

SB 820 by Bullard; Transportation Facility Designations

| | | | | | | |
|--------|-------|---|-----|-------------|------------------|----------------|
| 631934 | PCS | S | RCS | TR | | 04/03 06:15 PM |
| 778236 | PCS:A | S | RCS | TR, Brandes | btw L.236 - 237: | 04/03 06:15 PM |

SB 1558 by Abruzzo; (Similar to CS/H 1325) Parking Permits for Persons with Mobility Impairment

CS/SB 1070 by CA, Simpson; (Similar to CS/H 0947) Fuel Terminals

| | | | | | | |
|--------|---|---|-----|-----------|-------------------------|----------------|
| 161946 | D | S | RCS | TR, Evers | Delete everything after | 04/03 06:15 PM |
|--------|---|---|-----|-----------|-------------------------|----------------|

SB 772 by Garcia; (Compare to CS/CS/H 0353) Expressway Authorities

| | | | | | | |
|--------|----|---|-------|--------------|-------------------------|----------------|
| 450614 | D | S | RS | TR, Garcia | Delete everything after | 04/03 06:15 PM |
| 242324 | AA | S | WD | TR, Joyner | Delete L.59 - 60: | 04/03 06:15 PM |
| 744348 | AA | S | WD | TR, Joyner | Delete L.226 - 227: | 04/03 06:15 PM |
| 227068 | AA | S | WD | TR, Brandes | btw L.327 - 328: | 04/03 06:15 PM |
| 912642 | AA | S | WD | TR, Brandes | btw L.327 - 328: | 04/03 06:15 PM |
| 673792 | AA | S | WD | TR, Joyner | Delete L.488 - 489: | 04/03 06:15 PM |
| 574892 | SD | S | L RCS | TR, Garcia | Delete everything after | 04/03 06:15 PM |
| 829872 | AA | S | RCS | TR, Margolis | Delete L.36 - 54: | 04/03 06:15 PM |
| 127192 | AA | S | RCS | TR, Garcia | Delete L.370: | 04/03 06:15 PM |

CS/SB 754 by BI, Bradley; (Identical to CS/H 7063) Certificates of Destruction

| | | | | | | |
|--------|----|---|-----|-------------|------------------|----------------|
| 172828 | A | S | RS | TR, Richter | Before L.15: | 04/03 06:22 PM |
| 333396 | SA | S | RCS | TR, Brandes | Before L.15: | 04/03 06:22 PM |
| 748030 | A | S | RCS | TR, Richter | Delete L.56: | 04/03 06:22 PM |
| 460774 | A | S | RCS | TR, Richter | Delete L.61: | 04/03 06:22 PM |
| 912646 | A | S | RCS | TR, Richter | Delete L.88: | 04/03 06:22 PM |
| 568946 | A | S | RCS | TR, Brandes | btw L.101 - 102: | 04/03 06:22 PM |

SB 1618 by Brandes; Chauffeured Limousines

| | | | | | | |
|--------|----|---|------|-------------|-------------------------|----------------|
| 766326 | D | S | | TR, Brandes | Delete everything after | 04/01 06:54 PM |
| 679322 | AA | S | L WD | TR, Evers | Delete L.14 - 18: | 04/03 06:15 PM |

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

TRANSPORTATION
Senator Brandes, Chair
Senator Margolis, Vice Chair

MEETING DATE: Thursday, April 3, 2014
TIME: 9:00 —10:30 a.m.
PLACE: Mallory Horne Committee Room, 37 Senate Office Building

MEMBERS: Senator Brandes, Chair; Senator Margolis, Vice Chair; Senators Clemens, Diaz de la Portilla, Evers, Garcia, Joyner, Lee, Richter, and Thompson

| TAB | OFFICE and APPOINTMENT (HOME CITY) | FOR TERM ENDING | COMMITTEE ACTION |
|--|--|---|-------------------------------------|
| <p>Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointment to the office indicated.</p> <p>Florida Transportation Commission</p> | | | |
| 1 | Wright, Kenneth W. (Winter Park) | 09/30/2014 | Recommend Confirm Yeas 10 Nays 0 |
| TAB | BILL NO. and INTRODUCER | BILL DESCRIPTION and SENATE COMMITTEE ACTIONS | COMMITTEE ACTION |
| 2 | SB 820 Bullard | Transportation Facility Designations; Providing an honorary designation of a certain transportation facility in a specified county; directing the Department of Transportation to erect suitable markers, etc. TR 04/03/2014 Fav/CS CA | Fav/CS Yeas 10 Nays 0 |
| 3 | SB 1558 Abruzzo (Similar CS/H 1325) | Parking Permits for Persons with Mobility Impairment; Directing the Department of Highway Safety and Motor Vehicles to design and issue a sticker for use as a parking permit in lieu of a placard, etc. TR 04/03/2014 Favorable ATD AP | Favorable Yeas 10 Nays 0 |
| 4 | CS/SB 1070 Community Affairs / Simpson (Similar CS/H 947) | Fuel Terminals; Declaring certain fuel terminals a permitted and allowable use under any local government comprehensive plan, land use map, zoning district, or land development regulation; authorizing limited local government regulation of expanded fuel terminals; prohibiting a local government from amending its local comprehensive plan, land use map, zoning districts, or land development regulations to make such fuel terminals a nonconforming use under the provisions thereof, etc. CA 03/11/2014 Fav/CS TR 03/26/2014 Temporarily Postponed TR 04/03/2014 Fav/CS | Fav/CS Yeas 10 Nays 0 |

COMMITTEE MEETING EXPANDED AGENDA

Transportation

Thursday, April 3, 2014, 9:00 —10:30 a.m.

| TAB | BILL NO. and INTRODUCER | BILL DESCRIPTION and SENATE COMMITTEE ACTIONS | COMMITTEE ACTION |
|-----|--|--|-------------------------|
| 5 | SB 772 Garcia (Compare CS/CS/H 353) | Expressway Authorities; Revising provisions for toll rate adjustments to limit applicability to certain authorities; revising governing body membership provisions for certain authorities; revising powers of certain authorities to increase tolls and incur debt; revising authorized use of surplus revenues; providing that certain toll increases are rescinded and such tolls must be reduced by a specified date; requiring certain authorities to provide periodic financial audits to the governing body of the county; revising authority of certain authorities to issue bonds, etc. TR 04/03/2014 Fav/CS CA AP | Fav/CS Yeas 6 Nays 4 |
| 6 | CS/SB 754 Banking and Insurance / Bradley (Identical CS/H 7063) | Certificates of Destruction; Revising requirements for the Department of Highway Safety and Motor Vehicles to declare certain mobile homes and motor vehicles unbuildable and to issue a certificate of destruction; requiring the department to issue certificates of destruction for motor vehicles that are worth less than a specified amount and are above a certain age under certain circumstances, etc. BI 03/19/2014 Fav/CS TR 04/03/2014 Fav/CS | Fav/CS Yeas 9 Nays 1 |
| 7 | SB 1618 Brandes (Similar H 1389) | Chauffeured Limousines; Citing this act as the "Chauffeured Limousines and Services Safety Act"; preempting the licensing and regulation of chauffeured limousines, chauffeured limousine services, and drivers of chauffeured limousines to the state; providing rules of operation for a chauffeured limousine service; providing chauffeured limousine vehicle standards; providing requirements for chauffeured limousine drivers; providing penalties; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules; revising proof of insurance requirements for owners or operators of chauffeured limousines and chauffeured limousine services, etc. TR 04/03/2014 Temporarily Postponed CA | Temporarily Postponed |

Other Related Meeting Documents

1335

STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections

I, Ken Detzner, Secretary of State,
do hereby certify that

Kenneth W. Wright

is duly appointed a member of the
Florida Transportation Commission

for a term beginning on the
Sixth day of September, A.D., 2013,
until the Thirtieth day of September, A.D., 2014,
and is subject to be confirmed by the Senate
during the next regular session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twelfth day of November, A.D., 2013.*

Ken Detzner

Secretary of State



DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

State of Florida appears in small letters across the face of this 8 1/2 x 11" document

If photocopied or chemically altered, the word "VOID" will appear.

5

OATH OF OFFICE
(Art. II, § 5(b), Fla. Const.)

RECEIVED
DEPARTMENT OF STATE
2013 NOV 12 AM 11:13
DIVISION OF ELECTIONS

STATE OF FLORIDA

County of Orange

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Commissioner, Florida Transportation Commission
(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

Sworn to and subscribed before me this 5th day of November, 2013.

Signature of Officer Administering Oath or of Notary Public

Michelle A. Palladino
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known OR Produced Identification

Type of Identification Produced _____



ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

300 S. Orange Avenue, Ste 1000

Street or Post Office Box

Orlando, FL 32801

City, State, Zip Code

Kenneth W. Wright

Print name as you desire commission issued

Signature



RICK SCOTT
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2013 SEP 16 AM 10:13
DIVISION OF ELECTIONS
TALLAHASSEE, FL

September 9, 2013

The Honorable Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following appointment under the provisions of Section 1001.71, Florida Statutes:

Mr. Kenneth W. Wright
300 South Orange Avenue
Suite 1000
Orlando, Florida 32801

as a member of the Florida Transportation Commission, succeeding Andy Tuck, subject to confirmation by the Senate. This appointment is effective September 6, 2013, for a term ending September 30, 2014.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/pb

11984

105579

QUESTIONNAIRE FOR SENATE CONFIRMATION

The information from this questionnaire will be used by the Florida Senate in considering action on your confirmation. The questionnaire **MUST BE COMPLETED IN FULL**. Answer "none" or "not applicable" where appropriate. Please type or print in blue or black ink.

September 23, 2013

Date Completed

1. Name: Mr. Wright Kenneth Warren
Mr./Mrs./Ms. Last First Middle/Maiden

2. Business Address: 300 South Orange Ave., Suite 1000 Orlando
Street Office # City
FL 32801 407/423-3200
Post Office Box State Zip Code Area Code/Phone Number

3. Residence Address: 1106 Palmer Avenue Winter Park Orange
Street City County
FL 32789 407/599-0646
Post Office Box State Zip Code Area Code/Phone Number

Specify the preferred mailing address: Business Residence Fax # 407-849-7272 (optional)

4. A. List all your places of residence for the last five (5) years.

| Address | City & State | From | To |
|--------------------|-----------------|-------|---------|
| 1106 Palmer Avenue | Winter Park, FL | 11/04 | Present |
| 712 Via Bella | Winter Park, FL | 11/03 | 11/04 |

B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood.

| Address | City & State | From |
|---------|--------------|------|
| None | | |

5. Date of Birth: 7/29/1948 Place of Birth: Charlotte, North Carolina

6. Social Security Number:

7. Driver License Number: Issuing State: FL

8. Have you ever used or been known by any other legal name? Yes No If "Yes" Explain

N/A

RECEIVED
DEPARTMENT OF STATE
2013 SEP 25 AM 9:52
DIVISION OF ELECTIONS

9. Are you a United States citizen? Yes No If "No" explain:

N/A

If you are a naturalized citizen, date of naturalization: N/A

10. Since what year have you been a continuous resident of Florida? 1960

11. Are you a registered Florida voter? Yes No If "Yes" list:

A. County of Registration: Orange

B. Current Party Affiliation: Republican

12. Education

A. High School: Colonial High School Year Graduated: 1966
(Name and Location)

B. List all postsecondary educational institutions attended:

| <u>Name & Location</u> | <u>Dates Attended</u> | <u>Certificates/Degrees Received</u> |
|-----------------------------|-----------------------|--------------------------------------|
| Orlando Junior College | 9/1966-6/1968 | A.A. |
| University of South Florida | 1968-1970 | B.A. Political Science |
| Cumberland School of Law | 1971-1974 | Juris Doctor |

13. Are you or have you ever been a member of the armed forces of the United States? Yes No If "Yes" list:

A. Dates of Service: N/A

B. Branch or Component: N/A

C. Date & type of discharge: N/A

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) Yes No If "Yes" give details:

| <u>Date</u> | <u>Place</u> | <u>Nature</u> | <u>Disposition</u> |
|-------------|--------------|---------------|--------------------|
| N/A | | | |

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

| <u>Employer's Name & Address</u> | <u>Type of Business</u> | <u>Occupation/Job Title</u> | <u>Period of Employment</u> |
|---|-------------------------|-----------------------------|-----------------------------|
| Shutts & Bowen LLP 300 S. Orange Avenue Suite 1000 Orlando, FL 32801 | Law Firm | Partner/Attorney | 1989-Present |

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No
If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

| <u>Position</u> | <u>Employing Agency</u> | <u>Period of Employment</u> |
|-----------------|-------------------------|-----------------------------|
| N/A | | |

17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

I served six (6) years as a Commissioner for the Florida Fish and Wildlife Conservation Commission, I served eight (8) years on the Orlando Sanford Airport Authority Board of Directors, and I am former General Counsel to the Orlando-Orange County Expressway Authority.

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes No If "Yes", list:

N/A

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes No If "Yes", list:

N/A

D. Identify all association memberships and association offices held by you that relate to this appointment:

Airports Council International - North American (ACI-NA)
Transportation And Expressway Authority Membership of Florida (TEAMFL)

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government? Yes No If "Yes", list:

N/A

19. A. Have you ever been elected or appointed to any public office in this state? Yes No If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

| Office Title | Date of Election or Appointment | Term of Office | Level of Government |
|-----------------------------|---------------------------------|----------------|---------------------|
| Comm'r, FWCC | 2007 | 2007-2013 | State |
| Chair, ERC | 1999 | 1999-2007 | State |
| Member, ECFRPC | 1988 | 1988-1989 | State |
| Chair, Sanford Airprt Auth. | | 1998-2003 | Local |
| Member, ERC | | 1/1991-6/1991 | State |

B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: Quarterly

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

| <u>Meetings Attended</u> | <u>Meetings Missed</u> | <u>Reason for Absence</u> |
|-------------------------------------|------------------------|---------------------------|
| <u>I never missed any meetings.</u> | | |

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes No If "Yes", give details:

| <u>Date</u> | <u>Nature of Violation</u> | <u>Disposition</u> |
|-------------|----------------------------|--------------------|
| <u>N/A</u> | | |

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes No If "Yes", list:

A. Title of office: N/A C. Reason for suspension: N/A

B. Date of suspension: N/A D. Result: Reinstated Removed Resigned

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes No If "Yes", list:

A. Title of Office: Chairman, Environmental Regulation Comm'n, and Comm'r, Florida Fish & Wildlife Conservation Commission

B. Term of Appointment: Two four (4) year terms

C. Confirmation results: Confirmed

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes No If "Yes", explain:

N/A

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes No If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

| <u>License/Certificate Title & Number</u> | <u>Original Issue Date</u> | <u>Issuing Authority</u> | <u>Disciplinary Action/Date</u> |
|---|----------------------------|--------------------------|---------------------------------|
| <u>0188759</u> | <u>1974</u> | <u>The Florida Bar</u> | <u>Fee Dispute - 1996</u> |

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

| <u>Name of Business</u> | <u>Your Relationship to Business</u> | <u>Business' Relationship to Agency</u> |
|-------------------------|--------------------------------------|---|
| <u>N/A</u> | | |

B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

| <u>Name of Business</u> | <u>Family Member's Relationship to You</u> | <u>Family Member's Relationship to Business</u> | <u>Business' Relationship to Agency</u> |
|-------------------------|--|---|---|
| N/A | | | |

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes No

A. Did you receive any compensation other than reimbursement for expenses? Yes No

B. Name of agency or entity you lobbied and the principal(s) you represented:

| <u>Agency Lobbied</u> | <u>Principal Represented</u> |
|-----------------------|------------------------------|
| N/A | |

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

| <u>Name</u> | <u>Mailing Address</u> | <u>Zip Code</u> | <u>Area Code/Phone Number</u> |
|-----------------|------------------------|-----------------|-------------------------------|
| John Miklos | | | |
| John Browning | | | |
| Scott Batterson | | | |

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

| <u>Name</u> | <u>Mailing Address</u> | <u>Office(s) Held & Term</u> | <u>Date(s) of Membership</u> |
|------------------|-------------------------------------|----------------------------------|------------------------------|
| Leukemia Society | 3319 Maguire Blvd. Ste 101, Orlando | Bd Member/President | 1992-1996 |
| Hubbs-Sea World | 7007 SeaWorld Dr, Orlando | Board Member | 2008-present |
| TEAMFL | 2121 Camden Rd Ste B, Orlando | Member | 2013-present |
| ACI-NA | 1615 L St NW, Washington, DC | Member | 2008-present |

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes No If "Yes", explain:

| |
|-----|
| N/A |
|-----|

30. If required by law or administrative rule, will you file financial disclosure statements? Yes No

MEMORANDUM

AS A GENERAL MATTER, APPLICATIONS FOR ALL POSITIONS WITHIN STATE GOVERNMENT ARE PUBLIC RECORDS WHICH MAY BE VIEWED BY ANYONE UPON REQUEST. HOWEVER, THERE ARE SOME EXEMPTIONS FROM THE PUBLIC RECORDS LAW FOR IDENTIFYING INFORMATION RELATING TO PAST AND PRESENT LAW ENFORCEMENT OFFICERS AND THEIR FAMILIES, VICTIMS OF CERTAIN CRIMES, ETC. IF YOU BELIEVE AN EXEMPTION FROM THE PUBLIC RECORDS LAW APPLIES TO YOUR SUBMISSION, PLEASE CHECK THIS BOX.

Yes, I assert that identifying information provided in this application should be excluded from inspection under the Public Records Law.

Because: (please provide cite.) _____

IF YOU NEED ADDITIONAL GUIDANCE AS TO THE APPLICABILITY OF ANY PUBLIC RECORDS LAW EXEMPTION TO YOUR SITUATION, PLEASE CONTACT THE OFFICE OF THE ATTORNEY GENERAL.

The Office of the Attorney General
PL-01, The Capitol
Tallahassee, Florida 32399
(850) 245-0150

RECEIVED
DEPARTMENT OF STATE
2013 SEP 26 AM 9:52
DIVISION OF ELECTIONS

CERTIFICATION

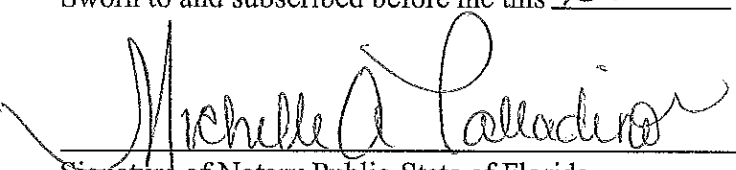
STATE OF FLORIDA
COUNTY OF ORANGE

Before me, the undersigned Notary Public of Florida, personally appeared
Kenneth W. Wright

who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.


Signature of Applicant-Affiant

Sworn to and subscribed before me this 23rd day of September 2013.


Signature of Notary Public-State of Florida

Michelle A. Palladino
(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: 5/30/14

Personally Known OR Produced Identification

Type of Identification Produced _____

RECEIVED
DEPARTMENT OF STATE
2013 SEP 26 AM 9:52
DEPARTMENT OF STATE
DIVISION OF ELECTIONS



(seal)

COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

COMMITTEE: Transportation
NAME: Wright, Kenneth W.
BOARD: Florida Transportation Commission
FINAL ACTION: Recommend Confirm
MEETING DATE: Thursday, April 3, 2014
TIME: 9:00 —10:30 a.m.
PLACE: 37 Senate Office Building

| FINAL VOTE | | | 4/03/2014 | 1 | | | | |
|------------|------------|----------------------|--|------------|------------|------------|------------|------------|
| | | | Motion to Recommend Confirm by Senator Lee | Lee | | | | |
| Yea | Nay | SENATORS | Yea | Nay | Yea | Nay | Yea | Nay |
| X | | Clemens | | | | | | |
| X | | Diaz de la Portilla | | | | | | |
| X | | Evers | | | | | | |
| X | | Garcia | | | | | | |
| X | | Joyner | | | | | | |
| X | | Lee | | | | | | |
| X | | Richter | | | | | | |
| X | | Thompson | | | | | | |
| X | | Margolis, VICE CHAIR | | | | | | |
| X | | Brandes, CHAIR | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| 10 | 0 | | FAV | - | | | | |
| Yea | Nay | TOTALS | Yea | Nay | Yea | Nay | Yea | Nay |

CODES: FAV=Favorable TP=Temporarily Postponed WD=Withdrawn
 UNF=Unfavorable VA=Vote After Roll Call OO=Out of Order
 -R=Reconsidered VC=Vote Change After Roll Call AV=Abstain from Voting

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: PCS 820

INTRODUCER: Senator Bullard

SUBJECT: Transportation Facility Designations

DATE: April 1, 2014

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|---------|----------------|-----------|--------------------|
| 1. | Miranda | Eichin | TR | Pre-meeting |
| 2. | | | CA | |

I. Summary:

PCS 820 creates a number of honorary designations of transportation facilities around the state as follows:

- S.R. 992/152nd Street between U.S. 1 and 117th Avenue in Miami-Dade County is designated as “Larcenia Bullard Way.”
- S.R. 73 between the Calhoun County Line and U.S. 231 in Jackson County is designated as “Governor Mixson Highway.”
- The bridge (numbers 170169 and 170170) over the Intracoastal Waterway on U.S. Business 41/S.R. 45/Tamiami Trail in the City of Venice is designated as “KMI Kentucky Military Institute Bridge.”
- 25th Street between East 8th Avenue and East 9th Avenue in Miami-Dade County is designated as “Tomas-Minerva Vinuela Way.”
- Ramp number eight at mile marker 40.7 on I-75/S.R. 93/Alligator Alley in Broward County is designated as “The Honorable Dale G. Bennett Boat Ramp.”
- S.R. 40 between the western incorporated limits of the City of Ormond Beach and the Volusia County line in Volusia County is designated as “Fred Karl Memorial Highway.”
- Bridge (Number 380047) on U.S. 98/S.R. 30 over the Aucilla River in Taylor County is designated as “SP4 Billy Jacob Hartsfield Bridge.”
- U.S. Route 301 between Martin Luther King, Jr. Blvd. and S.R. 60 in Hillsborough County is designated as “Sergeant Paul Smith, U.S. Route 301.”
- I-95/S.R. 9 between S.R. 834/Sample Road and the Palm Beach County line in Broward County is designated as “Trooper Kimberly Ann Hurd Memorial Highway.”
- S.R. 50 from U.S. 27 to Hancock Road in Lake County is designated as “Specialist Alexander Miller Memorial Highway.”
- S.R. 50 between the Sumter County Line and Lee Road in Lake County is designated as “Sergeant Jess Thomas Memorial Highway.”
- S.R. 44 between S.R. 44/County Road 44/Main Street and U.S. 27/S.R. 25/14th Street in Lake County is designated as “Staff Sergeant Michael A. Bock Memorial Highway.”

- S.R. 50 from the intersection with S.R. 33 to the intersection of S.R. 19 in Lake County is designated as “Specialist Ronald Gaffney Memorial Highway.”
- S.R. 269 between U.S.90/S.R. 10 and S.R. 12 in Gadsden County is designated as “Julia Munroe Woodward Highway.”
- U.S. 98/S.R. 30 between Rosewood Drive and Sunrise Drive in Santa Rosa County is designated as “Warren E. ‘Charlie’ Brown Memorial Highway.”
- S.R. 293 between the Mid-Bay Bridge Toll Plaza and S.R. 85 in Okaloosa County is designated as “Walter Francis Spence Parkway.”
- The Hurlburt Field Air Force Base overpass on U.S. Highway 98 in Okaloosa County is designated as “Colonel Bud Day Overpass.”
- S.R. 519 (Fiske Boulevard) located within the corporate limits of the City of Cocoa in Brevard County is designated as “Dr. Martin Luther King, Jr., Memorial Highway.”
- U.S. 1/S.R. 5/N.E. 6th Avenue between Ponce de Leon Drive and S.R. 84/S.E. 24th Street in Broward County is designated as “Robert L. Clark Memorial Highway.”
- U.S. 41/ S.R. 599/South 50th Street between Palm River Road and S.R. 676/Causeway Boulevard in Hillsborough County is designated as “Deputy Sheriff David Anthony Abella Memorial Highway.”
- I-10/S.R. 8 between mile post 232 and mile post 233 in Jefferson County is designated as “Trooper James Herbert Fulford, Jr., Memorial Highway.”
- U.S. 441/S.R. 7/NW 2nd Avenue between S.R. 860/NW 183rd Street and S.R. 852/NW 215th/County Line Road in Miami-Dade County is designated as “Nelson Mandela Boulevard.”
- S.R. 574 between I-75/S.R. 93A and I-4/S.R. 400 in Hillsborough County is designated as “POW/MIA Memorial Highway.”
- S.R. 948/NW 36th Street between NW South River Drive and Curtiss Parkway/NW 57th Avenue in Miami-Dade County is designated as “Miami Springs Boulevard.”
- S.R. 589 and S.R. 568/Veterans Expressway between S.R. 60/Courtney Campbell Causeway and S.R. 597/Dale Mabry Highway in Hillsborough County is designated as “RADM LeRoy Collins, Jr., Veterans Expressway.”
- I-10/S.R. 8 between Mile Marker 234 and the Madison County line in Jefferson County is designated as “CPT Tecarie “CZ” Czarnecki and TSgt David A Stone Memorial Highway.”

II. Present Situation:

Section 334.071, F.S., provides that legislative designations of transportation facilities are for honorary or memorial purposes, or to distinguish a particular facility. Such designations are not to be construed as requiring any action by local governments or private parties regarding the changing of any street signs, mailing addresses, or 911 emergency telephone number system listings, unless the legislation specifically provides for such changes.

When the Legislature establishes road or bridge designations, the Florida Department of Transportation (FDOT) is required to place markers only at the termini specified for each highway segment or bridge designated by the law creating the designation, and to erect any other markers it deems appropriate for the transportation facility.

FDOT may not erect the markers for honorary road or bridge designations unless the affected city or county commission enacts a resolution supporting the designation. When the designated road or bridge segment is located in more than one city or county, resolutions supporting the designations must be passed by each affected local government prior to the erection of the markers.

III. Effect of Proposed Changes:

Section 1 designates that portion of S.R. 992/152nd Street between U.S. 1 and 117th Avenue in Miami-Dade County as “Larcenia Bullard Way.”

Larcenia Bullard was a Democratic member of the Florida State Senate and House of Representatives. Larcenia Bullard was born in Allendale, South Carolina, and moved to Florida in 1980. In 1992, she was elected to the Florida House of Representatives from the 118th District. She was re-elected without opposition in 1994, and in 1996. Bullard sought a final term in the House in 1998. In 2002, Bullard was elected to the Florida State Senate from the 39th District, which included parts of Collier, Hendry, Miami-Dade, Monroe, and Palm Beach Counties. She held this office until 2012. She was unable to seek re-election in 2012 due to term limits. Her son, Dwight Bullard, was elected to replace her. Bullard died on March 16, 2013.

Section 2 designates that portion of S.R. 73 between the Calhoun County Line and U.S. 231 in Jackson County as “Governor Mixson Highway.”

Governor John Wayne Mixson was born and raised in New Brockton, Alabama. Shortly after graduating from high school, Governor Mixson moved to Jackson County Florida. During WWII, Governor Mixson served our nation honorably in the United States Navy. Following the war, the Governor attended Columbia University, the University of Pennsylvania as well as the University of Florida. Following his higher education, Governor Mixson served six consecutive terms in the Florida House of Representatives. In 1978, Governor Mixson chose not to run for another term in the House and instead ran for Lieutenant Governor alongside Governor Bob Graham. Governor Mixson served two terms as our State’s Lieutenant Governor. Additionally, in 1979, Governor Mixson was appointed to serve as a Special Ambassador to Ecuador by President Jimmy Carter. Upon election to the United States Senate in 1986, Governor Mixson succeeded Governor Graham as the 39th Governor of Florida for the remainder of his term when he left office to serve Florida in the United States Senate.

Section 3 designates the bridge over the Intracoastal Waterway (bascul bridge numbers 170169 and 170170) on U.S. Business 41/S.R. 45/Tamiami Trail in the City of Venice, Sarasota County, as the “KMI Kentucky Military Institute Bridge.”

The Kentucky Military institute (KMI), a military preparatory school, was located in Venice, Florida, from 1932 until 1973. Some KMI cadets and their families continue to live in the Venice community and others visit regularly for KMI reunions held every four years in Venice. On November 7, 2012, the City Council of the City of Venice, Florida, adopted Resolution No. 2012-16 expressing support for the “KMI Kentucky Military Institute Bridge” designation to preserve a part of the history of City of Venice.

Section 4 designates 25th Street between East 8th Avenue and East 9th Avenue in Miami-Dade County as “Tomas-Minerva Vinuela Way.”

Thomas and Minerva Vinuela emigrated from Cuba in the 1960’s and later founded Hialeah Hardware. More than two decades after the founding, the Vinuela family continues to own and operate the business.

Section 5 designates ramp number eight at mile marker 40.7 on I-75/S.R. 93/Alligator Alley in Broward County as “The Honorable Dale G. Bennett Boat Ramp.”

Dale G. Bennett was the Mayor of Hialeah and an Everglades conservationist. He passed away in 1997.

Section 6 designates that portion of S.R. 40 between the City of Ormond Beach and the Lake County Line in Volusia County as “Fred Karl Memorial Highway.”

Fred Karl served in the Florida House of Representatives, the Florida Senate, and as a justice of the Florida Supreme Court. He also served as the Hillsborough County Attorney and County Manager. He passed away on March 7, 2013.

Section 7 designates the bridge (number 380047) on U.S. 98/S.R. 30 over the Aucilla River in Taylor County as “SP4 Billy Jacob Hartsfield Bridge.”

Specialist Fourth Class Billy Jacob Hartsfield was a member of Bravo Battery, 14th Artillery, attached as FO Recon Sergeant and Aircraft Maintenance Crewman to Charlie Company, First Battalion, 46th Infantry, 196th Light Infantry Bridge, Americal Division who lost his life when his aircraft crashed in Quang Tin Province, South Vietnam, in 1970. On September 17, 2012, the Board of County Commissioners of Taylor County, Florida, adopted a resolution expressing its support for the “SP4 Billy Jacob Hartsfield Bridge” designation in honor of his memory.

Section 8 designates that portion of U.S. Route 301 between Martin Luther King, Jr. Blvd. and S.R. 60 in Hillsborough County as “Sergeant Paul Smith, U.S. Route 301.”

Sergeant First Class Paul R. Smith was a member Bravo Company, 11th Engineer Battalion, 2nd Platoon during Operation Iraqi Freedom, who lost his life while defending Bagdad International Airport during an ambush orchestrated by the Iraqi Special Republican Guard on April 4, 2003. Sergeant First Class Paul R. Smith was able to secure safe passage for the wounded by organizing a line of defense and mounting a disabled armored vehicle’s .50-caliber machine-gun. His actions saved the lives of at least 100 soldiers, caused the failure of a deliberate enemy attack hours after the site was seized, and resulted in an estimated 20-50 enemy soldiers killed. Sergeant First Class Paul R. Smith is a Medal of Honor Recipient.

Section 9 designates that portion of I-95/S.R. 9 between S.R. 834/Sample Road and the Palm Beach County line in Broward County as “Trooper Kimberly Ann Hurd Memorial Highway.”

Trooper Kimberly Ann Hurd, a Florida Highway Patrol Trooper, was hit and killed by a drunk driver on July 16, 1992 as she walked to the truck of another driver she had pulled over on

Interstate 95 just North of Sample Road in Pompano Beach. Officer Hurd is the only female Trooper killed in the line of duty of the FHP. She was a many time winner of the Mothers Against Drunk Drivers “100 Club”.

Section 10 designates that portion of S.R. 50 from U.S. 27 to Hancock Road in Lake County as “Specialist Alexander Miller Memorial Highway.”

Alexander Miller was born December 30, 1987 in Ft. Lauderdale. His family moved to Lake County when he was three years old. He attended both South Lake High School and East Ridge High School. In January 2007, he joined the Army and went to basic training in Ft. Benning Georgia. After Alex’s basic training he became a mortar squad leader, stationed in Ft. Drum, New York. He deployed to Afghanistan in January 2009, and died on July 31, 2009. He received a Bronze star, Purple Heart, and other service awards.

Section 11 designates that portion of S.R. 50 between the Sumter County Line and Lee Road in Lake County as “Sergeant Jess Thomas Memorial Highway.”

Jess Thomas was born March 8, 1947 to Mr. & Mrs. Fred Thomas. He lived all of his short life in Mascotte. Jess graduated from Groveland High School in 1965. He was drafted soon after graduation. He completed his training and was sent to Vietnam in 1967 as a Sergeant. On February 9, 1968, while on a mission, Jess was killed while saving the lives of his fellow men. He was honored by a military ceremony in Orlando. He was awarded two Purple Hearts and a Bronze Star at that time.

Section 12 designates that portion of S.R. 44 between S.R. 44/County Road 44/Main Street and U.S. 27/S.R. 25/14th Street in Lake County as “Staff Sergeant Michael A. Bock Memorial Highway.”

Staff Sergeant Michael A. Bock was born on September 11, 1983. Upon graduating from Leesburg High School in the Spring of 2002, he enlisted in the Marine Corps. Once he finished his Marine Corps Training he went on to Marine Corps Engineering School where he obtained the title of Combat Engineer. Staff Sargent Bock received orders for deployment to Iraq in 2003 and 2005, followed by deployments to Afghanistan in 2009 and 2010. During his enlistment Staff Sergeant Bock received the Combat Action Badge, Marine Corps Good Conduct Medal, the Navy and Marine Corps Achievement Medal, Afghanistan Campaign Medal, Iraq Campaign Medal, Global War on Terrorism Service Medal, Global War on Terrorism Expeditionary Medal, National Defense Service Medal, Navy Unit Commendation, Presidential Unit Citation – Navy, NATO Medal – ISAF Afghanistan, Certificate of Commendation, the Purple Heart, and our nation’s third highest honor, the Silver Star Medal. In August of 2010 Staff Sergeant Michael A. Bock lost his life in Afghanistan in support of Operation Enduring Freedom. Staff Sergeant Bock is survived by his wife Tiffany Bock, son Zander Bock, parents David and Sandra Bock, sister Christine, and brothers David and Paul.

Section 13 designates that portion of S.R. 50 between S.R. 33 and County Road 565A in Lake County as “Specialist Ronald Gaffney Memorial Highway.”

Specialist Ronald Gaffney, a Groveland native, was born on April 6, 1943. He was his senior class vice president/secretary, president of the Beta Club, and vice president of Key Club. He was in the Glee Club and Letter Club. He lettered in basketball, baseball, and football. He attended Kiwanis International Convention and was a delegate to Boys State. He enlisted after high school and intended to make the military his career. At the time of his death, he was on his third tour of duty in Vietnam as a Special Forces Green Beret Combat Engineer. On February 19, 1965, at 21 years of age he died a hero at the Vung Ro Bay incident and was awarded the Bronze Star for meritorious services while on duty with First Special Forces Group.

Section 14 designates S.R. 269, upon completion of its construction, between U.S. 90/S.R. 10 and S.R. 12 in Gadsden County as “Julia Munroe Woodward Highway.”

Julia Munroe Woodward was a life-long resident of Quincy, Florida, who contributed her time, talent, and resources for the betterment of her community. Various Gadsden County schools, the Quincy Garden Club, Quincy Garden Center, Gadsden Arts Center, Quincy Music Theater, Pilot Club, Girl Scouts, Boy Scouts, the First Presbyterian Church of Quincy and many other organizations benefited from her efforts on their behalf. Her appreciation for Gadsden County business, industry, and economic development was evidenced by her support of the Gadsden County Chamber of Commerce, and recognition of her service is evidenced by honors, awards, and accolades. Ms. Woodward passed away on December 9, 2012.

Section 15 designates that portion of U.S. 98/S.R. 30 between Rosewood Drive and Sunrise Drive in Santa Rosa County as “Warren E. “Charlie” Brown Memorial Highway.”

Warren E “Charlie” Brown was born on January 8, 1932 in Hamlet North Carolina. Charlie served our nation honorably for over 27 years in the United States Air Force. Charlie retired from military service as a Senior Master Sergeant in 1978. For over half of his career in the USAF, Charlie was stationed at Northwest Florida’s Hurlburt Field and served in Special Operations. After his retirement from the military, Charlie and his wife of 55 years, Shirley L. Brown made their home in Navarre. Shirley and Charlie had a passion for supporting and serving our Airmen in Northwest Florida and were often seen at military events throughout the panhandle offering their support. Additionally, Charlie was deeply involved in the business community of Santa Rosa County. He served as the director and executive director of the Navarre Beach Area Chamber of Commerce and was always active within the Military Affairs Committee for the Chamber. Charlie and Shirley were also active members in First Baptist Church of Fort Walton Beach.

Section 16 designates S.R. 293 between the Mid-Bay Bridge Toll Plaza and S.R. 85 in Okaloosa County as “Walter Francis Spence Parkway.”

Walter Francis Spence from Niceville has been instrumental in the growth and development of Niceville and Okaloosa County as a whole over the last 50 years. He graduated from Tulane University with an engineering degree and began working for Eglin Air Force Base in the 1950’s. He also served as President of the Niceville area’s Chamber of Commerce and began steering the chamber towards constructing the Mid-Bay Bridge in the late 1970’s. The Mid-Bay Bridge is now one of the main transportation arteries for residents and tourists alike, traveling to and from Destin and South Walton County. In the mid 1990’s, Walter formed Spence Brothers

Construction to develop and build commercial property in the surrounding area. He is still active in the company, the Mid-Bay Bridge Authority and does consulting work for the defense industry.

Section 17 designates that portion of the Hurlburt Field Air Force Base overpass on U.S. Highway 98 in Okaloosa County as “Colonel Bud Day Overpass.”

Colonel George Everett “Bud” Day (February 24, 1925 – July 27, 2013) served in the Marine Corps, the Army and the Air Force during his thirty-five years of military service. He was awarded ten Air Medals, four Purple Hearts, four Bronze Stars, the Silver Star, the Distinguished Flying Cross, the Legion of Merit, the Air Force Cross and the nation’s highest military honor, the Medal of Honor by President Gerald Ford in 1976. He was the most decorated member of the military since General Douglas MacArthur.

Section 18 designates that portion of S.R. 519 (Fiske Boulevard) located within the corporate limits of the City of Cocoa in Brevard County as “Dr. Martin Luther King, Jr., Memorial Highway.”

Dr. Martin Luther King, Jr. was a civil rights leader. He was killed on April 4, 1968.

Section 19 designates that portion of U.S. 1/S.R. 5/N.E. 6th Avenue between Ponce de Leon Drive and S.R. 84/SE 24th Street in Broward County as “Robert L. Clark Memorial Highway.”

Robert L. Clark served as a Broward County deputy sheriff and as President of the South Broward Drainage District.

Section 20 designates that portion of U.S. 41/S.R. 599/South 50th Street between Palm River Road and S.R. 676/Causeway Boulevard in Hillsborough County as “Deputy Sheriff David Anthony Abella Memorial Highway.”

Deputy Sheriff David Anthony Abella died while in uniform, serving with the Hillsborough County Sheriff’s Office on April 21, 2004. This location is where he lost his life. David was born on June 19, 1977, and was a very beloved citizen in the community.

Section 21 designates that portion of I-10/S.R. 8 between mile post 232 and mile post 233 in Jefferson County as “Trooper James Herbert Fulford, Jr., Memorial Highway.”

Trooper James Herbert Fulford, Jr., was a 14-year member of the Florida Highway Patrol who died in the line of duty on February 1, 1992, when a bomb exploded while he was searching a car.

Section 22 designates that portion of U.S. 441/S.R. 7/NW 2nd Avenue between S.R. 860/NW 183rd Street and S.R. 852/NW 215th/County Line Road in Miami-Dade County as “Nelson Mandela Boulevard.”

