or is proposing to provide communications  
1854 services only within the boundaries of its airport layout plan,  
1855 as defined in s. 333.01(6), to subscribers which are integral  
1856 and essential to the safe and secure transportation of  
1857 passengers and freight through the airport facility, is exempt  
1858 from this section. An airport authority or other governmental  
1859 entity that provides or is proposing to provide shared-tenant  
1860 service under s. 364.339, but not dial tone enabling subscribers  
1861 to complete calls outside the airport layout plan, to one or  
1862 more subscribers within its airport layout plan which are not  
1863 integral and essential to the safe and secure transportation of



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1864 passengers and freight through the airport facility is exempt  
1865 from this section. An airport authority or other governmental  
1866 entity that provides or is proposing to provide communications  
1867 services to one or more subscribers within its airport layout  
1868 plan which are not integral and essential to the safe and secure  
1869 transportation of passengers and freight through the airport  
1870 facility, or to one or more subscribers outside its airport  
1871 layout plan, is not exempt from this section. By way of example  
1872 and not limitation, the integral, essential subscribers may  
1873 include airlines and emergency service entities, and the  
1874 nonintegral, nonessential subscribers may include retail shops,  
1875 restaurants, hotels, or rental car companies.

1876 Section 24. Paragraph (a) of subsection (1) of section  
1877 337.18, Florida Statutes, is amended to read:

1878 337.18 Surety bonds for construction or maintenance  
1879 contracts; requirement with respect to contract award; bond  
1880 requirements; defaults; damage assessments.—

1881 (1) (a) A surety bond shall be required of the successful  
1882 bidder in an amount equal to the awarded contract price.  
1883 However, the department may choose, in its discretion and  
1884 applicable only to multiyear maintenance contracts, to allow for  
1885 incremental annual contract bonds that cumulatively total the  
1886 full, awarded, multiyear contract price.

1887 1. The department may waive the requirement for all or a  
1888 portion of a surety bond if:

1889 a. ~~For a project for which~~ The contract price is \$250,000

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1890 or less ~~and~~, the department ~~may waive the requirement for all or~~  
1891 ~~a portion of a surety bond if it~~ determines that the project is  
1892 of a noncritical nature and nonperformance will not endanger  
1893 public health, safety, or property;

1894 b. The prime contractor is a qualified nonprofit agency  
1895 for the blind or for the other severely handicapped under s.  
1896 413.036(2); or

1897 c. The prime contractor is using a subcontractor that is a  
1898 qualified nonprofit agency for the blind or for the other  
1899 severely handicapped under s. 413.036(2). However, the  
1900 department may not waive more than the amount of the  
1901 subcontract.

1902 2. If the Secretary of Transportation or the secretary's  
1903 designee determines that it is in the best interests of the  
1904 department to reduce the bonding requirement for a project and  
1905 that to do so will not endanger public health, safety, or  
1906 property, the department may waive the requirement of a surety  
1907 bond in an amount equal to the awarded contract price for a  
1908 project having a contract price of \$250 million or more and, in  
1909 its place, may set a surety bond amount that is a portion of the  
1910 total contract price and provide an alternate means of security  
1911 for the balance of the contract amount that is not covered by  
1912 the surety bond or provide for incremental surety bonding and  
1913 provide an alternate means of security for the balance of the  
1914 contract amount that is not covered by the surety bond. Such  
1915 alternative means of security may include letters of credit,

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 7061 (2016)

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1916 United States bonds and notes, parent company guarantees, and  
1917 cash collateral. The department may require alternate means of  
1918 security if a surety bond is waived. The surety on such bond  
1919 shall be a surety company authorized to do business in the  
1920 state. All bonds shall be payable to the department and  
1921 conditioned for the prompt, faithful, and efficient performance  
1922 of the contract according to plans and specifications and within  
1923 the time period specified, and for the prompt payment of all  
1924 persons defined in s. 713.01 furnishing labor, material,  
1925 equipment, and supplies for work provided in the contract;  
1926 however, whenever an improvement, demolition, or removal  
1927 contract price is \$25,000 or less, the security may, in the  
1928 discretion of the bidder, be in the form of a cashier's check,  
1929 bank money order of any state or national bank, certified check,  
1930 or postal money order. The department shall adopt rules to  
1931 implement this subsection. Such rules shall include provisions  
1932 under which the department shall refuse to accept bonds on  
1933 contracts when a surety wrongfully fails or refuses to settle or  
1934 provide a defense for claims or actions arising under a contract  
1935 for which the surety previously furnished a bond.

1936 Section 25. Subsection (4) of section 338.165, Florida  
1937 Statutes, is amended, and subsection (11) is added to that  
1938 section, to read:

1939 338.165 Continuation of tolls.—

1940 (4) Notwithstanding any other law to the contrary,  
1941 pursuant to s. 11, Art. VII of the State Constitution, and

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1942 subject to ~~the requirements of~~ subsection (2), the Department of  
1943 Transportation may request the Division of Bond Finance to issue  
1944 bonds secured by toll revenues collected on the Alligator Alley  
1945 ~~and, the Sunshine Skyway Bridge, the Beeline East Expressway,~~  
1946 ~~the Navarre Bridge, and the Pinellas Bayway~~ to fund  
1947 transportation projects located within the county or counties in  
1948 which the project is located and contained in the adopted work  
1949 program of the department.

1950 (11) The department's Pinellas Bayway system may be  
1951 transferred by the department and become part of the turnpike  
1952 system under the Florida Turnpike Enterprise Law. The transfer  
1953 shall not affect the rights of the parties, or their successors  
1954 in interest, under the settlement agreement and final judgment  
1955 in Leon County Circuit Court Case Number 67-1081, Leonard Lee  
1956 Ratner, Esther Ratner, and Leeco Gas and Oil Co., Plaintiffs,  
1957 vs. State Road Department of the State of Florida, Defendants.  
1958 Upon transfer of the Pinellas Bayway system to the turnpike  
1959 system, the department shall also transfer to the Florida  
1960 Turnpike Enterprise the funds deposited in the reserve account  
1961 established by chapter 85-364, Laws of Florida, as amended by  
1962 chapters 95-382 and 2014-223, Laws of Florida, which funds shall  
1963 be used by the Florida Turnpike Enterprise solely to help fund  
1964 the costs of repair or replacement of the transferred  
1965 facilities.

1966 Section 26. Chapter 85-364, Laws of Florida, as amended by  
1967 chapters 95-382 and 2014-223, Laws of Florida, is repealed.

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1968 Section 27. Subsection (5) of section 338.231, Florida  
1969 Statutes, is amended to read:

1970 338.231 Turnpike tolls, fixing; pledge of tolls and other  
1971 revenues.—The department shall at all times fix, adjust, charge,  
1972 and collect such tolls and amounts for the use of the turnpike  
1973 system as are required in order to provide a fund sufficient  
1974 with other revenues of the turnpike system to pay the cost of  
1975 maintaining, improving, repairing, and operating such turnpike  
1976 system; to pay the principal of and interest on all bonds issued  
1977 to finance or refinance any portion of the turnpike system as  
1978 the same become due and payable; and to create reserves for all  
1979 such purposes.

1980 ~~(5) In each fiscal year while any of the bonds of the~~  
1981 ~~Broward County Expressway Authority series 1984 and series 1986~~  
1982 ~~A remain outstanding, the department is authorized to pledge~~  
1983 ~~revenues from the turnpike system to the payment of principal~~  
1984 ~~and interest of such series of bonds and the operation and~~  
1985 ~~maintenance expenses of the Sawgrass Expressway, to the extent~~  
1986 ~~gross toll revenues of the Sawgrass Expressway are insufficient~~  
1987 ~~to make such payments. The terms of an agreement relative to the~~  
1988 ~~pledge of turnpike system revenue will be negotiated with the~~  
1989 ~~parties of the 1984 and 1986 Broward County Expressway Authority~~  
1990 ~~lease purchase agreements, and subject to the covenants of those~~  
1991 ~~agreements. The agreement must establish that the Sawgrass~~  
1992 ~~Expressway is subject to the planning, management, and operating~~  
1993 ~~control of the department limited only by the terms of the~~

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1994 ~~lease purchase agreements. The department shall provide for the~~  
1995 ~~payment of operation and maintenance expenses of the Sawgrass~~  
1996 ~~Expressway until such agreement is in effect. This pledge of~~  
1997 ~~turnpike system revenues is subordinate to the debt service~~  
1998 ~~requirements of any future issue of turnpike bonds, the payment~~  
1999 ~~of turnpike system operation and maintenance expenses, and~~  
2000 ~~subject to any subsequent resolution or trust indenture relating~~  
2001 ~~to the issuance of such turnpike bonds.~~

2002 Section 28. Paragraph (i) of subsection (6) of section  
2003 339.175, Florida Statutes, is amended to read:

2004 339.175 Metropolitan planning organization.—

2005 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,  
2006 privileges, and authority of an M.P.O. are those specified in  
2007 this section or incorporated in an interlocal agreement  
2008 authorized under s. 163.01. Each M.P.O. shall perform all acts  
2009 required by federal or state laws or rules, now and subsequently  
2010 applicable, which are necessary to qualify for federal aid. It  
2011 is the intent of this section that each M.P.O. shall be involved  
2012 in the planning and programming of transportation facilities,  
2013 including, but not limited to, airports, intercity and high-  
2014 speed rail lines, seaports, and intermodal facilities, to the  
2015 extent permitted by state or federal law.

2016 (i) The TBARTA Metropolitan Planning Organization Chairs ~~A~~  
2017 ~~chair's~~ Coordinating Committee is created within the Tampa Bay  
2018 Area Regional Transportation Authority, composed of the M.P.O.'s  
2019 serving Citrus, Hernando, Hillsborough, Manatee, Pasco,

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2020 Pinellas, Polk, and Sarasota Counties. The authority shall  
2021 provide administrative support and direction to the committee,  
2022 and the department and member M.P.O.'s shall provide necessary  
2023 funding to the authority for this purpose. The committee must,  
2024 at a minimum:

2025 1. Coordinate transportation projects deemed to be  
2026 regionally significant by the committee.

2027 2. Review the impact of regionally significant land use  
2028 decisions on the region.

2029 3. Review all proposed regionally significant  
2030 transportation projects in the respective transportation  
2031 improvement programs which affect more than one of the M.P.O.'s  
2032 represented on the committee.

2033 4. Institute a conflict resolution process to address any  
2034 conflict that may arise in the planning and programming of such  
2035 regionally significant projects.

2036 Section 29. Subsection (2) of section 339.2818, Florida  
2037 Statutes, is amended to read:

2038 339.2818 Small County Outreach Program.—

2039 (2) ~~(a)~~ For the purposes of this section, the term "small  
2040 county" means any county that has a population of 170,000  
2041 ~~150,000~~ or less as determined by the most recent official  
2042 estimate pursuant to s. 186.901.

2043 ~~(b) Notwithstanding paragraph (a), for the 2015-2016~~  
2044 ~~fiscal year, for purposes of this section, the term "small~~  
2045 ~~county" means any county that has a population of 165,000 or~~

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2046 ~~less as determined by the most recent official estimate pursuant~~  
2047 ~~to s. 186.901. This paragraph expires July 1, 2016.~~

2048 Section 30. Subsections (1) and (2) of section 339.55,  
2049 Florida Statutes, is amended to read:

2050 339.55 State-funded infrastructure bank.—

2051 (1) There is created within the Department of  
2052 Transportation a state-funded infrastructure bank for the  
2053 purpose of providing loans and credit enhancements to government  
2054 units and private entities for use in constructing and improving  
2055 transportation facilities or ancillary facilities that produce  
2056 or distribute natural gas or fuel.

2057 (2) The bank may lend capital costs or provide credit  
2058 enhancements for:

2059 (a) A transportation facility project that is on the State  
2060 Highway System or that provides for increased mobility on the  
2061 state's transportation system or provides intermodal  
2062 connectivity with airports, seaports, rail facilities, and other  
2063 transportation terminals, pursuant to s. 341.053, for the  
2064 movement of people and goods.

2065 (b) Projects of the Transportation Regional Incentive  
2066 Program which are identified pursuant to s. 339.2819(4).

2067 (c)1. Emergency loans for damages incurred to public-use  
2068 commercial deepwater seaports, public-use airports, and other  
2069 public-use transit and intermodal facilities that are within an  
2070 area that is part of an official state declaration of emergency  
2071 pursuant to chapter 252 and all other applicable laws. Such



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2072 loans:

2073 a. May not exceed 24 months in duration except in extreme  
2074 circumstances, for which the Secretary of Transportation may  
2075 grant up to 36 months upon making written findings specifying  
2076 the conditions requiring a 36-month term.

2077 b. Require application from the recipient to the  
2078 department that includes documentation of damage claims filed  
2079 with the Federal Emergency Management Agency or an applicable  
2080 insurance carrier and documentation of the recipient's overall  
2081 financial condition.

2082 c. Are subject to approval by the Secretary of  
2083 Transportation and the Legislative Budget Commission.

2084 2. Loans provided under this paragraph must be repaid upon  
2085 receipt by the recipient of eligible program funding for damages  
2086 in accordance with the claims filed with the Federal Emergency  
2087 Management Agency or an applicable insurance carrier, but no  
2088 later than the duration of the loan.

2089 (d) Beginning July 1, 2017, the development and  
2090 construction of natural gas or fuel production or distribution  
2091 facilities used primarily to support the state's transportation  
2092 system. Loans provided under this paragraph may be used to  
2093 refinance outstanding debt.

2094 Section 31. Section 341.0532, Florida Statutes, is  
2095 repealed.

2096 Section 32. Section 341.301, Florida Statutes, is amended  
2097 to read:

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2098 341.301 Definitions; ss. 341.302-341.303.—As used in ss.  
2099 341.302-341.303, the term:

2100 (1) "Ancillary development" includes any lessee or  
2101 licensee of the department, including other governmental  
2102 entities, vendors, retailers, restaurateurs, or contract service  
2103 providers, within a ~~department-owned~~ rail corridor owned by the  
2104 department or in which the department has an easement interest,  
2105 a right to operate, or a right of access. The term does not  
2106 include, except for providers of commuter rail service,  
2107 intercity rail passenger service by an intercity rail passenger  
2108 operator or by National Railroad Passenger Corporation, or  
2109 freight rail service. The term includes air and subsurface  
2110 rights, services that provide a local area network for devices  
2111 for transmitting data over wireless networks, and advertising.

2112 (2) "Branch line continuance project" means a project that  
2113 involves branch line rehabilitation, new connecting track, rail  
2114 banking, and other similar types of projects, including those  
2115 specifically identified in the federal Railroad Revitalization  
2116 and Regulatory Reform Act of 1976, and subsequent amendments to  
2117 that act.

2118 (3) "Commuter rail passenger" or "passengers" means all  
2119 persons, ticketed or unticketed, using the commuter rail service  
2120 on a ~~department-owned~~ rail corridor owned by the department or  
2121 in which the department has an easement interest, a right to  
2122 operate, or a right of access:

2123 (a) On board trains, locomotives, rail cars, or rail

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2124 equipment employed in commuter rail service or entraining  
2125 thereon and detraining therefrom;

2126 (b) On or about the rail corridor for any purpose related  
2127 to the commuter rail service, including parking, inquiring about  
2128 commuter rail service, or purchasing tickets therefor, and  
2129 coming to, waiting for, leaving from, or observing trains,  
2130 locomotives, rail cars, or rail equipment; or

2131 (c) Meeting, assisting, or in the company of any person  
2132 described in paragraph (a) or paragraph (b).

2133 (4) "Commuter rail service" means the transportation of  
2134 commuter rail passengers and other passengers by rail pursuant  
2135 to a rail program provided by the department or any other  
2136 governmental entity.

2137 (5) "Department train" means a train operating in the rail  
2138 corridor pursuant to an easement interest, a right to operate,  
2139 or a right to access granted to the department, or an assignee  
2140 of the department, or an "other train" as defined in s.  
2141 341.302(17)(a)4.

2142 ~~(6)~~(5) "Governmental entity" or "entities" has the same  
2143 meaning as provided in s. 11.45, including a "public agency" as  
2144 defined in s. 163.01.

2145 (7) "Intercity rail passenger operator" means a private  
2146 rail operator of passenger rail service in a minimum of three  
2147 counties, other than National Railroad Passenger Corporation,  
2148 whose ridership consists of passengers traveling between two or  
2149 more metropolitan areas.

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2150 (8)~~(6)~~ "Intercity rail transportation system" means the  
2151 network of railroad facilities used or available for interstate  
2152 and intrastate passenger and freight operations by railroads,  
2153 whether or not on a schedule or whether or not restricted.

2154 (9)~~(7)~~ "Limited covered accident" means:

2155 (a) A collision directly between the trains, locomotives,  
2156 rail cars, or rail equipment of the department and the freight  
2157 rail operator only, where the collision is caused by or arising  
2158 from the willful misconduct of the freight rail operator or its  
2159 subsidiaries, agents, licensees, employees, officers, or  
2160 directors or where punitive damages or exemplary damages are  
2161 awarded due to the conduct of the freight rail operator or its  
2162 subsidiaries, agents, licensees, employees, officers, or  
2163 directors; ~~or~~

2164 (b) A collision directly between the trains, locomotives,  
2165 rail cars, or rail equipment of the department and National  
2166 Railroad Passenger Corporation only, where the collision is  
2167 caused by or arising from the willful misconduct of National  
2168 Railroad Passenger Corporation or its subsidiaries, agents,  
2169 licensees, employees, officers, or directors or where punitive  
2170 damages or exemplary damages are awarded due to the conduct of  
2171 National Railroad Passenger Corporation or its subsidiaries,  
2172 agents, licensees, employees, officers, or directors; or

2173 (c) A collision directly between the trains, locomotives,  
2174 rail cars, or rail equipment of the department and the intercity  
2175 rail passenger operator only, where the collision is caused by

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2176 or arising from the willful misconduct of the intercity rail  
2177 passenger operator or its subsidiaries, agents, licensees,  
2178 employees, officers, or directors or where punitive damages or  
2179 exemplary damages are awarded due to the conduct of the  
2180 intercity rail passenger operator or its subsidiaries, agents,  
2181 licensees, employees, officers, or directors.

2182 (10)-(8) "Rail corridor" means a linear contiguous strip of  
2183 real property that is used for rail service. The term includes  
2184 the corridor and structures essential to railroad operations,  
2185 including the land, structures, improvements, rights-of-way,  
2186 easements, rail lines, rail beds, guideway structures, switches,  
2187 yards, parking facilities, power relays, switching houses, rail  
2188 stations, any ancillary development, and any other facilities or  
2189 equipment used for the purposes of construction, operation, or  
2190 maintenance of a railroad that provides rail service.

2191 (11)-(9) "Rail corridor invitee" means all persons who are  
2192 on or about a ~~department-owned~~ rail corridor owned by the  
2193 department or in which the department has an easement interest,  
2194 a right to operate, or a right of access:

2195 (a) For any purpose related to any ancillary development  
2196 thereon; or

2197 (b) Meeting, assisting, or in the company of any person  
2198 described in paragraph (a).

2199 (12)-(10) "Rail programs" means those programs administered  
2200 by the state or other governmental entities which involve  
2201 projects affecting the movement of people or goods by rail lines

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2202 that have been or will be constructed to serve freight or  
2203 passenger markets within a city or between cities.

2204 ~~(13)-(11)~~ "Rail service development project" means a  
2205 project undertaken by a public agency to determine whether a new  
2206 or innovative technique or measure can be utilized to improve or  
2207 expand rail service. The duration of the project funding shall  
2208 be limited according to the type of project and in no case shall  
2209 exceed 3 years. Rail service development projects include those  
2210 projects and other actions undertaken to enhance railroad  
2211 operating efficiency or increased rail service, including  
2212 measures that result in improved speed profiles, operations, or  
2213 technological applications that lead to reductions in operating  
2214 costs and increases in productivity or service.

2215 ~~(14)-(12)~~ "Railroad" or "rail system" means any common  
2216 carrier fixed-guideway transportation system such as the  
2217 conventional steel rail-supported, steel-wheeled system as well  
2218 as the high-speed rail system defined in s. 341.8203.

2219 ~~(15)-(13)~~ "Railroad capital improvement project" means a  
2220 project identified by the rail component of the Florida  
2221 Transportation Plan, which project involves the leasing,  
2222 acquisition, design, construction, reconstruction, or  
2223 improvement to the existing intercity rail transportation system  
2224 or future segments thereof, including such items as locomotives  
2225 and other rolling stock, tracks, terminals, and rights-of-way  
2226 for the continuance or expansion of rail service as necessary to  
2227 ensure the continued effectiveness of the state's rail

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2228 facilities and systems in meeting mobility and industrial  
2229 development needs.

2230 ~~(16)~~~~(14)~~ "Railroad operations" means the use of the rail  
2231 corridor to conduct commuter rail service by an intercity rail  
2232 passenger operator or by National Railroad Passenger  
2233 Corporation, intercity rail passenger service, or freight rail  
2234 service.

2235 ~~(17)~~~~(15)~~ "Train" means any locomotive engine that is  
2236 powered by diesel fuel, electricity, or other means, with or  
2237 without cars coupled thereto, and operated upon a railroad track  
2238 or any other form of fixed guideway, except that the term does  
2239 not include a light rail vehicle such as a streetcar or people  
2240 mover.

2241 Section 33. Subsection (17) of section 341.302, Florida  
2242 Statutes, is amended to read:

2243 341.302 Rail program; duties and responsibilities of the  
2244 department.—The department, in conjunction with other  
2245 governmental entities, including the rail enterprise and the  
2246 private sector, shall develop and implement a rail program of  
2247 statewide application designed to ensure the proper maintenance,  
2248 safety, revitalization, and expansion of the rail system to  
2249 assure its continued and increased availability to respond to  
2250 statewide mobility needs. Within the resources provided pursuant  
2251 to chapter 216, and as authorized under federal law, the  
2252 department shall:

2253 (17) In conjunction with the acquisition, ownership,

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2254 construction, operation, maintenance, and management of a rail  
2255 corridor, have the authority to:

2256 (a) Assume obligations pursuant to the following:

2257 1.a. The department may assume the obligation by contract  
2258 to forever protect, defend, indemnify, and hold harmless the  
2259 freight rail operator, or its successors, from whom the  
2260 department has acquired a real property interest in the rail  
2261 corridor, and that freight rail operator's officers, agents, and  
2262 employees, from and against any liability, cost, and expense,  
2263 including, but not limited to, commuter rail passengers and rail  
2264 corridor invitees in the rail corridor, regardless of whether  
2265 the loss, damage, destruction, injury, or death giving rise to  
2266 any such liability, cost, or expense is caused in whole or in  
2267 part, and to whatever nature or degree, by the fault, failure,  
2268 negligence, misconduct, nonfeasance, or misfeasance of such  
2269 freight rail operator, its successors, or its officers, agents,  
2270 and employees, or any other person or persons whomsoever; ~~or~~

2271 b. The department may assume the obligation by contract to  
2272 forever protect, defend, indemnify, and hold harmless National  
2273 Railroad Passenger Corporation, or its successors, and officers,  
2274 agents, and employees of National Railroad Passenger  
2275 Corporation, from and against any liability, cost, and expense,  
2276 including, but not limited to, commuter rail passengers and rail  
2277 corridor invitees in the rail corridor, regardless of whether  
2278 the loss, damage, destruction, injury, or death giving rise to  
2279 any such liability, cost, or expense is caused in whole or in



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2280 part, and to whatever nature or degree, by the fault, failure,  
2281 negligence, misconduct, nonfeasance, or misfeasance of National  
2282 Railroad Passenger Corporation, its successors, or its officers,  
2283 agents, and employees, or any other person or persons  
2284 whomsoever; or

2285 c. The department may assume the obligation by contract to  
2286 forever protect, defend, indemnify, and hold harmless an  
2287 intercity rail passenger operator or its successors, or a  
2288 freight rail operator or its successors, from whom the  
2289 department has acquired an easement interest, a right to  
2290 operate, or a right of access in the rail corridor and that  
2291 intercity rail passenger operator's or freight rail operator's  
2292 officers, agents, and employees from and against any liability,  
2293 cost, and expense, including, but not limited to, commuter rail  
2294 passengers and rail corridor invitees in the rail corridor,  
2295 regardless of whether the loss, damage, destruction, injury, or  
2296 death giving rise to any such liability, cost, or expense is  
2297 caused in whole or in part, and to whatever nature or degree, by  
2298 the fault, failure, negligence, misconduct, nonfeasance, or  
2299 misfeasance of such intercity rail passenger operator or such  
2300 freight rail operator, its successors, or its officers, agents,  
2301 and employees or any other person.