Nelson Mandela was born on July 18, 1918 in Mvezo, South Africa. Mr. Mandela joined the African National Congress and co-founded the African National Congress’ Youth League. In

1962 he was arrested for conspiracy to overthrow the apartheid government and sentenced to life imprisonment. He remained imprisoned for 27 years and his imprisonment prompted an international movement that lobbied for his release and an end to apartheid. Mr. Mandela was finally released from prison on February 11, 1990, and he continued his negotiations with the South African government as the leader of the African National Congress. Mr. Mandela earned the Nobel peace prize in 1993 for his considerable work in effectuating South Africa's peaceful transition from a system of apartheid, to one of democratic equality and universal suffrage. Due in large part to Mr. Mandela's efforts, South Africa held its first truly democratic election in April 1994. The outcome of South Africa's 1994 elections led to the historic and peaceful transition of power from the National Party to the African National Congress. The newly elected government's first act was to elect Nelson Mandela as the nation's president. Mr. Mandela used his presidency to help heal and unify South Africa and, in so doing, showed the entire world that love and cooperation are more powerful tools than hatred and retribution. After his presidency, Mr. Mandela remained committed to the task of improving the lives of South Africans through his philanthropic work, which focused on combating HIV/AIDS, and improving rural development and school construction. Mr. Mandela died on December 5, 2013 at the age of 95.

Section 23 designates that portion of S.R. 574 between I-75/S.R. 93A and I-4/S.R. 400 in Hillsborough County as "POW/MIA Memorial Highway."

In 1971, Mrs. Michael Hoff, an MIA wife and member of the National League of Families, recognized the need for a symbol of our POW/MIAs. Prompted by an article in the Jacksonville, Florida, TIMES-UNION, Mrs. Hoff contacted Norman Rivkees, Vice President of Annin & Company and designed a flag to represent our missing men. Following League approval, the flags were manufactured for distribution. On March 9, 1989, an official League flag that flew over the White House on National POW/MIA Recognition Day 1988 was installed in the U.S. Capitol Rotunda as a result of legislation passed overwhelmingly during the 100th Congress. The League's POW/MIA flag is the only flag ever displayed in the U.S. Capitol Rotunda where it will stand as a powerful symbol of national commitment to America's POW/MIAs until the fullest possible accounting has been achieved for U.S. personnel still missing and unaccounted for from the Vietnam War. On August 10, 1990, the 101st Congress passed U.S. Public Law 101-355, which recognized the League's POW/MIA flag and designated it "as the symbol of our Nation's concern and commitment to resolving as fully as possible the fates of Americans still prisoner, missing and unaccounted for in Southeast Asia, thus ending the uncertainty for their families and the Nation".

Section 24 designates that portion of S.R. 948/NW 36th Street between NW South River Drive and Curtiss Parkway/NW 57th Avenue in Miami-Dade County as "Miami Springs Boulevard."

On July 7, 1981, the Dade County Board of County Commissioners designated the street generally aligned with NW 36th Street but which also includes NW 41st Street and NW 36th Street Extension, from NW 42nd Avenue westerly to its junction with the Florida Turnpike as "Doral Boulevard". The City of Doral was incorporated in 2003. That portion of SR 948/NW 36th Street between NW South River Drive and Curtiss Parkway/NW 57th Avenue runs directly adjacent to the municipal boundaries of the City of Miami Springs. As a result of this prior designation, there has been confusion and questions have arisen as to the location of the City of Miami Springs.

Section 25 designates that portion of S.R. 589 and S.R. 568/Veterans Expressway between S.R. 60/Courtney Campbell Causeway and S.R. 597/Dale Mabry Highway in Hillsborough County as “RADM LeRoy Collins, Jr., Veterans Expressway.”

LeRoy Collins, Jr. was a Rear Admiral in the Navy Reserve, a prominent businessman and civic leader, and the former Executive Director of the Florida Department of Veterans Affairs. He passed away on July 29, 2010.

Section 26 designates that portion of I-10/S.R. 8 between Mile Marker 234 and the Madison County line in Jefferson County as “CPT Tecarie "CZ" Czarnecki and TSgt David A Stone Memorial Highway.”

Both were members of the 44th Civil Support Team stationed at Camp Blanding, FL. CPT Czarnecki was full-time in the Florida Army National Guard and TSgt Stone was full-time in the Florida Air National Guard. They died in an accident a quarter mile east of Exit 225 heading west on I-10 in Jefferson County on September 8, 2013.

Section 27 provides the bill takes effect on July 1, 2014.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The estimated cost to erect the designation markers required under this bill is \$26,000 for 52 signs at a cost of no less than \$500 each. The estimate includes sign fabrication, installation, and maintenance over time but does not include any additional expenses

related to maintenance of traffic, dedication event costs, or replacement necessitated by damage, vandalism, or storm events.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

None. This bill creates an undesignated section of Florida Law.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.



778236

LEGISLATIVE ACTION

| Senate | . | House |
|------------|---|-------|
| Comm: RCS | . | |
| 04/03/2014 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Transportation (Brandes) recommended the following:

Senate Amendment

Between lines 236 and 237
insert:

Section 27. C.W. "Bill" Young Memorial Highway designated;
Department of Transportation to erect suitable markers.-

(1) That portion of S.R. 694/Park Boulevard between U.S. 19
and Gulf Boulevard in Pinellas County is designated as "C.W.
"Bill" Young Memorial Highway."

(2) The Department of Transportation is directed to erect



778236

11 suitable markers designating C.W. "Bill" Young Memorial Highway
12 as described in subsection (1).

13 Section 28. Ronald A. Silver Drive designated; Department
14 of Transportation to erect suitable markers.-

15 (1) That portion of S.R. 60/Miami Gardens Drive between
16 S.R. 915/N.E. 6th Avenue and U.S. 1/S.R. 5 in Miami-Dade County
17 is designated as "Ronald A. Silver Drive."

18 (2) The Department of Transportation is directed to erect
19 suitable markers designating Ronald A. Silver Drive as described
20 in subsection (1).

21 Section 29. Ralph Sanchez Way designated; Department of
22 Transportation to erect suitable markers.-

23 (1) That portion of U.S. 1/U.S. 41/S.R. 5/Biscayne
24 Boulevard between U.S.1/U.S. 41/S.R. 5/S.E. 2nd Street and N.E.
25 3rd Street in Miami-Dade County is designated as "Ralph Sanchez
26 Way."

27 (2) The Department of Transportation is directed to erect
28 suitable markers designating Ralph Sanchez Way as described in
29 subsection (1).



631934

TR.TR.03606

Proposed Committee Substitute by the Committee on Transportation

A bill to be entitled

An act relating to transportation facility designations; providing honorary designations of certain transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; providing an effective date.

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

Section 1. Larcenia Bullard Way designated; Department of Transportation to erect suitable markers.-

(1) That portion of S.R. 992/152nd Street between U.S. 1 and 117th Avenue in Miami-Dade County is designated as "Larcenia Bullard Way."

(2) The Department of Transportation is directed to erect suitable markers designating Larcenia Bullard Way as described in subsection (1).

Section 2. Governor Mixson Highway designated; Department of Transportation to erect suitable markers.-

(1) That portion of S.R. 73 between the Calhoun County Line and U.S. 231 in Jackson County is designated as "Governor Mixson Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Governor Mixson Highway as described in subsection (1).

Section 3. KMI Kentucky Military Institute Bridge designated; Department of Transportation to erect suitable



631934

TR.TR.03606

markers.-

(1) Bascule bridges Numbers 170169 and 170170 on U.S. Business 41/S.R. 45/Tamiami Trail in Sarasota County are designated as "KMI Kentucky Military Institute Bridge."

(2) The Department of Transportation is directed to erect suitable markers designating KMI Kentucky Military Institute Bridge as described in subsection (1).

Section 4. Tomas-Minerva Vinuela Way designated; Department of Transportation to erect suitable markers.-

(1) That portion of 25th Street in Miami-Dade County between East 8th Avenue and East 9th Avenue is designated as "Tomas-Minerva Vinuela Way."

(2) The Department of Transportation is directed to erect suitable markers designating Tomas-Minerva Vinuela Way as described in subsection (1).

Section 5. The Honorable Dale G. Bennett Boat Ramp designated; Department of Transportation to erect suitable markers.-

(1) Ramp number 8 at mile marker 40.7 on I-75/S.R. 93/Alligator Alley in Broward County is designated as "The Honorable Dale G. Bennett Boat Ramp."

(2) The Department of Transportation is directed to erect suitable markers designating The Honorable Dale G. Bennett Boat Ramp as described in subsection (1).

Section 6. Fred Karl Memorial Highway designated; Department of Transportation to erect suitable markers.-

(1) That portion of S.R. 40 between the western incorporated limits of the City of Ormond Beach and the Volusia County line in Volusia County is designated as "Fred Karl



631934

TR.TR.03606

58 Memorial Highway."

59 (2) The Department of Transportation is directed to erect
60 suitable markers designating Fred Karl Memorial Highway as
61 described in subsection (1).

62 Section 7. SP4 Billy Jacob Hartsfield Bridge designated;
63 Department of Transportation to erect suitable markers.-

64 (1) Bridge number 380047 on U.S. 98/S.R. 30 over the
65 Aucilla River in Taylor County is designated as "SP4 Billy Jacob
66 Hartsfield Bridge."

67 (2) The Department of Transportation is directed to erect
68 suitable markers designating SP4 Billy Jacob Hartsfield Bridge
69 as described in subsection (1).

70 Section 8. Sergeant Paul Smith, U.S. Route 301 designated;
71 Department of Transportation to erect suitable markers.-

72 (1) That portion of U.S. Route 301 between Martin Luther
73 King, Jr. Blvd. and S.R. 60 in Hillsborough County is designated
74 as "Sergeant Paul Smith, U.S. Route 301."

75 (2) The Department of Transportation is directed to erect
76 suitable markers designating Sergeant Paul Smith, U.S. Route
77 301, as described in subsection (1).

78 Section 9. Trooper Kimberly Ann Hurd Memorial Highway
79 designated; Department of Transportation to erect suitable
80 markers.-

81 (1) That portion of I-95/S.R. 9 between S.R. 834/Sample
82 Road and the Palm Beach County line in Broward County is
83 designated as "Trooper Kimberly Ann Hurd Memorial Highway."

84 (2) The Department of Transportation is directed to erect
85 suitable markers designating Trooper Kimberly Ann Hurd Memorial
86 Highway, as described in subsection (1).



631934

TR.TR.03606

87 Section 10. Specialist Alexander Miller Memorial Highway
88 designated; Department of Transportation to erect suitable
89 markers.-

90 (1) That portion of S.R. 50 from U.S. 27 to Hancock Road in
91 Lake County is designated as "Specialist Alexander Miller
92 Memorial Highway."

93 (2) The Department of Transportation is directed to erect
94 suitable markers designating Specialist Alexander Miller
95 Memorial Highway as described in subsection (1).

96 Section 11. Jess Thomas Memorial Highway designated;
97 Department of Transportation to erect suitable markers.-

98 (1) That portion of S.R. 50 between the Sumter County Line
99 and Lee Road in Lake County is designated as "Jess Thomas
100 Memorial Highway."

101 (2) The Department of Transportation is directed to erect
102 suitable markers designating Jess Thomas Memorial Highway as
103 described in subsection (1).

104 Section 12. Staff Sergeant Michael A. Bock Memorial Highway
105 designated; Department of Transportation to erect suitable
106 markers.-

107 (1) That portion of S.R. 44 between S.R. 44/County Road
108 44/Main Street and U.S. 27/S.R. 25/14th Street in Lake County is
109 designated as "Staff Sergeant Michael A. Bock Memorial Highway."

110 (2) The Department of Transportation is directed to erect
111 suitable markers designating Staff Sergeant Michael A. Bock
112 Memorial Highway as described in subsection (1).

113 Section 13. Specialist Ronald Gaffney Memorial Highway
114 designated; Department of Transportation to erect suitable
115 markers.-



631934

TR.TR.03606

116 (1) That portion of S.R. 50 between S.R. 33 and County Road
117 565A in Lake County is designated as "Specialist Ronald Gaffney
118 Memorial Highway."

119 (2) The Department of Transportation is directed to erect
120 suitable markers designating Specialist Ronald Gaffney Memorial
121 Highway as described in subsection (1).

122 Section 14. Julia Munroe Woodward Highway designated;
123 Department of Transportation to erect suitable markers.-

124 (1) Upon completion of construction, S.R. 269 between U.S.
125 90/S.R. 10 and S.R. 12 in Gadsden County is designated as "Julia
126 Munroe Woodward Highway."

127 (2) The Department of Transportation is directed to erect
128 suitable markers designating Julia Munroe Woodward Highway as
129 described in subsection (1).

130 Section 15. Warren E. "Charlie" Brown Memorial Highway
131 designated; Department of Transportation to erect suitable
132 markers.-

133 (1) That portion of U.S 98/S.R. 30 between Rosewood Drive
134 and Sunrise Drive in Santa Rosa County is designated as "Warren
135 E. 'Charlie' Brown Memorial Highway."

136 (2) The Department of Transportation is directed to erect
137 suitable markers designating Warren E. "Charlie" Brown Memorial
138 Highway as described in subsection (1).

139 Section 16. Walter Francis Spence Parkway designated;
140 Department of Transportation to erect suitable markers.-

141 (1) That portion of S.R. 293 between Mid-Bay Bridge Toll
142 Plaza and S.R. 85 in Okaloosa County is designated as "Walter
143 Francis Spence Parkway."

144 (2) The Department of Transportation is directed to erect



631934

TR.TR.03606

145 suitable markers designating Walter Francis Spence Parkway as
146 described in subsection (1).

147 Section 17. Colonel Bud Day Overpass designated; Department
148 of Transportation to erect suitable markers.-

149 (1) The Hurlburt Field Air Force Base overpass on U.S.
150 Highway 98 in Okaloosa County is designated as "Colonel Bud Day
151 Overpass."

152 (2) The Department of Transportation is directed to erect
153 suitable markers designating Colonel Bud Day Overpass as
154 described in subsection (1).

155 Section 18. Dr. Martin Luther King Jr. Memorial Highway
156 designated; Department of Transportation to erect suitable
157 markers.-

158 (1) That portion of S.R. 519 (Fiske Boulevard) located
159 within the corporate limits of the City of Cocoa in Brevard
160 County is designated as "Dr. Martin Luther King, Jr. Memorial
161 Highway."

162 (2) The Department of Transportation is directed to erect
163 suitable markers designating Dr. Martin Luther King, Jr.
164 Memorial Highway as described in subsection (1).

165 Section 19. Robert L. Clark Memorial Highway designated;
166 Department of Transportation to erect suitable markers.-

167 (1) That portion of U.S. 1/S.R. 5/NE 6th Avenue between
168 Ponce de Leon Drive and S.R. 84/SE 24th Street in Broward County
169 is designated as "Robert L. Clark Memorial Highway."

170 (2) The Department of Transportation is directed to erect
171 suitable markers designating Robert L. Clark Memorial Highway as
172 described in subsection (1).

173 Section 20. Deputy Sheriff David Anthony Abella Memorial



631934

TR.TR.03606

174 Highway designated; Department of Transportation to erect
175 suitable markers.-

176 (1) That portion of U.S. 41/S.R. 599/South 50th Street
177 between Palm River Road and S.R. 676/Causeway Boulevard in
178 Hillsborough County is designated as "Deputy Sheriff David
179 Anthony Abella Memorial Highway."

180 (2) The Department of Transportation is directed to erect
181 suitable markers designating Deputy Sheriff David Anthony Abella
182 Memorial Highway as described in subsection (1).

183 Section 21. Trooper James Herbert Fulford, Jr., Memorial
184 Highway designated; Department of Transportation to erect
185 suitable markers.-

186 (1) That portion of I-10/S.R. 8 between mile post 232 and
187 mile post 233 in Jefferson County is designated as "Trooper
188 James Herbert Fulford, Jr., Memorial Highway."

189 (2) The Department of Transportation is directed to erect
190 suitable markers designating Trooper James Herbert Fulford, Jr.,
191 Memorial Highway as described in subsection (1).

192 Section 22. Nelson Mandela Boulevard designated; Department
193 of Transportation to erect suitable markers.-

194 (1) That portion of U.S. 441/S.R. 7/NW 2nd Avenue between
195 S.R. 860/NW 183rd Street and S.R. 852/NW 215th/County Line Road
196 in Miami-Dade County is designated as "Nelson Mandela
197 Boulevard."

198 (2) The Department of Transportation is directed to erect
199 suitable markers designating Nelson Mandela Boulevard as
200 described in subsection (1).

201 Section 23. POW/MIA Memorial designated; Department of
202 Transportation to erect suitable markers.-



631934

TR.TR.03606

203 (1) That portion of S.R. 574 between I-75/S.R. 93A and I-
204 4/S.R. 400 in Hillsborough County is designated as "POW/MIA
205 Memorial Highway."

206 (2) The Department of Transportation is directed to erect
207 suitable markers designating POW/MIA Memorial Highway as
208 described in subsection (1).

209 Section 24. Miami Springs Boulevard designated; Department
210 of Transportation to erect suitable markers.-

211 (1) That portion of S.R. 948/NW 36th Street between NW
212 South River Drive and Curtiss Parkway/NW 57th Avenue in Miami-
213 Dade County is designated as "Miami Springs Boulevard."

214 (2) The Department of Transportation is directed to erect
215 suitable markers designating Miami Springs Boulevard as
216 described in subsection (1).

217 Section 25. RADM LeRoy Collins, Jr., Veterans Expressway
218 designated; Department of Transportation to erect suitable
219 markers.-

220 (1) That portion of S.R. 589 and S.R. 568/Veterans
221 Expressway between S.R. 60/Courtney Campbell Causeway and S.R.
222 597/Dale Mabry Highway in Hillsborough County is designated as
223 "RADM LeRoy Collins, Jr., Veterans Expressway."

224 (2) The Department of Transportation is directed to erect
225 suitable markers designating RADM LeRoy Collins, Jr., Veterans
226 Expressway as described in subsection (1).

227 Section 26. CPT Tecarie "CZ" Czarnecki and TSgt David A
228 Stone Memorial Highway designated; Department of Transportation
229 to erect suitable markers.-

230 (1) That portion of I-10/S.R. 8 between Mile Marker 234 and
231 the Madison County line in Jefferson County is designated as



631934

TR.TR.03606

232 "CPT Tecarie "CZ" Czarnecki and TSgt David A Stone Memorial
233 Highway."

234 (2) The Department of Transportation is directed to erect
235 suitable markers designating Nelson Mandela Boulevard as
236 described in subsection (1).

237 Section 27. This act shall take effect July 1, 2014.

238

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: CS/SB 820

INTRODUCER: Transportation Committee and Senator Bullard

SUBJECT: Transportation Facility Designations

DATE: April 3, 2014

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|---------|----------------|-----------|--------|
| 1. | Miranda | Eichin | TR | Fav/CS |
| 2. | | | CA | |

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 820 creates a number of honorary designations of transportation facilities around the state as follows:

- S.R. 992/152nd Street between U.S. 1 and 117th Avenue in Miami-Dade County is designated as “Larcenia Bullard Way.”
- S.R. 73 between the Calhoun County Line and U.S. 231 in Jackson County is designated as “Governor Mixson Highway.”
- The bridge (numbers 170169 and 170170) over the Intracoastal Waterway on U.S. Business 41/S.R. 45/Tamiami Trail in the City of Venice is designated as “KMI Kentucky Military Institute Bridge.”
- 25th Street between East 8th Avenue and East 9th Avenue in Miami-Dade County is designated as “Tomas-Minerva Vinuela Way.”
- Ramp number eight at mile marker 40.7 on I-75/S.R. 93/Alligator Alley in Broward County is designated as “The Honorable Dale G. Bennett Boat Ramp.”
- S.R. 40 between the western incorporated limits of the City of Ormond Beach and the Volusia County line in Volusia County is designated as “Fred Karl Memorial Highway.”
- Bridge (Number 380047) on U.S. 98/S.R. 30 over the Aucilla River in Taylor County is designated as “SP4 Billy Jacob Hartsfield Bridge.”
- U.S. Route 301 between Martin Luther King, Jr. Blvd. and S.R. 60 in Hillsborough County is designated as “Sergeant Paul Smith, U.S. Route 301.”
- I-95/S.R. 9 between S.R. 834/Sample Road and the Palm Beach County line in Broward County is designated as “Trooper Kimberly Ann Hurd Memorial Highway.”

- S.R. 50 from U.S. 27 to Hancock Road in Lake County is designated as “Specialist Alexander Miller Memorial Highway.”
- S.R. 50 between the Sumter County Line and Lee Road in Lake County is designated as “Sergeant Jess Thomas Memorial Highway.”
- S.R. 44 between S.R. 44/County Road 44/Main Street and U.S. 27/S.R. 25/14th Street in Lake County is designated as “Staff Sergeant Michael A. Bock Memorial Highway.”
- S.R. 50 from the intersection with S.R. 33 to the intersection of S.R. 19 in Lake County is designated as “Specialist Ronald Gaffney Memorial Highway.”
- S.R. 269 between U.S.90/S.R. 10 and S.R. 12 in Gadsden County is designated as “Julia Munroe Woodward Highway.”
- U.S. 98/S.R. 30 between Rosewood Drive and Sunrise Drive in Santa Rosa County is designated as “Warren E. ‘Charlie’ Brown Memorial Highway.”
- S.R. 293 between the Mid-Bay Bridge Toll Plaza and S.R. 85 in Okaloosa County is designated as “Walter Francis Spence Parkway.”
- The Hurlburt Field Air Force Base overpass on U.S. Highway 98 in Okaloosa County is designated as “Colonel Bud Day Overpass.”
- S.R. 519 (Fiske Boulevard) located within the corporate limits of the City of Cocoa in Brevard County is designated as “Dr. Martin Luther King, Jr., Memorial Highway.”
- U.S. 1/S.R. 5/N.E. 6th Avenue between Ponce de Leon Drive and S.R. 84/S.E. 24th Street in Broward County is designated as “Robert L. Clark Memorial Highway.”
- U.S. 41/ S.R. 599/South 50th Street between Palm River Road and S.R. 676/Causeway Boulevard in Hillsborough County is designated as “Deputy Sheriff David Anthony Abella Memorial Highway.”
- I-10/S.R. 8 between mile post 232 and mile post 233 in Jefferson County is designated as “Trooper James Herbert Fulford, Jr., Memorial Highway.”
- U.S. 441/S.R. 7/NW 2nd Avenue between S.R. 860/NW 183rd Street and S.R. 852/NW 215th/County Line Road in Miami-Dade County is designated as “Nelson Mandela Boulevard.”
- S.R. 574 between I-75/S.R. 93A and I-4/S.R. 400 in Hillsborough County is designated as “POW/MIA Memorial Highway.”
- S.R. 948/NW 36th Street between NW South River Drive and Curtiss Parkway/NW 57th Avenue in Miami-Dade County is designated as “Miami Springs Boulevard.”
- S.R. 589 and S.R. 568/Veterans Expressway between S.R. 60/Courtney Campbell Causeway and S.R. 597/Dale Mabry Highway in Hillsborough County is designated as “RADM LeRoy Collins, Jr., Veterans Expressway.”
- I-10/S.R. 8 between Mile Marker 234 and the Madison County line in Jefferson County is designated as “CPT Tecarie "CZ" Czarnecki and TSgt David A Stone Memorial Highway.”
- S.R. 694/Park Boulevard between U.S. 19 and Gulf Boulevard in Pinellas County is designated as “C.W. “Bill” Young Memorial Highway.”
- Miami Gardens between NE 6th Avenue to U.S. 1, in Miami-Dade County is designated as “Ronald A. Silver Drive.”
- U.S. 1/U.S. 41/S.R. 5/Biscayne Boulevard between U.S. 1/U.S. 41/S.R. 5/S.E. 2nd Street and N.E. 3rd Street in Miami-Dade County is designated as “Ralph Sanchez Way.”

II. Present Situation:

Section 334.071, F.S., provides that legislative designations of transportation facilities are for honorary or memorial purposes, or to distinguish a particular facility. Such designations are not to be construed as requiring any action by local governments or private parties regarding the changing of any street signs, mailing addresses, or 911 emergency telephone number system listings, unless the legislation specifically provides for such changes.

When the Legislature establishes road or bridge designations, the Florida Department of Transportation (FDOT) is required to place markers only at the termini specified for each highway segment or bridge designated by the law creating the designation, and to erect any other markers it deems appropriate for the transportation facility.

FDOT may not erect the markers for honorary road or bridge designations unless the affected city or county commission enacts a resolution supporting the designation. When the designated road or bridge segment is located in more than one city or county, resolutions supporting the designations must be passed by each affected local government prior to the erection of the markers.

III. Effect of Proposed Changes:

Section 1 designates that portion of S.R. 992/152nd Street between U.S. 1 and 117th Avenue in Miami-Dade County as “Larcenia Bullard Way.”

Larcenia Bullard was a Democratic member of the Florida State Senate and House of Representatives. Larcenia Bullard was born in Allendale, South Carolina, and moved to Florida in 1980. In 1992, she was elected to the Florida House of Representatives from the 118th District. She was re-elected without opposition in 1994, and in 1996. Bullard sought a final term in the House in 1998. In 2002, Bullard was elected to the Florida State Senate from the 39th District, which included parts of Collier, Hendry, Miami-Dade, Monroe, and Palm Beach Counties. She held this office until 2012. She was unable to seek re-election in 2012 due to term limits. Her son, Dwight Bullard, was elected to replace her. Bullard died on March 16, 2013.

Section 2 designates that portion of S.R. 73 between the Calhoun County Line and U.S. 231 in Jackson County as “Governor Mixson Highway.”

Governor John Wayne Mixson was born and raised in New Brockton, Alabama. Shortly after graduating from high school, Governor Mixson moved to Jackson County Florida. During WWII, Governor Mixson served our nation honorably in the United States Navy. Following the war, the Governor attended Columbia University, the University of Pennsylvania as well as the University of Florida. Following his higher education, Governor Mixson served six consecutive terms in the Florida House of Representatives. In 1978, Governor Mixson chose not to run for another term in the House and instead ran for Lieutenant Governor alongside Governor Bob Graham. Governor Mixson served two terms as our State’s Lieutenant Governor. Additionally, in 1979, Governor Mixson was appointed to serve as a Special Ambassador to Ecuador by President Jimmy Carter. Upon election to the United States Senate in 1986, Governor Mixson

succeeded Governor Graham as the 39th Governor of Florida for the remainder of his term when he left office to serve Florida in the United States Senate.

Section 3 designates the bridge over the Intracoastal Waterway (bascul bridge numbers 170169 and 170170) on U.S. Business 41/S.R. 45/Tamiami Trail in the City of Venice, Sarasota County, as the “KMI Kentucky Military Institute Bridge.”

The Kentucky Military institute (KMI), a military preparatory school, was located in Venice, Florida, from 1932 until 1973. Some KMI cadets and their families continue to live in the Venice community and others visit regularly for KMI reunions held every four years in Venice. On November 7, 2012, the City Council of the City of Venice, Florida, adopted Resolution No. 2012-16 expressing support for the “KMI Kentucky Military Institute Bridge” designation to preserve a part of the history of City of Venice.

Section 4 designates 25th Street between East 8th Avenue and East 9th Avenue in Miami-Dade County as “Tomas-Minerva Vinuela Way.”

Thomas and Minerva Vinuela emigrated from Cuba in the 1960’s and later founded Hialeah Hardware. More than two decades after the founding, the Vinuela family continues to own and operate the business.

Section 5 designates ramp number eight at mile marker 40.7 on I-75/S.R. 93/Alligator Alley in Broward County as “The Honorable Dale G. Bennett Boat Ramp.”

Dale G. Bennett was the Mayor of Hialeah and an Everglades conservationist. He passed away in 1997.

Section 6 designates that portion of S.R. 40 between the City of Ormond Beach and the Lake County Line in Volusia County as “Fred Karl Memorial Highway.”

Fred Karl served in the Florida House of Representatives, the Florida Senate, and as a justice of the Florida Supreme Court. He also served as the Hillsborough County Attorney and County Manager. He passed away on March 7, 2013.

Section 7 designates the bridge (number 380047) on U.S. 98/S.R. 30 over the Aucilla River in Taylor County as “SP4 Billy Jacob Hartsfield Bridge.”

Specialist Fourth Class Billy Jacob Hartsfield was a member of Bravo Battery, 14th Artillery, attached as FO Recon Sergeant and Aircraft Maintenance Crewman to Charlie Company, First Battalion, 46th Infantry, 196th Light Infantry Brigade, Americal Division who lost his life when his aircraft crashed in Quang Tin Province, South Vietnam, in 1970. On September 17, 2012, the Board of County Commissioners of Taylor County, Florida, adopted a resolution expressing its support for the “SP4 Billy Jacob Hartsfield Bridge” designation in honor of his memory.

Section 8 designates that portion of U.S. Route 301 between Martin Luther King, Jr. Blvd. and S.R. 60 in Hillsborough County as “Sergeant Paul Smith, U.S. Route 301.”

Sergeant First Class Paul R. Smith was a member Bravo Company, 11th Engineer Battalion, 2nd Platoon during Operation Iraqi Freedom, who lost his life while defending Bagdad International Airport during an ambush orchestrated by the Iraqi Special Republican Guard on April 4, 2003. Sergeant First Class Paul R. Smith was able to secure safe passage for the wounded by organizing a line of defense and mounting a disabled armored vehicle's .50-caliber machine-gun. His actions saved the lives of at least 100 soldiers, caused the failure of a deliberate enemy attack hours after the site was seized, and resulted in an estimated 20-50 enemy soldiers killed. Sergeant First Class Paul R. Smith is a Medal of Honor Recipient.

Section 9 designates that portion of I-95/S.R. 9 between S.R. 834/Sample Road and the Palm Beach County line in Broward County as "Trooper Kimberly Ann Hurd Memorial Highway."

Trooper Kimberly Ann Hurd, a Florida Highway Patrol Trooper, was hit and killed by a drunk driver on July 16, 1992 as she walked to the truck of another driver she had pulled over on Interstate 95 just North of Sample Road in Pompano Beach. Officer Hurd is the only female Trooper killed in the line of duty of the FHP. She was a many time winner of the Mothers Against Drunk Drivers "100 Club".

Section 10 designates that portion of S.R. 50 from U.S. 27 to Hancock Road in Lake County as "Specialist Alexander Miller Memorial Highway."

Alexander Miller was born December 30, 1987 in Ft. Lauderdale. His family moved to Lake County when he was three years old. He attended both South Lake High School and East Ridge High School. In January 2007, he joined the Army and went to basic training in Ft. Benning Georgia. After Alex's basic training he became a mortar squad leader, stationed in Ft. Drum, New York. He deployed to Afghanistan in January 2009, and died on July 31, 2009. He received a Bronze star, Purple Heart, and other service awards.

Section 11 designates that portion of S.R. 50 between the Sumter County Line and Lee Road in Lake County as "Sergeant Jess Thomas Memorial Highway."

Jess Thomas was born March 8, 1947 to Mr. & Mrs. Fred Thomas. He lived all of his short life in Mascotte. Jess graduated from Groveland High School in 1965. He was drafted soon after graduation. He completed his training and was sent to Vietnam in 1967 as a Sergeant. On February 9, 1968, while on a mission, Jess was killed while saving the lives of his fellow men. He was honored by a military ceremony in Orlando. He was awarded two Purple Hearts and a Bronze Star at that time.

Section 12 designates that portion of S.R. 44 between S.R. 44/County Road 44/Main Street and U.S. 27/S.R. 25/14th Street in Lake County as "Staff Sergeant Michael A. Bock Memorial Highway."

Staff Sergeant Michael A. Bock was born on September 11, 1983. Upon graduating from Leesburg High School in the Spring of 2002, he enlisted in the Marine Corps. Once he finished his Marine Corps Training he went on to Marine Corps Engineering School where he obtained the title of Combat Engineer. Staff Sargent Bock received orders for deployment to Iraq in 2003 and 2005, followed by deployments to Afghanistan in 2009 and 2010. During his enlistment

Staff Sergeant Bock received the Combat Action Badge, Marine Corps Good Conduct Medal, the Navy and Marine Corps Achievement Medal, Afghanistan Campaign Medal, Iraq Campaign Medal, Global War on Terrorism Service Medal, Global War on Terrorism Expeditionary Medal, National Defense Service Medal, Navy Unit Commendation, Presidential Unit Citation – Navy, NATO Medal – ISAF Afghanistan, Certificate of Commendation, the Purple Heart, and our nation’s third highest honor, the Silver Star Medal. In August of 2010 Staff Sergeant Michael A. Bock lost his life in Afghanistan in support of Operation Enduring Freedom. Staff Sergeant Bock is survived by his wife Tiffany Bock, son Zander Bock, parents David and Sandra Bock, sister Christine, and brothers David and Paul.

Section 13 designates that portion of S.R. 50 between S.R. 33 and County Road 565A in Lake County as “Specialist Ronald Gaffney Memorial Highway.”

Specialist Ronald Gaffney, a Groveland native, was born on April 6, 1943. He was his senior class vice president/secretary, president of the Beta Club, and vice president of Key Club. He was in the Glee Club and Letter Club. He lettered in basketball, baseball, and football. He attended Kiwanis International Convention and was a delegate to Boys State. He enlisted after high school and intended to make the military his career. At the time of his death, he was on his third tour of duty in Vietnam as a Special Forces Green Beret Combat Engineer. On February 19, 1965, at 21 years of age he died a hero at the Vung Ro Bay incident and was awarded the Bronze Star for meritorious services while on duty with First Special Forces Group.

Section 14 designates S.R. 269, upon completion of its construction, between U.S. 90/S.R. 10 and S.R. 12 in Gadsden County as “Julia Munroe Woodward Highway.”

Julia Munroe Woodward was a life-long resident of Quincy, Florida, who contributed her time, talent, and resources for the betterment of her community. Various Gadsden County schools, the Quincy Garden Club, Quincy Garden Center, Gadsden Arts Center, Quincy Music Theater, Pilot Club, Girl Scouts, Boy Scouts, the First Presbyterian Church of Quincy and many other organizations benefited from her efforts on their behalf. Her appreciation for Gadsden County business, industry, and economic development was evidenced by her support of the Gadsden County Chamber of Commerce, and recognition of her service is evidenced by honors, awards, and accolades. Ms. Woodward passed away on December 9, 2012.

Section 15 designates that portion of U.S. 98/S.R. 30 between Rosewood Drive and Sunrise Drive in Santa Rosa County as “Warren E. “Charlie” Brown Memorial Highway.”

Warren E “Charlie” Brown was born on January 8, 1932 in Hamlet North Carolina. Charlie served our nation honorably for over 27 years in the United States Air Force. Charlie retired from military service as a Senior Master Sergeant in 1978. For over half of his career in the USAF, Charlie was stationed at Northwest Florida’s Hurlburt Field and served in Special Operations. After his retirement from the military, Charlie and his wife of 55 years, Shirley L. Brown made their home in Navarre. Shirley and Charlie had a passion for supporting and serving our Airmen in Northwest Florida and were often seen at military events throughout the panhandle offering their support. Additionally, Charlie was deeply involved in the business community of Santa Rosa County. He served as the director and executive director of the Navarre Beach Area Chamber of Commerce and was always active within the Military Affairs

Committee for the Chamber. Charlie and Shirley were also active members in First Baptist Church of Fort Walton Beach.

Section 16 designates S.R. 293 between the Mid-Bay Bridge Toll Plaza and S.R. 85 in Okaloosa County as “Walter Francis Spence Parkway.”

Walter Francis Spence from Niceville has been instrumental in the growth and development of Niceville and Okaloosa County as a whole over the last 50 years. He graduated from Tulane University with an engineering degree and began working for Eglin Air Force Base in the 1950’s. He also served as President of the Niceville area’s Chamber of Commerce and began steering the chamber towards constructing the Mid-Bay Bridge in the late 1970’s. The Mid-Bay Bridge is now one of the main transportation arteries for residents and tourists alike, traveling to and from Destin and South Walton County. In the mid 1990’s, Walter formed Spence Brothers Construction to develop and build commercial property in the surrounding area. He is still active in the company, the Mid-Bay Bridge Authority and does consulting work for the defense industry.

Section 17 designates that portion of the Hurlburt Field Air Force Base overpass on U.S. Highway 98 in Okaloosa County as “Colonel Bud Day Overpass.”

Colonel George Everett “Bud” Day (February 24, 1925 – July 27, 2013) served in the Marine Corps, the Army and the Air Force during his thirty-five years of military service. He was awarded ten Air Medals, four Purple Hearts, four Bronze Stars, the Silver Star, the Distinguished Flying Cross, the Legion of Merit, the Air Force Cross and the nation’s highest military honor, the Medal of Honor by President Gerald Ford in 1976. He was the most decorated member of the military since General Douglas MacArthur.

Section 18 designates that portion of S.R. 519 (Fiske Boulevard) located within the corporate limits of the City of Cocoa in Brevard County as “Dr. Martin Luther King, Jr., Memorial Highway.”

Dr. Martin Luther King, Jr. was a civil rights leader. He was killed on April 4, 1968.

Section 19 designates that portion of U.S. 1/S.R. 5/N.E. 6th Avenue between Ponce de Leon Drive and S.R. 84/SE 24th Street in Broward County as “Robert L. Clark Memorial Highway.”

Robert L. Clark served as a Broward County deputy sheriff and as President of the South Broward Drainage District.

Section 20 designates that portion of U.S. 41/S.R. 599/South 50th Street between Palm River Road and S.R. 676/Causeway Boulevard in Hillsborough County as “Deputy Sheriff David Anthony Abella Memorial Highway.”

Deputy Sheriff David Anthony Abella died while in uniform, serving with the Hillsborough County Sheriff’s Office on April 21, 2004. This location is where he lost his life. David was born on June 19, 1977, and was a very beloved citizen in the community.

Section 21 designates that portion of I-10/S.R. 8 between mile post 232 and mile post 233 in Jefferson County as “Trooper James Herbert Fulford, Jr., Memorial Highway.”

Trooper James Herbert Fulford, Jr., was a 14-year member of the Florida Highway Patrol who died in the line of duty on February 1, 1992, when a bomb exploded while he was searching a car.

Section 22 designates that portion of U.S. 441/S.R. 7/NW 2nd Avenue between S.R. 860/NW 183rd Street and S.R. 852/NW 215th/County Line Road in Miami-Dade County as “Nelson Mandela Boulevard.”

Nelson Mandela was born on July 18, 1918 in Mvezo, South Africa. Mr. Mandela joined the African National Congress and co-founded the African National Congress’ Youth League. In 1962 he was arrested for conspiracy to overthrow the apartheid government and sentenced to life imprisonment. He remained imprisoned for 27 years and his imprisonment prompted an international movement that lobbied for his release and an end to apartheid. Mr. Mandela was finally released from prison on February 11, 1990, and he continued his negotiations with the South African government as the leader of the African National Congress. Mr. Mandela earned the Nobel peace prize in 1993 for his considerable work in effectuating South Africa’s peaceful transition from a system of apartheid, to one of democratic equality and universal suffrage. Due in large part to Mr. Mandela’s efforts, South Africa held its first truly democratic election in April 1994. The outcome of South Africa’s 1994 elections led to the historic and peaceful transition of power from the National Party to the African National Congress. The newly elected government’s first act was to elect Nelson Mandela as the nation’s president. Mr. Mandela used his presidency to help heal and unify South Africa and, in so doing, showed the entire world that love and cooperation are more powerful tools than hatred and retribution. After his presidency, Mr. Mandela remained committed to the task of improving the lives of South Africans through his philanthropic work, which focused on combating HIV/AIDS, and improving rural development and school construction. Mr. Mandela died on December 5, 2013 at the age of 95.

Section 23 designates that portion of S.R. 574 between I-75/S.R. 93A and I-4/S.R. 400 in Hillsborough County as “POW/MIA Memorial Highway.”