2302 2. The assumption of liability of the department by  
2303 contract pursuant to sub-subparagraph 1.a. or sub-subparagraph  
2304 1.b. may not in any instance exceed the following parameters of  
2305 allocation of risk:

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2306 a. The department may be solely responsible for any loss,  
2307 injury, or damage to commuter rail passengers, or rail corridor  
2308 invitees, or trespassers, regardless of circumstances or cause,  
2309 subject to sub-subparagraph b. and subparagraphs 3., 4., 5., and  
2310 6.

2311 b.(I) In the event of a limited covered accident, the  
2312 authority of the department to protect, defend, and indemnify  
2313 the freight operator for all liability, cost, and expense,  
2314 including punitive or exemplary damages, in excess of the  
2315 deductible or self-insurance retention fund established under  
2316 paragraph (b) and actually in force at the time of the limited  
2317 covered accident exists only if the freight operator agrees,  
2318 with respect to the limited covered accident, to protect,  
2319 defend, and indemnify the department for the amount of the  
2320 deductible or self-insurance retention fund established under  
2321 paragraph (b) and actually in force at the time of the limited  
2322 covered accident.

2323 (II) In the event of a limited covered accident, the  
2324 authority of the department to protect, defend, and indemnify  
2325 National Railroad Passenger Corporation for all liability, cost,  
2326 and expense, including punitive or exemplary damages, in excess  
2327 of the deductible or self-insurance retention fund established  
2328 under paragraph (b) and actually in force at the time of the  
2329 limited covered accident exists only if National Railroad  
2330 Passenger Corporation agrees, with respect to the limited  
2331 covered accident, to protect, defend, and indemnify the

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2332 department for the amount of the deductible or self-insurance  
2333 retention fund established under paragraph (b) and actually in  
2334 force at the time of the limited covered accident.

2335 (III) In the event of a limited covered accident, the  
2336 authority of the department to protect, defend, and indemnify  
2337 the intercity rail passenger operator for all liability, cost,  
2338 and expense, including punitive or exemplary damages, in excess  
2339 of the deductible or self-insurance retention fund established  
2340 under paragraph (b) and actually in force at the time of the  
2341 limited covered accident exists only if the intercity rail  
2342 passenger operator agrees, with respect to the limited covered  
2343 accident, to protect, defend, and indemnify the department for  
2344 the amount of the deductible or self-insurance retention fund  
2345 established under paragraph (b) and actually in force at the  
2346 time of the limited covered accident.

2347 3. When only one train is involved in an incident, the  
2348 department may be solely responsible for any loss, injury, or  
2349 damage if the train is a department train or other train  
2350 pursuant to subparagraph 4., but only if:

2351 a. When an incident occurs with only a freight train  
2352 involved, including incidents with trespassers or at grade  
2353 crossings, the freight rail operator is solely responsible for  
2354 any loss, injury, or damage, except for commuter rail passengers  
2355 and rail corridor invitees; ~~or~~

2356 b. When an incident occurs with only a National Railroad  
2357 Passenger Corporation train involved, including incidents with

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2358 trespassers or at grade crossings, National Railroad Passenger  
2359 Corporation is solely responsible for any loss, injury, or  
2360 damage, except for commuter rail passengers and rail corridor  
2361 invitees; or

2362 c. When an incident occurs with only an intercity rail  
2363 passenger train involved, including incidents with trespassers  
2364 or at grade crossings, the intercity rail passenger operator is  
2365 solely responsible for any loss, injury, or damage, except for  
2366 commuter rail passengers and rail corridor invitees.

2367 4. For the purposes of this subsection:

2368 a. Any train involved in an incident that is not ~~neither~~  
2369 the department's train, ~~nor~~ the freight rail operator's train,  
2370 or an intercity rail passenger operator's train, hereinafter  
2371 referred to in this subsection as an "other train," may be  
2372 treated as a department train, solely for purposes of any  
2373 allocation of liability between the department and the freight  
2374 rail operator only, but only if the department and the freight  
2375 rail operator share responsibility equally as to third parties  
2376 outside the rail corridor who incur loss, injury, or damage as a  
2377 result of any incident involving both a department train and a  
2378 freight rail operator train, and the allocation as between the  
2379 department and the freight rail operator, regardless of whether  
2380 the other train is treated as a department train, shall remain  
2381 one-half each as to third parties outside the rail corridor who  
2382 incur loss, injury, or damage as a result of the incident. The  
2383 involvement of any other train shall not alter the sharing of

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2384 equal responsibility as to third parties outside the rail  
2385 corridor who incur loss, injury, or damage as a result of the  
2386 incident; ~~or~~

2387       b. Any train involved in an incident that is not ~~neither~~  
2388 the department's train or ~~nor~~ the National Railroad Passenger  
2389 Corporation's train, ~~hereinafter~~ referred to in this subsection  
2390 as an "other train," may be treated as a department train,  
2391 solely for purposes of any allocation of liability between the  
2392 department and National Railroad Passenger Corporation only, but  
2393 only if the department and National Railroad Passenger  
2394 Corporation share responsibility equally as to third parties  
2395 outside the rail corridor who incur loss, injury, or damage as a  
2396 result of any incident involving both a department train and a  
2397 National Railroad Passenger Corporation train, and the  
2398 allocation as between the department and National Railroad  
2399 Passenger Corporation, regardless of whether the other train is  
2400 treated as a department train, shall remain one-half each as to  
2401 third parties outside the rail corridor who incur loss, injury,  
2402 or damage as a result of the incident. The involvement of any  
2403 other train shall not alter the sharing of equal responsibility  
2404 as to third parties outside the rail corridor who incur loss,  
2405 injury, or damage as a result of the incident; or

2406       c. Any train involved in an incident that is not the  
2407 department's train, the intercity rail passenger operator's  
2408 train, or the freight rail operator's train, referred to in this  
2409 subsection as an "other train," may be treated as a department

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2410 train, solely for purposes of any allocation of liability  
2411 between the department and the intercity rail passenger operator  
2412 only, but only if the department and the intercity rail  
2413 passenger operator share responsibility equally as to third  
2414 parties outside the rail corridor who incur loss, injury, or  
2415 damage as a result of any incident involving both a department  
2416 train and an intercity rail passenger train, and the allocation  
2417 as between the department and the intercity rail passenger  
2418 operator, regardless of whether the other train is treated as a  
2419 department train, shall remain one-half each as to third parties  
2420 outside the rail corridor who incur loss, injury, or damage as a  
2421 result of the incident. The involvement of any other train shall  
2422 not alter the sharing of equal responsibility as to third  
2423 parties outside the rail corridor who incur loss, injury, or  
2424 damages as a result of the incident.

2425 5. When more than one train is involved in an incident:  
2426 a.(I) If only a department train and freight rail  
2427 operator's train, or only an other train as described in sub-  
2428 subparagraph 4.a. and a freight rail operator's train, are  
2429 involved in an incident, the department may be responsible for  
2430 its property and all of its people, all commuter rail  
2431 passengers, and rail corridor invitees, but only if the freight  
2432 rail operator is responsible for its property and all of its  
2433 people, and the department and the freight rail operator each  
2434 share one-half responsibility as to trespassers or third parties  
2435 outside the rail corridor who incur loss, injury, or damage as a

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2436 result of the incident; ~~or~~

2437 (II) If only a department train and a National Railroad  
2438 Passenger Corporation train, or only an other train as described  
2439 in sub-subparagraph 4.b. and a National Railroad Passenger  
2440 Corporation train, are involved in an incident, the department  
2441 may be responsible for its property and all of its people, all  
2442 commuter rail passengers, and rail corridor invitees, but only  
2443 if National Railroad Passenger Corporation is responsible for  
2444 its property and all of its people, all National Railroad  
2445 Passenger Corporation's rail passengers, and the department and  
2446 National Railroad Passenger Corporation each share one-half  
2447 responsibility as to trespassers or third parties outside the  
2448 rail corridor who incur loss, injury, or damage as a result of  
2449 the incident; or

2450 (III) If only a department train and an intercity rail  
2451 passenger operator's train, or only an other train as described  
2452 in sub-subparagraph 4.a. and an intercity rail passenger  
2453 operator's train, are involved in an incident, the department  
2454 may be responsible for its property and all of its people, all  
2455 commuter rail passengers, and rail corridor invitees, but only  
2456 if the intercity rail passenger operator is responsible for its  
2457 property and all of its people, and the department and the  
2458 intercity rail passenger operator each share one-half  
2459 responsibility as to trespassers or third parties outside the  
2460 rail corridor who incur loss, injury, or damage as a result of  
2461 the incident.

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2462           b.(I) If a department train, a freight rail operator  
2463 train, and any other train are involved in an incident, the  
2464 allocation of liability between the department and the freight  
2465 rail operator, regardless of whether the other train is treated  
2466 as a department train, shall remain one-half each as to third  
2467 parties outside the rail corridor who incur loss, injury, or  
2468 damage as a result of the incident; the involvement of any other  
2469 train shall not alter the sharing of equal responsibility as to  
2470 third parties outside the rail corridor who incur loss, injury,  
2471 or damage as a result of the incident; and, if the owner,  
2472 operator, or insurer of the other train makes any payment to  
2473 injured third parties outside the rail corridor who incur loss,  
2474 injury, or damage as a result of the incident, the allocation of  
2475 credit between the department and the freight rail operator as  
2476 to such payment shall not in any case reduce the freight rail  
2477 operator's third-party-sharing allocation of one-half under this  
2478 paragraph to less than one-third of the total third party  
2479 liability; ~~or~~

2480           (II) If a department train, a National Railroad Passenger  
2481 Corporation train, and any other train are involved in an  
2482 incident, the allocation of liability between the department and  
2483 National Railroad Passenger Corporation, regardless of whether  
2484 the other train is treated as a department train, shall remain  
2485 one-half each as to third parties outside the rail corridor who  
2486 incur loss, injury, or damage as a result of the incident; the  
2487 involvement of any other train shall not alter the sharing of



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2488 equal responsibility as to third parties outside the rail  
2489 corridor who incur loss, injury, or damage as a result of the  
2490 incident; and, if the owner, operator, or insurer of the other  
2491 train makes any payment to injured third parties outside the  
2492 rail corridor who incur loss, injury, or damage as a result of  
2493 the incident, the allocation of credit between the department  
2494 and National Railroad Passenger Corporation as to such payment  
2495 shall not in any case reduce National Railroad Passenger  
2496 Corporation's third-party-sharing allocation of one-half under  
2497 this sub-subparagraph to less than one-third of the total third  
2498 party liability; or

2499 (III) If a department train, an intercity rail passenger  
2500 operator train, and any other train are involved in an incident,  
2501 the allocation of liability between the department and the  
2502 intercity rail passenger operator, regardless of whether the  
2503 other train is treated as a department train, shall remain one-  
2504 half each as to third parties outside the rail corridor who  
2505 incur loss, injury, or damage as a result of the incident; the  
2506 involvement of any other train shall not alter the sharing of  
2507 equal responsibility as to third parties outside the rail  
2508 corridor who incur loss, injury, or damage as a result of the  
2509 incident; and, if the owner, operator, or insurer of the other  
2510 train makes any payment to injured third parties outside the  
2511 rail corridor who incur loss, injury, or damage as a result of  
2512 the incident, the allocation of credit between the department  
2513 and the intercity rail passenger operator as to such payment

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2514 shall not in any case reduce the intercity rail passenger  
2515 operator's third-party-sharing allocation of one-half under this  
2516 sub-subparagraph to less than one-third of the total third party  
2517 liability.