In 1971, Mrs. Michael Hoff, an MIA wife and member of the National League of Families, recognized the need for a symbol of our POW/MIAs. Prompted by an article in the Jacksonville, Florida, TIMES-UNION, Mrs. Hoff contacted Norman Rivkees, Vice President of Annin & Company and designed a flag to represent our missing men. Following League approval, the flags were manufactured for distribution. On March 9, 1989, an official League flag that flew over the White House on National POW/MIA Recognition Day 1988 was installed in the U.S. Capitol Rotunda as a result of legislation passed overwhelmingly during the 100th Congress. The League’s POW/MIA flag is the only flag ever displayed in the U.S. Capitol Rotunda where it will stand as a powerful symbol of national commitment to America’s POW/MIAs until the fullest possible accounting has been achieved for U.S. personnel still missing and unaccounted for from the Vietnam War. On August 10, 1990, the 101st Congress passed U.S. Public Law 101-355, which recognized the League’s POW/MIA flag and designated it “as the symbol of our Nation’s concern and commitment to resolving as fully as possible the fates of Americans still

prisoner, missing and unaccounted for in Southeast Asia, thus ending the uncertainty for their families and the Nation”.

Section 24 designates that portion of S.R. 948/NW 36th Street between NW South River Drive and Curtiss Parkway/NW 57th Avenue in Miami-Dade County as “Miami Springs Boulevard.”

On July 7, 1981, the Dade County Board of County Commissioners designated the street generally aligned with NW 36th Street but which also includes NW 41st Street and NW 36th Street Extension, from NW 42nd Avenue westerly to its junction with the Florida Turnpike as “Doral Boulevard”. The City of Doral was incorporated in 2003. That portion of SR 948/NW 36th Street between NW South River Drive and Curtiss Parkway/NW 57th Avenue runs directly adjacent to the municipal boundaries of the City of Miami Springs. As a result of this prior designation, there has been confusion and questions have arisen as to the location of the City of Miami Springs.

Section 25 designates that portion of S.R. 589 and S.R. 568/Veterans Expressway between S.R. 60/Courtney Campbell Causeway and S.R. 597/Dale Mabry Highway in Hillsborough County as “RADM LeRoy Collins, Jr., Veterans Expressway.”

LeRoy Collins, Jr. was a Rear Admiral in the Navy Reserve, a prominent businessman and civic leader, and the former Executive Director of the Florida Department of Veterans Affairs. He passed away on July 29, 2010.

Section 26 designates that portion of I-10/S.R. 8 between Mile Marker 234 and the Madison County line in Jefferson County as “CPT Tecarie "CZ" Czarnecki and TSgt David A Stone Memorial Highway.”

Both were members of the 44th Civil Support Team stationed at Camp Blanding, FL. CPT Czarnecki was full-time in the Florida Army National Guard and TSgt Stone was full-time in the Florida Air National Guard. They died in an accident a quarter mile east of Exit 225 heading west on I-10 in Jefferson County on September 8, 2013.

Section 27 designates that portion of S.R. 694/Park Boulevard between U.S. 19 and Gulf Boulevard in Pinellas County as “C.W. “Bill” Young Memorial Highway.”

C.W. “Bill” Young was born in Harmarville, Pennsylvania in 1930 and would move to the St. Petersburg area at the age of 16. Mr. Young served in the Florida Senate from 1961 to 1970, and was minority leader in that chamber from 1966 to 1970. Young was elected to Congress in 1970 from what was then the 8th District. Mr. Young served in the United States House of Representatives from 1971 to 2013. Mr. Young served as chairman of the House Committee on Appropriations from 1999 to 2005. He was the longest-serving Republican member of Congress at the time of his death.

He passed away on October 18, 2013

Section 28 designates that portion of Miami Gardens between NE 6th Avenue to U.S. 1, in Miami-Dade County as “Ronald A. Silver Drive.”

Ronald A. Silver served in the Florida House of Representatives in 1978, and continued his tenure in that body until 1992. While in the Florida House, Mr. Silver held the title of Majority Whip (1984-1996), Majority Leader (1986-1998) and chaired various committees. Mr. Silver was elected to the Florida Senate in 1992 until 2002. Since serving as Senator, Mr. Silver sits on the Board of Directors of Our Kids of Miami-Dade/Monroe, Inc., Recording for the Blind & Dyslexic of Florida, Adrienne Arscht Performing Center Trust and the advisory board for Marquis Bank. Silver is married with two children and three grandchildren and resides with his family in North Miami Beach.

Section 29 designates that portion of U.S. 1/U.S. 41/S.R. 5/Biscayne Boulevard between U.S. 1/U.S. 41/S.R. 5/SE 2nd Street and N.E. 3rd Street in Miami-Dade County as “Ralph Sanchez Way.”

Ralph Sanchez was a Cuban-born businessman who brought Grand Prix to the streets of Miami in the 1980s and founded the Homestead-Miami Speedway. Mr. Sanchez was born in Cuba in 1948 as a child he came to the United States alone as part of Operation Pedro Pan airlift, in which more than 14,000 unaccompanied children, some as young as six years old, were flown out of Cuba from December 1960 to October 1962 after the country’s Communist takeover. In the United States, he spent time in an orphanage until his parents arrived and were reunited with him

He passed away on April 1, 2013.

Section 30 provides the bill takes effect on July 1, 2014.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The estimated cost to erect the designation markers required under this bill is \$29,000 for 58 signs at a cost of no less than \$500 each. The estimate includes sign fabrication, installation, and maintenance over time but does not include any additional expenses related to maintenance of traffic, dedication event costs, or replacement necessitated by damage, vandalism, or storm events.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

None. This bill creates an undesignated section of Florida Law.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS by Transportation on April 3, 2014:**

The committee adopted the proposed committee substitute and one amendment adding three addition designations as follows:

- C.W. “Bill” Young Memorial Highway in Pinellas County
- Ronald A. Silver Drive in Miami-Dade County
- Ralph Sanchez Way in Miami-Dade County

B. Amendments:

None.

By Senator Bullard

39-01368A-14

2014820__

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

A bill to be entitled

An act relating to transportation facility designations; providing an honorary designation of a certain transportation facility in a specified county; directing the Department of Transportation to erect suitable markers; providing an effective date.

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

Section 1. Larcenia Bullard Way designated; Department of Transportation to erect suitable markers.-

(1) That portion of SR 992/152nd Street between U.S. 1 and 117th Avenue in Miami-Dade County is designated as "Larcenia Bullard Way."

(2) The Department of Transportation is directed to erect suitable markers designating Larcenia Bullard Way as described in subsection (1).

Section 2. This act shall take effect July 1, 2014.

The Florida Senate COMMITTEE VOTE RECORD

COMMITTEE: Transportation
ITEM: SB 820
FINAL ACTION: Favorable with Committee Substitute
MEETING DATE: Thursday, April 3, 2014
TIME: 9:00 —10:30 a.m.
PLACE: 37 Senate Office Building

| FINAL VOTE | | SENATORS | 4/03/2014 1 Motion to hear Proposed Committee Substitute Brandes | | 4/03/2014 2 PCS 631934 | | 4/03/2014 3 Amendment 778236 Brandes | |
|------------|------------|----------------------|--|------------|---------------------------|------------|--|------------|
| | | | Yea | Nay | Yea | Nay | Yea | Nay |
| X | | Clemens | | | | | | |
| X | | Diaz de la Portilla | | | | | | |
| X | | Evers | | | | | | |
| X | | Garcia | | | | | | |
| X | | Joyner | | | | | | |
| X | | Lee | | | | | | |
| X | | Richter | | | | | | |
| X | | Thompson | | | | | | |
| X | | Margolis, VICE CHAIR | | | | | | |
| X | | Brandes, CHAIR | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| 10 | 0 | TOTALS | FAV | - | RCS | - | RCS | - |
| Yea | Nay | | Yea | Nay | Yea | Nay | Yea | Nay |

| | | | |
|--|---|---|---|
| CODES: FAV=Favorable UNF=Unfavorable -R=Reconsidered | RCS=Replaced by Committee Substitute RE=Replaced by Engrossed Amendment RS=Replaced by Substitute Amendment | TP=Temporarily Postponed VA=Vote After Roll Call VC=Vote Change After Roll Call | WD=Withdrawn OO=Out of Order AV=Abstain from Voting |
|--|---|---|---|

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: SB 1558

INTRODUCER: Senator Abruzzo

SUBJECT: Parking Permits for Persons with Mobility Impairment

DATE: April 1, 2014

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|----------|----------------|-----------|------------------|
| 1. | Everette | Eichin | TR | Favorable |
| 2. | | | ATD | |
| 3. | | | AP | |

I. Summary:

SB 1558 directs the Department of Highway Safety and Motor Vehicles (department) to design and issue a disabled parking sticker (decal) displaying the international symbol of accessibility to affix to the upper left corner of a registration license plate, including special or specialty license plates, issued under ch. 320, F.S. The sticker may be issued in lieu of the disabled parking permit (placard) to persons with long-term mobility impairment and shall have equal privileges.

II. Present Situation:

Disabled parking permits and license plates; general requirements

In order to be issued a disabled parking permit or license plate a person must be currently certified as being legally blind or as having any of the following conditions which would render the person unable to walk 200 feet without stopping to rest:

- The ability to walk without a brace, cane, crutch, prosthetic device, or other assistive device;
- The need to permanently use a wheelchair;
- Lung disease as measured within specified limits;
- Use of portable oxygen;
- A Class III or IV heart condition; or
- A severe limitation in the ability to walk due to an arthritic, neurological, or orthopedic condition.

The certification must be made by a physician, podiatrist, optometrist, advanced registered nurse practitioner, or physician's assistant, any of which must be licensed under one of various

chapters of Florida Statutes. However, provisions are made to encompass certification by similarly-licensed physicians from other states, as well. The certification must include:

- The disability of the applicant;
- The certifying practitioner's name, address, and certification number;
- The eligibility criteria for the permit;
- Information concerning the penalty for falsification;
- The duration of the condition; and
- Justification for any additional parking permit issued.

Disabled parking license plate

Section 320.0843, F.S., provides that any owner or lessee of a motor vehicle residing in the state and qualifies for a disabled parking permit, under s. 320.0848(2), F.S., upon application and payment of the license tax for the motor vehicle shall be issued a license plate with the international wheelchair user symbol after the serial number of the plate.

Section 320.084, F.S., the department may issue one free motor vehicle license number plate to any disabled veteran owner or lessee who has been a Florida resident continuously for five preceding years, or has established domicile and have been honorably discharged from the U.S. Armed Forces upon application and proof that:

- A vehicle was initially acquired through financial assistance by the U.S. Department of Veterans Affairs or its predecessor specifically for the purchase of an automobile;
- The applicant has been determined by the U. S. Department of Veterans Affairs or its predecessor to have a service-connected 100 percent disability rating for compensation; or
- The applicant has been determined to have a service-connected disability rating of 100 percent and is in receipt of disability retirement pay from any branch of the U.S. Armed Services.

Section 320.0842, F.S., provides that the department may issue one free of charge motor vehicle license plate to any state agency or individual, a sufficient number of motor vehicle license plates for use on vehicles owned and operated by members of the Seminole and Miccosukee Indian Tribes.

Section 320.0845, F.S., provides that members of the Paralyzed Veterans of America, upon application and payment, residing in the state and providing proof of such membership, be issued a motor vehicle license plate with the name of the organization, if space permits on the license plate.

All disabled license plates under the aforementioned sections are valid for:

- Enforcement of parking requirements for persons who have disabilities;¹
- Exemption of vehicles transporting certain persons who have disabilities from payment of parking fees and penalties;² and
- Self-service gasoline stations, attendants, and regulations.³

¹ [Section 316.1955](#)

² [Section 316.1964](#)

³ [Section 526.141](#)

Disabled parking permit; persons with long-term mobility

Currently, s. 320.0848(1)(a), F.S., provides that the department or its authorized agents, upon application and payment, may issue a disabled parking permit for up to four years in which the period ends on the applicant's birthday, to any person who has long-term mobility impairment, or a temporary disabled parking permit not to exceed six months, if a temporary mobility impairment exists. No person is required to pay a fee for a parking permit for disabled persons more than once in a 12-month period from the date of the prior fee payment.

A disabled parking permit is a placard that is visible from the front and the rear of a vehicle and is usually hung from the rear-view mirror. Each side of the placard has the international symbol of accessibility in a contrasting color in the center so as to be visible on each side of the parking placard. On one side of the placard is the applicant's driver license number, or state identification card number, and a warning that the applicant must have such identification at all times while using the placard, and on the other side is the month and year of expiration. Validation stickers must be of the size specified by the department and be affixed to the disabled parking permit. The disabled parking permit uses the same color (lemon-yellow) decal as license plate validations.

The department may not issue an additional disabled parking permit unless the applicant states that he or she is a frequent traveler or a quadriplegic. The department may not issue to any one eligible applicant, more than two disabled parking permits, except to an organization under certain conditions.

The International Uniform System⁴

In 1988, Congress passed legislation requiring the Department of Transportation create a "uniform system" of parking privileges for people with disabilities. However, Congress never required states comply with the Uniform System, nor authorize penalties for non-compliance. The enacted law and resulting federal guidelines are merely hortatory. Nevertheless, the federal government has a strong advisory role, but leaves ultimate developmental responsibility of parking privileges to the states.

The Uniform System provides model definitions and rules regarding eligibility, application procedures, and issuance of special license plates and placards. It does not contain model rules regarding enforcement, nor does it provide model rules specifying lengths of time after which special plates or placards must be renewed, or addressing whether eligible individuals must be primary users of vehicles with special license plates. Instead, it contains basic definitions and samples that the department encourages states to utilize as part of their own, more detailed, parking privilege system.

Under the Uniform System, special license plates and placards "shall be the only recognized means of identifying vehicles permitted to utilize parking spaces reserved for persons with disabilities which limit or impair the ability to walk." The system delineates two types of windshield placards: removable windshield placards and temporary removable windshield

⁴ Research.policyarchive.org (CRS Report for Congress, November 10, 2008) (last visited 3/31/14)

placards, and provide samples of each type of windshield placard. The sample placards display the “international symbol of access,” which was adopted by the disability rights organization Rehabilitation International in 1969.⁵

The Department of Transportation’s Uniform System provides increased uniformity in state laws. Many states utilize uniform sample placards and have enacted statutes requiring reciprocal privileges for individuals bearing placards issued by other states. Nonetheless, the state systems differ in many aspects of parking privilege administration.

III. Effect of Proposed Changes:

The bill amends s. 320.0848, F.S., directing the department to design and issue a sticker displaying the international symbol of accessibility which may be affixed to the upper left corner of a registration license plate, including special and specialty license plates. The sticker may be issued in lieu of the disabled parking permit (placard) under subparagraph 1 to persons with long-term mobility problems and shall be valid for the same parking and other privileges as a placard issued under this section.

Passage of this bill will allow disabled persons with mobility impairments, flexibility in license plate choice. The disabled placard or the wheelchair license plate will not be the only choices available to the mobility impaired. An example is the veteran Purple Heart recipient that may choose the Purple Heart special license plate. If he or she has a mobility problem the disabled placard is the only available disabled parking permit option. Passage of this bill will allow that person to choose the Purple Heart special plate, a specialty plate, or a regular Florida plate, and affix the disabled parking sticker (decal) to the license plate.

The bill will take effect July 1, 2014.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

⁵ 23 C.F.R. § 1235.2(a) (2008).

B. Private Sector Impact:

Passage of this bill will afford persons with mobility impairment unlimited choice of Florida license plates. The parking permit sticker (decal) can be affixed to any plate of choice. Individuals choosing a plate other than the disabled placard will pay required costs for the license plate he or she selects.

C. Government Sector Impact:

ISA will require a one-time cost of \$16,200 to implement the provisions of this bill.

ISA will require approximately 330 hours to implement the changes required by the passage of this bill.

ISA

280 hours at \$40.00=\$11,200.00

Contractors

50 hours at \$100.00=\$5,000.00

The department has concerns with the implementation of this bill:

- Programming would be required to issue a decal in lieu of a parking permit (separate transaction type) as well as programming to issue a replacement parking permit decal. The replacement fee for a parking permit is \$1.
- Modification of forms and procedures would be necessary for implementation.
- Frequent travelers and quadriplegic persons would still have the option to get a parking permit in lieu of the proposed decal.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The department has expressed a number of concerns:⁶

- Does not specify the size or color or the information to be placed on the decal (driver license number, parking permit number, month/year of expiration).
- Current yellow decal would not meet the nationally recognized standard color (blue/white);
- Small decal may not be sufficient space to accommodate the international symbol of accessibility, the expiration date, DL or ID number, parking permit number;
- Visibility of decal from a law enforcement perspective may be difficult;
- Parking permit decal recipients may mistakenly place a decal over a vehicle revalidation decal on the upper right side of the license plate, as current license plates do not have the word decal printed in the upper left-hand corner; and
- Could result in increased theft of parking permit decals from being affixed to the license plate.
- Does not address if a parking permit recipient with multiple vehicles can obtain permit decals for each vehicle. This could limit one's transportation since that person would not have the same benefit of physically transferring the parking permit to a different vehicle.
- Other states may not recognize a parking permit decal.

VIII. Statutes Affected:

This bill substantially amends section 320.0848 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

⁶ Department of Highway Safety and Motor Vehicles Legislative Bill Analysis (On file in Senate Transportation Committee).

By Senator Abruzzo

25-01227-14

20141558__

A bill to be entitled

An act relating to parking permits for persons with mobility impairment; amending s. 320.0848, F.S.; directing the Department of Highway Safety and Motor Vehicles to design and issue a sticker for use as a parking permit in lieu of a placard; providing an effective date.

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

Section 1. Paragraph (a) of subsection (2) of section 320.0848, Florida Statutes, is amended to read:

320.0848 Persons who have disabilities; ~~issuance of disabled parking permits; temporary permits; permits for certain providers of transportation services to persons who have disabilities.~~

(2) DISABLED PARKING PERMIT; PERSONS WITH LONG-TERM MOBILITY PROBLEMS.—

(a) The disabled parking permit is a placard that can be placed in a motor vehicle so as to be visible from the front and rear of the vehicle or a sticker that can be affixed to a registration license plate, including special and specialty license plates, issued under this chapter.

1. Each side of the placard must have the international symbol of accessibility in a contrasting color in the center so as to be visible. One side of the placard must display the applicant's ~~driver driver's~~ license number or state identification card number along with a warning that the applicant must have such identification at all times while using

Page 1 of 2

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

25-01227-14

20141558__

the parking permit. In those cases where the severity of the disability prevents a disabled person from physically visiting or being transported to a driver license or tax collector office to obtain a ~~driver driver's~~ license or identification card, a certifying physician may sign the exemption section of the department's parking permit application to exempt the disabled person from being issued a ~~driver driver's~~ license or identification card for the number to be displayed on the parking permit. A validation sticker must also be issued with each disabled parking permit, showing the month and year of expiration on each side of the placard. Validation stickers must be of the size specified by the Department of Highway Safety and Motor Vehicles and must be affixed to the disabled parking permits. The disabled parking permits must use the same colors as license plate validations.

2. The department shall design a sticker displaying the international symbol of accessibility which may be affixed to the upper left corner of a registration license plate issued under this chapter. The sticker may be issued in lieu of the placard under subparagraph 1. to persons with long-term mobility problems and shall be valid for the same parking and other privileges as a placard issued under this section.

Section 2. This act shall take effect July 1, 2014.

Page 2 of 2

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

The Florida Senate
COMMITTEE VOTE RECORD

COMMITTEE: Transportation
ITEM: SB 1558
FINAL ACTION: Favorable
MEETING DATE: Thursday, April 3, 2014
TIME: 9:00 —10:30 a.m.
PLACE: 37 Senate Office Building

| FINAL VOTE | | SENATORS | | | | | | |
|------------|------------|----------------------|------------|------------|------------|------------|------------|------------|
| Yea | Nay | | Yea | Nay | Yea | Nay | Yea | Nay |
| X | | Clemens | | | | | | |
| X | | Diaz de la Portilla | | | | | | |
| X | | Evers | | | | | | |
| X | | Garcia | | | | | | |
| X | | Joyner | | | | | | |
| X | | Lee | | | | | | |
| X | | Richter | | | | | | |
| X | | Thompson | | | | | | |
| X | | Margolis, VICE CHAIR | | | | | | |
| X | | Brandes, CHAIR | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| 10 | 0 | | | | | | | |
| Yea | Nay | TOTALS | Yea | Nay | Yea | Nay | Yea | Nay |

CODES: FAV=Favorable RCS=Replaced by Committee Substitute TP=Temporarily Postponed WD=Withdrawn
 UNF=Unfavorable RE=Replaced by Engrossed Amendment VA=Vote After Roll Call OO=Out of Order
 -R=Reconsidered RS=Replaced by Substitute Amendment VC=Vote Change After Roll Call AV=Abstain from Voting

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: CS/CS/SB 1070

INTRODUCER: Transportation Committee and Senator Simpson

SUBJECT: Fuel Terminals

DATE: April 4, 2014 REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|----------------|----------------|-----------|---------------|
| 1. | <u>Stearns</u> | <u>Yeatman</u> | <u>CA</u> | <u>Fav/CS</u> |
| 2. | <u>Miranda</u> | <u>Eichin</u> | <u>TR</u> | <u>Fav/CS</u> |

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 1070 addresses the authority of local government to amend a comprehensive plan, land use designation or regulation, or zoning to render as nonconforming the occupation and use of land by an existing, authorized fuel terminal.

The bill provides legislative intent, defines “fuel” and “fuel terminal”, and prospectively limits the authority of local government to change its land use designations to render a permitted and allowed fuel terminal a nonconforming use. The authority of local governments to enforce applicable laws for safety and operation of a fuel terminal is not limited. The bill authorizes repairing or rebuilding a fuel terminal to its preexisting capacity if damaged or destroyed due to natural disaster or other catastrophe.

The designated land use for a permitted and allowed fuel terminal under any comprehensive plan, land use map, zoning district or land development regulation will not be changed to conflict with the fuel terminal’s authorized use.

II. Present Situation:

Growth Management

The Local Government Comprehensive Planning and Land Development Regulation Act (the Act),¹ also known as Florida's Growth Management Act, was adopted in 1985. The Act requires all counties and municipalities to adopt local comprehensive plans that guide future growth and development.² Comprehensive plans contain chapters or "elements" that address topics including future land use, housing, transportation, conservation, and capital improvements.³ The state land planning agency that administers these provisions is the Department of Economic Opportunity.⁴

Land Development Regulation

Within one year of the adoption of a local comprehensive plan, a county or municipality must promulgate land development regulations that implement the comprehensive plan.⁵ Land is divided into districts and certain uses and developments are assigned to those distinct districts through the process of "zoning."⁶ Typical zoning classifications include "residential," "commercial," and "industrial." These classifications can include finer distinctions within them. For example, a district designated for residential use may be restricted to apartment buildings while another may only permit single family housing.

A "permitted use" within a particular zoning district is a use that a landowner may put his land to as of right.⁷ A "conditional use" may only be utilized secondarily to a permitted use and a local government has some discretion as to its approval.⁸ A "special exception" is a departure from the general provisions of a zoning ordinance granted through the exercise of the local government's legislative authority.⁹ A "nonconforming use" is an existing use that would not be permitted by a newly enacted zoning ordinance but is nevertheless allowed to continue to avoid injustice or undue hardship that would result if immediate suppression of the use was required.

Fuel Terminals

The Internal Revenue Service (IRS) defines a "terminal" used for fuel as "a storage and distribution facility supplied by pipeline or vessel, and from which taxable fuel may be

¹ See ch. 163, part II, F.S.

² Section 163.3167, F.S.

³ Section 163.3177, F.S.

⁴ Section 163.3221, F.S.

⁵ Section 163.3202(1), F.S.

⁶ 7 Fla. Jur 2d Building, Zoning, and Land Controls s. 111 *Generally; "Zoning" and "Planning" Defined and Distinguished* (2014).

⁷ *BMS Enters. LLC v. City of Fort Lauderdale*, 929 So.2d 9, 10 (Fla. 4th DCA 2006).

⁸ *Id.*

⁹ 7 Fla. Jur 2d Building, Zoning, and Land Controls s. 242 *Special Exception or Permit Distinguished from Variance* (2014).

removed at a rack...¹⁰ According to the IRS, there are currently 42 active fuel terminals in Florida.¹¹ Tampa is home to 11 fuel terminals¹² and the Port of Tampa receives approximately 500 petroleum ships and unloads 2.4 billion gallons a year.¹³

III. Effect of Proposed Changes:

Section 1 creates s. 163.3206, F.S., to declare that after July 1, 2014 a local government may not amend its comprehensive plan, land use map, zoning districts, or land development regulations in a manner that would conflict with a fuel terminal's classification as a permitted and allowable use. The bill states that it is the intent of the Legislature to maintain, encourage, and ensure adequate and reliable fuel terminal infrastructure in Florida because fuel terminals are essential to the vitality of the state's economy and the health, safety, welfare, and quality of life of the state's residents and visitors.

The bill defines "fuel" to include any of the following:

- "Alternative fuel" is defined in s. 525.01, F.S., as:
 - Methanol, denatured ethanol, or other alcohols;
 - Mixtures of gasoline or other fuels with methanol, denatured ethanol, or other alcohols;
 - Hydrogen;
 - Coal-derived liquid fuels; and
 - Fuels, other than alcohol, derived from biological materials.
- "Aviation fuel" is defined in s. 206.9815, F.S., as fuel for use in aircraft, and includes aviation gasoline and aviation turbine fuels and kerosene, as determined by the American Society for Testing Materials specifications D-910 or D-1655 or current specifications.
- "Diesel fuel" is defined in s. 206.86, F.S., as all petroleum distillates commonly known as diesel #2, biodiesel, or any other product blended with diesel or any product placed into the storage supply tank of a diesel-powered motor vehicle.
- "Gas" is defined in s. 206.9925, F.S., as all natural gas, including casinghead gas, and all other hydrocarbons not defined as oil in subsection (2).
- "Oil" is defined in s. 206.9925, F.S., as crude petroleum oil and other hydrocarbons, regardless of gravity, which are produced at the well in liquid form by ordinary production methods and which are not the result of condensation of gas after it leaves the reservoir.
- "Motor fuel" is defined in s. 206.01, F.S., as all gasoline products or any product blended with gasoline or any fuel placed in the storage supply tank of a gasoline-powered motor vehicle.

¹⁰ Internal Revenue Service, *Publication 510, Excise Taxes: Part One – Fuel Taxes and Fuel Tax Credits and Refunds*, available at <http://www.irs.gov/publications/p510/ch01.html> (last visited March 4, 2014).

¹¹ Internal Revenue Service, *Approved Terminals 2-28-14*, available at http://www.irs.gov/pub/irs-utl/tcn_db.pdf (last visited March 4, 2014).

¹² *Id.*

¹³ Jamal Thalji, *Port of Tampa will fuel region with new \$56 million petroleum terminal*, Tampa Bay Times, Oct. 30, 2013, available at <http://marketplace.tampabay.com/news/business/energy/port-of-tampa-unveils-new-55-million-petroleum-terminal/2149912> (last visited March 4, 2014).

- “Natural gas fuel” is defined in s. 206.9951, F.S., as any liquefied petroleum gas product, compressed natural gas product, or combination thereof used in a motor vehicle as defined in s. 206.01(23), F.S. This term includes, but is not limited to, all forms of fuel commonly or commercially known or sold as natural gasoline, butane gas, propane gas, or any other form of liquefied petroleum gas, compressed natural gas, or liquefied natural gas. This term does not include natural gas or liquefied petroleum placed in a separate tank of a motor vehicle for cooking, heating, water heating, or electric generation.
- “Petroleum fuel” is defined in s. 525.01, F.S., as all gasoline, kerosene (except when used as aviation turbine fuel), diesel fuel, benzine, other like products of petroleum under whatever name designated, or an alternative fuel used for illuminating, heating, cooking, or power purposes, sold, offered, or exposed for sale in this state.
- “Petroleum product” is defined in s. 206.9925, F.S., as any refined liquid commodity made wholly or partially from oil or gas, or blends or mixtures of oil with one or more liquid products or byproducts derived from oil or gas, or blends or mixtures of two or more liquid products or byproducts derived from oil or gas, and includes, but is not limited to, motor gasoline, gasohol, aviation gasoline, naphtha-type jet fuel, kerosene-type jet fuel, kerosene, distillate fuel oil, residual fuel oil, motor oil and other lubricants, naphtha of less than 400°F for petroleum feed, special naphthas, road oil, still gas, unfinished oils, motor gas blending components, including petroleum-derived ethanol when used for such purpose, and aviation gas blending components.

The bill defines “fuel terminal” as “a storage and distribution facility for fuel, supplied by pipeline or marine vessel, which has the capacity to receive and store a bulk transfer of fuel, is equipped with a loading rack through which fuel is physically transferred into tanker trucks or rail cars, and which is registered with the Internal Revenue Service as a terminal.”

The bill prohibits a local government from amending its comprehensive plan, land use map, zoning districts, or land development regulations after July 1, 2014, in a manner that would conflict with a fuel terminal’s classification as a permitted and allowable use, including amendments that would make a terminal a nonconforming use, structure, or development.

The bill requires that local governments allow a fuel terminal damaged or destroyed by a natural disaster or other catastrophe to be repaired to its pre-existing capacity.

The bill specifies the authority of a local government to adopt, implement, modify, and enforce applicable federal and state requirements for fuel terminals, is not limited by the bill so long as it does not conflict with federal or state safety and security requirements for fuel terminals. This includes safety and building requirements, and local safety and building standards.

Section 2 provides an effective date of July 1, 2014.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Existing fuel terminals will be a permitted and allowable land use under any comprehensive plan, land use map, zoning district or land development regulation.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 163.3206 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Transportation on April 3, 2014;

Removes the ability for fuel terminals to expand within the parcel that the fuel terminal is currently located on. Removes provisions that would provide aesthetic

standards for the expanded portion of the fuel terminal. Provides that land use classifications of fuel terminal after July 1, 2014 may not be amended. Requires that a local government allow for the timely repair of a fuel terminal damages, in the event of a natural disaster or catastrophe, to its prior capacity. Provides that local authority may adopt, implement and modify federal and state requirements for fuel terminals, as long as the exercise of local authority does not conflict with federal or state safety and security requirements for fuel terminals.

CS by Community Affairs on March 11, 2014:

Removes the declaration that an existing fuel terminal may expand beyond its current bounds and be a permitted and allowable use in certain land use categories. Authorizes existing fuel terminals to expand *within* the physical boundaries of the parcel that the fuel terminal is currently located on, regardless of its current land use designation.

Removes the declaration that fuel terminals proposed after July 1, 2014, are a permitted and allowable use in all industrial or similar land use categories and zoning districts.

B. Amendments:

None.



161946

LEGISLATIVE ACTION

| | | |
|------------|---|-------|
| Senate | . | House |
| Comm: RCS | . | |
| 04/03/2014 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Transportation (Evers) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 163.3206, Florida Statutes, is created
to read:

163.3206 Fuel terminals.-

(1) It is the intent of the Legislature to maintain,
encourage, and ensure adequate and reliable fuel terminal
infrastructure in this state. Fuel terminals are a critical



161946

11 component of fuel storage and distribution. The ability to
12 receive, store, and distribute fuel is essential to the state's
13 economy and to the health, safety, welfare, and quality of life
14 of residents and visitors. It is essential that fuel terminal
15 infrastructure be constructed and maintained in various
16 locations in order to ensure the efficient and reliable
17 transportation and delivery of an adequate quantity of fuel
18 throughout the state.

19 (2) As used in this section, the term:

20 (a) "Fuel" means any of the following:

21 1. Alternative fuel as defined in s. 525.01.

22 2. Aviation fuel as defined in s. 206.9815.

23 3. Diesel fuel as defined in s. 206.86.

24 4. Gas as defined in s. 206.9925.

25 5. Motor fuel as defined in s. 206.01.

26 6. Natural gas fuel as defined in s. 206.9951.

27 7. Oil as defined in s. 206.9925.

28 8. Petroleum fuel as defined in s. 525.01.

29 9. Petroleum product as defined in s. 206.9925.

30 (b) "Fuel terminal" means a storage and distribution
31 facility for fuel, supplied by pipeline or marine vessel, which
32 has the capacity to receive and store a bulk transfer of fuel,
33 is equipped with a loading rack through which fuel is physically
34 transferred into tanker trucks or rail cars, and which is
35 registered with the Internal Revenue Service as a terminal.

36 (3) After July 1, 2014, a local government may not amend
37 its comprehensive plan, land use map, zoning districts, or land
38 development regulations in a manner that would conflict with a
39 fuel terminal's classification as a permitted and allowable use,



161946

40 including, but not limited to, an amendment that causes a fuel
41 terminal to be a nonconforming use, structure, or development.

42 (4) In the event of damage to or destruction of a fuel
43 terminal as a result of a natural disaster or other catastrophe,
44 a local government shall allow the timely repair of the fuel
45 terminal to the capacity of the fuel terminal as it existed
46 before the natural disaster or catastrophe.

47 (5) This section does not limit the authority of a local
48 government to adopt, implement, modify, and enforce applicable
49 federal and state requirements for fuel terminals, including
50 safety and building standards, and local safety and building
51 standards. However, the exercise of local authority may not
52 conflict with federal or state safety and security requirements
53 for fuel terminals.

54 Section 2. This act shall take effect July 1, 2014.

55
56 ===== T I T L E A M E N D M E N T =====

57 And the title is amended as follows:

58 Delete everything before the enacting clause
59 and insert:

60 A bill to be entitled
61 An act relating to fuel terminals; creating s.
62 163.3206, F.S.; providing legislative intent; defining
63 terms; prohibiting a local government from amending
64 its local comprehensive plan, land use map, zoning
65 districts, or land development regulations to make a
66 fuel terminal a nonconforming use under the provisions
67 thereof; requiring a local government to allow the
68 repair of a fuel terminal damaged or destroyed by a



161946

69
70

natural disaster or other catastrophe; providing
applicability; providing an effective date.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/18/14
Meeting Date

Topic Fuel Terminals

Bill Number SB 1070
(if applicable)

Name Brewster Bevis

Amendment Barcode _____
(if applicable)

Job Title Senior Vice President

Address 516 W. Adams St

Phone 224-7173

Tallahassee FL 32301
City State Zip

E-mail bbevis@aipicon

Speaking: For Against Information

Representing Associated Industries of Florida

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/14
Meeting Date

Topic Fuel Terminals

Bill Number CS/SB 1070
(if applicable)

Name Alison Dudley

Amendment Barcode _____
(if applicable)

Job Title President, AB Dudley : ASC S

Address P.O. BOX 428

Phone 850 559-1139

Tell Fl. 32302
City State Zip

E-mail alisondudley@dudleyand
associates.com

Speaking: For Against Information

Representing Chevron

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/14
Meeting Date

Topic FUEL TERMINALS

Bill Number CS/SB 1070
(if applicable)

Name REGGIE BOUTHILLIER
(BOO-T-A)

Amendment Barcode _____
(if applicable)

Job Title ~~SHAREHOLDER~~ GREENERG TRADING

Address 101 EAST COLLEGE AVENUE
Street

Phone 888-528-7693

TALLAHASSEE FL 32301
City State Zip

E-mail BOUTHILLIERR@GTALW.COM

Speaking: For Against Information

Representing TRANS MONTAIGNE

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/2/2014

Meeting Date

Topic Fuel Terminals (On the Amendment)

Bill Number 1070

Name Ryan Padgett

Amendment Barcode 161946
(if applicable)

Job Title Assistant General Counsel

Address P.O. Box 1757

Phone 701-3676

Street

Tallahassee

FL

32302

City

State

Zip

E-mail rpaddgett@flcities.com

Speaking: For Against Information

Representing Florida League of Cities

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Late
After Vote

4/3/14
Meeting Date

Topic FUEL TERMINALS

Bill Number 1070
(if applicable)

Name DAVID CULLEN

Amendment Barcode 161946
(if applicable)

Job Title _____

Address 1674 UNIVERSITY

Phone 941-323-2404

Street
SARASOTA FL 34243
City State Zip

E-mail cullenrsga
@aol.com

Speaking: For Against Information

Representing SIERRA CLUB FL

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

By the Committee on Community Affairs; and Senator Simpson

578-02456-14

20141070c1

1 A bill to be entitled
 2 An act relating to fuel terminals; creating s.
 3 163.3206, F.S.; providing legislative intent; defining
 4 terms; declaring certain fuel terminals a permitted
 5 and allowable use under any local government
 6 comprehensive plan, land use map, zoning district, or
 7 land development regulation; authorizing the expansion
 8 of such fuel terminals; authorizing limited local
 9 government regulation of expanded fuel terminals;
 10 prohibiting a local government from amending its local
 11 comprehensive plan, land use map, zoning districts, or
 12 land development regulations to make such fuel
 13 terminals a nonconforming use under the provisions
 14 thereof; providing applicability; providing an
 15 effective date.

16
 17 Be It Enacted by the Legislature of the State of Florida:

18
 19 Section 1. Section 163.3206, Florida Statutes, is created
 20 to read:

21 163.3206 Fuel terminals.-

22 (1) It is the intent of the Legislature to maintain,
 23 encourage, and ensure adequate and reliable fuel terminal
 24 infrastructure in this state. Fuel terminals are a critical
 25 component of fuel storage and distribution. The ability to
 26 receive, store, and distribute fuel is essential to the state's
 27 economy and to the health, safety, welfare, and quality of life
 28 of residents and visitors. It is essential that fuel terminal
 29 infrastructure be constructed and maintained in various

Page 1 of 3

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

578-02456-14

20141070c1

30 locations in order to ensure the efficient and reliable
 31 transportation and delivery of an adequate quantity of fuel
 32 throughout the state.

33 (2) As used in this section, the term:

34 (a) "Fuel" means any of the following:

35 1. Alternative fuel as defined in s. 525.01.

36 2. Aviation fuel as defined in s. 206.9815.

37 3. Diesel fuel as defined in s. 206.86.

38 4. Gas as defined in s. 206.9925.

39 5. Motor fuel as defined in s. 206.01.

40 6. Natural gas fuel as defined in s. 206.9951.

41 7. Oil as defined in s. 206.9925.

42 8. Petroleum fuel as defined in s. 525.01.

43 9. Petroleum product as defined in s. 206.9925.

44 (b) "Fuel terminal" means a storage and distribution
 45 facility for fuel, supplied by pipeline or marine vessel, which
 46 has the capacity to receive and store a bulk transfer of fuel,
 47 is equipped with a loading rack through which fuel is physically
 48 transferred into tanker trucks or rail cars, and which is
 49 registered with the Internal Revenue Service as a terminal.

50 (c) "Primary use" means a use that is allowed as of right
 51 and that does not require a special exception, a special use
 52 permit, or a conditional use or other similar approval.

53 (3) Notwithstanding any local government comprehensive
 54 plan, land use map, zoning district, or land development
 55 regulation to the contrary, fuel terminals in existence on July
 56 1, 2014, are a permitted and allowable use under any local
 57 government comprehensive plan, land use map, zoning district, or
 58 land development regulation.

Page 2 of 3

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

578-02456-14

20141070c1

59 (a) Such fuel terminals may be expanded within the physical
60 boundary of the parcel upon which the fuel terminal is located
61 regardless of the current land use designation of the parcel.

62 1. Local governments may adopt and enforce reasonable land
63 development regulations for the expanded portion of the fuel
64 terminal only. Such regulations may address only setback,
65 landscaping, buffering, screening, lighting, or other aesthetic
66 compatibility-based standards. Vegetated buffers or screening
67 may not be required to have a mature height in excess of 14
68 feet.

69 2. This paragraph does not limit a local government's
70 authority to grant a variance from setback, landscaping,
71 buffering, screening, lighting, or other aesthetic
72 compatibility-based standards to a fuel terminal owner upon the
73 owner's request.

74 (b) A local government may not amend its comprehensive
75 plan, land use map, zoning districts, or land development
76 regulations in a manner that would conflict with a fuel
77 terminal's classification as a permitted and allowable use under
78 this section, including, but not limited to, an amendment that
79 causes a fuel terminal to be a nonconforming use, structure, or
80 development.

81 (4) This section does not limit the authority of a local
82 government to implement and enforce applicable federal and state
83 requirements for fuel terminals, including safety and building
84 standards. However, the exercise of such authority may not
85 conflict with federal or state safety and security requirements
86 for fuel terminals.