2518 6. Any such contractual duty to protect, defend,  
2519 indemnify, and hold harmless such a freight rail operator,  
2520 intercity rail passenger operator, or National Railroad  
2521 Passenger Corporation shall expressly include a specific cap on  
2522 the amount of the contractual duty, which amount shall not  
2523 exceed \$200 million without prior legislative approval, and the  
2524 department to purchase liability insurance and establish a self-  
2525 insurance retention fund in the amount of the specific cap  
2526 established under this subparagraph, provided that:

2527 a. No such contractual duty shall in any case be effective  
2528 nor otherwise extend the department's liability in scope and  
2529 effect beyond the contractual liability insurance and self-  
2530 insurance retention fund required pursuant to this paragraph;  
2531 and

2532 b.(I) The freight rail operator's compensation to the  
2533 department for future use of the department's rail corridor  
2534 shall include a monetary contribution to the cost of such  
2535 liability coverage for the sole benefit of the freight rail  
2536 operator.

2537 (II) National Railroad Passenger Corporation's  
2538 compensation to the department for future use of the  
2539 department's rail corridor shall include a monetary contribution

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2540 to the cost of such liability coverage for the sole benefit of  
2541 National Railroad Passenger Corporation.

2542 (III) The intercity rail passenger operator's compensation  
2543 to the department for future use of the department's rail  
2544 corridor shall include a monetary contribution to the cost of  
2545 such liability coverage for the sole benefit of the intercity  
2546 rail passenger operator.

2547 (b) Purchase liability insurance, which amount shall not  
2548 exceed \$200 million, and establish a self-insurance retention  
2549 fund for the purpose of paying the deductible limit established  
2550 in the insurance policies it may obtain, including coverage for  
2551 the department, any intercity rail passenger operator, any  
2552 freight rail operator ~~as described in paragraph (a)~~, National  
2553 Railroad Passenger Corporation, commuter rail service providers,  
2554 governmental entities, or any ancillary development, which self-  
2555 insurance retention fund or deductible shall not exceed \$10  
2556 million. The insureds shall pay a reasonable monetary  
2557 contribution to the cost of such liability coverage for the sole  
2558 benefit of the insured. Such insurance and self-insurance  
2559 retention fund may provide coverage for all damages, including,  
2560 but not limited to, compensatory, special, and exemplary, and be  
2561 maintained to provide an adequate fund to cover claims and  
2562 liabilities for loss, injury, or damage arising out of or  
2563 connected with the ownership, operation, maintenance, and  
2564 management of a rail corridor.

2565 (c) Incur expenses for the purchase of advertisements,

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2566 marketing, and promotional items.

2567

2568 Neither the assumption by contract to protect, defend,  
2569 indemnify, and hold harmless; the purchase of insurance; nor the  
2570 establishment of a self-insurance retention fund shall be deemed  
2571 to be a waiver of any defense of sovereign immunity for torts  
2572 nor deemed to increase the limits of the department's or the  
2573 governmental entity's liability for torts as provided in s.  
2574 768.28. The requirements of s. 287.022(1) shall not apply to the  
2575 purchase of any insurance under this subsection. The provisions  
2576 of this subsection shall apply and inure fully as to any other  
2577 governmental entity providing commuter rail service and  
2578 constructing, operating, maintaining, or managing a rail  
2579 corridor on publicly owned right-of-way, including a public  
2580 easement on private right-of-way, under contract by the  
2581 governmental entity with the department or a governmental entity  
2582 designated by the department. Notwithstanding any law to the  
2583 contrary, procurement for the construction, operation,  
2584 maintenance, and management of any rail corridor described in  
2585 this subsection, whether by the department, a governmental  
2586 entity under contract with the department, or a governmental  
2587 entity designated by the department, shall be pursuant to s.  
2588 287.057 and shall include, but not be limited to, criteria for  
2589 the consideration of qualifications, technical aspects of the  
2590 proposal, and price. Further, any such contract for design-build  
2591 shall be procured pursuant to the criteria in s. 337.11(7).

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2592 Section 34. Subsection (2) of section 343.92, Florida  
2593 Statutes, is amended to read:

2594 343.92 Tampa Bay Area Regional Transportation Authority.—

2595 (2) The governing board of the authority shall consist of  
2596 15 voting ~~16~~ members.

2597 (a) ~~There shall be one nonvoting, ex officio member of the~~  
2598 ~~board who shall be appointed by~~ The secretary of the department  
2599 shall appoint two advisors to the board ~~but~~ who must be the  
2600 district secretary for each ~~one~~ of the department districts  
2601 within the seven-county area of the authority, ~~at the discretion~~  
2602 ~~of the secretary of the department.~~

2603 (b) The ~~There shall be~~ 15 voting members of the board  
2604 shall be as follows:

2605 1. The county commissions of Citrus, Hernando,  
2606 Hillsborough, Pasco, Pinellas, Manatee, and Sarasota Counties  
2607 shall each appoint one elected official to the board. Members  
2608 appointed under this subparagraph shall serve 2-year terms with  
2609 not more than three consecutive terms being served by any  
2610 person. If a member under this subparagraph leaves elected  
2611 office, a vacancy exists on the board to be filled as provided  
2612 in this subparagraph.

2613 2. The West Central Florida M.P.O. Chairs Coordinating  
2614 Committee shall appoint one member to the board who must be a  
2615 chair of one of the six metropolitan planning organizations in  
2616 the region. The member appointed under this subparagraph shall  
2617 serve a 2-year term with not more than three consecutive terms

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2618 being served by any person.

2619 3.a. Two members of the board shall be the mayor, or the  
2620 mayor's designee, of the largest municipality within the service  
2621 area of each of the following independent transit agencies or  
2622 their legislatively created successor agencies: Pinellas  
2623 Suncoast Transit Authority and Hillsborough Area Regional  
2624 Transit Authority. The largest municipality is that municipality  
2625 with the largest population as determined by the most recent  
2626 United States Decennial Census.

2627 b. Should a mayor choose not to serve, his or her designee  
2628 must be an elected official selected by the mayor from that  
2629 largest municipality's city council or city commission. A mayor  
2630 or his or her designee shall serve a 2-year term with not more  
2631 than three consecutive terms being served by any person.

2632 c. A designee's term ends if the mayor leaves office for  
2633 any reason. If a designee leaves elected office on the city  
2634 council or commission, a vacancy exists on the board to be  
2635 filled by the mayor of that municipality as provided in sub-  
2636 subparagraph a.

2637 d. A mayor who has served three consecutive terms on the  
2638 board must designate an elected official from that largest  
2639 municipality's city council or city commission to serve on the  
2640 board for at least one term.

2641 4.a. One membership on the board shall rotate every 2  
2642 years between the mayor, or his or her designee, of the largest  
2643 municipality within Manatee County and the mayor, or his or her

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2644 designee, of the largest municipality within Sarasota County.  
2645 The mayor, or his or her designee, from the largest municipality  
2646 within Manatee County shall serve the first 2-year term. The  
2647 largest municipality is that municipality with the largest  
2648 population as determined by the most recent United States  
2649 Decennial Census.

2650       b. Should a mayor choose not to serve, his or her designee  
2651 must be an elected official selected by the mayor from that  
2652 municipality's city council or city commission.

2653       5. The Governor shall appoint to the board four business  
2654 representatives, each of whom must reside in one of the seven  
2655 counties governed by the authority, none of whom may be elected  
2656 officials, and at least one but not more than two of whom shall  
2657 represent counties within the federally designated Tampa Bay  
2658 Transportation Management Area. Members appointed by the  
2659 Governor shall serve 3-year terms with not more than two  
2660 consecutive terms being served by any person.

2661       (c) Appointments may be staggered to avoid mass turnover  
2662 at the end of any 2-year or 4-year period. A vacancy during a  
2663 term shall be filled by the respective appointing authority  
2664 within 90 days in the same manner as the original appointment  
2665 and only for the remainder of the unexpired term.

2666       Section 35. Paragraphs (d), (e), and (f) of subsection (3)  
2667 of section 343.922, Florida Statutes, are amended, and paragraph  
2668 (g) is added to that subsection, to read:

2669       343.922 Powers and duties.—

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- 2670 (3)
- 2671 (d) After its adoption, the master plan shall be updated  
2672 every 5 ~~2~~ years before July 1.
- 2673 (e) The authority shall present the original master plan  
2674 and updates to the governing bodies of the counties within the  
2675 seven-county region, to the TBARTA Metropolitan Planning  
2676 Organization ~~West Central Florida M.P.O.~~ Chairs Coordinating  
2677 Committee, and to the legislative delegation members  
2678 representing those counties within 90 days after adoption.
- 2679 (f) The authority shall coordinate plans and projects with  
2680 the TBARTA Metropolitan Planning Organization ~~West Central~~  
2681 ~~Florida M.P.O.~~ Chairs Coordinating Committee, to the extent  
2682 practicable, and participate in the regional M.P.O. planning  
2683 process to ensure regional comprehension of the authority's  
2684 mission, goals, and objectives.
- 2685 (g) The authority shall provide administrative support and  
2686 direction to the TBARTA Metropolitan Planning Organization  
2687 Chairs Coordinating Committee as provided in s. 339.175(6)(i).
- 2688 Section 36. Section 348.565, Florida Statutes, is amended  
2689 to read:
- 2690 348.565 Revenue bonds for specified projects.—The existing  
2691 facilities that constitute the Tampa-Hillsborough County  
2692 Expressway System are hereby approved to be refinanced by  
2693 revenue bonds issued by the Division of Bond Finance of the  
2694 State Board of Administration pursuant to s. 11(f), Art. VII of  
2695 the State Constitution and the State Bond Act or by revenue



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2696 bonds issued by the authority pursuant to s. 348.56(1)(b). In  
2697 addition, the following projects of the Tampa-Hillsborough  
2698 County Expressway Authority are approved to be financed or  
2699 refinanced by the issuance of revenue bonds in accordance with  
2700 this part and s. 11(f), Art. VII of the State Constitution:

2701 (1) Brandon area feeder roads.

2702 (2) Capital improvements to the expressway system,  
2703 including safety and operational improvements and toll  
2704 collection equipment.

2705 (3) Lee Roy Selmon Crosstown Expressway System widening  
2706 and any extensions thereof.

2707 (4) The connector highway linking the Lee Roy Selmon  
2708 Crosstown Expressway to Interstate 4.

2709 (5) Capital projects that the authority is authorized to  
2710 acquire, construct, reconstruct, equip, operate, and maintain  
2711 pursuant to this part, provided that any such capital project  
2712 financed by the issuance of bonds or other evidence of  
2713 indebtedness does not pledge the full faith and credit of the  
2714 state.

2715 Section 37. Subsection (3) and paragraph (a) of subsection  
2716 (4) of section 348.753, Florida Statutes, are amended to read:

2717 348.753 Central Florida Expressway Authority.—

2718 (3) The governing body of the authority shall consist of  
2719 nine members. The chairs of the boards of the county commissions  
2720 of Seminole, Lake, and Osceola Counties shall each appoint one  
2721 member from his or her respective county, who must ~~may~~ be a

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2722 commission member or chair or a county mayor. The Mayor of  
2723 Orange County shall appoint a member from the Orange County  
2724 Commission. The Governor shall appoint three citizen members,  
2725 each of whom must be a citizen of ~~either~~ Orange County, Seminole  
2726 County, Lake County, or Osceola County. ~~The eighth member must~~  
2727 ~~be the~~ Mayor of Orange County and. ~~The ninth member must be the~~  
2728 Mayor of the City of Orlando shall also serve as members. The  
2729 executive director of the Florida Turnpike Enterprise shall  
2730 serve as a nonvoting advisor to the governing body of the  
2731 authority. Each member appointed by the Governor shall serve for  
2732 4 years, with his or her term ending on December 31 of his or  
2733 her last year of service. Each county-appointed member shall  
2734 serve for 2 years. ~~The terms of standing board members expire~~  
2735 ~~June 20, 2014~~. Each appointed member shall hold office until his  
2736 or her successor has been appointed and has qualified. A vacancy  
2737 occurring during a term must be filled only for the balance of  
2738 the unexpired term. Each appointed member of the authority shall  
2739 be a person of outstanding reputation for integrity,  
2740 responsibility, and business ability, but, except as provided in  
2741 this subsection, a person who is an officer or employee of a  
2742 municipality or county may not be an appointed member of the  
2743 authority. Any member of the authority is eligible for  
2744 reappointment.

2745 (4) (a) The authority shall elect one of its members as  
2746 chair of the authority. The authority shall also elect one of  
2747 its members as vice chair, ~~one of its members as secretary,~~ and

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2748 one of its members as treasurer. The chair, vice chair,  
2749 ~~secretary,~~ and treasurer shall hold such offices at the will of  
2750 the authority. Five members of the authority constitute a  
2751 quorum, and the vote of five members is necessary for any action  
2752 taken by the authority. A vacancy in the authority does not  
2753 impair the right of a quorum of the authority to exercise all of  
2754 the rights and perform all of the duties of the authority.

2755 Section 38. Subsection (12) of section 565.02, Florida  
2756 Statutes, is renumbered as subsection (13), and a new subsection  
2757 (12) is added to that section to read:

2758 565.02 License fees; vendors; clubs; caterers; and  
2759 others.—

2760 (12) Upon the filing of an application and payment of an  
2761 annual fee of \$1,100, the division may issue a permit  
2762 authorizing the owner or lessee of a commercial megacycle, as  
2763 defined in s. 316.003, to sell beer and wine for consumption on  
2764 the megacycle while operating under s. 316.2069.

2765 Section 39. Paragraph (j) is added to subsection (2) of  
2766 section 810.09, Florida Statutes, to read:

2767 810.09 Trespass on property other than structure or  
2768 conveyance.—

2769 (2)

2770 (j)1. The offender commits a felony of the third degree,  
2771 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
2772 if the offender trespasses with the intent to injure another  
2773 person, damage property, or impede the operation or use of an

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2774 aircraft, runway, taxiway, ramp, or apron area and the property  
2775 trespassed upon is the operational area of an airport that is  
2776 legally posted and identified in substantially the following  
2777 manner: "THIS AREA IS A DESIGNATED OPERATIONAL AREA OF AN  
2778 AIRPORT. ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A  
2779 FELONY."

2780 2. For purposes of this paragraph, the term "operational  
2781 area of an airport" means any portion of an airport to which  
2782 access by the public is prohibited by fences or appropriate  
2783 signs and includes runways, taxiways, ramps, apron areas,  
2784 aircraft parking and storage areas, fuel storage areas,  
2785 maintenance areas, and any other area of an airport used or  
2786 intended to be used for landing, takeoff, or surface maneuvering  
2787 of aircraft.

2788 Section 40. (1)(a) The Office of Economic and Demographic  
2789 Research shall evaluate and determine the economic benefits, as  
2790 defined in s. 288.005(1), Florida Statutes, of the state's  
2791 investment in the Department of Transportation's adopted work  
2792 program developed in accordance with s. 339.135(5), Florida  
2793 Statutes, for fiscal year 2016-2017 and the following 4 fiscal  
2794 years. At a minimum, a separate return on investment shall be  
2795 projected for each of the following areas:

- 2796 1. Roads and highways.  
2797 2. Rails.  
2798 3. Public transit.  
2799 4. Aviation.

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5. Seaports.

(b) The evaluation shall be limited to the funding anticipated by the adopted work program but may address the continuing economic impact for those transportation projects in the 5 years after the conclusion of the adopted work program. The evaluation must also determine the number of jobs created, the increase or decrease in personal income, and the impact on gross domestic product from the direct, indirect, and induced effects on the state's investment in each area.

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

(3) The Office of Economic and Demographic Research shall submit the evaluation to the President of the Senate and the Speaker of the House of Representatives by January 1, 2017.

Section 41. The Department of Transportation, in consultation with the Department of Highway Safety and Motor Vehicles, shall study the use and safe operation of driver-assistive truck platooning technology, as defined in s. 316.003, Florida Statutes, for the purpose of developing a pilot project to test vehicles that are equipped to operate using driver-assistive truck platooning technology.

(1) Upon conclusion of the study, the Department of Transportation, in consultation with the Department of Highway Safety and Motor Vehicles, may conduct a pilot project to test

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2826 the use and safe operation of vehicles equipped with driver-  
2827 assistive truck platooning technology.

2828 (2) Notwithstanding ss. 316.0895 and 316.303, Florida  
2829 Statutes, the Department of Transportation may conduct the pilot  
2830 project in such a manner and at such locations as determined by  
2831 the Department of Transportation based on the study.

2832 (3) Before the start of the pilot project, manufacturers  
2833 of driver-assistive truck platooning technology being tested in  
2834 the pilot project must submit to the Department of Highway  
2835 Safety and Motor Vehicles an instrument of insurance, surety  
2836 bond, or proof of self-insurance acceptable to the department in  
2837 the amount of \$5 million.

2838 (4) Upon conclusion of the pilot project, the Department  
2839 of Transportation, in consultation with the Department of  
2840 Highway Safety and Motor Vehicles, shall submit the results of  
2841 the study and any findings or recommendations from the pilot  
2842 project to the Governor, the President of the Senate, and the  
2843 Speaker of the House of Representatives.

2844 Section 42. Paragraph (c) of subsection (1) of section  
2845 212.05, Florida Statutes, is amended to read:

2846 212.05 Sales, storage, use tax.—It is hereby declared to  
2847 be the legislative intent that every person is exercising a  
2848 taxable privilege who engages in the business of selling  
2849 tangible personal property at retail in this state, including  
2850 the business of making mail order sales, or who rents or  
2851 furnishes any of the things or services taxable under this

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2852 chapter, or who stores for use or consumption in this state any  
2853 item or article of tangible personal property as defined herein  
2854 and who leases or rents such property within the state.

2855 (1) For the exercise of such privilege, a tax is levied on  
2856 each taxable transaction or incident, which tax is due and  
2857 payable as follows:

2858 (c) At the rate of 6 percent of the gross proceeds derived  
2859 from the lease or rental of tangible personal property, as  
2860 defined herein; however, the following special provisions apply  
2861 to the lease or rental of motor vehicles:

2862 1. When a motor vehicle is leased or rented for a period  
2863 of less than 12 months:

2864 a. If the motor vehicle is rented in Florida, the entire  
2865 amount of such rental is taxable, even if the vehicle is dropped  
2866 off in another state.

2867 b. If the motor vehicle is rented in another state and  
2868 dropped off in Florida, the rental is exempt from Florida tax.

2869 2. Except as provided in subparagraph 3., for the lease or  
2870 rental of a motor vehicle for a period of not less than 12  
2871 months, sales tax is due on the lease or rental payments if the  
2872 vehicle is registered in this state; provided, however, that no  
2873 tax shall be due if the taxpayer documents use of the motor  
2874 vehicle outside this state and tax is being paid on the lease or  
2875 rental payments in another state.

2876 3. The tax imposed by this chapter does not apply to the  
2877 lease or rental of a commercial motor vehicle as defined in s.

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2878 316.003(13) (a) ~~316.003(66) (a)~~ to one lessee or rentee for a  
2879 period of not less than 12 months when tax was paid on the  
2880 purchase price of such vehicle by the lessor. To the extent tax  
2881 was paid with respect to the purchase of such vehicle in another  
2882 state, territory of the United States, or the District of  
2883 Columbia, the Florida tax payable shall be reduced in accordance  
2884 with the provisions of s. 212.06(7). This subparagraph shall  
2885 only be available when the lease or rental of such property is  
2886 an established business or part of an established business or  
2887 the same is incidental or germane to such business.

2888 Section 43. Subsection (1) of section 316.1303, Florida  
2889 Statutes, is amended to read:

2890 316.1303 Traffic regulations to assist mobility-impaired  
2891 persons.—

2892 (1) Whenever a pedestrian who is mobility impaired is in  
2893 the process of crossing a public street or highway with the  
2894 assistance of a guide dog or service animal designated as such  
2895 with a visible means of identification, a walker, a crutch, an  
2896 orthopedic cane, or a wheelchair, the driver of a vehicle  
2897 approaching the intersection, ~~as defined in s. 316.003(17),~~  
2898 shall bring his or her vehicle to a full stop before arriving at  
2899 the intersection and, before proceeding, shall take precautions  
2900 necessary to avoid injuring the pedestrian.

2901 Section 44. Paragraph (b) of subsection (2) and paragraph  
2902 (a) of subsection (4) of section 316.545, Florida Statutes, are  
2903 amended to read:

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2904 316.545 Weight and load unlawful; special fuel and motor  
2905 fuel tax enforcement; inspection; penalty; review.—

2906 (2)

2907 (b) The officer or inspector shall inspect the license  
2908 plate or registration certificate of the commercial vehicle, ~~as~~  
2909 ~~defined in s. 316.003(66),~~ to determine whether ~~if~~ its gross  
2910 weight is in compliance with the declared gross vehicle weight.  
2911 If its gross weight exceeds the declared weight, the penalty  
2912 shall be 5 cents per pound on the difference between such  
2913 weights. In those cases when the commercial vehicle, ~~as defined~~  
2914 ~~in s. 316.003(66),~~ is being operated over the highways of the  
2915 state with an expired registration or with no registration from  
2916 this or any other jurisdiction or is not registered under the  
2917 applicable provisions of chapter 320, the penalty herein shall  
2918 apply on the basis of 5 cents per pound on that scaled weight  
2919 which exceeds 35,000 pounds on laden truck tractor-semitrailer  
2920 combinations or tandem trailer truck combinations, 10,000 pounds  
2921 on laden straight trucks or straight truck-trailer combinations,  
2922 or 10,000 pounds on any unladen commercial motor vehicle. If the  
2923 license plate or registration has not been expired for more than  
2924 90 days, the penalty imposed under this paragraph may not exceed  
2925 \$1,000. In the case of special mobile equipment ~~as defined in s.~~  
2926 ~~316.003(48),~~ which qualifies for the license tax provided for in  
2927 s. 320.08(5)(b), being operated on the highways of the state  
2928 with an expired registration or otherwise not properly  
2929 registered under the applicable provisions of chapter 320, a

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2930 penalty of \$75 shall apply in addition to any other penalty  
2931 which may apply in accordance with this chapter. A vehicle found  
2932 in violation of this section may be detained until the owner or  
2933 operator produces evidence that the vehicle has been properly  
2934 registered. Any costs incurred by the retention of the vehicle  
2935 shall be the sole responsibility of the owner. A person who has  
2936 been assessed a penalty pursuant to this paragraph for failure  
2937 to have a valid vehicle registration certificate pursuant to the  
2938 provisions of chapter 320 is not subject to the delinquent fee  
2939 authorized in s. 320.07 if such person obtains a valid  
2940 registration certificate within 10 working days after such  
2941 penalty was assessed.

2942 (4) (a) A ~~Ne~~ commercial vehicle may not, ~~as defined in s.~~  
2943 ~~316.003(66)~~, shall be operated over the highways of this state  
2944 unless it has been properly registered under ~~the provisions of~~  
2945 s. 207.004. Whenever any law enforcement officer identified in  
2946 s. 207.023(1), upon inspecting the vehicle or combination of  
2947 vehicles, determines that the vehicle is in violation of s.  
2948 207.004, a penalty in the amount of \$50 shall be assessed, and  
2949 the vehicle may be detained until payment is collected by the  
2950 law enforcement officer.

2951 Section 45. Subsection (2) of section 316.605, Florida  
2952 Statutes, is amended to read:

2953 316.605 Licensing of vehicles.—

2954 (2) Any commercial motor vehicle, ~~as defined in s.~~  
2955 ~~316.003(66)~~, operating over the highways of this state with an

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2956 expired registration, with no registration from this or any  
2957 other jurisdiction, or with no registration under the applicable  
2958 provisions of chapter 320 shall be in violation of s. 320.07(3)  
2959 and shall subject the owner or operator of such vehicle to the  
2960 penalty provided. In addition, a commercial motor vehicle found  
2961 in violation of this section may be detained by any law  
2962 enforcement officer until the owner or operator produces  
2963 evidence that the vehicle has been properly registered and that  
2964 any applicable delinquent penalties have been paid.

2965 Section 46. Subsection (6) of section 316.6105, Florida  
2966 Statutes, is amended to read:

2967 316.6105 Violations involving operation of motor vehicle  
2968 in unsafe condition or without required equipment; procedure for  
2969 disposition.-

2970 (6) This section does not apply to commercial motor  
2971 vehicles ~~as defined in s. 316.003(66)~~ or transit buses owned or  
2972 operated by a governmental entity.