87 Section 2. This act shall take effect July 1, 2014.

**The Florida Senate
COMMITTEE VOTE RECORD**

COMMITTEE: Transportation
ITEM: CS/SB 1070
FINAL ACTION: Favorable with Committee Substitute
MEETING DATE: Thursday, April 3, 2014
TIME: 9:00 —10:30 a.m.
PLACE: 37 Senate Office Building

| FINAL VOTE | | | 3/26/2014 ¹ Motion to Temporarily Postpone | | 4/03/2014 ² Amendment 161946 by Evers | | 4/03/2014 ³ Motion to report as Committee Substitute | |
|------------|------------|----------------------|--|------------|---|------------|--|------------|
| Yea | Nay | SENATORS | Brandes Yea | Nay | Evers Yea | Nay | Lee Yea | Nay |
| X | | Clemens | | | | | | |
| X | | Diaz de la Portilla | | | | | | |
| X | | Evers | | | | | | |
| X | | Garcia | | | | | | |
| X | | Joyner | | | | | | |
| X | | Lee | | | | | | |
| X | | Richter | | | | | | |
| X | | Thompson | | | | | | |
| X | | Margolis, VICE CHAIR | | | | | | |
| X | | Brandes, CHAIR | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| 10 | 0 | TOTALS | FAV | - | RCS | - | FAV | - |
| Yea | Nay | | Yea | Nay | Yea | Nay | Yea | Nay |

CODES: FAV=Favorable RCS=Replaced by Committee Substitute TP=Temporarily Postponed WD=Withdrawn
 UNF=Unfavorable RE=Replaced by Engrossed Amendment VA=Vote After Roll Call OO=Out of Order
 -R=Reconsidered RS=Replaced by Substitute Amendment VC=Vote Change After Roll Call AV=Abstain from Voting

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: CS/SB 772

INTRODUCER: Transportation Committee and Senator Garcia

SUBJECT: Expressway Authorities

DATE: April 4, 2014

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|---------|----------------|-----------|---------------|
| 1. | Price | Eichin | TR | Fav/CS |
| 2. | | | CA | |
| 3. | | | AP | |

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 772 revises provisions of ch. 348, F.S., governing the Miami-Dade County Expressway Authority (MDX), the Tampa-Hillsborough County Expressway Authority (THEA), the Orlando-Orange County Expressway Authority (OOCEA), and the Osceola County Expressway Authority (OCX), to impose certain membership restrictions, post-employment restrictions, and ethics and financial disclosure requirements. More specifically, the bill:

- Prohibits members of the authorities from serving on certain other transportation-related entities while serving on an authority.
- Prohibits lobbyists from serving as a member of any of the authorities.
- Provides certain post-employment restrictions for authority members or executive directors and penalties for violations.
- Requires certain conflict of interest disclosures by board members, employees, or consultants of the authorities.
- Requires an authority's general counsel to serve as ethics officer and to review the required disclosure forms, except that an authority's executive director is required to review the forms filed by the general counsel.
- Requires the authorities to outline the conflict of interest process in each authority's Code of Ethics.
- Requires each ethics officer to review, update, and present for board approval at least once every two years each authority's Code of Ethics policy
- Prohibits employees and consultants of the authorities from serving on the governing body of an authority while employed by or under contract with that authority.

- Requires employees to be adequately informed and trained on the ethics code and to continually participate in ongoing ethics education.

The bill also revises the powers of the THEA to authorize construction, operation, and maintenance of certain transportation facilities, including those within the jurisdictional boundaries of a consenting contiguous county, similar to the OOCEA's current authority.

II. Present Situation:

Miami-Dade County Expressway Authority

The Florida Expressway Authority Act (Act), codified in part I of ch. 348, F.S., authorizes any county or two or more contiguous counties within a single district of the Florida Department of Transportation (FDOT) to form an expressway authority by resolution adopted by the board of county commissioners. The MDX is the only expressway authority created under the Act.¹ The MDX was created by the Miami-Dade County Commission in 1994, pursuant to Chapter 2 Article XVIII of the Miami-Dade County Code of Ordinances.²

MDX's system consists of the following roadways in Miami-Dade County:

- Airport Expressway (State Road 112);
- Dolphin Expressway (State Road 836);
- Don Shula Expressway (State Road 874);
- Snapper Creek Expressway (State Road 878); and
- Gratigny Parkway (State Road 924).

Tampa-Hillsborough County Expressway Authority

The THEA is created in part II of ch. 348, F.S., and is authorized to construct, reconstruct, improve, extend, repair, maintain, and operate an expressway system in Hillsborough County.³ The THEA owns the four-lane Selmon Expressway, which is a 15-mile limited access toll road crossing the City of Tampa from Gandy Boulevard in south Tampa, through downtown Tampa and east to I-75 and Brandon.

Orlando-Orange County Expressway Authority

The OOCEA, created in part III of ch. 348, F.S., currently serves Orange County and is authorized to construct, operate, and maintain roads, bridges, avenues of access, thoroughfares, and boulevards in the county, as well as outside the jurisdictional boundaries of Orange County with the consent of the county within whose jurisdiction the activities occur.⁴ The OOCEA currently owns and operates 105 centerline miles of roadway in Orange County consisting of:

- 22 miles of the Spessard L. Holland East-West Expressway (SR 408),
- 23 miles of the Martin Andersen Beachline Expressway (SR 528),

¹ While MDX is the only authority created pursuant to the Act, Part V of ch. 348, F.S., creating the Osceola County Expressway Authority contains numerous references to the Act.

² A copy of the ordinance is available at <http://mdxway.com/about/history> (Last visited March 29, 2014).

³ Section 348.53, F.S.

⁴ Section 348.754(2)(n), F.S.

- 33 miles of the Central Florida GreeneWay (SR 417),
- 22 miles of the Daniel Webster Western Beltway (SR 429), and
- 5 miles of the John Land Apopka Expressway (SR 414).

Osceola County Expressway Authority

The 2010 Legislature created the OCX in part V of ch. 348, F.S., the Osceola County Expressway Authority (OCX) currently serves Osceola County and has the purposes and powers identified in the Florida Expressway Authority Act,⁵ including the power to acquire, hold, construct, improve, maintain, operate, and own an expressway system.⁶ OCX is not currently operating any facility and has no funding or staffing. Staff assistance and other support have been provided by Osceola County. The OCX has recently begun construction of the Poinciana Parkway pursuant to an agreement with Osceola County.⁷

III. Effect of Proposed Changes:

MDX, THEA, OOCEA and OCX (Sections 1, 2, 5, and 6)

The bill applies the same ethics and accountability requirements to each of the identified authorities by amending, respectively:

- Section 348.0003, F.S., under which only the MDX is currently created;
- Section 348.52, relating to the THEA;
- Section 348.753, F.S., relating to the OOCEA; and
- Section 348.9952, F.S., relating to the OCX.

Membership and Service

The bill prohibits a member of an authority appointed by the governing board of the county or appointed by the Governor from serving as a member of any other transportation-related board, commission, or organization with audit oversight of an authority while serving as a member of that authority. Lobbyists⁸ are prohibited from being appointed or serving as a member of an authority. Authority employees and consultants are prohibited from serving on an authority's governing board while employed by or under contract with that authority.

⁵ Part I of ch. 348, F.S.

⁶ Section 348.0004, F.S.

⁷ FTC's *Transportation Authority Monitoring and Oversight Fiscal Year 2012 Report*, p. 171.

⁸ Section 112.3215(1)(h), F.S., defines "lobbyist" as "a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity. "Lobbyist" does not include a person who is:

1. An attorney, or any person, who represents a client in a judicial proceeding or in a formal administrative proceeding conducted pursuant to chapter 120 or any other formal hearing before an agency, board, commission, or authority of this state.
2. An employee of an agency or of a legislative or judicial branch entity acting in the normal course of his or her duties.
3. A confidential informant who is providing, or wishes to provide, confidential information to be used for law enforcement purposes.
4. A person who lobbies to procure a contract pursuant to chapter 287 which contract is less than the threshold for CATEGORY ONE as provided in s. 287.017."

Post-Employment Restrictions

A member or an executive director of an authority is prohibited from the following:

- Personally representing another person or entity for compensation before an authority within two years after vacating his or her position; and
- After vacating a board member or executive director position, having an employment or contractual relationship with a business entity other than an agency⁹ in connection with a contract in which the member or executive director personally and substantially participated while a member or employee of an authority.

Violations of the restrictions are punishable in accordance with s. 112, 317, F.S., generally punishable by a number of measures. The possible penalties range, for example, from impeachment or removal from office, suspension or dismissal from employment, and loss of some portion of salary, to public censure and reprimand, a \$10,000 civil penalty, and restitution of any benefits received because of a violation.

Ethics, Disclosure, and Accountability

An authority board member, employee, or consultant holding a position that may influence authority decisions may not engage in any relationship that would adversely affect his or her judgment in carrying out authority business. Each such member, employee, or consultant is required to annually make the following disclosures on a disclosure form to prevent such conflicts:

- Any relationship which affords a current or future financial benefit to such person, or to a relative or business associate of such person, and which reasonable person would conclude has the potential to create a prohibited conflict of interest;
- Whether a relative of such person is a registered lobbyist and, if so, the names of the lobbyist's clients, which names must be provided in writing to the ethics officer; and
- All interests in real property that such person has, if the property is located within, or within a ½ mile radius of, any actual or prospective authority roadway project. The executive director is required to provide a corridor map and a property ownership list reflecting the ownership of all real property within the disclosure area, or an alignment map with a list of associated owners to all board members, employees, and consultants.

Each authority's general counsel is required to serve as the authority's ethics officer, who must review the described disclosure forms, except that the executive director is required to review forms filed by the general counsel. The ethics officer must review, update, and present for board approval at least biannually the ethics policy. Employees must be adequately informed and trained on the Code of Ethics and continually participate in ongoing ethics education.

The bill also relocates in each of the amended sections, and conforms in the latter, existing language relating to members' removal from office by the Governor and reimbursement for

⁹ Section 112.312(2), F.S., defines "agency" as "any state, regional, county, local, or municipal government entity of this state, whether executive, judicial, or legislative; any department, division, bureau, commission, authority, or political subdivision of this state therein; or any public school, community college, or state university."

travel and other expenses. Likewise, existing language relating to constitutional financial disclosure requirements and their applicability is relocated.

THEA (Sections 3 and 4)

The bill amends s. 348.53, F.S., revising the Legislative declaration of the THEA's purposes for the benefit of the people to include managed lanes.

The bill also amends s. 348.54, F.S., to authorize the THEA, with the consent of a contiguous county within whose jurisdiction the activities occur, and similar to the OOCEA's current authorization, to construct, operate, and maintain roads, bridges, avenues of access, thoroughfares, boulevards, and managed lanes outside Hillsborough County, together with the right to construct, operate, and maintain facilities and electronic toll payment systems thereon or incidental thereto.

Section 7 conforms a cross-reference necessitated by other changes in the act.

The bill takes effect July 1, 2014.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Indeterminate.

C. Government Sector Impact:

Indeterminate.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Whether any transportation-related board, commission, or organization has “audit oversight” of any of the identified authorities is unclear.

VIII. Statutes Affected:

This bill amends the following sections of the Florida Statutes: 348.003, 348.52, 348.53, 348.54, 348.753, 348.9952, and 343.0003.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Transportation on April 3, 2014:

The CS revises provisions governing the MDX, the THEA, the OOCEA, and the OCX, to:

- Prohibit certain authority members from serving as a member of any other transportation-related entity with audit oversight of an authority while serving as a member of that authority;
- Prohibit lobbyists from serving as a member of an authority;
- Provide post-employment restrictions for an authority member or executive director and penalties for violations of the restrictions;
- Provide ethics, conflict of interest, and disclosure requirements for members, employees, and consultants of an authority;
- Authorize the THEA, with the consent of a contiguous county, to construct, operate, and maintain certain transportation facilities, including managed lanes, outside Hillsborough County, as well as the right to construct, operate, and maintain facilities and electronic toll payment systems.

The CS removes the following from the original bill:

- Revisions to the MDX governing board membership;
- Authorization of the MDX to increase tolls to adjust for inflation under certain conditions;
- Revisions to the authorized use of any surplus revenues realized from tolls collected on the MDX expressway system;
- Elimination on July 1, 2014, of the MDX’s authority to borrow money and issue notes, bonds, and other forms of indebtedness, except for refunding bonds; and
- Biannual provision by the MDX to the County Commission of a complete financial audit.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



450614

LEGISLATIVE ACTION

| | | |
|------------|---|-------|
| Senate | . | House |
| Comm: RS | . | |
| 04/03/2014 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Transportation (Garcia) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 348.0003, Florida Statutes, is amended
to read:

348.0003 Expressway authority; formation; membership.—

(1) Any county, or two or more contiguous counties located
within a single district of the department, may, by resolution
adopted by the board of county commissioners, form an expressway



450614

11 authority, which shall be an agency of the state, pursuant to
12 the Florida Expressway Authority Act.

13 (2) The governing body of an authority shall consist of not
14 fewer than five nor more than nine voting members. The district
15 secretary of the affected department district shall serve as a
16 nonvoting member of the governing body of each authority located
17 within the district. Each member of the governing body must at
18 all times during his or her term of office be a permanent
19 resident of the county which he or she is appointed to
20 represent.

21 (a) Two members of the authority shall be appointed for
22 terms of 4 years by the Governor, subject to confirmation by the
23 Senate. Such persons may not hold elective office during their
24 terms of office.

25 (b) For a single-county authority, the remaining members
26 shall be appointed by the board of county commissioners for
27 terms of 3 years.

28 (c) For a multicounty authority, the remaining members
29 shall be apportioned, based on the population of such counties,
30 among the counties within the authority. Each such member shall
31 be appointed by the applicable board of county commissioners for
32 a term of 3 years.

33 (d) Notwithstanding any provision of ~~to the contrary in~~
34 this subsection, in any county as defined in s. 125.011(1), the
35 governing body of an authority shall consist of nine ~~up to 13~~
36 members, and the ~~following~~ provisions of this paragraph shall
37 apply specifically to such authority. Except for the district
38 secretary of the department, the members must be residents of
39 the county. Four ~~Seven~~ voting members shall be appointed by the



450614

40 governing body of the county. At the discretion of the governing
41 body of the county, up to two of the members appointed by the
42 governing body of the county may be elected officials residing
43 in the county. Four ~~Five~~ voting members of the authority shall
44 be appointed by the Governor. One member shall be the district
45 secretary of the department serving in the district that
46 contains such county. This member shall be an ex officio voting
47 member of the authority. If the governing board of an authority
48 includes any member originally appointed by the governing body
49 of the county as a nonvoting member, when the term of such
50 member expires, that member shall be replaced by a member
51 appointed by the Governor until the governing body of the
52 authority is composed of four ~~seven~~ members appointed by the
53 governing body of the county and four ~~five~~ members appointed by
54 the Governor. The qualifications, terms of office, and
55 obligations and rights of members of the authority shall be
56 determined by resolution or ordinance of the governing body of
57 the county in a manner that is consistent with this paragraph,
58 paragraphs (e)-(i), and subsections (3)-(12) ~~(3) and (4)~~.

59 (e) A member of an authority appointed by the governing
60 board of the county or appointed by the Governor may not serve
61 as a member of any other transportation-related board,
62 commission, or organization while serving as a member of the
63 authority.

64 (f) A lobbyist, as defined in s. 112.3215, may not be
65 appointed or serve as a member of an authority.

66 (g) A member of an authority may be removed from office by
67 the Governor for misconduct, malfeasance, misfeasance, or
68 nonfeasance in office.



450614

69 (h) Members of an authority may receive reimbursement from
70 the authority for travel and other necessary expenses incurred
71 in connection with the business of the authority as provided in
72 s. 112.061, but may not draw salaries or other compensation.

73 (i) Members of each expressway authority, transportation
74 authority, bridge authority, or toll authority created pursuant
75 to this chapter, chapter 343, or any other general law shall
76 comply with the applicable financial disclosure requirements of
77 s. 8, Art. II of the State Constitution. This paragraph does not
78 subject any statutorily created authority, other than an
79 expressway authority created under this part, to any requirement
80 of this part except this paragraph.

81 (3) (a) The governing body of each authority shall elect one
82 of its members as its chair and shall elect a secretary and a
83 treasurer who need not be members of the authority. The chair,
84 secretary, and treasurer shall hold their offices at the will of
85 the authority. A simple majority of the governing body of the
86 authority constitutes a quorum, and the vote of a majority of
87 those members present is necessary for the governing body to
88 take any action. A vacancy on an authority shall not impair the
89 right of a quorum of the authority to exercise all of the rights
90 and perform all of the duties of the authority.

91 (b) Upon the effective date of his or her appointment, or
92 as soon thereafter as practicable, each appointed member of an
93 authority shall enter upon his or her duties.

94 (4) ~~(a)~~ An authority may employ an executive secretary, an
95 executive director, its own counsel and legal staff, technical
96 experts, and such engineers and employees, permanent or
97 temporary, as it may require and shall determine the



450614

98 qualifications and fix the compensation of such persons, firms,
99 or corporations. An authority may employ a fiscal agent or
100 agents; however, the authority must solicit sealed proposals
101 from at least three persons, firms, or corporations for the
102 performance of any services as fiscal agents. An authority may
103 delegate to one or more of its agents or employees such of its
104 power as it deems necessary to carry out the purposes of the
105 Florida Expressway Authority Act, subject always to the
106 supervision and control of the authority. ~~Members of an~~
107 ~~authority may be removed from office by the Governor for~~
108 ~~misconduct, malfeasance, misfeasance, or nonfeasance in office.~~

109 ~~(b) Members of an authority are entitled to receive from~~
110 ~~the authority their travel and other necessary expenses incurred~~
111 ~~in connection with the business of the authority as provided in~~
112 ~~s. 112.061, but they may not draw salaries or other~~
113 ~~compensation.~~

114 ~~(c) Members of each expressway authority, transportation~~
115 ~~authority, bridge authority, or toll authority, created pursuant~~
116 ~~to this chapter, chapter 343, or any other general law, shall~~
117 ~~comply with the applicable financial disclosure requirements of~~
118 ~~s. 8, Art. II of the State Constitution. This paragraph does not~~
119 ~~subject any statutorily created authority, other than an~~
120 ~~expressway authority created under this part, to any other~~
121 ~~requirement of this part except the requirement of this~~
122 ~~paragraph.~~

123 (5) (a) A member or the executive director of an authority
124 may not:

125 1. Within 2 years after vacating his or her position as a
126 board member or the executive director, personally represent



450614

127 another person or entity for compensation before the authority;

128 2. Within 2 years after vacating his or her position as a
129 board member or the executive director, have an employment or
130 contractual relationship with a business entity other than an
131 agency, as defined in s. 112.312, which was doing business with
132 the authority at any time during the person's membership on or
133 employment by the authority; or

134 3. After vacating his or her position as a board member or
135 the executive director, have an employment or contractual
136 relationship with a business entity other than an agency, as
137 defined in s. 112.312, in connection with a contract in which
138 the member or executive director personally and substantially
139 participated through decision, approval, disapproval,
140 recommendation, rendering of advice, or investigation while he
141 or she was a member or employee of the authority.

142 (b) A violation of this subsection is punishable in
143 accordance with s. 112.317.

144 (6) An authority's general counsel shall serve as the
145 authority's ethics officer.

146 (7) An authority board member, employee, or consultant who
147 holds a position that may influence authority decisions may not
148 engage in any relationship that may adversely affect his or her
149 judgment in carrying out authority business. The following
150 disclosures must be made annually on a disclosure form to
151 prevent such conflicts of interest and preserve the integrity
152 and transparency of the authority to the public:

153 (a) Any relationship that a board member, employee, or
154 consultant has which affords a current or future financial
155 benefit to such board member, employee, or consultant, or to a



450614

156 relative or business associate of such board member, employee,
157 or consultant, and which a reasonable person would conclude has
158 the potential to create a prohibited conflict of interest.

159 (b) Whether a relative of such board member, employee, or
160 consultant is a registered lobbyist and, if so, the names of
161 such lobbyist's clients. Such names shall be provided in writing
162 to the ethics officer.

163 (c) All interests in real property that such board member,
164 employee, or consultant has, or that a relative, principal,
165 client, or business associate of such board member, employee, or
166 consultant has, if such real property is located within, or
167 within a 1/2-mile radius of, any actual or prospective authority
168 roadway project. The executive director shall provide a corridor
169 map and a property ownership list reflecting the ownership of
170 all real property within the disclosure area, or an alignment
171 map with a list of associated owners, to all board members,
172 employees, and consultants.

173 (8) The disclosure forms filed as required under subsection
174 (7) must be reviewed by the ethics officer or, if a form is
175 filed by the general counsel, by the executive director.

176 (9) The conflict of interest process shall be outlined in
177 the authority's code of ethics.

178 (10) Authority employees and consultants may not serve on
179 the governing body of the authority while employed by or under
180 contract with the authority.

181 (11) The code of ethics policy shall be reviewed and
182 updated by the ethics officer and presented for board approval
183 at least once every 2 years.

184 (12) Employees shall be adequately informed and trained on



450614

185 the code of ethics and shall continually participate in ongoing
186 ethics education.

187 Section 2. Section 348.52, Florida Statutes, is amended to
188 read:

189 348.52 Tampa-Hillsborough County Expressway Authority.—

190 (1) There is hereby created and established a body politic
191 and corporate, an agency of the state, to be known as the
192 “Tampa-Hillsborough County Expressway Authority.”

193 (2) The governing body of the authority shall consist of a
194 board of seven members.

195 (a) Four of the members shall be appointed by the Governor
196 subject to confirmation by the Senate at the next regular
197 session of the Legislature. Refusal or failure of the Senate to
198 confirm an appointment shall create a vacancy.

199 1. Each such member’s term of office shall be for 4 years
200 or until his or her successor shall have been appointed and
201 qualified.

202 2. Vacancies occurring in the governing body for any such
203 members prior to the expiration of the affected term shall be
204 filled for the unexpired term.

205 ~~3. The Governor shall have the authority to remove from~~
206 ~~office any such member of the governing body in the manner and~~
207 ~~for cause defined by the laws of this state.~~

208 3.4. Each such member, before entering upon his or her
209 official duties, shall take and subscribe to an oath before some
210 official authorized by law to administer oaths that he or she
211 will honestly, faithfully, and impartially perform the duties
212 devolving upon him or her in office as a member of the governing
213 body of the authority and that he or she will not neglect any



450614

214 duties imposed upon him or her by this part.

215 (b) One member shall be the mayor, or the mayor's
216 designate, who shall be the chair of the city council of the
217 city in Hillsborough County having the largest population,
218 according to the latest decennial census, who shall serve as a
219 member ex officio.

220 (c) One member shall be a member of the Board of County
221 Commissioners of Hillsborough County, selected by such board,
222 who shall serve as a member ex officio.

223 (d) One member shall be the district secretary of the
224 Department of Transportation serving in the district that
225 contains Hillsborough County, who shall serve ex officio.

226 (e) A member of the authority appointed by the governing
227 board of the county or appointed by the Governor may not serve
228 as a member of any other transportation-related board,
229 commission, or organization while serving as a member of the
230 authority.

231 (f) A lobbyist, as defined in s. 112.3215, may not be
232 appointed or serve as a member of the authority.

233 (g) A member of the authority may be removed from office by
234 the Governor for misconduct, malfeasance, misfeasance, or
235 nonfeasance in office.

236 (h) Members of the authority may receive reimbursement from
237 the authority for travel and other necessary expenses incurred
238 in connection with the business of the authority as provided in
239 s. 112.061, but may not draw salaries or other compensation.

240 (3) The authority shall designate one of its members as
241 chair. ~~The members of the authority shall not be entitled to~~
242 ~~compensation but shall be entitled to receive their travel and~~



450614

243 ~~other necessary expenses as provided in s. 112.061.~~ A majority
244 of the members of the authority shall constitute a quorum, and
245 resolutions enacted or adopted by a vote of a majority of the
246 members present and voting at any meeting shall become effective
247 without publication or posting or any further action of the
248 authority.

249 (4) The authority may employ a secretary and executive
250 director, its own counsel and legal staff, and such legal,
251 financial, and other professional consultants, technical
252 experts, engineers, and employees, permanent or temporary, as it
253 may require and may determine the qualifications and fix the
254 compensation of such persons, firms, or corporations. The
255 authority may contract with the Division of Bond Finance of the
256 State Board of Administration for any financial services
257 authorized herein.

258 (5) The authority may delegate to one or more of its
259 officers or employees such of its powers as it shall deem
260 necessary to carry out the purposes of this part, subject always
261 to the supervision and control of the authority. ~~Members of the~~
262 ~~authority may be removed from their office by the Governor for~~
263 ~~misconduct, malfeasance, misfeasance, and nonfeasance in office.~~

264 (6) (a) A member or the executive director of the authority
265 may not:

266 1. Within 2 years after vacating his or her position as a
267 board member or the executive director, personally represent
268 another person or entity for compensation before the authority;

269 2. Within 2 years after vacating his or her position as a
270 board member or the executive director, have an employment or
271 contractual relationship with a business entity other than an



450614

272 agency, as defined in s. 112.312, which was doing business with
273 the authority at any time during the person's membership on or
274 employment by the authority; or

275 3. After vacating his or her position as a board member or
276 the executive director, have an employment or contractual
277 relationship with a business entity other than an agency, as
278 defined in s. 112.312, in connection with a contract in which
279 the member or executive director personally and substantially
280 participated through decision, approval, disapproval,
281 recommendation, rendering of advice, or investigation while he
282 or she was a member or employee of the authority.

283 (b) A violation of this subsection is punishable in
284 accordance with s. 112.317.

285 (7) The authority's general counsel shall serve as the
286 authority's ethics officer.

287 (8) An authority board member, employee, or consultant who
288 holds a position that may influence authority decisions may not
289 engage in any relationship that may adversely affect his or her
290 judgment in carrying out authority business. The following
291 disclosures must be made annually on a disclosure form to
292 prevent such conflicts of interest and preserve the integrity
293 and transparency of the authority to the public:

294 (a) Any relationship a board member, employee, or
295 consultant has which affords a current or future financial
296 benefit to such board member, employee, or consultant, or to a
297 relative or business associate of such board member, employee,
298 or consultant, and which a reasonable person would conclude has
299 the potential to create a prohibited conflict of interest.

300 (b) Whether a relative of such board member, employee, or



450614

301 consultant is a registered lobbyist and, if so, the names of
302 such lobbyist's clients. Such names shall be provided in writing
303 to the ethics officer.

304 (c) All interests in real property that such board member,
305 employee, or consultant has, or that a relative, principal,
306 client, or business associate of such board member, employee, or
307 consultant has, if such real property is located within, or
308 within a 1/2-mile radius of, any actual or prospective authority
309 roadway project. The executive director shall provide a corridor
310 map and a property ownership list reflecting the ownership of
311 all real property within the disclosure area, or an alignment
312 map with a list of associated owners, to all board members,
313 employees, and consultants.

314 (9) The disclosure forms filed as required under subsection
315 (8) must be reviewed by the ethics officer or, if a form is
316 filed by the general counsel, by the executive director.

317 (10) The conflict of interest process shall be outlined in
318 the authority's code of ethics.

319 (11) Authority employees and consultants may not serve on
320 the governing body of the authority while employed by or under
321 contract with the authority.

322 (12) The code of ethics policy shall be reviewed and
323 updated by the ethics officer and presented for board approval
324 at least once every 2 years.

325 (13) Employees shall be adequately informed and trained on
326 the code of ethics and shall continually participate in ongoing
327 ethics education.

328 Section 3. Section 348.753, Florida Statutes, is amended to
329 read:



450614

330 348.753 Orlando-Orange County Expressway Authority.-

331 (1) There is hereby created and established a body politic
332 and corporate, an agency of the state, to be known as the
333 Orlando-Orange County Expressway Authority, hereinafter referred
334 to as "authority."

335 (2) (a) The governing body of the authority shall consist of
336 five members. Three members shall be citizens of Orange County,
337 who shall be appointed by the Governor. The fourth member shall
338 be, ex officio, the chair of the County Commissioners of Orange
339 County, and the fifth member shall be, ex officio, the district
340 secretary of the Department of Transportation serving in the
341 district that contains Orange County. The term of each appointed
342 member shall be for 4 years. Each appointed member shall hold
343 office until his or her successor has been appointed and has
344 qualified. A vacancy occurring during a term shall be filled
345 only for the balance of the unexpired term. Each appointed
346 member of the authority shall be a person of outstanding
347 reputation for integrity, responsibility, and business ability,
348 but no person who is an officer or employee of any city or of
349 Orange County in any other capacity shall be an appointed member
350 of the authority. Any member of the authority shall be eligible
351 for reappointment.

352 (b) A member of the authority appointed by the Governor may
353 not serve as a member of any other transportation-related board,
354 commission, or organization while serving as a member of the
355 authority.

356 (c) A lobbyist, as defined in s. 112.3215, may not be
357 appointed or serve as a member of the authority.

358 (d) A member of the authority may be removed from office by



450614

359 the Governor for misconduct, malfeasance, misfeasance, or
360 nonfeasance in office.

361 (e) Members of the authority may receive reimbursement from
362 the authority for travel and other necessary expenses incurred
363 in connection with the business of the authority as provided in
364 s. 112.061, but may not draw salaries or other compensation.

365 (3) (a) The authority shall elect one of its members as
366 chair of the authority. The authority shall also elect a
367 secretary and a treasurer who may or may not be members of the
368 authority. The chair, secretary, and treasurer shall hold such
369 offices at the will of the authority. Three members of the
370 authority shall constitute a quorum, and the vote of three
371 members shall be necessary for any action taken by the
372 authority. No vacancy in the authority shall impair the right of
373 a quorum of the authority to exercise all of the rights and
374 perform all of the duties of the authority.

375 (b) Upon the effective date of his or her appointment, or
376 as soon thereafter as practicable, each appointed member of the
377 authority shall enter upon his or her duties.

378 ~~(4)(a)~~ The authority may employ an executive secretary, an
379 executive director, its own counsel and legal staff, technical
380 experts, such engineers, and such employees, permanent or
381 temporary, as it may require and may determine the
382 qualifications and fix the compensation of such persons, firms,
383 or corporations and may employ a fiscal agent or agents,
384 provided, however, that the authority shall solicit sealed
385 proposals from at least three persons, firms, or corporations
386 for the performance of any services as fiscal agents. The
387 authority may delegate to one or more of its agents or employees



450614

388 such of its power as it shall deem necessary to carry out the
389 purposes of this part, subject always to the supervision and
390 control of the authority. ~~Members of the authority may be~~
391 ~~removed from their office by the Governor for misconduct,~~
392 ~~malfeasance, misfeasance, or nonfeasance in office.~~

393 ~~(b) Members of the authority shall be entitled to receive~~
394 ~~from the authority their travel and other necessary expenses~~
395 ~~incurred in connection with the business of the authority as~~
396 ~~provided in s. 112.061, but they shall draw no salaries or other~~
397 ~~compensation.~~

398 (5) (a) A member or the executive director of the authority
399 may not:

400 1. Within 2 years after vacating his or her position as a
401 board member or the executive director, personally represent
402 another person or entity for compensation before the authority;

403 2. Within 2 years after vacating his or her position as a
404 board member or the executive director, have an employment or
405 contractual relationship with a business entity other than an
406 agency, as defined in s. 112.312, which was doing business with
407 the authority at any time during the person's membership on or
408 employment by the authority; or

409 3. After vacating his or her position as a board member or
410 the executive director, have an employment or contractual
411 relationship with a business entity other than an agency, as
412 defined in s. 112.312, in connection with a contract in which
413 the member or executive director personally and substantially
414 participated through decision, approval, disapproval,
415 recommendation, rendering of advice, or investigation while he
416 or she was a member or employee of the authority.



450614

417 (b) A violation of this subsection is punishable in
418 accordance with s. 112.317.

419 (6) The authority's general counsel shall serve as the
420 authority's ethics officer.

421 (7) An authority board member, employee, or consultant who
422 holds a position that may influence authority decisions may not
423 engage in any relationship that may adversely affect his or her
424 judgment in carrying out authority business. The following
425 disclosures must be made annually on a disclosure form to
426 prevent such conflicts of interest and preserve the integrity
427 and transparency of the authority to the public:

428 (a) Any relationship a board member, employee, or
429 consultant has which affords a current or future financial
430 benefit to such board member, employee, or consultant, or to a
431 relative or business associate of such board member, employee,
432 or consultant, and which a reasonable person would conclude has
433 the potential to create a prohibited conflict of interest.

434 (b) Whether a relative of such board member, employee, or
435 consultant is a registered lobbyist and, if so, the names of
436 such lobbyist's clients. Such names shall be provided in writing
437 to the ethics officer.

438 (c) All interests in real property that such board member,
439 employee, or consultant has, or that a relative, principal,
440 client, or business associate of such board member, employee, or
441 consultant has, if such real property is located within, or
442 within a 1/2-mile radius of, any actual or prospective authority
443 roadway project. The executive director shall provide a corridor
444 map and a property ownership list reflecting the ownership of
445 all real property within the disclosure area, or an alignment



450614

446 map with a list of associated owners, to all board member,
447 employees, and consultants.

448 (8) The disclosure forms filed as required under subsection
449 (7) must be reviewed by the ethics officer or, if a form is
450 filed by the general counsel, by the executive director.

451 (9) The conflict of interest process shall be outlined in
452 the authority's code of ethics.

453 (10) Authority employees and consultants may not serve on
454 the governing body of the authority while employed by or under
455 contract with the authority.

456 (11) The code of ethics policy shall be reviewed and
457 updated by the ethics officer and presented for board approval
458 at least once every 2 years.

459 (12) Employees shall be adequately informed and trained on
460 the code of ethics and shall continually participate in ongoing
461 ethics education.

462 Section 4. Section 348.9952, Florida Statutes, is amended
463 to read:

464 348.9952 Osceola County Expressway Authority.—

465 (1) There is created a body politic and corporate, an
466 agency of the state, to be known as the Osceola County
467 Expressway Authority.

468 (2) (a) The governing body of the authority shall consist of
469 six members. Five members, at least one of whom must be a member
470 of a racial or ethnic minority group, must be residents of
471 Osceola County, three of whom shall be appointed by the
472 governing body of the county and two of whom shall be appointed
473 by the Governor. The sixth member shall be the district
474 secretary of the department serving in the district that



450614

475 includes Osceola County, who shall serve as an ex officio,
476 nonvoting member. The term of each appointed member shall be for
477 4 years, except that the first term of the initial members
478 appointed by the Governor shall be 2 years each. Each appointed
479 member shall hold office until his or her successor has been
480 appointed and has qualified. A vacancy occurring during a term
481 shall be filled only for the balance of the unexpired term. Each
482 appointed member of the authority shall be a person of
483 outstanding reputation for integrity, responsibility, and
484 business ability, but a person who is an officer or employee of
485 any municipality or of Osceola County in any other capacity may
486 not be an appointed member of the authority. A member of the
487 authority is eligible for reappointment.

488 (b) A member of the authority appointed by the governing
489 board of the county or appointed by the Governor may not serve
490 as a member of any other transportation-related board,
491 commission, or organization while serving as a member of the
492 authority.

493 (c) A lobbyist, as defined in s. 112.3215, may not be
494 appointed or serve as a member of the authority.

495 (d) ~~(b)~~ Members of the authority may be removed from office
496 by the Governor for misconduct, malfeasance, misfeasance, or
497 nonfeasance in office.

498 (e) Members of the authority may receive reimbursement from
499 the authority for travel and other necessary expenses incurred
500 in connection with the business of the authority as provided in
501 s. 112.061, but may not draw salaries or other compensation.

502 (3) (a) The authority shall elect one of its members as
503 chair. The authority shall also elect a secretary and a



450614

504 treasurer, who may be members of the authority. The chair,
505 secretary, and treasurer shall hold such offices at the will of
506 the authority.

507 (b) Three members of the authority constitute a quorum, and
508 the vote of three members is necessary for any action taken by
509 the authority. A vacancy in the authority does not impair the
510 right of a quorum of the authority to exercise all of the rights
511 and perform all of the duties of the authority.

512 (4) (a) The authority may employ an executive secretary, an
513 executive director, its own counsel and legal staff, technical
514 experts, engineers, and other employees, permanent or temporary,
515 as it may require, and may determine the qualifications and fix
516 the compensation of such persons, firms, or corporations.
517 Additionally, the authority may employ a fiscal agent or agents.
518 However, the authority shall solicit sealed proposals from at
519 least three persons, firms, or corporations for the performance
520 of any services as fiscal agents. The authority may delegate to
521 one or more of its agents or employees such of its power as it
522 deems necessary to carry out the purposes of this part, subject
523 always to the supervision and control of the authority.

524 ~~(b) Members of the authority are entitled to receive from~~
525 ~~the authority their travel and other necessary expenses incurred~~
526 ~~in connection with the business of the authority as provided in~~
527 ~~s. 112.061, but members shall not draw salaries or other~~
528 ~~compensation.~~

529 (b) ~~(e)~~ The department is not required to grant funds for
530 startup costs to the authority. However, the governing body of
531 the county may provide funds for such startup costs.

532 (c) ~~(d)~~ The authority shall cooperate with and participate



450614

533 in any efforts to establish a regional expressway authority.

534 (d)~~(e)~~ Notwithstanding any other provision of law,
535 including s. 339.175(3), the authority is not entitled to voting
536 membership in a metropolitan planning organization in which
537 Osceola County, or any of the municipalities therein, are also
538 voting members.

539 (5) (a) A member or the executive director of the authority
540 may not:

541 1. Within 2 years after vacating his or her position as a
542 board member or the executive director, personally represent
543 another person or entity for compensation before the authority;

544 2. Within 2 years after vacating his or her position as a
545 board member or the executive director, have an employment or
546 contractual relationship with a business entity other than an
547 agency, as defined in s. 112.312, which was doing business with
548 the authority at any time during the person's membership on or
549 employment by the authority; or

550 3. After vacating his or her position as a board member or
551 the executive director, have an employment or contractual
552 relationship with a business entity other than an agency, as
553 defined in s. 112.312, in connection with a contract in which
554 the member or executive director personally and substantially
555 participated through decision, approval, disapproval,
556 recommendation, rendering of advice, or investigation while he
557 or she was a member or employee of the authority.

558 (b) A violation of this subsection is punishable in
559 accordance with s. 112.317.

560 (6) The authority's general counsel shall serve as the
561 authority's ethics officer.



450614

562 (7) An authority board member, employee, or consultant who
563 holds a position that may influence authority decisions may not
564 engage in any relationship that may adversely affect his or her
565 judgment in carrying out authority business. The following
566 disclosures must be made annually on a disclosure form to
567 prevent such conflicts of interest and preserve the integrity
568 and transparency of the authority to the public:

569 (a) Any relationship a board member, employee, or
570 consultant has which affords a current or future financial
571 benefit to such board member, employee, or consultant, or to a
572 relative or business associate of such board member, employee,
573 or consultant, and which a reasonable person would conclude has
574 the potential to create a prohibited conflict of interest.

575 (b) Whether a relative of such board member, employee, or
576 consultant is a registered lobbyist and, if so, the names of
577 such lobbyist's clients. Such names shall be provided in writing
578 to the ethics officer.

579 (c) Any and all interests in real property that such board
580 member, employee, or consultant has, or that a relative,
581 principal, client, or business associate of such board member,
582 employee, or consultant has, if such real property is located
583 within, or within a 1/2-mile radius of, any actual or
584 prospective authority roadway project. The executive director
585 shall provide a corridor map and a property ownership list
586 reflecting the ownership of all real property within the
587 disclosure area, or an alignment map with a list of associated
588 owners, to all board member, employees, and consultants.

589 (8) The disclosure forms filed as required under subsection
590 (7) must be reviewed by the ethics officer or, if a form is



450614

591 filed by the general counsel, by the executive director.

592 (9) The conflict of interest process shall be outlined in
593 the authority's code of ethics.

594 (10) Authority employees and consultants may not serve on
595 the governing body of the authority while employed by or under
596 contract with the authority.

597 (11) The code of ethics policy shall be reviewed and
598 updated by the ethics officer and presented for board approval
599 at least once every 2 years.

600 (12) Employees shall be adequately informed and trained on
601 the code of ethics and shall continually participate in ongoing
602 ethics education.

603 Section 5. Subsection (6) of section 343.1003, Florida
604 Statutes, is amended to read:

605 343.1003 Northeast Florida Regional Transportation
606 Commission.—

607 (6) Notwithstanding s. 348.0003(2)(i) ~~348.0003(4)(e)~~,
608 members of the board shall file a statement of financial
609 interest with the Commission on Ethics pursuant to s. 112.3145.

610 Section 6. This act shall take effect July 1, 2014.

611
612 ===== T I T L E A M E N D M E N T =====

613 And the title is amended as follows:

614 Delete everything before the enacting clause
615 and insert:

616 A bill to be entitled
617 An act relating to expressway authorities; amending s.
618 348.0003, F.S.; revising requirements relating to
619 expressway authority membership in specified counties;



450614

620 requiring members of each expressway authority,
621 transportation authority, bridge authority, or toll
622 authority to comply with specified financial
623 disclosure requirements; prohibiting certain
624 activities by authority board members and executive
625 directors during and after membership or employment;
626 prohibiting certain activities and providing a
627 penalty; specifying who may serve as an ethics
628 officer; requiring disclosure of certain relationships
629 and interests; prohibiting employees and consultants
630 from membership on a board; providing for a code of
631 ethics policy; amending ss. 348.52, 348.753, and
632 348.9952, F.S., relating to the Tampa-Hillsborough
633 County Expressway Authority, the Orlando-Orange County
634 Expressway Authority, and the Osceola County
635 Expressway Authority, respectively; prohibiting
636 certain activities by authority board members and
637 executive directors during and after membership or
638 employment; providing a penalty; specifying who may
639 serve as an ethics officer; requiring disclosure of
640 certain relationships and interests; prohibiting
641 employees and consultants from membership on a board;
642 providing for a code of ethics policy; amending s.
643 343.1003, F.S.; conforming a cross-reference;
644 providing an effective date.



242324

LEGISLATIVE ACTION

| | | |
|------------|---|-------|
| Senate | . | House |
| Comm: WD | . | |
| 04/03/2014 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Transportation (Joyner) recommended the following:

Senate Amendment to Amendment (450614)

Delete lines 59 - 60

and insert:

(e) A member of an authority appointed by the Governor may not serve



744348

LEGISLATIVE ACTION

| | | |
|------------|---|-------|
| Senate | . | House |
| Comm: WD | . | |
| 04/03/2014 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Transportation (Joyner) recommended the following:

Senate Amendment to Amendment (450614)

Delete lines 226 - 227

and insert:

(e) A member of the authority appointed by the Governor may not serve



227068

LEGISLATIVE ACTION

| | | |
|------------|---|-------|
| Senate | . | House |
| Comm: WD | . | |
| 04/03/2014 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Transportation (Brandes) recommended the following:

1 **Senate Amendment to Amendment (450614) (with title**
2 **amendment)**

3
4 Between lines 327 and 328
5 insert:

6 Section 3. Current subsection (14) of section 348.54,
7 Florida Statutes, is renumbered as subsection (15), and a new
8 subsection (14) is added to read:

9 348.54 Powers of the authority.—Except as otherwise limited
10 herein, the authority shall have the power:



227068

11 (14) To enter into an agreement with a consenting adjacent
12 county to construct, operate, and maintain roads, bridges,
13 avenues of access, thoroughfares, and boulevards within the
14 jurisdictional boundaries of the consenting county.

15 ~~(15)-(14)~~ Prior to entering into any sale, lease, transfer
16 or disposition of its real properties pursuant to subsection
17 (3), leasing any of its facilities pursuant to subsection (4),
18 or taking final action under subsection (7), the authority shall
19 give notice thereof by publication on at least five separate
20 days, in a newspaper of general circulation in the county. Such
21 notice shall state the place and time, not less than 14 days
22 following the first such publication, when objections may be
23 filed with and heard by the authority.

24
25 ===== T I T L E A M E N D M E N T =====

26 And the title is amended as follows:

27 Delete line 643

28 and insert:

29 348.54, F.S.; authorizing the Tampa-Hillsborough
30 County Expressway Authority to enter into an agreement
31 with a consenting adjacent county to construct,
32 operate, and maintain certain transportation
33 facilities within the consenting county; amending s.
34 343.1003, F.S.; conforming a cross-reference;



912642

LEGISLATIVE ACTION

| | | |
|------------|---|-------|
| Senate | . | House |
| Comm: WD | . | |
| 04/03/2014 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Transportation (Brandes) recommended the following:

1 **Senate Amendment to Amendment (450614) (with title**
2 **amendment)**

3
4 Between lines 327 and 328
5 insert:

6 Section 3. Section 348.53, Florida Statutes, is amended to
7 read:

8 348.53 Purposes of the authority.—The authority is created
9 for the purposes and shall have power to construct, reconstruct,
10 improve, extend, repair, maintain and operate the expressway



912642

11 system. It is hereby found and declared that such purposes are
12 in all respects for the benefit of the people of the State of
13 Florida, City of Tampa and the County of Hillsborough, for the
14 increase of their pleasure, convenience and welfare, for the
15 improvement of their health, to facilitate transportation,
16 including managed lanes, for their recreation and commerce and
17 for the common defense. The authority shall be performing a
18 public purpose and a governmental function in carrying out its
19 corporate purpose and in exercising the powers granted herein.

20 Section 4. Subsection (15) of section 348.54, Florida
21 Statutes, is created to read:

22 348.54 Powers of the authority.—Except as otherwise limited
23 herein, the authority shall have the power:

24 (15) With the consent of the county within whose
25 jurisdiction the following activities occur, the authority shall
26 have the right to construct, operate, and maintain roads,
27 bridges, avenues of access, thoroughfares, boulevards and
28 managed lanes outside the jurisdictional boundaries of
29 Hillsborough County and within the jurisdictional boundaries of
30 counties contiguous to Hillsborough County together with the
31 right to construct, repair, replace, operate, install, and
32 maintain facilities and electronic toll payment systems thereon
33 or incidental thereto, with all necessary and incidental powers
34 to accomplish the foregoing.

35
36 ===== T I T L E A M E N D M E N T =====

37 And the title is amended as follows:

38 Delete line 643

39 and insert:



912642

40 348.53, F.S.; revising the Legislative declaration of
41 the Tampa-Hillsborough County Expressway Authority's
42 purposes for the benefit of the people to include
43 managed lanes; amending s. 348.54, F.S.; authorizing
44 the Tampa-Hillsborough County Expressway Authority to
45 construct, operate, and maintain certain
46 transportation facilities within the jurisdictional
47 boundaries of a consenting county contiguous to
48 Hillsborough County, together with the right to
49 construct, operate, and maintain facilities and
50 electronic toll payment systems thereon or incidental
51 thereto; amending s. 343.1003, F.S.; conforming a
52 cross-reference;



673792

LEGISLATIVE ACTION

| | | |
|------------|---|-------|
| Senate | . | House |
| Comm: WD | . | |
| 04/03/2014 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Transportation (Joyner) recommended the following:

Senate Amendment to Amendment (450614)

Delete lines 488 - 489

and insert:

(b) A member of the authority appointed by the Governor may not serve



574892

LEGISLATIVE ACTION

| Senate | . | House |
|------------|---|-------|
| Comm: RCS | . | |
| 04/03/2014 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Transportation (Garcia) recommended the following:

1 **Senate Substitute for Amendment (450614) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. Section 348.0003, Florida Statutes, is amended
7 to read:

8 348.0003 Expressway authority; formation; membership.—

9 (1) Any county, or two or more contiguous counties located
10 within a single district of the department, may, by resolution



574892

11 adopted by the board of county commissioners, form an expressway
12 authority, which shall be an agency of the state, pursuant to
13 the Florida Expressway Authority Act.

14 (2) The governing body of an authority shall consist of not
15 fewer than five nor more than nine voting members. The district
16 secretary of the affected department district shall serve as a
17 nonvoting member of the governing body of each authority located
18 within the district. Each member of the governing body must at
19 all times during his or her term of office be a permanent
20 resident of the county which he or she is appointed to
21 represent.

22 (a) Two members of the authority shall be appointed for
23 terms of 4 years by the Governor, subject to confirmation by the
24 Senate. Such persons may not hold elective office during their
25 terms of office.

26 (b) For a single-county authority, the remaining members
27 shall be appointed by the board of county commissioners for
28 terms of 3 years.

29 (c) For a multicounty authority, the remaining members
30 shall be apportioned, based on the population of such counties,
31 among the counties within the authority. Each such member shall
32 be appointed by the applicable board of county commissioners for
33 a term of 3 years.

34 (d) Notwithstanding any provision of ~~to the contrary in~~
35 this subsection, in any county as defined in s. 125.011(1), the
36 governing body of an authority shall consist of nine ~~up to 13~~
37 members, and the ~~following~~ provisions of this paragraph shall
38 apply specifically to such authority. Except for the district
39 secretary of the department, the members must be residents of



574892

40 the county. Four ~~Seven~~ voting members shall be appointed by the
41 governing body of the county. At the discretion of the governing
42 body of the county, up to two of the members appointed by the
43 governing body of the county may be elected officials residing
44 in the county. Four ~~Five~~ voting members of the authority shall
45 be appointed by the Governor. One member shall be the district
46 secretary of the department serving in the district that
47 contains such county. This member shall be an ex officio voting
48 member of the authority. If the governing board of an authority
49 includes any member originally appointed by the governing body
50 of the county as a nonvoting member, when the term of such
51 member expires, that member shall be replaced by a member
52 appointed by the Governor until the governing body of the
53 authority is composed of four ~~seven~~ members appointed by the
54 governing body of the county and four ~~five~~ members appointed by
55 the Governor. The qualifications, terms of office, and
56 obligations and rights of members of the authority shall be
57 determined by resolution or ordinance of the governing body of
58 the county in a manner that is consistent with this paragraph,
59 paragraphs (e)-(i), and subsections (3)-(12) ~~(3) and (4)~~.

60 (e) A member of an authority appointed by the governing
61 board of the county or appointed by the Governor may not serve
62 as a member of any other transportation-related, commission, or
63 organization board with audit oversight of the authority while
64 serving as a member of the authority.

65 (f) A lobbyist, as defined in s. 112.3215, may not be
66 appointed or serve as a member of an authority.

67 (g) A member of an authority may be removed from office by
68 the Governor for misconduct, malfeasance, misfeasance, or



574892

69 nonfeasance in office.

70 (h) Members of an authority may receive reimbursement from
71 the authority for travel and other necessary expenses incurred
72 in connection with the business of the authority as provided in
73 s. 112.061, but may not draw salaries or other compensation.

74 (i) Members of each expressway authority, transportation
75 authority, bridge authority, or toll authority created pursuant
76 to this chapter, chapter 343, or any other general law shall
77 comply with the applicable financial disclosure requirements of
78 s. 8, Art. II of the State Constitution. This paragraph does not
79 subject any statutorily created authority, other than an
80 expressway authority created under this part, to any requirement
81 of this part except this paragraph.

82 (3) (a) The governing body of each authority shall elect one
83 of its members as its chair and shall elect a secretary and a
84 treasurer who need not be members of the authority. The chair,
85 secretary, and treasurer shall hold their offices at the will of
86 the authority. A simple majority of the governing body of the
87 authority constitutes a quorum, and the vote of a majority of
88 those members present is necessary for the governing body to
89 take any action. A vacancy on an authority shall not impair the
90 right of a quorum of the authority to exercise all of the rights
91 and perform all of the duties of the authority.

92 (b) Upon the effective date of his or her appointment, or
93 as soon thereafter as practicable, each appointed member of an
94 authority shall enter upon his or her duties.

95 ~~(4)(a)~~ An authority may employ an executive secretary, an
96 executive director, its own counsel and legal staff, technical
97 experts, and such engineers and employees, permanent or



574892

98 temporary, as it may require and shall determine the
99 qualifications and fix the compensation of such persons, firms,
100 or corporations. An authority may employ a fiscal agent or
101 agents; however, the authority must solicit sealed proposals
102 from at least three persons, firms, or corporations for the
103 performance of any services as fiscal agents. An authority may
104 delegate to one or more of its agents or employees such of its
105 power as it deems necessary to carry out the purposes of the
106 Florida Expressway Authority Act, subject always to the
107 supervision and control of the authority. ~~Members of an~~
108 ~~authority may be removed from office by the Governor for~~
109 ~~misconduct, malfeasance, misfeasance, or nonfeasance in office.~~

110 ~~(b) Members of an authority are entitled to receive from~~
111 ~~the authority their travel and other necessary expenses incurred~~
112 ~~in connection with the business of the authority as provided in~~
113 ~~s. 112.061, but they may not draw salaries or other~~
114 ~~compensation.~~

115 ~~(c) Members of each expressway authority, transportation~~
116 ~~authority, bridge authority, or toll authority, created pursuant~~
117 ~~to this chapter, chapter 343, or any other general law, shall~~
118 ~~comply with the applicable financial disclosure requirements of~~
119 ~~s. 8, Art. II of the State Constitution. This paragraph does not~~
120 ~~subject any statutorily created authority, other than an~~
121 ~~expressway authority created under this part, to any other~~
122 ~~requirement of this part except the requirement of this~~
123 ~~paragraph.~~

124 (5) (a) A member or the executive director of an authority
125 may not:

126 1. Within 2 years after vacating his or her position as a



574892

127 board member or the executive director, personally represent
128 another person or entity for compensation before the authority;

129 2. After vacating his or her position as a board member or
130 the executive director, have an employment or contractual
131 relationship with a business entity other than an agency, as
132 defined in s. 112.312, in connection with a contract in which
133 the member or executive director personally and substantially
134 participated through decision, approval, disapproval,
135 recommendation, rendering of advice, or investigation while he
136 or she was a member or employee of the authority.

137 (b) A violation of this subsection is punishable in
138 accordance with s. 112.317.

139 (6) An authority's general counsel shall serve as the
140 authority's ethics officer.

141 (7) An authority board member, employee, or consultant who
142 holds a position that may influence authority decisions may not
143 engage in any relationship that may adversely affect his or her
144 judgment in carrying out authority business. The following
145 disclosures must be made annually on a disclosure form to
146 prevent such conflicts of interest and preserve the integrity
147 and transparency of the authority to the public:

148 (a) Any relationship that a board member, employee, or
149 consultant has which affords a current or future financial
150 benefit to such board member, employee, or consultant, or to a
151 relative or business associate of such board member, employee,
152 or consultant, and which a reasonable person would conclude has
153 the potential to create a prohibited conflict of interest.

154 (b) Whether a relative of such board member, employee, or
155 consultant is a registered lobbyist and, if so, the names of



574892

156 such lobbyist's clients. Such names shall be provided in writing
157 to the ethics officer.

158 (c) All interests in real property that such board member,
159 employee, or consultant has, or that a relative, principal,
160 client, or business associate of such board member, employee, or
161 consultant has, if such real property is located within, or
162 within a 1/2-mile radius of, any actual or prospective authority
163 roadway project. The executive director shall provide a corridor
164 map and a property ownership list reflecting the ownership of
165 all real property within the disclosure area, or an alignment
166 map with a list of associated owners, to all board members,
167 employees, and consultants.

168 (8) The disclosure forms filed as required under subsection
169 (7) must be reviewed by the ethics officer or, if a form is
170 filed by the general counsel, by the executive director.

171 (9) The conflict of interest process shall be outlined in
172 the authority's code of ethics.

173 (10) Authority employees and consultants may not serve on
174 the governing body of the authority while employed by or under
175 contract with the authority.

176 (11) The code of ethics policy shall be reviewed and
177 updated by the ethics officer and presented for board approval
178 at least once every 2 years.

179 (12) Employees shall be adequately informed and trained on
180 the code of ethics and shall continually participate in ongoing
181 ethics education.

182 Section 2. Section 348.52, Florida Statutes, is amended to
183 read:

184 348.52 Tampa-Hillsborough County Expressway Authority.—



574892

185 (1) There is hereby created and established a body politic
186 and corporate, an agency of the state, to be known as the
187 "Tampa-Hillsborough County Expressway Authority."

188 (2) The governing body of the authority shall consist of a
189 board of seven members.

190 (a) Four of the members shall be appointed by the Governor
191 subject to confirmation by the Senate at the next regular
192 session of the Legislature. Refusal or failure of the Senate to
193 confirm an appointment shall create a vacancy.

194 1. Each such member's term of office shall be for 4 years
195 or until his or her successor shall have been appointed and
196 qualified.

197 2. Vacancies occurring in the governing body for any such
198 members prior to the expiration of the affected term shall be
199 filled for the unexpired term.

200 ~~3. The Governor shall have the authority to remove from~~
201 ~~office any such member of the governing body in the manner and~~
202 ~~for cause defined by the laws of this state.~~

203 ~~3.4.~~ Each such member, before entering upon his or her
204 official duties, shall take and subscribe to an oath before some
205 official authorized by law to administer oaths that he or she
206 will honestly, faithfully, and impartially perform the duties
207 devolving upon him or her in office as a member of the governing
208 body of the authority and that he or she will not neglect any
209 duties imposed upon him or her by this part.

210 (b) One member shall be the mayor, or the mayor's
211 designate, who shall be the chair of the city council of the
212 city in Hillsborough County having the largest population,
213 according to the latest decennial census, who shall serve as a



574892

214 member ex officio.

215 (c) One member shall be a member of the Board of County
216 Commissioners of Hillsborough County, selected by such board,
217 who shall serve as a member ex officio.

218 (d) One member shall be the district secretary of the
219 Department of Transportation serving in the district that
220 contains Hillsborough County, who shall serve ex officio.

221 (e) A member of the authority appointed by the governing
222 board of the county or appointed by the Governor may not serve
223 as a member of any other transportation-related board,
224 commission, or organization with audit oversight of the
225 authority while serving as a member of the authority.

226 (f) A lobbyist, as defined in s. 112.3215, may not be
227 appointed or serve as a member of the authority.

228 (g) A member of the authority may be removed from office by
229 the Governor for misconduct, malfeasance, misfeasance, or
230 nonfeasance in office.

231 (h) Members of the authority may receive reimbursement from
232 the authority for travel and other necessary expenses incurred
233 in connection with the business of the authority as provided in
234 s. 112.061, but may not draw salaries or other compensation.

235 (3) The authority shall designate one of its members as
236 chair. ~~The members of the authority shall not be entitled to~~
237 ~~compensation but shall be entitled to receive their travel and~~
238 ~~other necessary expenses as provided in s. 112.061.~~ A majority
239 of the members of the authority shall constitute a quorum, and
240 resolutions enacted or adopted by a vote of a majority of the
241 members present and voting at any meeting shall become effective
242 without publication or posting or any further action of the



574892

243 authority.

244 (4) The authority may employ a secretary and executive
245 director, its own counsel and legal staff, and such legal,
246 financial, and other professional consultants, technical
247 experts, engineers, and employees, permanent or temporary, as it
248 may require and may determine the qualifications and fix the
249 compensation of such persons, firms, or corporations. The
250 authority may contract with the Division of Bond Finance of the
251 State Board of Administration for any financial services
252 authorized herein.

253 (5) The authority may delegate to one or more of its
254 officers or employees such of its powers as it shall deem
255 necessary to carry out the purposes of this part, subject always
256 to the supervision and control of the authority. ~~Members of the~~
257 ~~authority may be removed from their office by the Governor for~~
258 ~~misconduct, malfeasance, misfeasance, and nonfeasance in office.~~

259 (6) (a) A member or the executive director of the authority
260 may not:

261 1. Within 2 years after vacating his or her position as a
262 board member or the executive director, personally represent
263 another person or entity for compensation before the authority;

264 2. After vacating his or her position as a board member or
265 the executive director, have an employment or contractual
266 relationship with a business entity other than an agency, as
267 defined in s. 112.312, in connection with a contract in which
268 the member or executive director personally and substantially
269 participated through decision, approval, disapproval,
270 recommendation, rendering of advice, or investigation while he
271 or she was a member or employee of the authority.



574892

272 (b) A violation of this subsection is punishable in
273 accordance with s. 112.317.

274 (7) The authority's general counsel shall serve as the
275 authority's ethics officer.

276 (8) An authority board member, employee, or consultant who
277 holds a position that may influence authority decisions may not
278 engage in any relationship that may adversely affect his or her
279 judgment in carrying out authority business. The following
280 disclosures must be made annually on a disclosure form to
281 prevent such conflicts of interest and preserve the integrity
282 and transparency of the authority to the public:

283 (a) Any relationship a board member, employee, or
284 consultant has which affords a current or future financial
285 benefit to such board member, employee, or consultant, or to a
286 relative or business associate of such board member, employee,
287 or consultant, and which a reasonable person would conclude has
288 the potential to create a prohibited conflict of interest.

289 (b) Whether a relative of such board member, employee, or
290 consultant is a registered lobbyist and, if so, the names of
291 such lobbyist's clients. Such names shall be provided in writing
292 to the ethics officer.

293 (c) All interests in real property that such board member,
294 employee, or consultant has, or that a relative, principal,
295 client, or business associate of such board member, employee, or
296 consultant has, if such real property is located within, or
297 within a 1/2-mile radius of, any actual or prospective authority
298 roadway project. The executive director shall provide a corridor
299 map and a property ownership list reflecting the ownership of
300 all real property within the disclosure area, or an alignment



574892

301 map with a list of associated owners, to all board members,
302 employees, and consultants.

303 (9) The disclosure forms filed as required under subsection
304 (8) must be reviewed by the ethics officer or, if a form is
305 filed by the general counsel, by the executive director.

306 (10) The conflict of interest process shall be outlined in
307 the authority's code of ethics.

308 (11) Authority employees and consultants may not serve on
309 the governing body of the authority while employed by or under
310 contract with the authority.

311 (12) The code of ethics policy shall be reviewed and
312 updated by the ethics officer and presented for board approval
313 at least once every 2 years.

314 (13) Employees shall be adequately informed and trained on
315 the code of ethics and shall continually participate in ongoing
316 ethics education.

317 Section 3. Section 348.53, Florida Statutes, is amended to
318 read:

319 348.53 Purposes of the authority.—The authority is created
320 for the purposes and shall have power to construct, reconstruct,
321 improve, extend, repair, maintain and operate the expressway
322 system. It is hereby found and declared that such purposes are
323 in all respects for the benefit of the people of the State of
324 Florida, City of Tampa and the County of Hillsborough, for the
325 increase of their pleasure, convenience and welfare, for the
326 improvement of their health, to facilitate transportation,
327 including managed lanes, for their recreation and commerce and
328 for the common defense. The authority shall be performing a
329 public purpose and a governmental function in carrying out its



574892

330 corporate purpose and in exercising the powers granted herein.

331 Section 4. Subsection (15) of section 348.54, Florida
332 Statutes, is created to read:

333 348.54 Powers of the authority.—Except as otherwise limited
334 herein, the authority shall have the power:

335 (15) With the consent of the county within whose
336 jurisdiction the following activities occur, the authority shall
337 have the right to construct, operate, and maintain roads,
338 bridges, avenues of access, thoroughfares, boulevards and
339 managed lanes outside the jurisdictional boundaries of
340 Hillsborough County and within the jurisdictional boundaries of
341 counties contiguous to Hillsborough County together with the
342 right to construct, repair, replace, operate, install, and
343 maintain facilities and electronic toll payment systems thereon
344 or incidental thereto, with all necessary and incidental powers
345 to accomplish the foregoing.

346 Section 5. Section 348.753, Florida Statutes, is amended to
347 read:

348 348.753 Orlando-Orange County Expressway Authority.—

349 (1) There is hereby created and established a body politic
350 and corporate, an agency of the state, to be known as the
351 Orlando-Orange County Expressway Authority, hereinafter referred
352 to as "authority."

353 (2) (a) The governing body of the authority shall consist of
354 five members. Three members shall be citizens of Orange County,
355 who shall be appointed by the Governor. The fourth member shall
356 be, ex officio, the chair of the County Commissioners of Orange
357 County, and the fifth member shall be, ex officio, the district
358 secretary of the Department of Transportation serving in the



574892

359 district that contains Orange County. The term of each appointed
360 member shall be for 4 years. Each appointed member shall hold
361 office until his or her successor has been appointed and has
362 qualified. A vacancy occurring during a term shall be filled
363 only for the balance of the unexpired term. Each appointed
364 member of the authority shall be a person of outstanding
365 reputation for integrity, responsibility, and business ability,
366 but no person who is an officer or employee of any city or of
367 Orange County in any other capacity shall be an appointed member
368 of the authority. Any member of the authority shall be eligible
369 for reappointment.

370 (b) A member of the authority appointed by the Governor may
371 not serve as a member of any other transportation-related board,
372 commission, or organization with audit oversight of the
373 authority while serving as a member of the authority.

374 (c) A lobbyist, as defined in s. 112.3215, may not be
375 appointed or serve as a member of the authority.

376 (d) A member of the authority may be removed from office by
377 the Governor for misconduct, malfeasance, misfeasance, or
378 nonfeasance in office.

379 (e) Members of the authority may receive reimbursement from
380 the authority for travel and other necessary expenses incurred
381 in connection with the business of the authority as provided in
382 s. 112.061, but may not draw salaries or other compensation.

383 (3) (a) The authority shall elect one of its members as
384 chair of the authority. The authority shall also elect a
385 secretary and a treasurer who may or may not be members of the
386 authority. The chair, secretary, and treasurer shall hold such
387 offices at the will of the authority. Three members of the



574892

388 authority shall constitute a quorum, and the vote of three
389 members shall be necessary for any action taken by the
390 authority. No vacancy in the authority shall impair the right of
391 a quorum of the authority to exercise all of the rights and
392 perform all of the duties of the authority.

393 (b) Upon the effective date of his or her appointment, or
394 as soon thereafter as practicable, each appointed member of the
395 authority shall enter upon his or her duties.

396 (4) ~~(a)~~ The authority may employ an executive secretary, an
397 executive director, its own counsel and legal staff, technical
398 experts, such engineers, and such employees, permanent or
399 temporary, as it may require and may determine the
400 qualifications and fix the compensation of such persons, firms,
401 or corporations and may employ a fiscal agent or agents,
402 provided, however, that the authority shall solicit sealed
403 proposals from at least three persons, firms, or corporations
404 for the performance of any services as fiscal agents. The
405 authority may delegate to one or more of its agents or employees
406 such of its power as it shall deem necessary to carry out the
407 purposes of this part, subject always to the supervision and
408 control of the authority. ~~Members of the authority may be
409 removed from their office by the Governor for misconduct,
410 malfeasance, misfeasance, or nonfeasance in office.~~

411 ~~(b) Members of the authority shall be entitled to receive
412 from the authority their travel and other necessary expenses
413 incurred in connection with the business of the authority as
414 provided in s. 112.061, but they shall draw no salaries or other
415 compensation.~~

416 (5) (a) A member or the executive director of the authority



574892

417 may not:

418 1. Within 2 years after vacating his or her position as a
419 board member or the executive director, personally represent
420 another person or entity for compensation before the authority;

421 2. After vacating his or her position as a board member or
422 the executive director, have an employment or contractual
423 relationship with a business entity other than an agency, as
424 defined in s. 112.312, in connection with a contract in which
425 the member or executive director personally and substantially
426 participated through decision, approval, disapproval,
427 recommendation, rendering of advice, or investigation while he
428 or she was a member or employee of the authority.

429 (b) A violation of this subsection is punishable in
430 accordance with s. 112.317.

431 (6) The authority's general counsel shall serve as the
432 authority's ethics officer.

433 (7) An authority board member, employee, or consultant who
434 holds a position that may influence authority decisions may not
435 engage in any relationship that may adversely affect his or her
436 judgment in carrying out authority business. The following
437 disclosures must be made annually on a disclosure form to
438 prevent such conflicts of interest and preserve the integrity
439 and transparency of the authority to the public:

440 (a) Any relationship a board member, employee, or
441 consultant has which affords a current or future financial
442 benefit to such board member, employee, or consultant, or to a
443 relative or business associate of such board member, employee,
444 or consultant, and which a reasonable person would conclude has
445 the potential to create a prohibited conflict of interest.



574892

446 (b) Whether a relative of such board member, employee, or
447 consultant is a registered lobbyist and, if so, the names of
448 such lobbyist's clients. Such names shall be provided in writing
449 to the ethics officer.

450 (c) All interests in real property that such board member,
451 employee, or consultant has, or that a relative, principal,
452 client, or business associate of such board member, employee, or
453 consultant has, if such real property is located within, or
454 within a 1/2-mile radius of, any actual or prospective authority
455 roadway project. The executive director shall provide a corridor
456 map and a property ownership list reflecting the ownership of
457 all real property within the disclosure area, or an alignment
458 map with a list of associated owners, to all board member,
459 employees, and consultants.

460 (8) The disclosure forms filed as required under subsection
461 (7) must be reviewed by the ethics officer or, if a form is
462 filed by the general counsel, by the executive director.

463 (9) The conflict of interest process shall be outlined in
464 the authority's code of ethics.

465 (10) Authority employees and consultants may not serve on
466 the governing body of the authority while employed by or under
467 contract with the authority.

468 (11) The code of ethics policy shall be reviewed and
469 updated by the ethics officer and presented for board approval
470 at least once every 2 years.

471 (12) Employees shall be adequately informed and trained on
472 the code of ethics and shall continually participate in ongoing
473 ethics education.

474 Section 6. Section 348.9952, Florida Statutes, is amended



574892

475 to read:

476 348.9952 Osceola County Expressway Authority.—

477 (1) There is created a body politic and corporate, an
478 agency of the state, to be known as the Osceola County
479 Expressway Authority.

480 (2) (a) The governing body of the authority shall consist of
481 six members. Five members, at least one of whom must be a member
482 of a racial or ethnic minority group, must be residents of
483 Osceola County, three of whom shall be appointed by the
484 governing body of the county and two of whom shall be appointed
485 by the Governor. The sixth member shall be the district
486 secretary of the department serving in the district that
487 includes Osceola County, who shall serve as an ex officio,
488 nonvoting member. The term of each appointed member shall be for
489 4 years, except that the first term of the initial members
490 appointed by the Governor shall be 2 years each. Each appointed
491 member shall hold office until his or her successor has been
492 appointed and has qualified. A vacancy occurring during a term
493 shall be filled only for the balance of the unexpired term. Each
494 appointed member of the authority shall be a person of
495 outstanding reputation for integrity, responsibility, and
496 business ability, but a person who is an officer or employee of
497 any municipality or of Osceola County in any other capacity may
498 not be an appointed member of the authority. A member of the
499 authority is eligible for reappointment.

500 (b) A member of the authority appointed by the governing
501 board of the county or appointed by the Governor may not serve
502 as a member of any other transportation-related board,
503 commission, or organization with audit oversight of the



574892

504 authority while serving as a member of the authority.

505 (c) A lobbyist, as defined in s. 112.3215, may not be
506 appointed or serve as a member of the authority.

507 (d) ~~(b)~~ Members of the authority may be removed from office
508 by the Governor for misconduct, malfeasance, ~~misfeasance~~, or
509 nonfeasance in office.

510 (e) Members of the authority may receive reimbursement from
511 the authority for travel and other necessary expenses incurred
512 in connection with the business of the authority as provided in
513 s. 112.061, but may not draw salaries or other compensation.

514 (3) (a) The authority shall elect one of its members as
515 chair. The authority shall also elect a secretary and a
516 treasurer, who may be members of the authority. The chair,
517 secretary, and treasurer shall hold such offices at the will of
518 the authority.

519 (b) Three members of the authority constitute a quorum, and
520 the vote of three members is necessary for any action taken by
521 the authority. A vacancy in the authority does not impair the
522 right of a quorum of the authority to exercise all of the rights
523 and perform all of the duties of the authority.

524 (4) (a) The authority may employ an executive secretary, an
525 executive director, its own counsel and legal staff, technical
526 experts, engineers, and other employees, permanent or temporary,
527 as it may require, and may determine the qualifications and fix
528 the compensation of such persons, firms, or corporations.
529 Additionally, the authority may employ a fiscal agent or agents.
530 However, the authority shall solicit sealed proposals from at
531 least three persons, firms, or corporations for the performance
532 of any services as fiscal agents. The authority may delegate to



574892

533 one or more of its agents or employees such of its power as it
534 deems necessary to carry out the purposes of this part, subject
535 always to the supervision and control of the authority.

536 ~~(b) Members of the authority are entitled to receive from~~
537 ~~the authority their travel and other necessary expenses incurred~~
538 ~~in connection with the business of the authority as provided in~~
539 ~~s. 112.061, but members shall not draw salaries or other~~
540 ~~compensation.~~

541 ~~(b)(e)~~ The department is not required to grant funds for
542 startup costs to the authority. However, the governing body of
543 the county may provide funds for such startup costs.

544 ~~(c)(d)~~ The authority shall cooperate with and participate
545 in any efforts to establish a regional expressway authority.

546 ~~(d)(e)~~ Notwithstanding any other provision of law,
547 including s. 339.175(3), the authority is not entitled to voting
548 membership in a metropolitan planning organization in which
549 Osceola County, or any of the municipalities therein, are also
550 voting members.

551 (5) (a) A member or the executive director of the authority
552 may not:

553 1. Within 2 years after vacating his or her position as a
554 board member or the executive director, personally represent
555 another person or entity for compensation before the authority;

556 2. After vacating his or her position as a board member or
557 the executive director, have an employment or contractual
558 relationship with a business entity other than an agency, as
559 defined in s. 112.312, in connection with a contract in which
560 the member or executive director personally and substantially
561 participated through decision, approval, disapproval,



574892

562 recommendation, rendering of advice, or investigation while he
563 or she was a member or employee of the authority.

564 (b) A violation of this subsection is punishable in
565 accordance with s. 112.317.

566 (6) The authority's general counsel shall serve as the
567 authority's ethics officer.

568 (7) An authority board member, employee, or consultant who
569 holds a position that may influence authority decisions may not
570 engage in any relationship that may adversely affect his or her
571 judgment in carrying out authority business. The following
572 disclosures must be made annually on a disclosure form to
573 prevent such conflicts of interest and preserve the integrity
574 and transparency of the authority to the public:

575 (a) Any relationship a board member, employee, or
576 consultant has which affords a current or future financial
577 benefit to such board member, employee, or consultant, or to a
578 relative or business associate of such board member, employee,
579 or consultant, and which a reasonable person would conclude has
580 the potential to create a prohibited conflict of interest.

581 (b) Whether a relative of such board member, employee, or
582 consultant is a registered lobbyist and, if so, the names of
583 such lobbyist's clients. Such names shall be provided in writing
584 to the ethics officer.

585 (c) Any and all interests in real property that such board
586 member, employee, or consultant has, or that a relative,
587 principal, client, or business associate of such board member,
588 employee, or consultant has, if such real property is located
589 within, or within a 1/2-mile radius of, any actual or
590 prospective authority roadway project. The executive director



574892

591 shall provide a corridor map and a property ownership list
592 reflecting the ownership of all real property within the
593 disclosure area, or an alignment map with a list of associated
594 owners, to all board member, employees, and consultants.

595 (8) The disclosure forms filed as required under subsection
596 (7) must be reviewed by the ethics officer or, if a form is
597 filed by the general counsel, by the executive director.

598 (9) The conflict of interest process shall be outlined in
599 the authority's code of ethics.

600 (10) Authority employees and consultants may not serve on
601 the governing body of the authority while employed by or under
602 contract with the authority.

603 (11) The code of ethics policy shall be reviewed and
604 updated by the ethics officer and presented for board approval
605 at least once every 2 years.

606 (12) Employees shall be adequately informed and trained on
607 the code of ethics and shall continually participate in ongoing
608 ethics education.

609 Section 7. Subsection (6) of section 343.1003, Florida
610 Statutes, is amended to read:

611 343.1003 Northeast Florida Regional Transportation
612 Commission.—

613 (6) Notwithstanding s. 348.0003(2)(i) ~~348.0003(4)(e)~~,
614 members of the board shall file a statement of financial
615 interest with the Commission on Ethics pursuant to s. 112.3145.

616 Section 8. This act shall take effect July 1, 2014.

617
618 ===== T I T L E A M E N D M E N T =====

619 And the title is amended as follows:



574892

620 Delete everything before the enacting clause
621 and insert:

622 A bill to be entitled
623 An act relating to expressway authorities; amending s.
624 348.0003, F.S.; revising requirements relating to
625 expressway authority membership in specified counties;
626 requiring members of each expressway authority,
627 transportation authority, bridge authority, or toll
628 authority to comply with specified financial
629 disclosure requirements; prohibiting certain
630 activities by authority board members and executive
631 directors during and after membership or employment;
632 prohibiting certain activities and providing a
633 penalty; specifying who may serve as an ethics
634 officer; requiring disclosure of certain relationships
635 and interests; prohibiting employees and consultants
636 from membership on a board; providing for a code of
637 ethics policy; amending ss. 348.52, 348.753, and
638 348.9952, F.S., relating to the Tampa-Hillsborough
639 County Expressway Authority, the Orlando-Orange County
640 Expressway Authority, and the Osceola County
641 Expressway Authority, respectively; prohibiting
642 certain activities by authority board members and
643 executive directors during and after membership or
644 employment; providing a penalty; specifying who may
645 serve as an ethics officer; requiring disclosure of
646 certain relationships and interests; prohibiting
647 employees and consultants from membership on a board;
648 providing for a code of ethics policy; amending s.



574892

649 348.53, F.S.; revising the Legislative declaration of
650 the Tampa-Hillsborough County Expressway Authority's
651 purposes for the benefit of the people to include
652 managed lanes; amending s. 348.54, F.S.; authorizing
653 the Tampa-Hillsborough County Expressway Authority to
654 construct, operate, and maintain certain
655 transportation facilities within the jurisdictional
656 boundaries of a consenting county contiguous to
657 Hillsborough County, together with the right to
658 construct, operate, and maintain facilities and
659 electronic toll payment systems thereon or incidental
660 thereto; amending s. 343.1003, F.S.; conforming a
661 cross-reference; providing an effective date.