2973 Section 47. Paragraph (a) of subsection (2) of section  
2974 316.613, Florida Statutes, is amended to read:

2975 316.613 Child restraint requirements.-

2976 (2) As used in this section, the term "motor vehicle"  
2977 means a motor vehicle as defined in s. 316.003 that is operated  
2978 on the roadways, streets, and highways of the state. The term  
2979 does not include:

2980 (a) A school bus ~~as defined in s. 316.003(45)~~.

2981 Section 48. Subsection (8) of section 316.622, Florida

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2982 Statutes, is amended to read:

2983 316.622 Farm labor vehicles.—

2984 (8) The department shall provide to the Department of  
2985 Business and Professional Regulation each quarter a copy of each  
2986 accident report involving a farm labor vehicle, ~~as defined in s.~~  
2987 ~~316.003(62), commencing with the first quarter of the 2006-2007~~  
2988 ~~fiscal year.~~

2989 Section 49. Paragraph (b) of subsection (1) of section  
2990 316.650, Florida Statutes, is amended to read:

2991 316.650 Traffic citations.—

2992 (1)

2993 (b) The department shall prepare, and supply to every  
2994 traffic enforcement agency in the state, an appropriate  
2995 affidavit-of-compliance form that shall be issued along with the  
2996 form traffic citation for any violation of s. 316.610 and that  
2997 indicates the specific defect needing to be corrected. However,  
2998 such affidavit of compliance may ~~shall~~ not be issued in the case  
2999 of a violation of s. 316.610 by a commercial motor vehicle ~~as~~  
3000 ~~defined in s. 316.003(66)~~. Such affidavit-of-compliance form  
3001 shall be distributed in the same manner and to the same parties  
3002 as is the form traffic citation.

3003 Section 50. Subsection (1) of section 316.70, Florida  
3004 Statutes, is amended to read:

3005 316.70 Nonpublic sector buses; safety rules.—

3006 (1) The Department of Transportation shall establish and  
3007 revise standards to ensure ~~assure~~ the safe operation of

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3008 nonpublic sector buses, ~~as defined in s. 316.003(78)~~, which  
3009 standards shall be those contained in 49 C.F.R. parts 382, 385,  
3010 and 390-397 and which shall be directed toward ensuring ~~towards~~  
3011 ~~assuring~~ that:

3012 (a) Nonpublic sector buses are safely maintained,  
3013 equipped, and operated.

3014 (b) Nonpublic sector buses are carrying the insurance  
3015 required by law and carrying liability insurance on the checked  
3016 baggage of passengers not to exceed the standard adopted by the  
3017 United States Department of Transportation.

3018 (c) Florida license tags are purchased for nonpublic  
3019 sector buses pursuant to s. 320.38.

3020 (d) The driving records of drivers of nonpublic sector  
3021 buses are checked by their employers at least once each year to  
3022 ascertain whether the driver has a suspended or revoked driver  
3023 license.

3024 Section 51. Paragraph (a) of subsection (1) of section  
3025 320.01, Florida Statutes, is amended to read:

3026 320.01 Definitions, general.—As used in the Florida  
3027 Statutes, except as otherwise provided, the term:

3028 (1) "Motor vehicle" means:

3029 (a) An automobile, motorcycle, truck, trailer,  
3030 semitrailer, truck tractor and semitrailer combination, or any  
3031 other vehicle operated on the roads of this state, used to  
3032 transport persons or property, and propelled by power other than  
3033 muscular power, but the term does not include traction engines,

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3034 road rollers, special mobile equipment as defined in s. 316.003  
3035 ~~316.003(48)~~, vehicles that run only upon a track, bicycles,  
3036 swamp buggies, or mopeds.

3037 Section 52. Section 320.08, Florida Statutes, is amended  
3038 to read:

3039 320.08 License taxes.—Except as otherwise provided herein,  
3040 there are hereby levied and imposed annual license taxes for the  
3041 operation of motor vehicles, mopeds, motorized bicycles as  
3042 defined in s. 316.003(4) ~~316.003(2)~~, tri-vehicles as defined in  
3043 s. 316.003, and mobile homes~~r~~ as defined in s. 320.01, which  
3044 shall be paid to and collected by the department or its agent  
3045 upon the registration or renewal of registration of the  
3046 following:

3047 (1) MOTORCYCLES AND MOPEDS.—

3048 (a) Any motorcycle: \$10 flat.

3049 (b) Any moped: \$5 flat.

3050 (c) Upon registration of a motorcycle, motor-driven cycle,  
3051 or moped, in addition to the license taxes specified in this  
3052 subsection, a nonrefundable motorcycle safety education fee in  
3053 the amount of \$2.50 shall be paid. The proceeds of such  
3054 additional fee shall be deposited in the Highway Safety  
3055 Operating Trust Fund to fund a motorcycle driver improvement  
3056 program implemented pursuant to s. 322.025, the Florida  
3057 Motorcycle Safety Education Program established in s. 322.0255,  
3058 or the general operations of the department.

3059 (d) An ancient or antique motorcycle: \$7.50 flat, of which

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- 3060 \$2.50 shall be deposited into the General Revenue Fund.
- 3061 (2) AUTOMOBILES OR TRI-VEHICLES FOR PRIVATE USE.—
- 3062 (a) An ancient or antique automobile, as defined in s.
- 3063 320.086, or a street rod, as defined in s. 320.0863: \$7.50 flat.
- 3064 (b) Net weight of less than 2,500 pounds: \$14.50 flat.
- 3065 (c) Net weight of 2,500 pounds or more, but less than
- 3066 3,500 pounds: \$22.50 flat.
- 3067 (d) Net weight of 3,500 pounds or more: \$32.50 flat.
- 3068 (3) TRUCKS.—
- 3069 (a) Net weight of less than 2,000 pounds: \$14.50 flat.
- 3070 (b) Net weight of 2,000 pounds or more, but not more than
- 3071 3,000 pounds: \$22.50 flat.
- 3072 (c) Net weight more than 3,000 pounds, but not more than
- 3073 5,000 pounds: \$32.50 flat.
- 3074 (d) A truck defined as a "goat," or other vehicle if used
- 3075 in the field by a farmer or in the woods for the purpose of
- 3076 harvesting a crop, including naval stores, during such
- 3077 harvesting operations, and which is not principally operated
- 3078 upon the roads of the state: \$7.50 flat. The term "goat" means a
- 3079 motor vehicle designed, constructed, and used principally for
- 3080 the transportation of citrus fruit within citrus groves or for
- 3081 the transportation of crops on farms, and which can also be used
- 3082 for hauling associated equipment or supplies, including required
- 3083 sanitary equipment, and the towing of farm trailers.
- 3084 (e) An ancient or antique truck, as defined in s. 320.086:
- 3085 \$7.50 flat.

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3086 (4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS  
3087 VEHICLE WEIGHT.—

3088 (a) Gross vehicle weight of 5,001 pounds or more, but less  
3089 than 6,000 pounds: \$60.75 flat, of which \$15.75 shall be  
3090 deposited into the General Revenue Fund.

3091 (b) Gross vehicle weight of 6,000 pounds or more, but less  
3092 than 8,000 pounds: \$87.75 flat, of which \$22.75 shall be  
3093 deposited into the General Revenue Fund.

3094 (c) Gross vehicle weight of 8,000 pounds or more, but less  
3095 than 10,000 pounds: \$103 flat, of which \$27 shall be deposited  
3096 into the General Revenue Fund.

3097 (d) Gross vehicle weight of 10,000 pounds or more, but  
3098 less than 15,000 pounds: \$118 flat, of which \$31 shall be  
3099 deposited into the General Revenue Fund.

3100 (e) Gross vehicle weight of 15,000 pounds or more, but  
3101 less than 20,000 pounds: \$177 flat, of which \$46 shall be  
3102 deposited into the General Revenue Fund.

3103 (f) Gross vehicle weight of 20,000 pounds or more, but  
3104 less than 26,001 pounds: \$251 flat, of which \$65 shall be  
3105 deposited into the General Revenue Fund.

3106 (g) Gross vehicle weight of 26,001 pounds or more, but  
3107 less than 35,000: \$324 flat, of which \$84 shall be deposited  
3108 into the General Revenue Fund.

3109 (h) Gross vehicle weight of 35,000 pounds or more, but  
3110 less than 44,000 pounds: \$405 flat, of which \$105 shall be  
3111 deposited into the General Revenue Fund.



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3112 (i) Gross vehicle weight of 44,000 pounds or more, but  
3113 less than 55,000 pounds: \$773 flat, of which \$201 shall be  
3114 deposited into the General Revenue Fund.

3115 (j) Gross vehicle weight of 55,000 pounds or more, but  
3116 less than 62,000 pounds: \$916 flat, of which \$238 shall be  
3117 deposited into the General Revenue Fund.

3118 (k) Gross vehicle weight of 62,000 pounds or more, but  
3119 less than 72,000 pounds: \$1,080 flat, of which \$280 shall be  
3120 deposited into the General Revenue Fund.

3121 (l) Gross vehicle weight of 72,000 pounds or more: \$1,322  
3122 flat, of which \$343 shall be deposited into the General Revenue  
3123 Fund.

3124 (m) Notwithstanding the declared gross vehicle weight, a  
3125 truck tractor used within a 150-mile radius of its home address  
3126 is eligible for a license plate for a fee of \$324 flat if:

3127 1. The truck tractor is used exclusively for hauling  
3128 forestry products; or

3129 2. The truck tractor is used primarily for the hauling of  
3130 forestry products, and is also used for the hauling of  
3131 associated forestry harvesting equipment used by the owner of  
3132 the truck tractor.

3133  
3134 Of the fee imposed by this paragraph, \$84 shall be deposited  
3135 into the General Revenue Fund.

3136 (n) A truck tractor or heavy truck, not operated as a for-  
3137 hire vehicle, which is engaged exclusively in transporting raw,

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3138 unprocessed, and nonmanufactured agricultural or horticultural  
3139 products within a 150-mile radius of its home address, is  
3140 eligible for a restricted license plate for a fee of:

3141 1. If such vehicle's declared gross vehicle weight is less  
3142 than 44,000 pounds, \$87.75 flat, of which \$22.75 shall be  
3143 deposited into the General Revenue Fund.

3144 2. If such vehicle's declared gross vehicle weight is  
3145 44,000 pounds or more and such vehicle only transports from the  
3146 point of production to the point of primary manufacture; to the  
3147 point of assembling the same; or to a shipping point of a rail,  
3148 water, or motor transportation company, \$324 flat, of which \$84  
3149 shall be deposited into the General Revenue Fund.

3150

3151 Such not-for-hire truck tractors and heavy trucks used  
3152 exclusively in transporting raw, unprocessed, and  
3153 nonmanufactured agricultural or horticultural products may be  
3154 incidentally used to haul farm implements and fertilizers  
3155 delivered direct to the growers. The department may require any  
3156 documentation deemed necessary to determine eligibility prior to  
3157 issuance of this license plate. For the purpose of this  
3158 paragraph, "not-for-hire" means the owner of the motor vehicle  
3159 must also be the owner of the raw, unprocessed, and  
3160 nonmanufactured agricultural or horticultural product, or the  
3161 user of the farm implements and fertilizer being delivered.

3162 (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT;  
3163 SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

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3164 (a)1. A semitrailer drawn by a GVW truck tractor by means  
3165 of a fifth-wheel arrangement: \$13.50 flat per registration year  
3166 or any part thereof, of which \$3.50 shall be deposited into the  
3167 General Revenue Fund.

3168 2. A semitrailer drawn by a GVW truck tractor by means of  
3169 a fifth-wheel arrangement: \$68 flat per permanent registration,  
3170 of which \$18 shall be deposited into the General Revenue Fund.

3171 (b) A motor vehicle equipped with machinery and designed  
3172 for the exclusive purpose of well drilling, excavation,  
3173 construction, spraying, or similar activity, and which is not  
3174 designed or used to transport loads other than the machinery  
3175 described above over public roads: \$44 flat, of which \$11.50  
3176 shall be deposited into the General Revenue Fund.

3177 (c) A school bus used exclusively to transport pupils to  
3178 and from school or school or church activities or functions  
3179 within their own county: \$41 flat, of which \$11 shall be  
3180 deposited into the General Revenue Fund.

3181 (d) A wrecker, as defined in s. 320.01, which is used to  
3182 tow a vessel as defined in s. 327.02, a disabled, abandoned,  
3183 stolen-recovered, or impounded motor vehicle as defined in s.  
3184 320.01, or a replacement motor vehicle as defined in s. 320.01:  
3185 \$41 flat, of which \$11 shall be deposited into the General  
3186 Revenue Fund.

3187 (e) A wrecker that is used to tow any nondisabled motor  
3188 vehicle, a vessel, or any other cargo unless used as defined in  
3189 paragraph (d), as follows:

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3190 1. Gross vehicle weight of 10,000 pounds or more, but less  
3191 than 15,000 pounds: \$118 flat, of which \$31 shall be deposited  
3192 into the General Revenue Fund.

3193 2. Gross vehicle weight of 15,000 pounds or more, but less  
3194 than 20,000 pounds: \$177 flat, of which \$46 shall be deposited  
3195 into the General Revenue Fund.

3196 3. Gross vehicle weight of 20,000 pounds or more, but less  
3197 than 26,000 pounds: \$251 flat, of which \$65 shall be deposited  
3198 into the General Revenue Fund.

3199 4. Gross vehicle weight of 26,000 pounds or more, but less  
3200 than 35,000 pounds: \$324 flat, of which \$84 shall be deposited  
3201 into the General Revenue Fund.

3202 5. Gross vehicle weight of 35,000 pounds or more, but less  
3203 than 44,000 pounds: \$405 flat, of which \$105 shall be deposited  
3204 into the General Revenue Fund.

3205 6. Gross vehicle weight of 44,000 pounds or more, but less  
3206 than 55,000 pounds: \$772 flat, of which \$200 shall be deposited  
3207 into the General Revenue Fund.

3208 7. Gross vehicle weight of 55,000 pounds or more, but less  
3209 than 62,000 pounds: \$915 flat, of which \$237 shall be deposited  
3210 into the General Revenue Fund.

3211 8. Gross vehicle weight of 62,000 pounds or more, but less  
3212 than 72,000 pounds: \$1,080 flat, of which \$280 shall be  
3213 deposited into the General Revenue Fund.

3214 9. Gross vehicle weight of 72,000 pounds or more: \$1,322  
3215 flat, of which \$343 shall be deposited into the General Revenue

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3216 Fund.

3217 (f) A hearse or ambulance: \$40.50 flat, of which \$10.50  
3218 shall be deposited into the General Revenue Fund.

3219 (6) MOTOR VEHICLES FOR HIRE.—

3220 (a) Under nine passengers: \$17 flat, of which \$4.50 shall  
3221 be deposited into the General Revenue Fund; plus \$1.50 per cwt,  
3222 of which 50 cents shall be deposited into the General Revenue  
3223 Fund.

3224 (b) Nine passengers and over: \$17 flat, of which \$4.50  
3225 shall be deposited into the General Revenue Fund; plus \$2 per  
3226 cwt, of which 50 cents shall be deposited into the General  
3227 Revenue Fund.

3228 (7) TRAILERS FOR PRIVATE USE.—

3229 (a) Any trailer weighing 500 pounds or less: \$6.75 flat  
3230 per year or any part thereof, of which \$1.75 shall be deposited  
3231 into the General Revenue Fund.

3232 (b) Net weight over 500 pounds: \$3.50 flat, of which \$1  
3233 shall be deposited into the General Revenue Fund; plus \$1 per  
3234 cwt, of which 25 cents shall be deposited into the General  
3235 Revenue Fund.

3236 (8) TRAILERS FOR HIRE.—

3237 (a) Net weight under 2,000 pounds: \$3.50 flat, of which \$1  
3238 shall be deposited into the General Revenue Fund; plus \$1.50 per  
3239 cwt, of which 50 cents shall be deposited into the General  
3240 Revenue Fund.

3241 (b) Net weight 2,000 pounds or more: \$13.50 flat, of which

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3242 \$3.50 shall be deposited into the General Revenue Fund; plus  
3243 \$1.50 per cwt, of which 50 cents shall be deposited into the  
3244 General Revenue Fund.

3245 (9) RECREATIONAL VEHICLE-TYPE UNITS.—

3246 (a) A travel trailer or fifth-wheel trailer, as defined by  
3247 s. 320.01(1)(b), that does not exceed 35 feet in length: \$27  
3248 flat, of which \$7 shall be deposited into the General Revenue  
3249 Fund.

3250 (b) A camping trailer, as defined by s. 320.01(1)(b)2.:  
3251 \$13.50 flat, of which \$3.50 shall be deposited into the General  
3252 Revenue Fund.

3253 (c) A motor home, as defined by s. 320.01(1)(b)4.:

3254 1. Net weight of less than 4,500 pounds: \$27 flat, of  
3255 which \$7 shall be deposited into the General Revenue Fund.

3256 2. Net weight of 4,500 pounds or more: \$47.25 flat, of  
3257 which \$12.25 shall be deposited into the General Revenue Fund.

3258 (d) A truck camper as defined by s. 320.01(1)(b)3.:

3259 1. Net weight of less than 4,500 pounds: \$27 flat, of  
3260 which \$7 shall be deposited into the General Revenue Fund.

3261 2. Net weight of 4,500 pounds or more: \$47.25 flat, of  
3262 which \$12.25 shall be deposited into the General Revenue Fund.

3263 (e) A private motor coach as defined by s. 320.01(1)(b)5.:

3264 1. Net weight of less than 4,500 pounds: \$27 flat, of  
3265 which \$7 shall be deposited into the General Revenue Fund.

3266 2. Net weight of 4,500 pounds or more: \$47.25 flat, of  
3267 which \$12.25 shall be deposited into the General Revenue Fund.

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3268 (10) PARK TRAILERS; TRAVEL TRAILERS; FIFTH-WHEEL TRAILERS;  
3269 35 FEET TO 40 FEET.—

3270 (a) Park trailers.—Any park trailer, as defined in s.  
3271 320.01(1)(b)7.: \$25 flat.

3272 (b) A travel trailer or fifth-wheel trailer, as defined in  
3273 s. 320.01(1)(b), that exceeds 35 feet: \$25 flat.

3274 (11) MOBILE HOMES.—

3275 (a) A mobile home not exceeding 35 feet in length: \$20  
3276 flat.

3277 (b) A mobile home over 35 feet in length, but not  
3278 exceeding 40 feet: \$25 flat.

3279 (c) A mobile home over 40 feet in length, but not  
3280 exceeding 45 feet: \$30 flat.

3281 (d) A mobile home over 45 feet in length, but not  
3282 exceeding 50 feet: \$35 flat.

3283 (e) A mobile home over 50 feet in length, but not  
3284 exceeding 55 feet: \$40 flat.

3285 (f) A mobile home over 55 feet in length, but not  
3286 exceeding 60 feet: \$45 flat.

3287 (g) A mobile home over 60 feet in length, but not  
3288 exceeding 65 feet: \$50 flat.

3289 (h) A mobile home over 65 feet in length: \$80 flat.

3290 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised  
3291 motor vehicle dealer, independent motor vehicle dealer, marine  
3292 boat trailer dealer, or mobile home dealer and manufacturer  
3293 license plate: \$17 flat, of which \$4.50 shall be deposited into

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3294 the General Revenue Fund.

3295 (13) EXEMPT OR OFFICIAL LICENSE PLATES.—Any exempt or  
3296 official license plate: \$4 flat, of which \$1 shall be deposited  
3297 into the General Revenue Fund.

3298 (14) LOCALLY OPERATED MOTOR VEHICLES FOR HIRE.—A motor  
3299 vehicle for hire operated wholly within a city or within 25  
3300 miles thereof: \$17 flat, of which \$4.50 shall be deposited into  
3301 the General Revenue Fund; plus \$2 per cwt, of which 50 cents  
3302 shall be deposited into the General Revenue Fund.

3303 (15) TRANSPORTER.—Any transporter license plate issued to  
3304 a transporter pursuant to s. 320.133: \$101.25 flat, of which  
3305 \$26.25 shall be deposited into the General Revenue Fund.

3306 Section 53. Subsection (1) of section 320.0801, Florida  
3307 Statutes, is amended to read:

3308 320.0801 Additional license tax on certain vehicles.—

3309 (1) In addition to the license taxes specified in s.  
3310 320.08 and in subsection (2), there is hereby levied and imposed  
3311 an annual license tax of 10 cents for the operation of a motor  
3312 vehicle, as defined in s. 320.01, and moped, as defined in s.  
3313 316.003 ~~316.003(77)~~, which tax shall be paid to the department  
3314 or its agent upon the registration or renewal of registration of  
3315 the vehicle. Notwithstanding ~~the provisions of~~ s. 320.20,  
3316 revenues collected from the tax imposed in this subsection shall  
3317 be deposited in the Emergency Medical Services Trust Fund and  
3318 used solely for the purpose of carrying out ~~the provisions of~~  
3319 ss. 395.401, 395.4015, 395.404, and 395.4045 and s. 11, chapter

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3320 87-399, Laws of Florida.

3321 Section 54. Section 320.38, Florida Statutes, is amended

3322 to read:

3323 320.38 When nonresident exemption not allowed.—The

3324 provisions of s. 320.37 authorizing the operation of motor

3325 vehicles over the roads of this state by nonresidents of this

3326 state when such vehicles are duly registered or licensed under

3327 the laws of some other state or foreign country do not apply to

3328 any nonresident who accepts employment or engages in any trade,

3329 profession, or occupation in this state, except a nonresident

3330 migrant or seasonal farm worker as defined in s. 316.003

3331 ~~316.003(61)~~. In every case in which a nonresident, except a

3332 nonresident migrant or seasonal farm worker as defined in s.

3333 316.003 ~~316.003(61)~~, accepts employment or engages in any trade,

3334 profession, or occupation in this state or enters his or her

3335 children to be educated in the public schools of this state,

3336 such nonresident shall, within 10 days after the commencement of

3337 such employment or education, register his or her motor vehicles

3338 in this state if such motor vehicles are proposed to be operated

3339 on the roads of this state. Any person who is enrolled as a

3340 student in a college or university and who is a nonresident but

3341 who is in this state for a period of up to 6 months engaged in a

3342 work-study program for which academic credits are earned from a

3343 college whose credits or degrees are accepted for credit by at

3344 least three accredited institutions of higher learning, as

3345 defined in s. 1005.02, is not required to have a Florida

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3346 registration for the duration of the work-study program if the  
3347 person's vehicle is properly registered in another jurisdiction.  
3348 Any nonresident who is enrolled as a full-time student in such  
3349 institution of higher learning is also exempt for the duration  
3350 of such enrollment.

3351 Section 55. Subsection (1) of section 322.031, Florida  
3352 Statutes, is amended to read:

3353 322.031 Nonresident; when license required.—

3354 (1) In each case in which a nonresident, except a  
3355 nonresident migrant or seasonal farm worker as defined in s.  
3356 316.003 ~~316.003(61)~~, accepts employment or engages in a trade,  
3357 profession, or occupation in this state or enters his or her  
3358 children to be educated in the public schools of this state,  
3359 such nonresident shall, within 30 days after beginning such  
3360 employment or education, be required to obtain a Florida driver  
3361 license if such nonresident operates a motor vehicle on the  
3362 highways of this state. The spouse or dependent child of such  
3363 nonresident shall also be required to obtain a Florida driver  
3364 license within that 30-day period before operating a motor  
3365 vehicle on the highways of this state.

3366 Section 56. Subsection (3) of section 450.181, Florida  
3367 Statutes, is amended to read:

3368 450.181 Definitions.—As used in part II, unless the  
3369 context clearly requires a different meaning:

3370 (3) The term "migrant laborer" has the same meaning as  
3371 migrant or seasonal farm worker ~~workers~~ as defined in s. 316.003

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3372 | ~~316.003(61)~~.

3373 | Section 57. Subsection (5) of section 559.903, Florida  
3374 | Statutes, is amended to read:

3375 | 559.903 Definitions.—As used in this act:

3376 | (5) "Motor vehicle" means any automobile, truck, bus,  
3377 | recreational vehicle, motorcycle, motor scooter, or other motor  
3378 | powered vehicle, but does not include trailers, mobile homes,  
3379 | travel trailers, trailer coaches without independent motive  
3380 | power, watercraft or aircraft, or special mobile equipment as  
3381 | defined in s. 316.003 ~~316.003(48)~~.