829872

LEGISLATIVE ACTION

| Senate | . | House |
|------------|---|-------|
| Comm: RCS | . | |
| 04/03/2014 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Transportation (Margolis) recommended the following:

1 **Senate Amendment to Amendment (574892) (with title**
2 **amendment)**

3
4 Delete lines 36 - 54
5 and insert:

6 governing body of an authority shall consist of up to 13
7 members, and the following provisions of this paragraph shall
8 apply specifically to such authority. Except for the district
9 secretary of the department, the members must be residents of
10 the county. Seven voting members shall be appointed by the



829872

11 governing body of the county. At the discretion of the governing
12 body of the county, up to two of the members appointed by the
13 governing body of the county may be elected officials residing
14 in the county. Five voting members of the authority shall be
15 appointed by the Governor. One member shall be the district
16 secretary of the department serving in the district that
17 contains such county. This member shall be an ex officio voting
18 member of the authority. If the governing board of an authority
19 includes any member originally appointed by the governing body
20 of the county as a nonvoting member, when the term of such
21 member expires, that member shall be replaced by a member
22 appointed by the Governor until the governing body of the
23 authority is composed of seven members appointed by the
24 governing body of the county and five members appointed by

25
26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:
28 Delete lines 624 - 625
29 and insert:
30 348.0003, F.S.;



127192

LEGISLATIVE ACTION

| Senate | . | House |
|------------|---|-------|
| Comm: RCS | . | |
| 04/03/2014 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Transportation (Garcia) recommended the following:

Senate Amendment to Amendment (574892)

Delete line 370

and insert:

(b) A member of the authority appointed by the governing body of the county or appointed by the Governor may

THE FLORIDA SENATE
APPEARANCE RECORD

W/D

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-3-14
Meeting Date

Topic Expressway Authority

Bill Number 772
(if applicable)

Name Diane Salz

Amendment Barcode 242324
(if applicable)
(Soyner)

Job Title Gov. Consultant

Address 2529 Goose Pond Ct
Street

Phone 850.339.8550

Tallahassee FL 32308
City State Zip

E-mail dsalz@yahoo.com

Speaking: For Against Information

Representing Hillsb. County Planning Comm.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

W/D

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/14
Meeting Date

Topic Expressway Authorities

Bill Number 772
~~_____~~
(if applicable)

Name Beth Pytlík (Pit-lick)

Amendment Barcode 242324
(if applicable)
(Wagner)

Job Title Intergov Relations

Address 601 E Kennedy Blvd
Street
Tampa FL 33602
City State Zip

Phone 860391 2089

E-mail pytlirkbehillsborough
county.org

Speaking: For Against Information

Representing Hillsborough County

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

W/D

4/3/14

Meeting Date

Topic Expressway Authorities

Bill Number 772
(if applicable)

Name Beth Pytik (Pit-lick)

Amendment Barcode 744348
(if applicable)
(Janner)

Job Title Intergov Relations

Address 601 E Kennedy Blvd

Phone 860 391 2089

Street

Tampa

City

FL

State

33602

Zip

E-mail pytikbeth@hillsboroughcounty.org

Speaking: For Against Information

Representing Hillsborough County

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

W/P

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-3-14
Meeting Date

Topic Expressway Act

Bill Number 772
(if applicable)

Name Diane Salz

Amendment Barcode 744348
(if applicable)
(Joyner)

Job Title Gov'l Consultant

Address 2529 Goose Pond Ct
Street
Tallah. 32308
City State Zip

Phone 850.339.8550

E-mail disalz@
yahoo.com

Speaking: For Against Information

Representing Hills. Co. Planning Comm

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/14

Meeting Date

Topic OOCEA

Bill Number 772
(if applicable)

Name Kelley Teague

Amendment Barcode _____
(if applicable)

Job Title Legislative Affairs Director

Address 201 S. Rosalind Ave

Phone _____

Street

Orlando

City

State

Zip

E-mail _____

Speaking: For Against Information

Representing Orange County

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____

Topic _____

Bill Number 772
(if applicable)

Name ENRIQUE BROOKS

Amendment Barcode _____
(if applicable)

Job Title PRESIDENT/ENGINEER

Address 815 NW 57th Ave #402

Phone _____

Street
Miami FL 33149
City State Zip

E-mail _____

Speaking: For Against Information

Representing EAC CONSULTING INC.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____

Topic SB 772 - Expressway Authorities

Bill Number SB 772
(if applicable)

Name Tere Garcia

Amendment Barcode _____
(if applicable)

Job Title planner

Address 6545 SW 49 ST

Phone 786-277-9292

Street
Miami
City *State* *Zip*

E-mail teregarcia28@gmail.com

Speaking: For Against Information

Representing myself

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/14

Meeting Date

Topic Expressway authorities

Bill Number SB 772
(if applicable)

Name Daniel Tapia

Amendment Barcode _____
(if applicable)

Job Title Director, Gov. affairs

Address 1601 Biscayne Blvd

Phone 305-577-5469

Street

Miami FL 33122

City

State

Zip

E-mail dtapia@miamichamber.com

Speaking: For Against Information

Representing Greater Miami Chamber of Commerce

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/2/14

Meeting Date

Topic EXPRESSWAYS

Bill Number S 772 (if applicable)

Name FAUSTO GOMEZ

Amendment Barcode (if applicable)

Job Title

Address 2350 CORAL WAY #301

Phone (305) 860-0780

Street MIAMI City

FL State 33145 Zip

E-mail FGOMEZ@GOMEZBARBER.COM

Speaking: [] For [x] Against [] Information

Representing MIAMI-DADE EXPRESSWAY AUTHORITY

Appearing at request of Chair: [] Yes [x] No

Lobbyist registered with Legislature: [x] Yes [] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/14
Meeting Date

Topic Expressway Authorities Bill Number SB 772
(if applicable)

Name Pamela Leslie Amendment Barcode _____
(if applicable)

Job Title President, Transportation Mgmt & Policy Consultants

Address 1400 Village Sq. Blvd 3-407 Phone (850) 545-1240
Street

Tallahassee FL 32312 E-mail PLeslie@TM&P.com
City State Zip

Speaking: For Against Information

Representing TM&P Consultants

Appearing at request of Chair: Yes No Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/2014
Meeting Date

Topic _____

Bill Number 772
(if applicable)

Name LUZ WEINBERG

Amendment Barcode _____
(if applicable)

Job Title MDX BOARD MEMBER

Address 19200 W. COUNTRY CLUB DR.

Phone 305 466 8901

MIAMI, FL 33180
Street City State Zip

E-mail COMMISSIONER@GMAIL.COM

Speaking: For Against Information

Representing MDX

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____

Topic EXPRESSWAY

Bill Number SB772
(if applicable)

Name ERNEST SOCHIN

Amendment Barcode _____
(if applicable)

Job Title VICE MAYOR

Address 18730 SW 84th Ct

Phone _____

Street
CUTLER BAY FL 33157
City *State* *Zip*

E-mail _____

Speaking: For Against Information

Representing SELF

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

By Senator Garcia

38-00785-14

2014772__

1 A bill to be entitled
 2 An act relating to expressway authorities; amending s.
 3 338.165, F.S.; revising provisions for toll rate
 4 adjustments to limit applicability to certain
 5 authorities; amending s. 348.0003, F.S.; revising
 6 governing body membership provisions for certain
 7 authorities; amending s. 348.0004, F.S.; revising
 8 powers of certain authorities to increase tolls and
 9 incur debt; revising authorized use of surplus
 10 revenues; providing that certain toll increases are
 11 rescinded and such tolls must be reduced by a
 12 specified date; requiring certain authorities to
 13 provide periodic financial audits to the governing
 14 body of the county; amending s. 348.0005, F.S.;
 15 revising authority of certain authorities to issue
 16 bonds; providing an effective date.

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

20 Section 1. Subsection (3) of section 338.165, Florida
 21 Statutes, is amended to read:

22 338.165 Continuation of tolls.—

23 (3) Notwithstanding any other provision of law, the
 24 department, including the turnpike enterprise, shall index toll
 25 rates on existing toll facilities to the annual Consumer Price
 26 Index or similar inflation indicators. Toll rate adjustments for
 27 inflation under this subsection may be made no more frequently
 28 than once a year and, except as provided in s. 348.0004(2), must
 29 be made no less frequently than once every 5 years as necessary

Page 1 of 9

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

38-00785-14

2014772__

30 to accommodate cash toll rate schedules. Except as provided in
 31 s. 348.0004(2), toll rates may be increased beyond these limits
 32 as directed by bond documents, covenants, or governing body
 33 authorization or pursuant to department administrative rule.

34 Section 2. Paragraph (d) of subsection (2) of section
 35 348.0003, Florida Statutes, is amended to read:

36 348.0003 Expressway authority; formation; membership.—

37 (2) The governing body of an authority shall consist of not
 38 fewer than five nor more than nine voting members. The district
 39 secretary of the affected department district shall serve as a
 40 nonvoting member of the governing body of each authority located
 41 within the district. Each member of the governing body must at
 42 all times during his or her term of office be a permanent
 43 resident of the county which he or she is appointed to
 44 represent.

45 (d) Notwithstanding any provision ~~of to the contrary in~~
 46 this subsection, in any county as defined in s. 125.011(1), the
 47 governing body of an authority shall consist of nine up to 13
 48 members, and the following provisions of this paragraph shall
 49 apply specifically to such authority. Except for the district
 50 secretary of the department, the members must be residents of
 51 the county. Four ~~Seven~~ voting members shall be appointed by the
 52 governing body of the county. At the discretion of the governing
 53 body of the county, up to two of the members appointed by the
 54 governing body of the county may be elected officials residing
 55 in the county. Four ~~Five~~ voting members of the authority shall
 56 be appointed by the Governor. One member shall be the district
 57 secretary of the department serving in the district that
 58 contains such county. This member shall be an ex officio voting

Page 2 of 9

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

38-00785-14

2014772__

59 member of the authority. A member of the authority appointed by
 60 the governing body of the county or appointed by the Governor
 61 may not serve as a member of any other transportation-related
 62 board, commission, or organization, such as the Florida
 63 Transportation Commission or a metropolitan planning
 64 organization, while serving as a member of the authority. If the
 65 governing board of an authority includes any member originally
 66 appointed by the governing body of the county as a nonvoting
 67 member, when the term of such member expires, that member shall
 68 be replaced by a member appointed by the Governor until the
 69 governing body of the authority is composed of four ~~seven~~
 70 members appointed by the governing body of the county and four
 71 ~~five~~ members appointed by the Governor. The qualifications,
 72 terms of office, and obligations and rights of members of the
 73 authority shall be determined by resolution or ordinance of the
 74 governing body of the county in a manner that is consistent with
 75 this paragraph and subsections (3) and (4).

76 Section 3. Paragraphs (e) and (f) of subsection (2) and
 77 subsection (7) of section 348.0004, Florida Statutes, are
 78 amended to read:

79 348.0004 Purposes and powers.—

80 (2) Each authority may exercise all powers necessary,
 81 appurtenant, convenient, or incidental to the carrying out of
 82 its purposes, including, but not limited to, the following
 83 rights and powers:

84 (e)1. To fix, alter, charge, establish, and collect tolls,
 85 rates, fees, rentals, and other charges for the services and
 86 facilities system, which tolls, rates, fees, rentals, and other
 87 charges must always be sufficient to comply with any covenants

Page 3 of 9

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

38-00785-14

2014772__

88 made with the holders of any bonds issued pursuant to the
 89 Florida Expressway Authority Act. However, such right and power
 90 may be assigned or delegated by the authority to the department.
 91 Notwithstanding any other provision of law, but subject to any
 92 contractual requirements contained in documents securing any
 93 indebtedness outstanding on July 1, 2014, that is payable from
 94 tolls, in any county as defined in s. 125.011, the authority may
 95 increase tolls only to the extent necessary to adjust for
 96 inflation pursuant to the index toll adjustments provided under
 97 s. 338.165. Notwithstanding s. 338.165 or any other provision of
 98 law, in any county as defined in s. 125.011, any such toll
 99 increase pursuant to the index toll adjustments provided under
 100 s. 338.165 must first be approved by resolution adopted by a
 101 supermajority vote, consisting of one vote greater than a
 102 majority, of the governing board of the county. Notwithstanding
 103 s. 338.165 or any other provision of law, in any county as
 104 defined in s. 125.011, toll rates may not be increased beyond
 105 the index toll adjustments provided under s. 338.165 unless
 106 required for compliance with contractual requirements contained
 107 in documents in existence on July 1, 2014, securing any
 108 outstanding indebtedness payable from tolls. Notwithstanding s.
 109 338.165 or any other provision of law ~~to the contrary~~, in any
 110 county as defined in s. 125.011~~(4)~~, to the extent surplus
 111 revenues exist, they may be used only as provided in s.
 112 338.165(2) or to pay debt obligations outstanding on July 1,
 113 2014 ~~for purposes enumerated in subsection (7), provided the~~
 114 expenditures are consistent with the metropolitan planning
 115 organization's adopted long range plan. Notwithstanding any
 116 other provision of law ~~to the contrary~~, but subject to any

Page 4 of 9

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

38-00785-14

2014772__

117 contractual requirements contained in documents securing any
 118 outstanding indebtedness payable from tolls, in any county as
 119 defined in s. 125.011(~~4~~), the board of county commissioners may,
 120 by ordinance adopted on or before September 30, 1999, alter or
 121 abolish existing tolls and currently approved increases thereto
 122 if the board provides a local source of funding to the county
 123 expressway system for transportation in an amount sufficient to
 124 replace revenues necessary to meet bond obligations secured by
 125 such tolls and increases.

126 2. In any county as defined in s. 125.011, any toll
 127 increase after January 1, 2014, and any toll increase approved
 128 to take effect after January 1, 2014, which do not comply with
 129 subparagraph 1. are rescinded. Any such toll that was increased
 130 after January 1, 2014, which increase is rescinded by this
 131 subparagraph, must, by August 1, 2014, be reduced to the rate
 132 that existed as of January 1, 2014.

133 (f) In any county as defined in s. 125.011(~~4~~), until July
 134 1, 2014, to borrow money, make and issue negotiable notes,
 135 bonds, refund bonds and other evidence of indebtedness, either
 136 in temporary or definitive form, of the authority, which bonds
 137 or other evidence of indebtedness may be issued pursuant to the
 138 State Bond Act, or in the alternative, pursuant to the
 139 provisions of s. 348.0005(2), to finance an expressway system
 140 within the geographic boundaries of the authority, and to
 141 provide for the security of the bonds or other evidence of
 142 indebtedness and the rights and remedies of the holders of the
 143 bonds or other evidence of indebtedness. Any bonds or other
 144 evidence of indebtedness pledging the full faith and credit of
 145 the state shall only be issued pursuant to the State Bond Act.

38-00785-14

2014772__

146 Effective July 1, 2014, bonds may not be issued by the authority
 147 or on behalf of the authority by any state agency or county
 148 government, except that refunding bonds may be issued by or for
 149 the authority as necessary and prudent for administration and
 150 discharge of outstanding debt.

151 1. An authority shall reimburse the county in which it
 152 exists for any sums expended from any county gasoline tax funds
 153 used for payment of such obligations. Any county gasoline tax
 154 funds so disbursed shall be repaid in accordance with the terms
 155 of any lease-purchase or interlocal agreement with any county or
 156 the department together with interest, at the rate agreed to in
 157 such agreement. In no event shall any county gasoline tax funds
 158 be more than a secondary pledge of revenues for repayment of any
 159 obligations issued pursuant to this part.

160 2. To the extent allowable by federal tax law, in any
 161 county as defined in s. 125.011(~~4~~), an authority may refund any
 162 bonds previously issued, to the extent allowable by federal tax
 163 laws, to finance or refinance an expressway system regardless of
 164 whether the bonds being refunded were issued by such authority,
 165 an agency of the state, or a county.

166 (7) In any county as defined in s. 125.011(~~4~~), an
 167 expressway authority must provide a complete financial audit to
 168 the governing body of the county every 2 years ~~may finance or~~
 169 ~~refinance the planning, design, acquisition, construction,~~
 170 ~~extension, rehabilitation, equipping, preservation, maintenance,~~
 171 ~~or improvement of a public transportation facility or~~
 172 ~~transportation facilities owned or operated by such county, an~~
 173 ~~intermodal facility or facilities, multimodal corridor or~~
 174 ~~corridors, including, but not limited to, bicycle facilities or~~

38-00785-14 2014772__
 175 ~~greenways that will improve transportation services within the~~
 176 ~~county, or any programs or projects that will improve the levels~~
 177 ~~of service on an expressway system, subject to approval of the~~
 178 ~~governing body of such county after public hearing.~~

179 Section 4. Section 348.0005, Florida Statutes, is amended
 180 to read:

181 348.0005 Bonds.—

182 (1) Bonds may be issued on behalf of an authority as
 183 provided by the State Bond Act.

184 (2) (a) An authority in any county as defined in s.
 185 125.011~~(1)~~, may issue only refunding bonds pursuant to this
 186 part, which do not pledge the full faith and credit of the state
 187 in such principal amount as, in the opinion of the authority, is
 188 necessary to provide sufficient moneys to refund outstanding
 189 bonds for achieving its corporate purposes.

190 (b) The refunding bonds of an authority in any county as
 191 defined in s. 125.011~~(1)~~, issued pursuant to the provisions of
 192 this part, ~~whether on original issuance or refunding,~~ must be
 193 authorized by resolution of the authority, after approval of the
 194 issuance of the refunding bonds at a public hearing, and may be
 195 either term or serial bonds, shall bear such date or dates,
 196 mature at such time or times, bear interest at such rate or
 197 rates, be payable semiannually, be in such denominations, be in
 198 such form, either coupon or fully registered, shall carry such
 199 registration, exchangeability and interchangeability privileges,
 200 be payable in such medium of payment and at such place or
 201 places, be subject to such terms of redemption and be entitled
 202 to such priorities on the revenues, rates, fees, rentals, or
 203 other charges or receipts of the authority including any county

38-00785-14 2014772__
 204 gasoline tax funds received by an authority pursuant to the
 205 terms of any interlocal or lease-purchase agreement between an
 206 authority or a county, as such resolution or any resolution
 207 subsequent thereto may provide. The refunding bonds must be
 208 executed by such officers as the authority determines under the
 209 requirements of s. 279.06.

210 (c) Said bonds shall be sold by the authority at public
 211 sale by competitive bid. However, if the authority, after
 212 receipt of a written recommendation from a financial adviser,
 213 shall determine by official action after public hearing by a
 214 two-thirds vote of all voting members of the authority that a
 215 negotiated sale of the bonds is in the best interest of the
 216 authority, the authority may negotiate for sale of the bonds
 217 with the underwriter or underwriters designated by the authority
 218 and the county in which the authority exists. The authority
 219 shall provide specific findings in a resolution as to the
 220 reasons requiring the negotiated sale, which resolution shall
 221 incorporate and have attached thereto the written recommendation
 222 of the financial adviser required by this subsection.

223 (d) Any such resolution or resolutions authorizing any
 224 bonds hereunder which do not pledge the full faith and credit of
 225 the state may contain provisions that are part of the contract
 226 with the holders of the bonds, as an authority determines
 227 proper. In addition, an authority may enter into trust
 228 indentures or other agreements with its fiscal agent, or with
 229 any bank or trust company within or without the state, as
 230 security for such bonds, and may, under the agreements, assign
 231 and pledge the revenues, rates, fees, rentals, tolls, or other
 232 charges or receipts of an authority, including any county

38-00785-14

2014772__

233 gasoline tax funds received by an authority.

234 (e) Any of the bonds issued pursuant to this part are
235 negotiable instruments and have all the qualities and incidents
236 of negotiable instruments under the law merchant and the
237 negotiable instruments law of the state.

238 (f) Notwithstanding any ~~provision of the provisions~~ of this
239 part, in any county as defined in s. 125.011(4), each project,
240 building, or facility which has been ~~or will be~~ financed by the
241 issuance of bonds or other evidence of indebtedness before July
242 1, 2014, and that does not pledge the full faith and credit of
243 the state under this part and any refinancing thereof is
244 approved for purposes of s. 11(f), Art. VII of the State
245 Constitution.

246 Section 5. This act shall take effect upon becoming a law.

The Florida Senate
COMMITTEE VOTE RECORD

COMMITTEE: Transportation
ITEM: SB 772
FINAL ACTION: Favorable with Committee Substitute
MEETING DATE: Thursday, April 3, 2014
TIME: 9:00 —10:30 a.m.
PLACE: 37 Senate Office Building

| FINAL VOTE | | SENATORS | 4/03/2014 ¹ Amendment 450614 by Garcia | | 4/03/2014 ² Amendment 242324 | | 4/03/2014 ³ Amendment 744348 | |
|------------|------------|----------------------|---|------------|--|------------|--|------------|
| Yea | Nay | | Yea | Nay | Yea | Nay | Yea | Nay |
| X | | Clemens | | | | | | |
| | X | Diaz de la Portilla | | | | | | |
| | X | Evers | | | | | | |
| X | | Garcia | | | | | | |
| | X | Joyner | | | | | | |
| X | | Lee | | | | | | |
| | X | Richter | | | | | | |
| X | | Thompson | | | | | | |
| X | | Margolis, VICE CHAIR | | | | | | |
| X | | Brandes, CHAIR | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| 6 | 4 | TOTALS | - | RS | - | WD | - | WD |
| Yea | Nay | | Yea | Nay | Yea | Nay | Yea | Nay |

CODES: FAV=Favorable RCS=Replaced by Committee Substitute TP=Temporarily Postponed WD=Withdrawn
 UNF=Unfavorable RE=Replaced by Engrossed Amendment VA=Vote After Roll Call OO=Out of Order
 -R=Reconsidered RS=Replaced by Substitute Amendment VC=Vote Change After Roll Call AV=Abstain from Voting

The Florida Senate
COMMITTEE VOTE RECORD

COMMITTEE: Transportation
ITEM: SB 772
FINAL ACTION: Favorable with Committee Substitute
MEETING DATE: Thursday, April 3, 2014
TIME: 9:00 —10:30 a.m.
PLACE: 37 Senate Office Building

| SENATORS | 4/03/2014 Amendment 227068 | | 4/03/2014 Amendment 912642 | | 4/03/2014 Amendment 673792 | | 4/03/2014 Consider late-filed AM (2/3 vote required) 574892 Brandes | |
|----------------------|-------------------------------|-----------|-------------------------------|-----------|-------------------------------|-----------|--|----------|
| | Yea | Nay | Yea | Nay | Yea | Nay | Yea | Nay |
| Clemens | | | | | | | | |
| Diaz de la Portilla | | | | | | | | |
| Evers | | | | | | | | |
| Garcia | | | | | | | | |
| Joyner | | | | | | | | |
| Lee | | | | | | | | |
| Richter | | | | | | | | |
| Thompson | | | | | | | | |
| Margolis, VICE CHAIR | | | | | | | | |
| Brandes, CHAIR | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| TOTALS | - Yea | WD Nay | - Yea | WD Nay | - Yea | WD Nay | FAV Yea | - Nay |

CODES: FAV=Favorable RCS=Replaced by Committee Substitute TP=Temporarily Postponed WD=Withdrawn
UNF=Unfavorable RE=Replaced by Engrossed Amendment VA=Vote After Roll Call OO=Out of Order
-R=Reconsidered RS=Replaced by Substitute Amendment VC=Vote Change After Roll Call AV=Abstain from Voting

**The Florida Senate
COMMITTEE VOTE RECORD**

COMMITTEE: Transportation
ITEM: SB 772
FINAL ACTION: Favorable with Committee Substitute
MEETING DATE: Thursday, April 3, 2014
TIME: 9:00 —10:30 a.m.
PLACE: 37 Senate Office Building

| SENATORS | 4/03/2014 8 | 4/03/2014 9 | 4/03/2014 10 | 4/03/2014 11 | | | | |
|----------------------|-------------|-------------|--------------|--------------|------------|------------|------------|------------|
| | Margolis | Garcia | Garcia | Margolis | | | | |
| | Yea | Nay | Yea | Nay | Yea | Nay | Yea | Nay |
| Clemens | | | | | | | | |
| Diaz de la Portilla | | | | | | | | |
| Evers | | | | | | | | |
| Garcia | | | | | | | | |
| Joyner | | | | | | | | |
| Lee | | | | | | | | |
| Richter | | | | | | | | |
| Thompson | | | | | | | | |
| Margolis, VICE CHAIR | | | | | | | | |
| Brandes, CHAIR | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| TOTALS | RCS | - | RCS | - | RCS | - | FAV | - |
| | Yea | Nay | Yea | Nay | Yea | Nay | Yea | Nay |

CODES: FAV=Favorable RCS=Replaced by Committee Substitute TP=Temporarily Postponed WD=Withdrawn
 UNF=Unfavorable RE=Replaced by Engrossed Amendment VA=Vote After Roll Call OO=Out of Order
 -R=Reconsidered RS=Replaced by Substitute Amendment VC=Vote Change After Roll Call AV=Abstain from Voting

The Florida Senate
COMMITTEE VOTE RECORD

COMMITTEE: Transportation
ITEM: SB 772
FINAL ACTION: Favorable with Committee Substitute
MEETING DATE: Thursday, April 3, 2014
TIME: 9:00 —10:30 a.m.
PLACE: 37 Senate Office Building

| SENATORS | 4/03/2014 12 | | | | | | | |
|----------------------|---|-----|-----|-----|-----|-----|-----|-----|
| | Motion to report as Committee Substitute | | | | | | | |
| | Lee | | | | | | | |
| | Yea | Nay | Yea | Nay | Yea | Nay | Yea | Nay |
| Clemens | | | | | | | | |
| Diaz de la Portilla | | | | | | | | |
| Evers | | | | | | | | |
| Garcia | | | | | | | | |
| Joyner | | | | | | | | |
| Lee | | | | | | | | |
| Richter | | | | | | | | |
| Thompson | | | | | | | | |
| Margolis, VICE CHAIR | | | | | | | | |
| Brandes, CHAIR | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| TOTALS | FAV | - | | | | | | |
| | Yea | Nay | Yea | Nay | Yea | Nay | Yea | Nay |

CODES: FAV=Favorable RCS=Replaced by Committee Substitute TP=Temporarily Postponed WD=Withdrawn
 UNF=Unfavorable RE=Replaced by Engrossed Amendment VA=Vote After Roll Call OO=Out of Order
 -R=Reconsidered RS=Replaced by Substitute Amendment VC=Vote Change After Roll Call AV=Abstain from Voting

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: CS/CS/SB 754

INTRODUCER: Transportation Committee, Banking and Insurance Committee, and Senator Bradley

SUBJECT: Certificates of Destruction

DATE: April 4, 2014

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|-----------------|----------------|-----------|---------------|
| 1. | <u>Matiyow</u> | <u>Knudson</u> | <u>BI</u> | <u>Fav/CS</u> |
| 2. | <u>Everette</u> | <u>Eichin</u> | <u>TR</u> | <u>Fav/CS</u> |

I. Summary:

CS/CS/SB 754 revises the process for applying for a salvage certificate of title (salvage title) or a certificate of destruction (COD) on a total loss motor vehicle. The bill specifically requires the Department of Highway Safety and Motor Vehicles (DHSMV) to visually inspect rebuilt vehicles and issue an affidavit-of-compliance if repairs are needed, and if such repairs were made, the applicant must have a law enforcement agency confirm those corrections before issuing a certificate of title.

The bill also directs the department, on or by December 31, 2015, to assess and provide a summary report to the Governor, Senate President, and Speaker of the House of their findings regarding certificates of title and affidavits-of-compliance process.

The bill adds several definitions in relation to certificates of destruction, plus explicitly defines a "late model vehicle" to mean an automobile seven years or newer. The bill raises the 80 percent repair-to-value COD threshold to 90 percent, and limits its application to late model vehicles with a value of at least \$7,500 just prior to sustaining the damage resulting in total loss.

The bill further creates a new valuation standard where all other vehicles would be issued a COD if the value of the vehicle after the total loss:

- Is damaged, wrecked or burned to the extent that the only residual value of the vehicle is as a source of parts or scrap metal; or
- Comes into this state under a title or other ownership that indicates that the vehicle is non-repairable, junked, or for parts or dismantling only.

II. Present Situation:

Total Loss

Florida law¹ defines a motor vehicle (vehicle or mobile home) as a “total loss” when:

- An insurance company pays the vehicle owner to replace the wrecked or damaged vehicle with one of like kind and quality or when an insurance company pays the vehicle owner upon the theft of the vehicle; or
- An uninsured vehicle is wrecked or damaged and the cost, at the time of loss, of repairing or rebuilding the vehicle is 80 percent or more of the cost to the vehicle owner of replacing the wrecked or damaged vehicle with one of like kind and quality.

However, the vehicle owner and the owner’s insurance company may reach an agreement to repair, rather than replace, the vehicle. In this case, the vehicle is not considered a “total loss,” unless the actual cost to repair the vehicle to the insurance company exceeds 100 percent of the cost of replacing the vehicle with one of like kind and quality.² If the cost to repair does in fact exceed 100 percent of the replacement cost, the vehicle owner must request that the DHSMV brand the vehicle’s certificate of title with the words “Total Loss Vehicle.”

Salvage Titles

The purpose of a salvage motor vehicle title is to indicate that a vehicle has been severely damaged or declared a total loss at some point in its history, and to provide a traceable record for such vehicles when their titles have been surrendered. Before disposing of or selling a total loss vehicle, the owner or insurance company is usually required to apply for some type of a salvage motor vehicle title. In such cases, the certificate of title is submitted to the respective state’s titling agency. Depending on the state and level of damages, the vehicle may be designated rebuildable or unrebuildable and thereby receive the appropriate title designation. If the vehicle is deemed rebuildable, some states, including Florida, allow it to be repaired, inspected, and ultimately returned to the road. If the vehicle is deemed unrebuildable, the vehicle must be destroyed or dismantled.

Typically, the insurance company has its own procedure for the disposition of rebuildable or unrebuildable total loss vehicles. In Florida, many insurance companies have an agreement with a motor vehicle auction³ company to acquire, apply for the title of, and sell, the vehicle. The auction company charges a fee to the insurance company, for their services. Buyers at an auto auction must be licensed motor vehicle dealers,⁴ and may include salvage motor vehicle dealers who are defined in Florida law as, “any person who engages in the business of acquiring salvaged or wrecked motor vehicles for the purpose of reselling them and their parts.”⁵ In Florida, most buyers of rebuildable vehicles are auto dealers, or exporters. Buyers of unrebuildable vehicles are primarily automobile dismantlers and recyclers.

¹ s. 319.30(3)(a), F.S.

²s. 319.30(3)(a)2, F.S.

³s. 320.27(1)(c)4, F.S.

⁴ s. 320.27(1)(c), F.S.

⁵ s. 320.27(1)(c)5, F.S.

In Florida, a rebuildable designation is called a Salvage Title,⁶ and an unrebuildable designation is called a COD.⁷ Before a total loss vehicle may be acquired by a salvage motor vehicle dealer, the vehicle owner or insurance company must apply for a Salvage Title or a COD. Since 1989, Florida has utilized a percentage-based threshold to determine whether a total loss vehicle receives a Salvage Title or a COD.⁸ When applying for a Salvage Title or COD, the insurance company must provide the DHSMV with an estimate of the costs of repairing the physical and mechanical damage. If the estimated costs of repairing the vehicle are equal to 80 percent or more of the current retail value of the vehicle, as established in any official used car or used mobile home guide, DHSMV is required to declare the vehicle unrebuildable and print a COD.

According to the DHSMV, during the last five years, Florida has issued 171,742 Salvage Titles, compared to 822,778 CODs.⁹ An average of approximately 130,000 more CODs than Salvage Titles were issued annually. There is a \$2 fee for each Salvage Title, and a \$3 fee for each COD, both of which are deposited into the General Revenue Fund.¹⁰

Rebuilt Inspections

Before a salvage motor vehicle dealer can resell a salvage motor vehicle, the salvage motor vehicle must go through a physical rebuilt inspection conducted by DHSMV. The purpose of the rebuilt inspection is to assure the identity of the vehicle and that all major component parts which have been repaired or replaced were legally obtained. The rebuilt inspection by DHSMV is not a road worthiness or safety inspection. After the rebuilt inspection, DHSMV affixes a decal to the vehicle that identifies the vehicle as a rebuilt vehicle.¹¹

There is a \$40 fee for the initial rebuilt inspection, which is deposited into the General Revenue Fund. If a subsequent inspection is required, there is a \$20 fee, which is deposited into the Highway Safety Operating Trust Fund.¹²

Other States

There is no federal law governing the salvage title process for all states. The result is considerable variation in state salvage title laws, processes, and nomenclature. The methods used to determine whether or not a vehicle is unrebuildable also vary, but similar to total loss methods, tend to be damage or theft driven. Such methods tend to be based on “non-repairable” criteria and include a narrative definition, or a value-based criteria which can include a specific damage-to-value threshold.

III. Effect of Proposed Changes:

Section 1 requires that when an applicant indicates on a certificate of title request form that a motor vehicle is rebuilt, the DHSMV shall visually inspect the vehicle. If, upon inspection, the

⁶ s. 319.30(1)(s), F.S.

⁷ s. 319.30(1)(a), F.S.

⁸ s. 17, ch. 89-333, L.O.F.

⁹ Information on file with Banking & Insurance staff.

¹⁰ s. 319.32, F.S.

¹¹ s. 319.14(b), F.S.

¹² s. 319.32, F.S.

department reasonably believe that the vehicle is not equipped as required by law, the department shall issue an affidavit of compliance and the applicant must make necessary repairs, then present the vehicle to a law enforcement agency for confirmation that any defect has been corrected pursuant to s. 316.6105, F.S.,¹³ before a certificate of title may be issued for the vehicle. The bill also requires the title to state that the vehicle may have previously been declared a Total Loss Vehicle due to damages.

Section 2 requires that DHSMV on or before December 31, 2015 shall provide a report to the Governor, the Senate President, and the Speaker of the House regarding certificates of title for rebuilt vehicles, recommendations for any legislation deemed necessary to address and correct any needed improvements to the process used to issue certificates of title for rebuilt motor vehicles. The summary report must include, but is not limited to, a review of the affidavits of compliance issued and submitted that evidence corrections made to rebuilt salvage motor vehicles, and data on crashes caused by defective rebuilt vehicles.

Section 3 defines a “late model vehicle” to mean an automobile seven years or newer. The bill raises the 80 percent repair-to-value COD threshold to 90 percent, and limits its application to late model vehicles with a value of at least \$7,500 just prior to sustaining the damage resulting in total loss. The bill creates a new valuation standard where all other vehicles would be issued a COD if the value of the vehicle, based on any official used motor vehicle guide or valuation service, after the total loss:

- Is damaged, wrecked or burned to the extent that the only residual value of the vehicle is as a source of parts or scrap metal; or
- Comes into this state under a title or other ownership that indicates that the vehicle is non-repairable, junked, or for parts or dismantling only.

The changes in the bill will result in more salvage motor vehicle titles being issued than under current law, thus allowing for the potential of those vehicles to be rebuilt, sold and permitted back on the roads. Conversely, the bill will result in fewer CODs being issued, thus reducing the number of vehicles available to dismantlers and recyclers.

Section 4 defines the following terms:

- An “airbag” to mean a motor vehicle inflatable occupant restraint system, including all component parts, such as the cover, sensors, controllers, inflators, and wiring, that is designed in accordance with federal safety regulations for a given make, model, and year of the vehicle.
- A “counterfeit airbag” to mean an airbag displaying a mark identical or similar to the genuine mark of a motor vehicle manufacturer without authorization from said manufacturer.
- The bill expands the definition of fake airbag to include counterfeit or nonfunctioning airbags.
- A nonfunctional airbag is defined to mean a replacement airbag that:
 - Was previously deployed or damaged;

¹³ In the event a law enforcement officer issues a traffic citation for a violation of or for the operation of a motor vehicle which is in an unsafe condition or which is not properly equipped as required, the law enforcement officer shall also issue an affidavit-of-compliance form.

- Has an electric fault that is detected by the vehicle airbag diagnostic system after the installation procedure is completed; or
- Includes any part or object, including, but not limited to a counterfeit or repaired airbag cover, installed in a motor vehicle to mislead the owner or operator of such motor vehicle into believing that a functional airbag has been installed.

The bill adds the acts of importing, manufacturing, purchasing, selling, offering for sale, and reinstalling to the current prohibitions of importing, purchasing, selling, or installing fake airbags or junk-filled airbag compartments. Any person who violates this subsection commits a felony of the second degree.¹⁴

Effective Date:

This act shall take effect July 1, 2014.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Automobile Insurers – Under the changes in this bill, insurers could receive more money for some of the total loss cars they sell at auction. Receiving more money for such vehicles would have a positive impact on an insurers lost costs which is a component when formulating rates.

Salvage Part Dealers – Salvage dealers will be negatively impacted by the changes in the bill. Currently only licensed salvage dealers can purchase COD vehicles. Potentially, the bill would allow an indeterminate amount of vehicles given a COD under the current threshold to be given a salvage title instead. If auctioned or sold, more groups such as auto dealers would be able to bid on or purchase such vehicles. As a result of more

¹⁴ [ss. 775.082](#), [775.083](#), and [775.084](#), F.S.

competition on salvage titled vehicles, salvage dealers could potentially end up paying more for the vehicles they use to sell scrap metal and parts from. An increase in costs in acquiring vehicles could increase costs and prices on used auto parts that are sold to the general public.

Automobile Auctions – Automobile auction companies should benefit from the changes in the bill. Generally, the more money an automobile sells for at auction the more money the auction company makes.

C. Government Sector Impact:

The DHSMV may have to inspect tens of thousands more “rebuilt” vehicles each year than under the current COD process. According to the DHSMV agency, analysis of such costs would be nominal.¹⁵

The DHSMV collects \$40 for each “rebuilt” inspection they perform, however there will be a \$1 decrease to general revenue for every \$2 salvage certificate applied for instead of a \$3 COD.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Insurers opposed to the changes in the bill have voiced concerns about public safety with regards to rebuilt vehicles and the lack of a safety inspection before being allowed back on the roads.

VIII. Statutes Affected:

This bill substantially amends section 319.30 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Transportation on April 3, 2014:

The CS requires the DHSMV, to visually inspect certain rebuilt vehicles and issue an affidavit-of-compliance if repairs are needed. Upon repair, a law enforcement agency must confirm corrections were made before a certificate of title may be issued.

The CS directs the department to provide a summary report to the Governor, Senate President, and Speaker after assessing the certificates of title and affidavits-of-compliance processes.

¹⁵ DHSMV 2014 Agency Legislative Bill Analysis (On file with Banking & Insurance staff).

The CS adds the term “valuation service” as an additional means to determine value of a late model vehicle.

The CS also:

- Defines airbag and certain types of airbags.
- Prohibits anyone to knowingly import, manufacture, offer for sale, or reinstall fake or junk-filled airbag compartments; provides penalty.

CS by Banking and Insurance on March 19, 2014:

- The CS defines “late model vehicle” to mean an automobile seven years or newer.
- The CS raises the 80 percent repair-to-value COD threshold to 90 percent, and only applies to late model vehicles with a value of at least \$7,500 just prior to sustaining the damage resulting in total loss.
- The CS applies the new valuation for COD to all other vehicles when such a vehicle:
 - Is damaged, wrecked or burned to the extent that the only residual value of the vehicle is as a source of parts or scrap metal; or
 - Comes into this state under a title or other ownership that indicates that the vehicle is non-repairable, junked, or for parts or dismantling only.

B. Amendments:

None.



172828

LEGISLATIVE ACTION

| | | |
|------------|---|-------|
| Senate | . | House |
| Comm: RS | . | |
| 04/03/2014 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Transportation (Richter) recommended the following:

Senate Amendment (with title amendment)

Before line 15

insert:

Section 1. Subsection (2) of section 319.23, Florida Statutes, is amended to read:

319.23 Application for, and issuance of, certificate of title.—

(2) The applicant for a certificate of title shall indicate on the application if the motor vehicle is to be used as a



172828

11 taxicab, police vehicle, or lease vehicle or if the motor
12 vehicle or mobile home is a rebuilt vehicle, as those terms are
13 defined in s. 319.14. If the applicant indicates on the
14 application for a certificate of title that the motor vehicle is
15 a rebuilt vehicle, the department shall visually inspect the
16 vehicle. If, upon inspection, the department has reasonable
17 cause to believe that the vehicle is unsafe or not equipped as
18 required by law, the department shall issue an affidavit-of-
19 compliance and the applicant must then make necessary repairs
20 and present the vehicle to a law enforcement department for
21 confirmation that any defect has been corrected pursuant to s.
22 316.6105, before a certificate of title may be issued for such
23 vehicle. Upon issuance of a certificate of title for such
24 vehicle, the department shall stamp, in a conspicuous place on
25 the title, words stating the nature of the proposed use of the
26 vehicle or stating that the vehicle has been rebuilt. This
27 subsection applies to a mobile home, travel trailer, camping
28 trailer, truck camper, or fifth-wheel recreation trailer only
29 when the mobile home or vehicle is a rebuilt vehicle as defined
30 in s. 319.14.