3382 | Section 58. Subsection (1) of section 655.960, Florida  
3383 | Statutes, is amended to read:

3384 | 655.960 Definitions; ss. 655.960-655.965.—As used in this  
3385 | section and ss. 655.961-655.965, unless the context otherwise  
3386 | requires:

3387 | (1) "Access area" means any paved walkway or sidewalk  
3388 | which is within 50 feet of any automated teller machine. The  
3389 | term does not include any street or highway open to the use of  
3390 | the public, as defined in s. 316.003(76)(a) ~~316.003(53)(a)~~ or  
3391 | (b), including any adjacent sidewalk, as defined in s. 316.003  
3392 | ~~316.003(47)~~.

3393 | Section 59. Paragraph (b) of subsection (2) of section  
3394 | 732.402, Florida Statutes, is amended to read:

3395 | 732.402 Exempt property.—

3396 | (2) Exempt property shall consist of:

3397 | (b) Two motor vehicles as defined in s. 316.003

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3398 | ~~316.003(21)~~, which do not, individually as to either such motor  
3399 | vehicle, have a gross vehicle weight in excess of 15,000 pounds,  
3400 | held in the decedent's name and regularly used by the decedent  
3401 | or members of the decedent's immediate family as their personal  
3402 | motor vehicles.

3403 | Section 60. Subsection (1) of section 860.065, Florida  
3404 | Statutes, is amended to read:

3405 | 860.065 Commercial transportation; penalty for use in  
3406 | commission of a felony.—

3407 | (1) It is unlawful for any person to attempt to obtain,  
3408 | solicit to obtain, or obtain any means of public or commercial  
3409 | transportation or conveyance, including vessels, aircraft,  
3410 | railroad trains, or commercial vehicles as defined in s. 316.003  
3411 | ~~316.003(66)~~, with the intent to use such public or commercial  
3412 | transportation or conveyance to commit any felony or to  
3413 | facilitate the commission of any felony.

3414 | Section 61. This act shall take effect July 1, 2016.

3415 |

3416 | -----

3417 | **T I T L E A M E N D M E N T**

3418 | Remove everything before the enacting clause and insert:

3419 | A bill to be entitled

3420 | An act relating to transportation; amending s. 311.12,

3421 | F.S.; establishing the Seaport Security Advisory

3422 | Committee directed by the Florida Seaport

3423 | Transportation and Economic Development Council;

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3424 providing for membership and duties; directing the  
3425 council to establish a Seaport Security Grant Program  
3426 to assist in implementation of security at specified  
3427 seaports; directing the council to adopt rules;  
3428 amending s. 316.003, F.S.; revising and providing  
3429 definitions; creating s. 316.2069, F.S.; authorizing a  
3430 municipality or county to permit the use of commercial  
3431 megacycles; providing requirements; providing  
3432 applicability; amending s. 316.235, F.S.; revising  
3433 specifications for bus deceleration lighting systems;  
3434 amending s. 316.303, F.S.; providing exceptions to a  
3435 prohibition of a viewer or screen visible from the  
3436 driver's seat of a motor vehicle; amending s. 320.525,  
3437 F.S.; revising the definition of the term "port  
3438 vehicles and equipment"; creating s. 332.0012, F.S.;  
3439 establishing the Florida Aviation Transportation and  
3440 Economic Development Program within the Department of  
3441 Transportation to finance certain projects at  
3442 specified airports; requiring certain funds to be made  
3443 available from the State Transportation Trust Fund;  
3444 requiring an airport that receives funding to adopt  
3445 procedures that comply with specified equal  
3446 opportunity hiring practices; authorizing the  
3447 department to require audits and adopt rules relating  
3448 to such audits; creating s. 332.0014, F.S.; creating  
3449 the Florida Aviation Transportation and Economic

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3450 Development Council within the department; providing  
3451 for membership, organization, and duties of the  
3452 council; providing for payment of certain  
3453 administrative costs by airports receiving funds from  
3454 the program; directing the council to prepare an  
3455 aviation mission plan that includes recommendations  
3456 for specific projects; directing the council to adopt  
3457 rules for evaluating projects that may be funded  
3458 through the program; providing procedures for approval  
3459 of projects for funding under the program; providing  
3460 for review and approval of projects by the Department  
3461 of Transportation and the Department of Economic  
3462 Opportunity; directing the council to develop programs  
3463 for industry-related job training; directing the  
3464 council to submit reports to the Legislature;  
3465 directing the Department of Transportation to include  
3466 project funding in its annual budget request;  
3467 providing for inclusion of projects in the  
3468 department's tentative work program; providing  
3469 procedures for submission of work program amendments  
3470 and implementation of funding; requiring procurements  
3471 and negotiations to be made under specified  
3472 provisions; amending s. 332.08, F.S.; revising the  
3473 maximum period of time for which certain  
3474 municipalities may lease airports, navigation  
3475 facilities, or related real property; amending s.

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3476 333.01, F.S.; revising and providing definitions of  
3477 terms used in provisions relating to airport safety  
3478 regulation; amending s. 333.025, F.S.; revising  
3479 requirements for a permit to construct or alter an  
3480 obstruction; revising procedures for issuing such  
3481 permit; revising duties of the department relating to  
3482 issuance of the permit; providing for administrative  
3483 review of a denial of a permit; amending s. 333.03,  
3484 F.S.; revising requirements and procedures for certain  
3485 local political subdivisions to adopt and enforce  
3486 airport zoning regulations; directing the department  
3487 to provide assistance to political subdivisions with  
3488 regard to federal obstruction standards; providing  
3489 minimum requirements for airport land use  
3490 compatibility zoning regulations; directing political  
3491 subdivisions to provide the department with copies of  
3492 airport zoning regulations; providing applicability  
3493 and effect; amending s. 333.04, F.S.; revising  
3494 provisions for incorporation of zoning regulations  
3495 with a political subdivision's comprehensive  
3496 regulations; revising provisions for a conflict  
3497 between airport zoning regulations and other  
3498 regulations; amending s. 333.05, F.S.; revising  
3499 procedure for adoption of zoning regulations; revising  
3500 provisions relating to an airport zoning commission;  
3501 amending s. 333.06, F.S.; revising airport zoning

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3502 regulation requirements; revising requirements for  
3503 adoption of an airport master plan and amendments  
3504 thereto; amending s. 333.07, F.S.; requiring a permit  
3505 to construct, alter, or allow an airport obstruction  
3506 in an airport hazard area under certain circumstances;  
3507 providing conditions for issuance or denial of such  
3508 permit; revising provisions to compel conformance;  
3509 removing provisions for obtaining a variance to zoning  
3510 regulations; removing reference to a board of  
3511 adjustment; revising provisions directing a political  
3512 subdivision to require an owner to install and  
3513 maintain certain lighting or marking of obstructions;  
3514 amending s. 333.09, F.S.; revising requirements for  
3515 administration of airport protection zoning  
3516 regulations; requiring the political subdivision to  
3517 provide a process for permitting, notifications to the  
3518 department, and enforcement; providing for appeal of  
3519 decisions made by the political subdivision; amending  
3520 s. 333.11, F.S.; revising provisions for judicial  
3521 review of decisions by a political subdivision;  
3522 revising jurisdiction of the court relating to  
3523 decisions of the political subdivision; removing  
3524 reference to a board of adjustment; requiring certain  
3525 procedures before an appeal to a court; amending s.  
3526 333.12, F.S.; revising provisions for acquisition of  
3527 property when a nonconforming obstruction is

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3528 determined to be an airport hazard; amending s.  
3529 333.13, F.S.; revising penalty provisions; creating s.  
3530 333.135, F.S.; providing a timeframe for compliance by  
3531 political subdivisions; repealing ss. 333.065, 333.08,  
3532 333.10, and 333.14, F.S., relating to guidelines  
3533 regarding land use near airports, appeals, boards of  
3534 adjustment, and a short title; reenacting s.  
3535 350.81(6), F.S., relating to communications services  
3536 offered by governmental entities, to incorporate  
3537 changes made by the act in a reference thereto;  
3538 amending s. 337.18, F.S., relating to contracts for  
3539 construction or maintenance; revising conditions for  
3540 waiver of a required surety bond; amending 338.165,  
3541 F.S.; removing an option to issue certain bonds  
3542 secured by toll revenues collected on certain  
3543 facilities; authorizing the department to transfer the  
3544 Pinellas Bayway System to the Florida Turnpike;  
3545 providing applicability; repealing chapter 85-364,  
3546 Laws of Florida, as amended, relating to the Pinellas  
3547 Bayway; amending s. 338.231, F.S., relating to the  
3548 Florida Turnpike; removing a provision that authorizes  
3549 the department to use revenues from the turnpike  
3550 system for the payment of principal and interest of  
3551 certain bonds and the operation and maintenance  
3552 expenses of the Sawgrass Expressway; amending s.  
3553 339.175, F.S., relating to the Tampa Bay Area Regional

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3554 Transportation Authority; revising provisions for a  
3555 coordinating committee composed of metropolitan  
3556 planning organizations; designating the committee as  
3557 the "TBARTA Metropolitan Planning Organizations Chairs  
3558 Coordinating Committee"; revising membership of the  
3559 committee; providing duties of the authority,  
3560 M.P.O.'s, and the department; amending s. 339.2818,  
3561 F.S., relating to the Small County Outreach Program;  
3562 revising the definition of the term "small county";  
3563 amending s. 339.55, F.S., relating to the State  
3564 Infrastructure Bank; revising the types of projects  
3565 eligible for consideration for state infrastructure  
3566 loans; repealing s. 341.0532, F.S., relating to  
3567 statewide transportation corridors; amending s.  
3568 341.301, F.S.; revising definitions relating to rail  
3569 programs; amending s. 341.302, F.S., relating to the  
3570 rail program; revising provisions for assumption of  
3571 obligations and liability in conjunction with the  
3572 acquisition, ownership, construction, operation,  
3573 maintenance, and management of a rail corridor;  
3574 amending s. 343.92, F.S.; revising membership of the  
3575 governing board of the Tampa Bay Area Regional  
3576 Transportation Authority; providing for the Secretary  
3577 of Transportation to appoint two advisors to the  
3578 board; amending s. 343.922, F.S., relating to powers  
3579 and duties of such authority; revising the time period

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3580 for updating the authority's master plan; directing  
3581 the authority to provide administrative support and  
3582 direction to the TBARTA Metropolitan Planning  
3583 Organizations Chairs Coordinating Committee; amending  
3584 s. 348.565, relating to the Tampa-Hillsborough County  
3585 Expressway Authority; revising provisions that  
3586 authorize certain projects to be financed by revenue  
3587 bonds; amending s. 348.753, F.S., relating to the  
3588 Central Florida Expressway Authority; revising  
3589 provisions for membership on the authority; removing a  
3590 provision for appointment of a secretary of the  
3591 authority; amending s. 565.02, F.S., authorizing the  
3592 Division of Alcoholic Beverages and Tobacco of the  
3593 Department of Business and Professional Regulation to  
3594 issue a license for the sale of beer and wine on  
3595 certain commercial megacycles; amending s. 810.09,  
3596 F.S.; providing enhanced criminal penalties for a  
3597 trespass upon the operational area of an airport with  
3598 specified intent if specified signage is posted;  
3599 providing a definition; directing the Office of  
3600 Economic and Demographic Research to determine the  
3601 economic benefits of the Department of  
3602 Transportation's adopted work program; directing the  
3603 department to provide access to necessary data;  
3604 requiring a report to the Legislature; directing the  
3605 department to study the operation of driver-assistive

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3606 truck platooning technology; authorizing the  
3607 department to conduct a pilot project to test such  
3608 operation; providing security requirements; requiring  
3609 a report to the Governor and Legislature; amending ss.  
3610 212.05, 316.1303, 316.545, 316.605, 316.6105, 316.613,  
3611 316.622, 316.650, 316.70, 320.01, 320.08, 320.0801,  
3612 320.38, 322.031, 450.181, 559.903, 655.960, 732.402,  
3613 and 860.065, F.S.; conforming cross-references;  
3614 providing an effective date.