31
32 ===== T I T L E A M E N D M E N T =====

33 And the title is amended as follows:

34 Delete lines 2 - 5

35 and insert:

36 An act related to title certificates; amending s.
37 319.23, F.S.; requiring the Department of Highway
38 Safety and Motor Vehicles to visually inspect a motor
39 vehicle that an applicant for a certificate of title



172828

40 has indicated is a rebuilt motor vehicle; requiring
41 the department to issue an affidavit-of-compliance if
42 the vehicle is unsafe or not properly equipped;
43 requiring an applicant to have the repaired vehicle
44 inspected by a law enforcement department to receive a
45 certificate of title; amending s. 319.30, F.S.;
46 defining a term; revising requirements for the
47 department to declare certain mobile homes and



333396

LEGISLATIVE ACTION

| Senate | . | House |
|------------|---|-------|
| Comm: RCS | . | |
| 04/03/2014 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Transportation (Brandes) recommended the following:

1 **Senate Substitute for Amendment (172828) (with title**
2 **amendment)**

3
4 Before line 15
5 insert:

6 Section 1. Subsection (2) of section 319.23, Florida
7 Statutes, is amended to read:

8 319.23 Application for, and issuance of, certificate of
9 title.—

10 (2) The applicant for a certificate of title shall indicate



333396

11 on the application if the motor vehicle is to be used as a
12 taxicab, police vehicle, or lease vehicle or if the motor
13 vehicle or mobile home is a rebuilt vehicle, as those terms are
14 defined in s. 319.14. If the applicant indicates on the
15 application for a certificate of title that the motor vehicle is
16 a rebuilt vehicle, the department shall visually inspect the
17 vehicle. If, upon inspection, the department has reasonable
18 cause to believe that the vehicle is not equipped as required by
19 law, the department shall issue an affidavit-of-compliance and
20 the applicant must then make necessary repairs and present the
21 vehicle to a law enforcement department for confirmation that
22 any defect has been corrected pursuant to s. 316.6105, before a
23 certificate of title may be issued for such vehicle. Upon
24 issuance of a certificate of title for such vehicle, the
25 department shall stamp, in a conspicuous place on the title,
26 words stating the nature of the proposed use of the vehicle or
27 stating that the vehicle has been rebuilt and may have
28 previously been declared a total loss vehicle due to damage.
29 This subsection applies to a mobile home, travel trailer,
30 camping trailer, truck camper, or fifth-wheel recreation trailer
31 only when the mobile home or vehicle is a rebuilt vehicle as
32 defined in s. 319.14.

33 Section 2. On or before December 31, 2015, the department
34 shall provide a summary report to the Governor, the President of
35 the Senate, and the Speaker of the House of Representatives
36 regarding certificates of title for rebuilt vehicles, along with
37 the department's recommendations for any legislation necessary
38 to address and correct any needed improvements to the process
39 used to issue certificates of title for rebuilt motor vehicles.



333396

40 The summary report must include, but is not limited to, a review
41 of the affidavits-of-compliance issued and submitted that
42 evidence corrections made to rebuilt salvage motor vehicles, and
43 data on crashes caused by vehicle defects involving rebuilt
44 motor vehicles.

45
46 ===== T I T L E A M E N D M E N T =====

47 And the title is amended as follows:

48 Between lines 2 and 3

49 insert:

50 amending s. 319.23, F.S.; requiring the Department of
51 Highway Safety and Motor Vehicles to visually inspect
52 a motor vehicle that an applicant for a certificate of
53 title has indicated is a rebuilt motor vehicle;
54 requiring the department to issue an affidavit-of-
55 compliance if the vehicle is not properly equipped;
56 requiring an applicant to have the repaired vehicle
57 inspected by a law enforcement department in order to
58 receive a certificate of title; requiring the
59 Department of Highway Safety and Motor Vehicles to
60 provide a report regarding certificates of title for
61 rebuilt motor vehicles; homes



748030

LEGISLATIVE ACTION

| Senate | . | House |
|------------|---|-------|
| Comm: RCS | . | |
| 04/03/2014 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Transportation (Richter) recommended the following:

Senate Amendment

Delete line 56
and insert:
as established in any official used car guide or valuation
service, if the owner or



460774

LEGISLATIVE ACTION

| Senate | . | House |
|------------|---|-------|
| Comm: RCS | . | |
| 04/03/2014 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Transportation (Richter) recommended the following:

Senate Amendment

Delete line 61
and insert:
guide or valuation service, the department shall declare the
vehicle unrebuildable



912646

LEGISLATIVE ACTION

| Senate | . | House |
|------------|---|-------|
| Comm: RCS | . | |
| 04/03/2014 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Transportation (Richter) recommended the following:

Senate Amendment

Delete line 88
and insert:
used motor vehicle guide or valuation service, or if the vehicle
is not a late model



568946

LEGISLATIVE ACTION

| Senate | . | House |
|------------|---|-------|
| Comm: RCS | . | |
| 04/03/2014 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Transportation (Brandes) recommended the following:

Senate Amendment (with title amendment)

Between lines 101 and 102

insert:

Section 1. Section 860.146, Florida Statutes, is amended to read:

860.146 Fake airbags; junk-filled airbag compartment.-

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

(a) "Airbag" means a motor vehicle inflatable occupant restraint system, including all component parts, such as the



568946

11 cover, sensors, controllers, inflators, and wiring that is
12 designed in accordance with federal safety regulations for a
13 given make, model, and year of a vehicle.

14 (b) "Counterfeit airbag" means an airbag displaying a mark
15 identical or similar to the genuine mark of a motor vehicle
16 manufacturer without authorization from said manufacturer.

17 (c) "Nonfunctional airbag" means a replacement airbag that:

18 1. was previously deployed or damaged;

19 2. has an electric fault that is detected by the vehicle
20 airbag diagnostic system after the installation procedure is
21 completed; or

22 3. includes any part or object, including, but not limited
23 to, a counterfeit or repaired airbag cover, installed in a motor
24 vehicle to mislead the owner or operator of such motor vehicle
25 into believing that a functional airbag has been installed.

26 (d) "Fake airbag" means any item other than an airbag that
27 was designed in accordance with federal safety regulations for a
28 given make, model, and year of motor vehicle as part of a motor
29 vehicle inflatable restraint system including counterfeit or
30 nonfunctioning airbags.

31 (e) ~~(b)~~ "Junk-filled airbag compartment" means an airbag
32 compartment that is filled with any substance that does not
33 function in the same manner or to the same extent as an airbag
34 to protect vehicle occupants in a vehicle crash. The term does
35 not include a compartment from which an airbag has deployed if
36 there is no concealment of the deployment.

37 (2) It is unlawful for anyone to knowingly import,
38 manufacture, purchase, sell, offer for sale, ~~or~~ install, or
39 reinstall on any vehicle any fake airbag or junk-filled airbag



568946

40 compartment. Any person who violates this subsection commits a
41 felony of the second degree, punishable as provided in s.
42 775.082, s. 775.083, or s. 775.084.

43

44 ===== T I T L E A M E N D M E N T =====

45 And the title is amended as follows:

46 Delete line 11

47 and insert:

48 circumstances; amending s. 860.146, F.S.; defining
49 airbag, counterfeit airbag, and nonfunctional airbag
50 and providing additional unlawful acts relating to
51 airbags; providing an effective date.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-3

Meeting Date

Topic Certificates of Destruction

Bill Number SB 754

Name Trevor Mask

Amendment Barcode 172828
(if applicable)

Job Title Attorney

Address 215 S. Monroe Street

Phone (850) 577-0398

Tallahassee FL 32301
City State Zip

E-mail tmask@cf4law.com

Speaking: For Against Information Against Bill + Barcode above

Representing FLORIDA AUTO DISMANTLERS + RECYCLERS ASSOCIATION

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/14

Meeting Date

Topic COD

Bill Number 754

Name TIM STANFIELD

Amendment Barcode 172828 (if applicable)

Job Title _____

Address 215 S. Monroe

Phone 527 0398

Tallahassee FL 32301
City State Zip

E-mail tstanfield@cfslaw.com

Speaking: For Against Information

Representing Florida Police Chiefs Assoc

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

04/02/2014
Meeting Date

Topic CERTIFICATES OF RESTITUTION

Bill Number SB 754

Name JORGE L. CONFORME

Amendment Barcode 172828
(if applicable)

Job Title GOV'T AFFAIRS MGR

Address 5775 N. FED HWY # 130

Phone 954-759-1989

Street

FT. LAUDERDALE

FL

33308

City

State

Zip

E-mail

Speaking: For Against Information

Representing LKR CORPORATION

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-3-14

Meeting Date

Topic Cert of Destruction

Bill Number 754

Name Marcus Oliver

Amendment Barcode 333396
(if applicable)

Job Title Area Manager Fla

333396
(if applicable)

Address _____
Street

Phone _____

City

State

Zip

Speaking: For Against Information

E-mail _____

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date

Topic Bill and Amts 460774/748030/ 912646

Bill Number 754
(if applicable)

Name Tim Meenan

Amendment Barcode _____
(if applicable)

Job Title _____

Address 310 W. College Ave.
Street
Tallahassee FL 32312
City State Zip

Phone 850 425-4000

E-mail _____

Speaking: For Against Information

Representing Nationwide Ins Co.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-3-14

Meeting Date

Topic Cert of Destruction

Bill Number 754
(if applicable)

Name Marcus Oliver

Amendment Barcode _____
(if applicable)

Job Title Area Manager

Address 2700 Longwood Drive

Phone 863-698-9227

Street

Lakeland FL 33811

City

State

Zip

E-mail moliver@iaai.com

Speaking: For Against Information

Representing Insurance Auto Auctions

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3

Meeting Date

Topic _____

Bill Number 754
(if applicable)

Name DAN WEST

Amendment Barcode _____
(if applicable)

Job Title GENERAL MANAGER

Address 12020 US Hwy 301 S.

Phone 813-671-5550

Street

RIVERVIEW

FL

33578

City

State

Zip

E-mail daniel.west@copart.com

Speaking: For Against Information

Representing Copart

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

By the Committee on Banking and Insurance; and Senator Bradley

597-02847-14

2014754c1

1 A bill to be entitled
 2 An act relating to certificates of destruction;
 3 amending s. 319.30, F.S.; defining a term; revising
 4 requirements for the Department of Highway Safety and
 5 Motor Vehicles to declare certain mobile homes and
 6 motor vehicles unrebuildable and to issue a
 7 certificate of destruction; requiring the department
 8 to issue certificates of destruction for motor
 9 vehicles that are worth less than a specified amount
 10 and are above a certain age under certain
 11 circumstances; providing an effective date.

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

14

15 Section 1. Present paragraphs (o) through (w) of subsection
 16 (1) of section 319.30, Florida Statutes, are redesignated as
 17 paragraphs (p) through (x), respectively, a new paragraph (o) is
 18 added to that subsection, and paragraph (b) of subsection (3) of
 19 that section is amended, to read:

20 319.30 Definitions; dismantling, destruction, change of
 21 identity of motor vehicle or mobile home; salvage.—

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

23 (o) "Late model vehicle" means a motor vehicle that has a
 24 manufacturer's model year of 7 years or newer.

25 (3)

26 (b) The owner, including persons who are self-insured, of a
 27 ~~any~~ motor vehicle or mobile home ~~that which~~ is considered to be
 28 salvage shall, within 72 hours after the motor vehicle or mobile
 29 home becomes salvage, forward the title to the motor vehicle or

Page 1 of 4

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

597-02847-14

2014754c1

30 mobile home to the department for processing. However, an
 31 insurance company ~~that which~~ pays money as compensation for the
 32 total loss of a motor vehicle or mobile home shall obtain the
 33 certificate of title for the motor vehicle or mobile home, make
 34 the required notification to the National Motor Vehicle Title
 35 Information System, and, within 72 hours after receiving such
 36 certificate of title, ~~shall~~ forward such title to the department
 37 for processing. The owner or insurance company, as applicable
 38 ~~the case may be~~, may not dispose of a vehicle or mobile home
 39 that is a total loss before it obtains ~~has obtained~~ a salvage
 40 certificate of title or certificate of destruction from the
 41 department. When applying for a salvage certificate of title or
 42 certificate of destruction, the owner or insurance company must
 43 provide the department with an estimate of the costs of
 44 repairing the physical and mechanical damage suffered by the
 45 vehicle for which a salvage certificate of title or certificate
 46 of destruction is sought. If the estimated costs of repairing
 47 the physical and mechanical damage to the mobile home vehicle
 48 are equal to 80 percent or more of the current retail cost of
 49 the mobile home vehicle, as established in any official ~~used car~~
 50 ~~or~~ used mobile home guide, the department shall declare the
 51 mobile home vehicle unrebuildable and print a certificate of
 52 destruction, which authorizes the dismantling or destruction of
 53 the ~~motor vehicle or~~ mobile home ~~described therein~~. For a late
 54 model vehicle with a current retail cost of at least \$7,500 just
 55 prior to sustaining the damage that resulted in the total loss,
 56 as established in any official used car guide, if the owner or
 57 insurance company determines that the estimated costs of
 58 repairing the physical and mechanical damage to the vehicle are

Page 2 of 4

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

597-02847-14 2014754c1

59 equal to 90 percent or more of the current retail cost of the
60 vehicle, as established in any official used motor vehicle
61 guide, the department shall declare the vehicle unrebuildable
62 and print a certificate of destruction, which authorizes the
63 dismantling or destruction of the motor vehicle. However, if the
64 damaged motor vehicle is equipped with custom-lowered floors for
65 wheelchair access or a wheelchair lift, the insurance company
66 may, upon determining that the vehicle is repairable to a
67 condition that is safe for operation on public roads, submit the
68 certificate of title to the department for reissuance as a
69 salvage rebuildable title and the addition of a title brand of
70 "insurance-declared total loss." The certificate of destruction
71 shall be reassignable a maximum of two times before dismantling
72 or destruction of the vehicle is shall be required, and shall
73 accompany the motor vehicle or mobile home for which it is
74 issued, when such motor vehicle or mobile home is sold for such
75 purposes, in lieu of a certificate of title, ~~and, thereafter,~~
76 The department may not issue a shall refuse issuance of any
77 certificate of title for that vehicle. ~~Nothing in~~ This
78 subsection is not shall be applicable if when a mobile home
79 vehicle is worth less than \$1,500 retail just prior to
80 sustaining the damage that resulted in the total loss in
81 undamaged condition in any official used motor vehicle guide or
82 used mobile home guide or when a stolen motor vehicle or mobile
83 home is recovered in substantially intact condition and is
84 readily resalable without extensive repairs to or replacement of
85 the frame or engine. If a motor vehicle has a current retail
86 cost of less than \$7,500 just prior to sustaining the damage
87 that resulted in the total loss, as established in any official

Page 3 of 4

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

597-02847-14 2014754c1

88 used motor vehicle guide, or if the vehicle is not a late model
89 vehicle, the owner or insurance company that pays money as
90 compensation for the total loss of the motor vehicle shall
91 obtain a certificate of destruction, if the motor vehicle is
92 damaged, wrecked, or burned to the extent that the only residual
93 value of the motor vehicle is as a source of parts or scrap
94 metal, or if the motor vehicle comes into this state under a
95 title or other ownership document that indicates that the motor
96 vehicle is not repairable, is junked, or is for parts or
97 dismantling only. A ~~Any~~ person who knowingly violates this
98 paragraph or falsifies documentation any document to avoid the
99 requirements of this paragraph commits a misdemeanor of the
100 first degree, punishable as provided in s. 775.082 or s.
101 775.083.

102 Section 2. This act shall take effect July 1, 2014.

Page 4 of 4

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

The Florida Senate
COMMITTEE VOTE RECORD

COMMITTEE: Transportation
ITEM: CS/SB 754
FINAL ACTION: Favorable with Committee Substitute
MEETING DATE: Thursday, April 3, 2014
TIME: 9:00 —10:30 a.m.
PLACE: 37 Senate Office Building

| FINAL VOTE | | SENATORS | 4/03/2014 1 Amendment 172828 by Richter | | 4/03/2014 2 Amendment 333396 by Brandes | | 4/03/2014 3 Amendment 748030 by Richter | |
|------------|------------|----------------------|---|------------|---|------------|---|------------|
| | | | Richter | Brandes | Richter | Richter | | |
| Yea | Nay | | Yea | Nay | Yea | Nay | Yea | Nay |
| X | | Clemens | | | | | | |
| X | | Diaz de la Portilla | | | | | | |
| X | | Evers | | | | | | |
| | X | Garcia | | | | | | |
| X | | Joyner | | | | | | |
| X | | Lee | | | | | | |
| X | | Richter | | | | | | |
| X | | Thompson | | | | | | |
| X | | Margolis, VICE CHAIR | | | | | | |
| X | | Brandes, CHAIR | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| 9 | 1 | TOTALS | - | RS | RCS | - | RCS | - |
| Yea | Nay | | Yea | Nay | Yea | Nay | Yea | Nay |

CODES: FAV=Favorable RCS=Replaced by Committee Substitute TP=Temporarily Postponed WD=Withdrawn
 UNF=Unfavorable RE=Replaced by Engrossed Amendment VA=Vote After Roll Call OO=Out of Order
 -R=Reconsidered RS=Replaced by Substitute Amendment VC=Vote Change After Roll Call AV=Abstain from Voting

The Florida Senate
COMMITTEE VOTE RECORD

COMMITTEE: Transportation
ITEM: CS/SB 754
FINAL ACTION: Favorable with Committee Substitute
MEETING DATE: Thursday, April 3, 2014
TIME: 9:00 —10:30 a.m.
PLACE: 37 Senate Office Building

| SENATORS | 4/03/2014 4 Amendment 460774 by Richter | | 4/03/2014 5 Amendment 912646 by Richter | | 4/03/2014 6 Amendment 568946 by Brandes | | 4/03/2014 7 Motion to report as Committee Substitute | |
|----------------------|---|-----|---|-----|---|-----|--|-----|
| | Richter | | Richter | | Brandes | | Evers | |
| | Yea | Nay | Yea | Nay | Yea | Nay | Yea | Nay |
| Clemens | | | | | | | | |
| Diaz de la Portilla | | | | | | | | |
| Evers | | | | | | | | |
| Garcia | | | | | | | | |
| Joyner | | | | | | | | |
| Lee | | | | | | | | |
| Richter | | | | | | | | |
| Thompson | | | | | | | | |
| Margolis, VICE CHAIR | | | | | | | | |
| Brandes, CHAIR | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| TOTALS | RCS | - | RCS | - | RCS | - | FAV | - |
| | Yea | Nay | Yea | Nay | Yea | Nay | Yea | Nay |

CODES: FAV=Favorable RCS=Replaced by Committee Substitute TP=Temporarily Postponed WD=Withdrawn
 UNF=Unfavorable RE=Replaced by Engrossed Amendment VA=Vote After Roll Call OO=Out of Order
 -R=Reconsidered RS=Replaced by Substitute Amendment VC=Vote Change After Roll Call AV=Abstain from Voting

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: SB 1618

INTRODUCER: Senator Brandes

SUBJECT: Chauffeured Limousines

DATE: March 31, 2014

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|---------|----------------|-----------|--------------------|
| 1. | Price | Eichin | TR | Pre-meeting |
| 2. | | | CA | |

I. Summary:

SB 1618 preempts the licensure and regulation of chauffeured limousines, chauffeured limousine services, and drivers of chauffeured limousines to the state. The bill creates the “Chauffeured Limousines and Services Safety Act,” providing a regulatory framework for the operation of chauffeured limousines. More specifically, the bill provides for:

- Definitions and legislative intent.
- Rules of operation for chauffeured limousine services.
- Vehicle standards.
- Requirements for chauffeured limousine drivers.
- Compliance reviews, penalties, appeal, and disposition of such penalties.
- Authorization of the Department of Highway Safety & Motor Vehicles (DHSMV) to adopt or revise rules to implement and administer the Act.

The bill also revises proof of insurance requirements for owners or operators of chauffeured limousines and chauffeured limousine services.

II. Present Situation:

Current State Law

Local Regulation

Local governmental entities primarily control regulation of for-hire vehicles in Florida. The legislative and governing body of a county is granted the authority to license and regulate taxis, jitneys, limousines for hire,¹ rental cars, and other passenger vehicles for hire that operate in the unincorporated areas of the county.² “For-hire vehicle” is currently defined to mean:

¹ Because limousines are not commercial motor vehicles as defined in s. 320.01(25), F.S., drivers operating a limousine are not required to have a commercial driver license.

² Section 125.01(1)(n), F.S.

Any motor vehicle, when used for transporting persons or goods for compensation; let or rented to another for consideration; offered for rent or hire as a means of transportation for compensation; advertised in a newspaper or generally held out as being for rent or hire; used in connection with a travel bureau; or offered or used to provide transportation for persons solicited through personal contact or advertised on a “share-expense” basis. When goods or passengers are transported for compensation in a motor vehicle outside a municipal corporation of this state, or when goods are transported in a motor vehicle not owned by the person owning the goods, such transportation is “for hire.” The carriage of goods and other personal property in a motor vehicle by a corporation or association for its stockholders, shareholders, and members, cooperative or otherwise, is transportation “for hire.”³

Insurance Requirements

An owner or lessee who operates one or more taxicabs, jitneys, or any other for-hire passenger transportation vehicles excluding limousines may prove financial responsibility by holding a motor vehicle liability policy with minimum limits of \$125,000 per person for bodily injury, up to \$250,000 per person for bodily injury, and \$50,000 for property damage.⁴

An owner or lessee required to maintain insurance under s. 324.021(9)(b), F.S., and who operates limousines, jitneys, or any other for-hire passenger vehicle other than taxicabs may prove financial responsibility by holding a motor vehicle liability policy with minimum limits of \$100,000/\$300,000/\$50,000.^{5,6}

Compliance with Requirements of Chapter 316, F.S.

Generally, the DHSMV through its Division of Florida Highway Patrol, local police departments, and local sheriff departments have jurisdiction to enforce the provisions of ch. 316, relating to traffic control, rules of vehicle operation, and vehicle safety requirements, etc.⁷

Personnel of the DHSMV are authorized to conduct motor carrier and shipper compliance reviews pursuant to s. 316.302(5), F.S., for the purpose of determining compliance of commercial motor vehicles with a variety of requirements, including without limitation, federal rules and regulations, hazardous materials requirements, hours of service provisions, alcohol and controlled substance testing, and records requirements.

“These reviews will be conducted at the motor carrier’s principal place of business to determine general compliance with the regulations as well as the record keeping requirements. Such reviews include, but are not limited

³ Section 320.01(15)(a), F.S.

⁴ Section 324.032(1)(a), F.S.

⁵ Section 324.032(1)(b), F.S. *See also* s. 324.021(9)(b), F.S.

⁶ Section 324.032(2), F.S., authorizes an owner or lessee required to maintain insurance under s. 324.021(9)(b), F.S., and who operates at least 300 taxicabs, limousines, jitneys, or any other for-hire passenger vehicles to prove financial responsibility through self-insurance as provided by s. 324.171, F.S.

⁷ *See* s. 316.640, F.S.

to, driver qualification files, vehicle maintenance records, and controlled substance and alcohol testing requirements. Violations found during these reviews may result in civil penalties being assessed.”⁸

III. Effect of Proposed Changes:

Generally, SB 1618 preempts the licensure and regulation of chauffeured limousines, chauffeured limousine services, and drivers of chauffeured limousines to the state. The bill creates the “Chauffeured Limousines and Services Safety Act,” consisting of ss. 316.90-316.907, F.S., and providing a regulatory framework for the operation of chauffeured limousines in this state.

Preemption of Regulation

The bill provides, notwithstanding any provision of s. 125.01, F.S., the legislative and governing body of a county does not have the power to license or regulate chauffeured limousines, chauffeured limousine services, and drivers of chauffeured limousines, as defined in s. 316.901, F.S. The licensure and regulation thereof is specifically preempted to the state.

Definitions

The bill creates s. 316.901, F.S., to define the following terms for purposes of the Act:

- “Advance reservation” means a reservation made in advance by a person requesting the use of a chauffeured limousine for transportation of a passenger or passengers for a specified period of time, or from and to a specific location.
- “Chauffeured limousine” means a chauffeured, non-metered motor vehicle with four or more doors, designed to carry fewer than nine passengers excluding the chauffeur, and operated for hire pursuant to an advance reservation, the fare for which is calculated on the basis of time and distance, except for trips to airports or other point-to-point trips based on well-traveled routes or for event-related trips such as sporting events, which may be charged on a flat-fee basis. The term does not include a taxicab, a vehicle used for not-for-profit, tax-exempt operations, or a vehicle used for transportation of persons between home and work locations or of persons having a common work-related trip when ridesharing is incidental to another purpose of the driver.
- “Chauffeured limousine service” means any business that provides chauffeured limousines by advance reservation.
- “Department” means the DHSMV.

Legislative Intent

The bill creates s. 316.902, F.S., to reflect the Legislative finding that the emerging field of transportation technology is a statewide concern. The bill declares the Legislative intent to provide a uniform statewide level of regulation of emerging transportation technology to provide stability and predictability to businesses seeking to implement such technology, to provide convenience and safety to the traveling public, and to enhance personal mobility. Regulation of chauffeured limousines, chauffeured limousine services, and chauffeured limousine drivers is

⁸ Florida Highway Patrol, *Commercial Motor Vehicle Manual*, Eighth Edition, April 2013, at p. 33, available at: <http://www.flhsmv.gov/fhp/CVE/> (Last visited March 28, 2014.)

preempted to the state, and further regulation thereof by a county, a municipality, or any other political subdivision of the state is void.

Chauffeured Limousine Service Rules of Operation

The bill creates s. 316.903, F.S., to require a chauffeured limousine service, before engaging in business in this state and at all times thereafter, to establish and maintain:

- A publicly listed telephone number identifying the business name and actual physical address for the purpose of receiving telephone calls related to the chauffeured limousine service.
- A website that provides:
 - The telephone number and actual physical address of the business.
 - Specific information regarding the method of fare calculation and the rates and fees charged by the chauffeured limousine service.
 - A mechanism for passengers of the chauffeured limousine service to file complaints regarding the service through the website.
- A zero-tolerance intoxicating substance policy for drivers of chauffeured limousines.
- A central records repository located in this state for the maintenance of records required by the department. A chauffeured limousine service must make such records available for inspection to the department for the purpose of establishing compliance with this Act.

In addition, a chauffeured limousine service is required to:

- Employ only drivers that meet the requirements of the Act.
- Prior to a driver's employment, obtain at least one year of the driver's driving history and check the record quarterly thereafter to ensure no disqualifying violations specified in the Act have occurred.
- Immediately suspend any driver:
 - Who receives a disqualifying violation on the driver's driving record until such time as the driver's compliance is reestablished.
 - Who is reported by a person who reasonably suspects the driver was under the influence of alcohol or drugs during the course of a passenger's trip, pending an investigation of the report.
- Ensure that valid background-screening certificates of the driver and the insurer certificates of the chauffeured limousine are displayed inside the chauffeured limousine so the certificates are plainly visible to the passengers.
- Provide to the driver a waybill for each ride that includes the driver's name, motor vehicle license plate number, and the time and date of the advance reservation.
- Provide each customer a paper or electronic receipt that lists the origination and destination of the trip, the total distance and time of the trip, and a breakdown of the total fare paid, including fees and gratuity, if any.

A chauffeured limousine service is prohibited from unlawfully discriminating against passengers or potential passengers based upon the geographic beginning point or end point of the ride.

If, in the interim between background screenings of a driver or between issuance and renewal of insurance as required under s. 316.905, F.S., an event occurs that renders the driver or the chauffeured limousine out of compliance with the standards in this Act, the driver or the vehicle, or both, as appropriate, are disqualified from providing chauffeured limousine services. The

chauffeured limousine service is prohibited from using the driver or the vehicle until such time as compliance is reestablished in accordance with the Act.

Further, a chauffeured limousine service must annually provide a report to the DHSMV that includes:

- The number of rides requested and accepted by drivers within each zip code where the service operates in the state;
- The number of driver violations and suspensions, including a list of complaints of driver alcohol or drug intoxication and the outcome of investigations into those complaints; and
- A listing of each accident or other incident that involved a chauffeured limousine service's driver, including the date, time, and cause of the incident, and the amounts paid, if any, by the driver's insurance and the service's insurance.

Vehicle Standards

The bill creates s. 316.904, F.S., to provide that a chauffeured limousine may not be older than five model years of age when initially placed into service by a chauffeured limousine service and must be taken out of service at 10 model years of age. If a chauffeured limousine is taken out of service for more than 30 calendar days after its initial placement into service, the chauffeured limousine is no longer a previously in-service vehicle.

Driver Requirements

The bill creates s. 316.905, F.S., requiring a driver for a chauffeured limousine service to:

- Possess a valid driver license issued in this state or any other state which has been active for at least five years.
- Hold a motor vehicle liability policy in accordance with ss. 324.031 or s. 324.032, F.S., if the driver owns or leases the chauffeured limousine, or be in possession of such proof provided by the owner or lessee of the chauffeured limousine.
- Successfully complete a level one background screening under s. 435.03, F.S., conducted by the Department of Law Enforcement (FDLE).
 - The screening must include a statewide criminal correspondence check through the FDLE; a check of the Dru Sjodin National Sex Offender Public Website; a local criminal records check through local law enforcement agencies; and a check of the driver's driving record to ensure the driver has no conviction or an arrest awaiting final disposition for driving under the influence of alcohol, chemical substances, or controlled substances in violation of chapter 316, F.S., in addition to any offense prohibited under s. 435.04(2), F.S., or similar law of another jurisdiction.
 - The driver must be rescreened annually following the date of his or her most recent background screening.
 - Upon receipt of payment of the appropriate fee, the FDLE must conduct the screenings required by this paragraph. The FDLE must issue a certificate or renewed certificate, as applicable, to any driver found to be in compliance with the screening standards specified in this paragraph. Each certificate is valid for 14 months and must contain a unique identification number associated with the driver.
- Ensure that the valid background-screening certificates and insurer certificates are displayed inside the chauffeured limousine and are plainly visible to the passengers.

- Ensure that all chauffeured limousine passenger trips are arranged only through advance registration. The driver of a chauffeured limousine may not accept or solicit street hails.
- Provide a monthly affidavit to the chauffeured limousine service attesting to continued compliance with the Act's driver requirements and standards.

At all times while operating a chauffeured limousine, the driver must have in his or her possession:

- A valid driver license;
- Proof of insurance that meets the requirements of ss. 324.031 or 324.032, F.S.;
- A valid background screening certificate issued under s. 316.905, F.S., of the act;
- A valid certificate issued by the motor vehicle insurer attesting to the vehicle's compliance with the safety equipment standards of chapter 316, F.S., and any other applicable requirements on the date of issuance or renewal of the motor vehicle liability policy; and
- A waybill for each ride which includes the driver's name, vehicle license plate number, and the time and date of the advance reservation, which the driver is required to produce upon request of any law enforcement officer.

If, in the interim between background screenings or between issuance and renewal of insurance as required by this section, an event occurs that renders the driver noncompliant with the standards in the Act, the driver must report the event to the chauffeured limousine service and is prohibited from operating any chauffeured limousine until such time as the driver meets the requirements of the Act. A driver that meets the requirements may not operate a chauffeured limousine for passenger trips of the chauffeured limousine service if the limousine does not meet the Act's vehicle standards until such time as the limousine's compliance is reestablished.

Chauffeured Limousine Service Compliance Reviews and Noncompliance Penalties

The bill creates s. 316.906, F.S., to authorize the DHSMV to conduct reviews and inspections of chauffeured limousine services for the purpose of determining compliance with the Act. In addition to penalties provided in chs. 316, 318, 319, 320, 322, and 324, F.S., the DHSMV is authorized to impose the following penalties:

- A civil penalty of \$1,000 for violations identified in an initial compliance review or inspection;
- A civil penalty of \$2,500 for violations found in a follow up compliance review or inspection conducted within six months after a previous compliance review or inspection where violations were identified; and
- A civil penalty of \$5,000 for violations found in a follow up compliance review or inspection conducted within 12 months after a previous compliance review or inspection where violations were identified.

All civil penalties imposed and collected must be paid to the Chief Financial Officer, who must credit the total amount collected to the State Transportation Disadvantaged Trust Fund for use as provided in s. 427.0159, F.S. A chauffeured limousine service aggrieved by the imposition of a civil penalty under this section may apply to the Commercial Motor Vehicle Review Board for a modification, cancellation, or revocation of the penalty. Such appeal proceedings must be conducted in accordance with ch. 120, F.S.

Financial Responsibility

The bill creates s. 324.031(2), F.S., to provide that the owner or operator of a chauffeured limousine, as defined in s. 316.901, F.S., may prove financial responsibility by furnishing satisfactory evidence of holding a motor vehicle liability policy, with minimum limits of \$500,000 per person for bodily injury, up to \$1,000,000 per incident for bodily injury, and \$50,000 for property damage. A chauffeured limousine service, as defined in s. 316.901, F.S., may prove financial responsibility by furnishing satisfactory evidence of holding a non-owned motor vehicle liability policy with minimum limits of \$500,000 combined single limits.

The bill further creates ss. 324.032(1)(c-d), F.S., to provide that a person who is the owner or a lessee required to maintain insurance under s. 324.021(9)(b), F.S., and who operates a chauffeured limousine, as defined in s. 316.901, may prove financial responsibility by furnishing satisfactory evidence of holding a motor vehicle liability policy, but with minimum in excess of limits of \$500,000 per person for bodily injury, up to \$1,000,000 per incident for bodily injury, and \$50,000 for property damage.

A chauffeured limousine service, as defined in s. 316.901, F.S., may prove financial responsibility by furnishing satisfactory evidence of holding a non-owned motor vehicle liability policy with minimum limits of \$500,000 combined single limits.

Rulemaking

The bill creates s. 316.907, F.S., to provide that DHSMV may adopt or revise rules to implement and administer the Chauffeured Limousines and Services Safety Act.

The bill also amends ss. 324.023, 324.151, and 627.733, F.S., to correct cross-references necessitated by other changes in the bill.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

Fee revenues related to local regulation of chauffeured limousine services and drivers may decrease, to the extent that such services and drivers are currently licensed to operate in any given local jurisdiction. A corresponding decrease in local government expenditures relating to the regulation of chauffeured limousine services and drivers would also be expected. The net result is an insignificant impact to local governments. Therefore, the bill appears to be exempt from the mandates provision.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill will provide a uniform statewide level of regulation of emerging transportation technology, specifically chauffeured limousines, to provide stability and predictability to businesses seeking to implement such technology, to provide convenience and safety to the traveling public, and to enhance personal mobility.

The employer or the employee is responsible for payment of the required level one background screening under s. 435.03, F.S. Payment must be submitted to the FDLE with the request for screening. The current cost for a state record check is \$24.⁹

C. Government Sector Impact:

The DHSMV notes that 1,625 limousines were registered in Fiscal Year 2012-2013. Of the total, 1,523 could potentially meet the definition of “chauffeured limousine.” The bill leaves the determination as to when to conduct compliance reviews to the discretion of the DHSMV and primarily requires a records check. Physical inspection of the vehicles by the DHSMV is not required. According to the DHSMV, the expected fiscal impact is as follows:

| | Year 1 | Year 2 | Year 3 |
|-------------------|------------------|------------------|------------------|
| | <u>FY 14-15</u> | <u>FY 15-16</u> | <u>FY 16-17</u> |
| Salaries/Benefits | \$570,807 | \$570,807 | \$570,807 |
| Expenses | 119,316 | 40,129 | 40,129 |
| HR Services | <u>4,128</u> | <u>4,128</u> | <u>4,128</u> |
| Total | <u>\$694,251</u> | <u>\$615,064</u> | <u>\$615,064</u> |

The above provides for 12 positions to provide a new program area to implement the provisions of this bill.¹⁰

The FDLE, to the extent that individuals apply to become drivers for chauffeured limousine services, will see an increase in fee revenues associated with performing the required level one background screening. In addition, driver’s certificates declaring them to be in compliance with the screening standards must be renewed every 14 months to remain eligible to operate any chauffeured limousine.

To the extent that chauffeured limousine services are charged with civil penalties for non-compliance with the Act, the Transportation Disadvantaged Trust Fund will see an increase in revenues.

⁹ The FDLE Agency Analysis for SB 1618 at 3. On filed in the Senate Transportation Committee.

¹⁰ *Id.* at 8.

An increase in expenditures related to the administration of the Commercial Motor Vehicle Review Board may result, to the extent that the imposition of the civil penalties is appealed. Such expenditures are expected to be absorbed within existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 125.01, 324.031, and 324.032.

This bill amends the following sections of the Florida Statutes: 324.023, 324.151, and 627.733.

This bill creates the following sections of the Florida Statutes: 316.90, 316.901, 316.902, 316.903, 316.904, 316.905, 316.906, and 316.907.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.



766326

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

The Committee on Transportation (Brandes) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 316.901, Florida Statutes, is amended to
read:

316.901 Chauffeured limousines; prohibited practices;
definition.—A special district may not discriminate or restrict
the use of chauffeured limousines for hire using digital
transportation request services by requiring a minimum wait



766326

11 time, requiring a minimum fare, restricting the number of
12 permits issued to operate limousines in the county or
13 restricting access across county lines from limousines for hire.
14 Chauffeured limousines shall meet the minimum financial
15 responsibility requirements of s. 324.032, or greater
16 requirements set by the county if those same requirements apply
17 to individuals and businesses that provide the same or similar
18 service. As used in this section, "chauffeured limousine" means
19 a chauffeured, nonmetered motor vehicle with four or more doors,
20 designed to carry fewer than nine passengers excluding the
21 chauffeur, and operated for hire pursuant to an advance
22 reservation, the fare for which is calculated on the basis of
23 time and distance, except for trips to airports or other point-
24 to-point trips based on well-traveled routes or for event-
25 related trips such as sporting events, which may be charged on a
26 flat-fee basis. The term does not include a taxicab; a vehicle
27 used for not-for-profit, tax-exempt operations; or a vehicle
28 used for transportation of persons between home and work
29 locations or of persons having a common work-related trip when
30 ridesharing is incidental to another purpose of the driver.

31 Section 2. This act shall take effect October 1, 2014.

32
33 ===== T I T L E A M E N D M E N T =====

34 And the title is amended as follows:

35 Delete everything before the enacting clause
36 and insert:

37 A bill to be entitled
38 An act relating to chauffeured limousines; creating s.
39 316.901, F.S.; prohibiting a special district from



766326

40 restricting the use of certain chauffeured limousines
41 by requiring a minimum wait time or minimum fare,
42 restricting the number of permits issued to operate in
43 the county, or restricting access across county lines;
44 requiring chauffeured limousines to meet certain
45 minimum financial responsibility requirements;
46 defining the term "chauffeured limousine"; providing
47 an effective date.



679322

LEGISLATIVE ACTION

| | | |
|------------|---|-------|
| Senate | . | House |
| Comm: WD | . | |
| 04/03/2014 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Transportation (Evers) recommended the following:

1 **Senate Amendment to Amendment (766326) (with title**
2 **amendment)**

3
4 Delete lines 14 - 18
5 and insert:

6 Chauffeured limousines for hire using digital transportation
7 request services must meet the minimum financial responsibility
8 requirements of s. 324.032, or greater requirements set by the
9 county if those same requirements apply to individuals and
10 businesses that provide the same or similar service. If such a



679322

11 chauffeured limousine does not maintain the minimum insurance
12 required by s. 324.032, or greater requirements set by the
13 county if those same requirements apply to individuals and
14 businesses that provide the same or similar service, the digital
15 transportation request service is vicariously liable for up to
16 \$1 million per incident involving such chauffeured limousine or
17 its driver. As used in this section, the term "digital
18 transportation request service" means a corporation,
19 partnership, sole proprietorship, or other entity that uses a
20 digital network to connect passengers or businesses to
21 chauffeured limousines for the purpose of providing
22 transportation. As used in this section, the term "chauffeured
23 limousine" means

24
25 ===== T I T L E A M E N D M E N T =====

26 And the title is amended as follows:

27 Delete line 46

28 and insert:

29 providing that a digital transportation request
30 service is vicariously liable for incidents involving
31 a chauffeured limousine or the driver thereof using
32 the service if the chauffeured limousine does not meet
33 certain insurance requirements; defining terms;
34 providing

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3 April 2014
Meeting Date

Topic Chauffered Limousines

Bill Number 1618
(if applicable)

Name Cristina Bichachi

Amendment Barcode _____
(if applicable)

Job Title Owner

Address 110 NE 118 St.
Street

Phone 786-295-4945

Miami FL 33161
City State Zip

E-mail cbichachi@yahoo.com

Speaking: For Against Information

Representing JM5 Limousines

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/14

Meeting Date

Topic SB 1618 -

Bill Number SB 1618

Name Rick Versace

Amendment Barcode 679322
(if applicable)

Job Title Pres

Address 1990 NW Boca Raton Blvd

Phone 561 702 3522

Street
Boca Raton FL 33432
City State Zip

E-mail rickversace@

floridalimousine.com

Speaking: For Against Information

Representing Florida Limousine Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-3-14

Meeting Date

Topic TRANSPORTATION

Bill Number 1618

Name BROCK ROSAYN

Amendment Barcode 679322
(if applicable)

Job Title PRESIDENT

Address 1730 S, FED HWY #344

Phone 561-276-2420

Delray Bch FL 33483
Street City State Zip

E-mail brock.METROFLC
YAHOO.COM

Speaking: For Against Information

Representing METRO TAXI

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-3-14

Meeting Date

Topic Financial Responsibility

Bill Number SB 1618
(if applicable)

Name G. C. Murray

Amendment Barcode 679322
(if applicable)

Job Title Deputy General Counsel

Address 218 S Monroe St.

Phone 850-521-1034

Street

Tallahassee

FL

State

32301

Zip

E-mail _____

Speaking: For Against Information

Representing Florida Justice Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/14

Meeting Date

Topic SENATE TRANSPORTATION HEARING
LIMO REGULATION & OTHER TRAVEL
Name ROBERT A. SEARCY
Bill Number 1618
Amendment Barcode (if applicable)

Job Title PRESIDENT GULF COAST TRANSPORTATION

Address 1701 WEST CAST ST.
Street
TAMPA, FL 33606
City State Zip
Phone 407-222-2700
E-mail rsearcy@tampa-taxi.com

Speaking: For Against Information

Representing PASSENGER GROUNDS TRANSPORTATION INDUSTRY

Appearing at request of Chair: Yes No
Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/14

Meeting Date

Topic TRANSPORTATION BILL

Bill Number SB 1618
(if applicable)

Name JOHN F. MADIEDO, JR

Amendment Barcode 679322
(if applicable)

Job Title PRESIDENT, PROFESSIONAL RISK MANAGERS, INC
PROFESSIONAL INSURANCE CENTER, INC

Address 2003 W. KENNEDY BLVD
Street

Phone 813-251-4900

TAMPA, FLORIDA 33606
City State Zip

E-mail JMEDI@MSU.COM

Speaking: For Against Information

Representing PUBLIC TRANSPORTATION INDUSTRY

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

Not Heard

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/14

Meeting Date

Topic TAXIS / LIMOS TNCS

Bill Number 1618
(if applicable)

Name FASSIL GABREMARIAM

Amendment Barcode _____
(if applicable)

Job Title CHAIRMAN - TAMPA LIMOUSINE & TAXI COALITION

Address 110 S MANHATTAN AVE #44

Phone 813-765-0388

Street

TAMPA FL 33609

City

State

Zip

E-mail ~~Famil~~ Famil@USA-Africa.org

Speaking: For Against Information

Representing LIMOUSINE & TAXI COALITION

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

Not Heard

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/14

Meeting Date

Topic Chauffered limo

Bill Number 1618
(if applicable)

Name Justin Kintz

Amendment Barcode _____
(if applicable)

Job Title Public Policy

Address 1920 N St., NW

Phone _____

Street

Washington

City

DC

State

20036

Zip

E-mail Kintz@uber.com

Speaking: For Against Information

Representing Uber Technologies

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

*Not
Heard*

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3 April 2014
Meeting Date

Topic Chauffered Limousines

Bill Number 1618
(if applicable)

Name J. Rick Bryant

Amendment Barcode _____
(if applicable)

Job Title President

Address 220 N. Hogan St #312
Street
Jacksonville, FL 32202
City State Zip

Phone 904-422-3661

E-mail rickbryant123@yahoo.com

Speaking: For Against Information

Representing Metro Executive Transportation of Jax, LLC

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

Not Heard

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3 April 2014
Meeting Date

Topic Chauffered Limousines

Bill Number 1618
(if applicable)

Name Ayo Okpodu

Amendment Barcode _____
(if applicable)

Job Title _____

Address 2870 Peachtree Road #180
Street
Atlanta GA 30305
City State Zip

Phone 404-709-4995

E-mail ayoparama@gmail.com

Speaking: For Against Information

Representing Arama Limousine and Car Service

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

Not Heard

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3 April 2014
Meeting Date

Topic Chauffered Limousines

Bill Number 1618
(if applicable)

Name CJ Williams

Amendment Barcode _____
(if applicable)

Job Title President

Address 6241 Fletcher ST

Phone 954-865-1972

Hollywood FL 33023
City State Zip

E-mail Cjww4@yahoo.com

Speaking: For Against Information

Representing C. Williams Enterprises

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

*Not
Heard*

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/14
Meeting Date

Topic Chauffeured Limo

Bill Number S1618
(if applicable)

Name Brewster Bevis

Amendment Barcode _____
(if applicable)

Job Title Senior Vice President

Address 516. W Adams St

Phone 224-7173

Tallahassee FL 32301
City State Zip

E-mail bbevis@aif.com

Speaking: For Against Information

Representing Associated Industries of Florida

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE

APPEARANCE RECORD

Not Heard



4/3/14

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date

Topic _____

Bill Number 1618
(if applicable)

Name Tim Nungesser

Amendment Barcode _____
(if applicable)

Job Title Legislative Director

Address 110 E. Jefferson St.

Phone 850-681-0416

Tallahassee FL 32301
Street City State Zip

E-mail tim.nungesser@afib.org

Speaking: For Against Information

Representing National Federation of Independent Business

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

Not Heard

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/13

Meeting Date

Topic Chauffered Limousines

Bill Number SB 1618

(if applicable)

Name RYAN PADGETT

Amendment Barcode 766326

(if applicable)

Job Title Asst. General Counsel

Address PO Box 1757

Phone 850-701-3616

Street

Tallahassee

FL

32302

E-mail rpadgett@flcities.com

City

State

Zip

Speaking: For Against Information

Representing Florida League of Cities

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

Not Heard

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-3-13

Meeting Date

Topic taxis, limos, TNCs

Bill Number 1618
(if applicable)

Name Roger Chapin

Amendment Barcode _____
(if applicable)

Job Title VP

Address 324 W. Gore St.
Street

Phone 407-422-4561

Orlando, FL 32801
City State Zip

E-mail _____

Speaking: For Against Information

Representing Mears Transportation Group - Orlando

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

Not Heard

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/2014

Meeting Date

Topic Transportation Bill

Bill Number 1618
(if applicable)

Name Jeremy Jenkins

Amendment Barcode _____
(if applicable)

Job Title owner

Address 4037 66th St N

Phone 727 488 5424

Street
St. Pete FL 33709
City *State* *Zip*

E-mail jeremy@hhlimo.com

Speaking: For Against Information

Representing His & Hers Limosines - Tampa

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

Not Heard

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____

Topic TRANSPORTATION Bill

Bill Number 1618
(if applicable)

Name DENNIS ROCHFORD

Amendment Barcode _____
(if applicable)

Job Title PRES

Address 1393 PASADENA AVE STE A

Phone 727-647-4989

Street
54 PETE FL 33707
City State Zip

E-mail DENNISLIMO@HOT MAIL

Speaking: For Against Information

Representing PURE LIMOSINE

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

Not Heard

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-3-14
Meeting Date

Topic Transportation

Bill Number 11018
(if applicable)

Name GLEN M. MINARDI

Amendment Barcode _____
(if applicable)

Job Title O.P.

Address 4413 N HESPERIDES
Street

Phone 813 917 7992

Tampa FL
City State Zip

E-mail _____

Speaking: For Against Information

Representing YELLOW CAB OF TAMPA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

Not Heard

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/14

Meeting Date

Topic TRANSPORTATION

Bill Number 1618
(if applicable)

Name SHAUN COCHRAN

Amendment Barcode _____
(if applicable)

Job Title MANAGER

Address 4415 N. HESPERIDES ST

Phone (813) 917-5094

Street

TAMPA FL 33614

City

State

Zip

E-mail _____

Speaking: For Against Information

Representing WEST COAST TRANSPORTATION

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

Not Heard

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-3-14

Meeting Date

Topic Transportation

Bill Number 1618
(if applicable)

Name Abraham Minardi

Amendment Barcode _____
(if applicable)

Job Title Supervisor

Address 4413 N Hesperides
Street

Phone 813-917-1444

Tampa FL 33614
City State Zip

E-mail abrahamminardi@gmail.com

Speaking: For Against Information

Representing Checker Cab Transportation

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

Not Heard

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3 April 14
Meeting Date

Topic Limousine Bill

Bill Number SB 1618
(if applicable)

Name Lee Barron

Amendment Barcode _____
(if applicable)

Job Title Pres Acadiana Destination Services

Address 5100 Citrus Ave

Phone 772 528 6179

Fort Pierce FL 34982
City State Zip

E-mail leebarron@bellsouth.net

Speaking: For Against Information

Representing Acadiana Destination Services

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

Not Heard

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4.3.14
Meeting Date

Topic Limousine Bill

Bill Number SB 1618
(if applicable)

Name Lorraine Wilde

Amendment Barcode _____
(if applicable)

Job Title Limousine Operator

Address 221 W. OAKLAND PK Blvd

Phone 954-565-8900

St. Street
FT. LAUD. FL 33311
City State Zip

E-mail lorraine@floridalimo.com

Speaking: For Against Information

Representing GO Executive Car

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

Not Heard

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-03-14

Meeting Date

Topic LIMOUSINE BILL

Bill Number SB 1618
(if applicable)

Name DAVID SHAW

Amendment Barcode _____
(if applicable)

Job Title OPERATION MANAGER

Address 8020 MASSACHUSETTS AVENUE

Phone 727-842-3522

NEWPORT RICHEY FL 34653
City State Zip

E-mail dave@olympushimo.com

Speaking: For Against Information

Representing OLYMPUS LIMO, WEST FLORIDA LIVERY ASSOCIATION

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

Not Heard

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-3-2014
Meeting Date

Topic _____

Bill Number SB-1618
(if applicable)

Name Franz Hofbauer

Amendment Barcode _____
(if applicable)

Job Title President

Address 1923 Sabra Dr.
Street

Phone 850-294-2045

Tallahassee FL 32303
City State Zip

E-mail email to fh@gmail.com

Speaking: For Against Information

Representing City Taxi

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

Not Heard

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____

Topic UBER

Bill Number 1618
(if applicable)

Name DIEGO FELICIANO

Amendment Barcode _____
(if applicable)

Job Title PRESIDENT, SFTA

Address 199 NW 79 ST

Phone _____

Street

MIAMI

FL

33150

City

State

Zip

E-mail _____

Speaking: For Against Information

Representing TAXICAB INDUSTRY

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

Not Heard

THE FLORIDA SENATE APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____

Topic UBER

Bill Number 1618
(if applicable)

Name ANGUS MURRAY

Amendment Barcode _____
(if applicable)

Job Title DIRECTOR

Address 199 NW 79 ST

Phone _____

Street MIAMI *State* FL *Zip* 33150

E-mail _____

Speaking: For Against Information

Representing KEY TRANSPORTATION

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

Not Heard

4-3-14
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Topic UBER

Bill Number 1618
(if applicable)

Name Frank Hernandez

Amendment Barcode _____
(if applicable)

Job Title S. FLA. TAXI

Address 3111 W.W. 27AVE

Phone 786-

Miami FL
City State Zip

E-mail _____

Speaking: For Against Information

Representing Super Yellow

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

Not Heard

THE FLORIDA SENATE APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/14

Meeting Date

Topic LIMOUSINES Bill Number 1618
(if applicable)

Name John Camillo Amendment Barcode _____
(if applicable)

Job Title PRESIDENT yellow CARS BROWARD + TALLAHASSEE

Address 221 W. OAKLAND PK BLVD Phone 954 565 8900

Street
FT LAUDERDALE, FL 33311
City State Zip

E-mail JCamillo@serviceinc.com

Speaking: For Against Information

Representing yellow CARS BROWARD + TALLAHASSEE

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

Not Heard

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/13/14

Meeting Date

Topic Limes

Bill Number 1618
(if applicable)

Name Katherine Flick

Amendment Barcode _____
(if applicable)

Job Title Student

Address 5022 New Wington dr.

Phone _____

Street

Sarasota

City

FL

State

34233

Zip

E-mail _____

Speaking: For Against Information

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

Not Heard

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/14
Meeting Date

Topic Limos

Bill Number 1618
(if applicable)

Name Brooke Har tenstein

Amendment Barcode _____
(if applicable)

Job Title Student

Address 1031 West Madison Street

Phone _____

Tallahassee FL 32304
City State Zip

E-mail _____

Speaking: For Against Information

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

Not Heard

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/14

Meeting Date

Topic Limos

Bill Number 1618
(if applicable)

Name Jennifer Ayala

Amendment Barcode _____
(if applicable)

Job Title student

Address 10621 Hammocks Blvd.
Street

Phone _____

Miami FL 33196
City State Zip

E-mail _____

Speaking: For Against Information

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

Not Heard

THE FLORIDA SENATE APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-3-13
Meeting Date

Topic Limo, Taxi, TNCs

Bill Number 1618
(if applicable)

Name AL Castagno

Amendment Barcode _____
(if applicable)

Job Title VP/Sec

Address 6017 SandPines Est Blvd
Street

Phone 407 947 7777

Orlando FL 32813
City State Zip

E-mail AL.mcd.cast@noh.com

Speaking: For Against Information

Representing Quick Cab / Greater Orlando Livey Assoc.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

Not Heard

THE FLORIDA SENATE APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3

Meeting Date

Topic _____

Bill Number 1618
(if applicable)

Name DONOVAN BROWN

Amendment Barcode _____
(if applicable)

Job Title _____

Address 215 S MONROE ST, SUITE 720
Street

Phone _____

TALLAHASSEE FL 32301
City State Zip

E-mail donovan.brown@pciaa.net

Speaking: For Against Information

Representing PROPERTY CASUALTY INSURERS ASSOCIATION OF AMERICA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

Not Heard

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4.3.14

Meeting Date

Topic Chartered Limosines

Bill Number 1618
(if applicable)

Name RON BOOK

Amendment Barcode _____
(if applicable)

Job Title _____

Address 18851 NE 29 AVE

Phone 305 935 1866

Street
AVENTURA FL 33180
City *State* *Zip*

E-mail _____

Speaking: For Against Information

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

Not
Heard

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/2014

Meeting Date

Topic LIMOUSINE

Bill Number 1618

Name Michael Moses

Amendment Barcode 679322
(if applicable)

Job Title _____

Address 482 Hemosita Dr

Phone 727-638-7638

Street

St. Pete Beach FL 33706

City

State

Zip

E-mail MichaelJMoses@gmail.com

Speaking: For Against Information

Representing Castellano Moses Transportation

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

Not heard

4/3/2014

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date

Topic LIMOUSINE

Bill Number 1618
(if applicable)

Name Nancy Castellano

Amendment Barcode 679322
(if applicable)

Job Title _____

Address 2003 W Kennedy Blvd.

Phone 813-918-3078

Street

Tpa FL 33606

City

State

Zip

E-mail nancy.castellano@gmail.com

Speaking: For Against Information

Representing Castellano Moses Transportation Group

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

Not heard

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/2014

Meeting Date

Topic Limousine

Bill Number 1618

Name John Camillo

Amendment Barcode 679322
(if applicable)

Job Title President

(if applicable)

Address 221 W Oakland Park Blvd.

Phone 954-565-8900

Street
Ft Lauderdale FL 33311
City State Zip

E-mail J.Camillo@BhService

Inc. com

Speaking: For Against Information

Representing B: h Services

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

Not Heard

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3

Meeting Date

Topic TRANSPORTATION

Bill Number 1618

Name JANNIFER GREEN

Amendment Barcode 679372
(if applicable)

Job Title _____

Address P.O. BOX 390

Phone 841-1726

Street 4th FL 32302

City _____ State _____ Zip _____

E-mail _____

Speaking: For Against Information

Representing UBER TECHNOLOGIES

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

Not Heard

THE FLORIDA SENATE APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/3/14

Meeting Date

Topic Transportation /

Bill Number SB 1618

Name Louis Minarelli

Amendment Barcode 679322
(if applicable)

Job Title president

Address 42113 N. Hesperides St.
Street

Phone (813) 917 7946

Tampa Fl. 33614
City State Zip

E-mail Louie@YellowCubofTampa.com

Speaking: For Against Information

Representing Yellow Cub of Tampa Inc

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

By Senator Brandes

22-01498-14

20141618__

A bill to be entitled

An act relating to chauffeured limousines; amending s. 125.01, F.S.; preempting the licensing and regulation of chauffeured limousines, chauffeured limousine services, and drivers of chauffeured limousines to the state; creating s. 316.90, F.S.; providing a short title; creating s. 316.901, F.S.; providing definitions; creating s. 316.902, F.S.; providing legislative findings and intent; creating s. 316.903, F.S.; providing rules of operation for a chauffeured limousine service; creating s. 316.904, F.S.; providing chauffeured limousine vehicle standards; creating s. 316.905, F.S.; providing requirements for chauffeured limousine drivers; creating s. 316.906, F.S.; providing penalties; providing for appeal of penalties; creating s. 316.907, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules; amending ss. 324.031 and 324.032, F.S.; revising proof of insurance requirements for owners or operators of chauffeured limousines and chauffeured limousine services; amending ss. 324.023, 324.151, and 627.733, F.S.; conforming cross-references; providing an effective date.

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

Section 1. Paragraph (n) of subsection (1) of section 125.01, Florida Statutes, is amended to read:
125.01 Powers and duties.—

Page 1 of 18

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

22-01498-14

20141618__

(1) The legislative and governing body of a county shall have the power to carry on county government. To the extent not inconsistent with general or special law, this power includes, but is not restricted to, the power to:

(n) License and regulate taxis, jitneys, limousines for hire, rental cars, and other passenger vehicles for hire that operate in the unincorporated areas of the county; except that any constitutional charter county as defined in s. 125.011(1) shall on July 1, 1988, have been authorized to have issued a number of permits to operate taxis which is no less than the ratio of one permit for each 1,000 residents of said county, and any such new permits issued after June 4, 1988, shall be issued by lottery among individuals with such experience as a taxi driver as the county may determine. Notwithstanding any provision of this paragraph, the legislative and governing body of a county does not have the power to license or regulate chauffeured limousines, chauffeured limousine services, and drivers of chauffeured limousines, as defined in s. 316.901, and the licensure and regulation thereof is specifically preempted to the state.

Section 2. Section 316.90, Florida Statutes, is created to read:

316.90 Chauffeured Limousines and Services Safety Act; short title.—Sections 316.90-316.907 may be cited as the "Chauffeured Limousines and Services Safety Act."

Section 3. Section 316.901, Florida Statutes, is created to read:

316.901 Chauffeured limousines and services; definitions.—As used in ss. 316.90-316.907, the term:

Page 2 of 18

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

22-01498-14

20141618__

59 (1) "Advance reservation" means a reservation made in
 60 advance by a person requesting the use of a chauffeured
 61 limousine for transportation of a passenger or passengers for a
 62 specified period of time, or from and to a specific location.

63 (2) "Chauffeured limousine" means a chauffeured, nonmetered
 64 motor vehicle with four or more doors, designed to carry fewer
 65 than nine passengers excluding the chauffeur, and operated for
 66 hire pursuant to an advance reservation, the fare for which is
 67 calculated on the basis of time and distance, except for trips
 68 to airports or other point-to-point trips based on well-traveled
 69 routes or for event-related trips such as sporting events, which
 70 may be charged on a flat-fee basis. The term does not include a
 71 taxicab; a vehicle used for not-for-profit, tax-exempt
 72 operations; or a vehicle used for transportation of persons
 73 between home and work locations or of persons having a common
 74 work-related trip when ridesharing is incidental to another
 75 purpose of the driver.

76 (3) "Chauffeured limousine service" means any business that
 77 provides chauffeured limousines by advance reservation.

78 (4) "Department" means the Department of Highway Safety and
 79 Motor Vehicles.

80 Section 4. Section 316.902, Florida Statutes, is created to
 81 read:

82 316.902 Chauffeured limousines and services; legislative
 83 findings and intent; preemption.—The Legislature finds that the
 84 emerging field of transportation technology is a statewide
 85 concern. The Legislature intends to provide a uniform statewide
 86 level of regulation of emerging transportation technology to
 87 provide stability and predictability to businesses seeking to

Page 3 of 18

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

22-01498-14

20141618__

88 implement such technology, to provide convenience and safety to
 89 the traveling public, and to enhance personal mobility.
 90 Accordingly, the regulation of chauffeured limousines,
 91 chauffeured limousine services, and drivers of chauffeured
 92 limousines is hereby preempted to the state. Further regulation
 93 thereof by a county, a municipality, or any other political
 94 subdivision of the state is void.

95 Section 5. Section 316.903, Florida Statutes, is created to
 96 read:

97 316.903 Chauffeured limousine services; rules of
 98 operation.—

99 (1) Before engaging in business in this state as a
 100 chauffeured limousine service, and at all times thereafter while
 101 so actively engaged, a chauffeured limousine service shall:

102 (a) Establish and maintain:

103 1. A publicly listed telephone number identifying the
 104 business name and actual physical address for the purpose of
 105 receiving telephone calls related to the chauffeured limousine
 106 service.

107 2. A website that provides:

108 a. The telephone number and actual physical address of the
 109 business as required under subparagraph 1.

110 b. Specific information regarding the method of fare
 111 calculation and the rates and fees charged by the chauffeured
 112 limousine service.

113 c. A mechanism for passengers of the chauffeured limousine
 114 service to file complaints regarding the service through the
 115 website.

116 3. A zero-tolerance intoxicating substance policy for

Page 4 of 18

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

22-01498-14

20141618__

117 drivers of chauffeured limousines.

118 4. A central records repository located in this state for
 119 the maintenance of records required by the department. A
 120 chauffeured limousine service shall make such records available
 121 for inspection to the department for the purpose of establishing
 122 compliance with this act.

123 (b) Employ only drivers that meet the requirements of s.
 124 316.905.

125 1. In addition to obtaining sufficient proof that a driver
 126 meets the requirements of s. 316.905, prior to a driver's
 127 employment the chauffeured limousine service must also obtain at
 128 least 1 year of the driver's driving history and shall check the
 129 driver's record quarterly thereafter to ensure that
 130 disqualifying violations specified in s. 316.905(1)(c)1. have
 131 not occurred.

132 2. A chauffeured limousine service shall immediately
 133 suspend any driver:

134 a. Who receives a disqualifying violation on his or her
 135 driving record until such time as the driver's compliance is
 136 reestablished.

137 b. Who is reported by a person who reasonably suspects the
 138 driver was under the influence of alcohol or drugs during the
 139 course of a passenger's trip pending an investigation of the
 140 report.

141 (c) Ensure that valid background-screening certificates of
 142 the driver and the insurer certificates of the chauffeured
 143 limousine are displayed inside the chauffeured limousine so the
 144 certificates are plainly visible to the passengers.

145 (2) A chauffeured limousine service may not unlawfully

Page 5 of 18

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

22-01498-14

20141618__

146 discriminate against passengers or potential passengers based
 147 upon the geographic beginning point or end point of the ride.

148 (3) A chauffeured limousine service shall provide to the
 149 driver a waybill for each ride which includes the driver's name,
 150 motor vehicle license plate number, and the time and date of the
 151 advance reservation.

152 (4) A chauffeured limousine service shall provide each
 153 customer a paper or electronic receipt that lists the
 154 origination and destination of the trip, the total distance and
 155 time of the trip, and a breakdown of the total fare paid,
 156 including fees and gratuity, if any.

157 (5) If, in the interim between background screenings of a
 158 driver or between issuance and renewal of insurance as required
 159 under s. 316.905, an event occurs that renders the driver or the
 160 chauffeured limousine out of compliance with the standards in
 161 this act, the driver or the vehicle, or both, as appropriate,
 162 shall be disqualified from providing chauffeured limousine
 163 services. The chauffeured limousine service is prohibited from
 164 using the driver or the vehicle until such time as compliance is
 165 reestablished in accordance with this act.

166 (6) A chauffeured limousine service shall annually provide
 167 a report to the department which includes the number of rides
 168 requested and accepted by drivers within each zip code where the
 169 service operates in the state; the number of driver violations
 170 and suspensions, including a list of complaints of driver
 171 alcohol or drug intoxication and the outcome of investigations
 172 into those complaints; and a listing of each accident or other
 173 incident that involved a chauffeured limousine service's driver,
 174 including the date, time, and cause of the incident, and the

Page 6 of 18

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

22-01498-14 20141618__

175 amounts paid, if any, by the driver's insurance and the
 176 service's insurance.

177 Section 6. Section 316.904, Florida Statutes, is created to
 178 read:

179 316.904 Chauffeured limousine vehicle standards.-A
 180 chauffeured limousine may not be older than 5 model years of age
 181 when initially placed into service by a chauffeured limousine
 182 service and must be taken out of service at 10 model years of
 183 age. If a chauffeured limousine is taken out of service for more
 184 than 30 calendar days after its initial placement into service,
 185 the chauffeured limousine is no longer a previously in-service
 186 vehicle.

187 Section 7. Section 316.905, Florida Statutes, is created to
 188 read:

189 316.905 Chauffeured limousine drivers.-

190 (1) A driver for a chauffeured limousine service must:

191 (a) Possess a valid driver license issued in this state or
 192 any other state which has been active for at least 5 years.

193 (b) Hold a motor vehicle liability policy in accordance
 194 with s. 324.031 or s. 324.032, if the driver owns or leases the
 195 chauffeured limousine, or be in possession of such proof
 196 provided by the owner or lessee of the chauffeured limousine.

197 (c) Successfully complete a Level 1 background screening
 198 under s. 435.03 conducted by the Department of Law Enforcement.

199 1. Such background screening shall include a statewide
 200 criminal correspondence check through the Department of Law
 201 Enforcement; a check of the Dru Sjodin National Sex Offender
 202 Public Website; a local criminal records check through local law
 203 enforcement agencies; and a check of the driver's driving record

22-01498-14 20141618__

204 to ensure the driver has no conviction or an arrest awaiting
 205 final disposition for driving under the influence of alcohol,
 206 chemical substances, or controlled substances in violation of
 207 chapter 316, in addition to any offense prohibited under s.
 208 435.04(2) or similar law of another jurisdiction.

209 2. The driver must be rescreened annually following the
 210 date of his or her most recent background screening.

211 3. Upon receipt of payment of the appropriate fee, the
 212 Department of Law Enforcement shall conduct the screenings
 213 required by this paragraph. The department shall issue a
 214 certificate or renewed certificate, as applicable, to any driver
 215 found to be in compliance with the screening standards specified
 216 in this paragraph. Each certificate is valid for 14 months and
 217 must contain a unique identification number associated with the
 218 driver.

219 (2) At all times while operating a chauffeured limousine,
 220 the driver shall:

221 (a) Have in his or her possession:

222 1. A valid driver license that meets the requirements of
 223 paragraph (1) (a);

224 2. Proof of insurance that meets the requirements of s.
 225 324.031 or s. 324.032;

226 3. A valid background screening certificate issued under
 227 paragraph (1) (c);

228 4. A valid certificate issued by the motor vehicle insurer
 229 attesting to the vehicle's compliance with the safety equipment
 230 standards of chapter 316 and any other applicable requirements
 231 on the date of issuance or renewal of the motor vehicle
 232 liability policy; and

22-01498-14

20141618__

233 5. A waybill for each ride which includes the driver's
 234 name, vehicle license plate number, and the time and date of the
 235 advance reservation. The driver shall produce the waybill for
 236 any law enforcement officer upon request.

237 (b) Ensure that the valid background-screening certificates
 238 and insurer certificates are displayed inside the chauffeured
 239 limousine so that they are plainly visible to the passengers.

240 (c) Ensure that all chauffeured limousine passenger trips
 241 are arranged only through advance registration. The driver of a
 242 chauffeured limousine may not accept or solicit street hails.

243 (4) The driver of a chauffeured limousine may not
 244 unlawfully discriminate against passengers or potential
 245 passengers based upon the geographic beginning point or end
 246 point of the ride.

247 (5) The driver of a chauffeured limousine shall provide
 248 monthly to the chauffeured limousine service an affidavit
 249 attesting to continued compliance with this section. If, in the
 250 interim between background screenings or between issuance and
 251 renewal of insurance as required by this section, an event
 252 occurs that renders the driver noncompliant with the standards
 253 in this section, the driver shall report the event to the
 254 chauffeured limousine service, and the driver is prohibited from
 255 operating any chauffeured limousine until such time as the
 256 driver meets the requirements of this section.

257 (6) A driver that meets the requirements of this section
 258 may not operate a chauffeured limousine for passenger trips of
 259 the chauffeured limousine service which does not meet the
 260 standards under s. 316.904 until such time as the limousine's
 261 compliance is reestablished.

Page 9 of 18

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

22-01498-14

20141618__

262 Section 8. Section 316.906, Florida Statutes, is created to
 263 read:

264 316.906 Chauffeured limousines and services; review and
 265 inspection for compliance; penalties.-

266 (1) The department may conduct reviews and inspections of
 267 chauffeured limousine services for the purpose of determining
 268 compliance with this act.

269 (2) The department may impose the following penalties for
 270 violations of this act:

271 (a) In addition to penalties provided in this chapter and
 272 chapters 318, 319, 320, 322, and 324, violations of this act are
 273 punishable as provided in s. 316.655.

274 (b) Civil penalties are as follows:

275 1. A civil penalty of \$1,000 for violations identified in
 276 an initial compliance review or inspection.

277 2. A civil penalty of \$2,500 for violations found in a
 278 follow-up compliance review or inspection conducted within 6
 279 months after a previous compliance review or inspection where
 280 violations were identified.

281 3. A civil penalty of \$5,000 for violations found in a
 282 follow-up compliance review or inspection conducted within 12
 283 months after a previous compliance review or inspection where
 284 violations were identified.

285 (c) All civil penalties imposed and collected under this
 286 subsection shall be paid to the Chief Financial Officer, who
 287 shall credit the total amount collected to the State
 288 Transportation Disadvantaged Trust Fund for use as provided in
 289 s. 427.0159.

290 (d) A chauffeured limousine service aggrieved by the

Page 10 of 18

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

22-01498-14

20141618__

291 imposition of a civil penalty under this section may apply to
 292 the Commercial Motor Vehicle Review Board for a modification,
 293 cancellation, or revocation of the penalty. Such appeal
 294 proceedings must be conducted in accordance with chapter 120.

295 Section 9. Section 316.907, Florida Statutes, is created to
 296 read:

297 316.907 Chauffeured limousines and services; rulemaking
 298 authority.—The department may adopt or revise rules to implement
 299 and administer ss. 316.90-316.907.

300 Section 10. Section 324.031, Florida Statutes, is amended
 301 to read:

302 324.031 Manner of proving financial responsibility.—

303 (1) The owner or operator of a taxicab, limousine, jitney,
 304 or any other for-hire passenger transportation vehicle may prove
 305 financial responsibility by providing satisfactory evidence of
 306 holding a motor vehicle liability policy as defined in s.
 307 324.021(8) or s. 324.151, which policy is issued by an insurance
 308 carrier which is a member of the Florida Insurance Guaranty
 309 Association. Except as provided in subsection (2), the operator
 310 or owner of any other vehicle may prove his or her financial
 311 responsibility by:

312 (a)(1) Furnishing satisfactory evidence of holding a motor
 313 vehicle liability policy as defined in ss. 324.021(8) and
 314 324.151;

315 (b)(2) Furnishing a certificate of self-insurance showing a
 316 deposit of cash in accordance with s. 324.161; or

317 (c)(3) Furnishing a certificate of self-insurance issued by
 318 the department in accordance with s. 324.171.

319

22-01498-14

20141618__

320 Any person, including any firm, partnership, association,
 321 corporation, or other person, other than a natural person,
 322 electing to use the method of proof specified in paragraph
 323 (1) (b) subsection (2) shall furnish a certificate of deposit
 324 equal to the number of vehicles owned times \$30,000, to a
 325 maximum of \$120,000; in addition, any such person, other than a
 326 natural person, shall maintain insurance providing coverage in
 327 excess of limits of \$10,000/20,000/10,000 or \$30,000 combined
 328 single limits, and such excess insurance shall provide minimum
 329 limits of \$125,000/250,000/50,000 or \$300,000 combined single
 330 limits. These increased limits shall not affect the requirements
 331 for proving financial responsibility under s. 324.032(1).

332 (2) The owner or operator of a chauffeured limousine, as
 333 defined in s. 316.901, may prove financial responsibility by
 334 furnishing satisfactory evidence of holding a motor vehicle
 335 liability policy, with minimum limits of
 336 \$500,000/1,000,000/50,000.

337 (3) A chauffeured limousine service, as defined in s.
 338 316.901, may prove financial responsibility by furnishing
 339 satisfactory evidence of holding a nonowned motor vehicle
 340 liability policy with minimum limits of \$500,000 combined single
 341 limits.

342 Section 11. Section 324.032, Florida Statutes, is amended
 343 to read:

344 324.032 Manner of proving financial responsibility; for-
 345 hire passenger transportation vehicles.—Notwithstanding the
 346 provisions of s. 324.031:

347 (1) (a) A person who is either the owner or a lessee
 348 required to maintain insurance under s. 627.733(1) (b) and who

22-01498-14 20141618__
 349 operates one or more taxicabs, limousines, jitneys, or any other
 350 for-hire passenger transportation vehicles may prove financial
 351 responsibility by furnishing satisfactory evidence of holding a
 352 motor vehicle liability policy, but with minimum limits of
 353 \$125,000/250,000/50,000.

354 (b) A person who is either the owner or a lessee required
 355 to maintain insurance under s. 324.021(9)(b) and who operates
 356 limousines, jitneys, or any other for-hire passenger vehicles,
 357 other than taxicabs, may prove financial responsibility by
 358 furnishing satisfactory evidence of holding a motor vehicle
 359 liability policy as defined in s. 324.031.

360 (c) A person who is the owner or a lessee required to
 361 maintain insurance under s. 324.021(9)(b) and who operates a
 362 chauffeured limousine, as defined in s. 316.901, may prove
 363 financial responsibility by furnishing satisfactory evidence of
 364 holding a motor vehicle liability policy, but with minimum in
 365 excess of limits of \$500,000/1,000,000/50,000.

366 (d) A chauffeured limousine service, as defined in s.
 367 316.901, may prove financial responsibility by furnishing
 368 satisfactory evidence of holding a non-owned motor vehicle
 369 liability policy with minimum limits of \$500,000 combined single
 370 limits.

371 (2) An owner or a lessee who is required to maintain
 372 insurance under s. 324.021(9)(b) and who operates at least 300
 373 taxicabs, limousines, jitneys, or any other for-hire passenger
 374 transportation vehicles may provide financial responsibility by
 375 complying with the provisions of s. 324.171, such compliance to
 376 be demonstrated by maintaining at its principal place of
 377 business an audited financial statement, prepared in accordance

22-01498-14 20141618__
 378 with generally accepted accounting principles, and providing to
 379 the department a certification issued by a certified public
 380 accountant that the applicant's net worth is at least equal to
 381 the requirements of s. 324.171 as determined by the Office of
 382 Insurance Regulation of the Financial Services Commission,
 383 including claims liabilities in an amount certified as adequate
 384 by a Fellow of the Casualty Actuarial Society.
 385

386 Upon request by the department, the applicant must provide the
 387 department at the applicant's principal place of business in
 388 this state access to the applicant's underlying financial
 389 information and financial statements that provide the basis of
 390 the certified public accountant's certification. The applicant
 391 shall reimburse the requesting department for all reasonable
 392 costs incurred by it in reviewing the supporting information.
 393 The maximum amount of self-insurance permissible under this
 394 subsection is \$300,000 and must be stated on a per-occurrence
 395 basis, and the applicant shall maintain adequate excess
 396 insurance issued by an authorized or eligible insurer licensed
 397 or approved by the Office of Insurance Regulation. All risks
 398 self-insured shall remain with the owner or lessee providing it,
 399 and the risks are not transferable to any other person, unless a
 400 policy complying with subsection (1) is obtained.

401 Section 12. Section 324.023, Florida Statutes, is amended
 402 to read:

403 324.023 Financial responsibility for bodily injury or
 404 death.—In addition to any other financial responsibility
 405 required by law, every owner or operator of a motor vehicle that
 406 is required to be registered in this state, or that is located

22-01498-14 20141618__
 407 within this state, and who, regardless of adjudication of guilt,
 408 has been found guilty of or entered a plea of guilty or nolo
 409 contendere to a charge of driving under the influence under s.
 410 316.193 after October 1, 2007, shall, by one of the methods
 411 established in s. 324.031(1)(a) or (1)(b) ~~s. 324.031(1) or (2)~~,
 412 establish and maintain the ability to respond in damages for
 413 liability on account of accidents arising out of the use of a
 414 motor vehicle in the amount of \$100,000 because of bodily injury
 415 to, or death of, one person in any one crash and, subject to
 416 such limits for one person, in the amount of \$300,000 because of
 417 bodily injury to, or death of, two or more persons in any one
 418 crash and in the amount of \$50,000 because of property damage in
 419 any one crash. If the owner or operator chooses to establish and
 420 maintain such ability by furnishing a certificate of deposit
 421 pursuant to s. 324.031(1)(b) ~~s. 324.031(2)~~, such certificate of
 422 deposit must be at least \$350,000. Such higher limits must be
 423 carried for a minimum period of 3 years. If the owner or
 424 operator has not been convicted of driving under the influence
 425 or a felony traffic offense for a period of 3 years from the
 426 date of reinstatement of driving privileges for a violation of
 427 s. 316.193, the owner or operator shall be exempt from this
 428 section.

429 Section 13. Subsection (1) of section 324.151, Florida
 430 Statutes, is amended to read:

431 324.151 Motor vehicle liability policies; required
 432 provisions.—

433 (1) A motor vehicle liability policy to be proof of
 434 financial responsibility under s. 324.031(1)(a) ~~s. 324.031(1)~~,
 435 shall be issued to owners or operators under the following

22-01498-14 20141618__
 436 provisions:
 437 (a) An owner's liability insurance policy shall designate
 438 by explicit description or by appropriate reference all motor
 439 vehicles with respect to which coverage is thereby granted and
 440 shall insure the owner named therein and any other person as
 441 operator using such motor vehicle or motor vehicles with the
 442 express or implied permission of such owner against loss from
 443 the liability imposed by law for damage arising out of the
 444 ownership, maintenance, or use of such motor vehicle or motor
 445 vehicles within the United States or the Dominion of Canada,
 446 subject to limits, exclusive of interest and costs with respect
 447 to each such motor vehicle as is provided for under s.
 448 324.021(7). Insurers may make available, with respect to
 449 property damage liability coverage, a deductible amount not to
 450 exceed \$500. In the event of a property damage loss covered by a
 451 policy containing a property damage deductible provision, the
 452 insurer shall pay to the third-party claimant the amount of any
 453 property damage liability settlement or judgment, subject to
 454 policy limits, as if no deductible existed.
 455 (b) An operator's motor vehicle liability policy of
 456 insurance shall insure the person named therein against loss
 457 from the liability imposed upon him or her by law for damages
 458 arising out of the use by the person of any motor vehicle not
 459 owned by him or her, with the same territorial limits and
 460 subject to the same limits of liability as referred to above
 461 with respect to an owner's policy of liability insurance.
 462 (c) All such motor vehicle liability policies shall state
 463 the name and address of the named insured, the coverage afforded
 464 by the policy, the premium charged therefor, the policy period,

22-01498-14

20141618__

465 the limits of liability, and shall contain an agreement or be
 466 endorsed that insurance is provided in accordance with the
 467 coverage defined in this chapter as respects bodily injury and
 468 death or property damage or both and is subject to all
 469 provisions of this chapter. Said policies shall also contain a
 470 provision that the satisfaction by an insured of a judgment for
 471 such injury or damage shall not be a condition precedent to the
 472 right or duty of the insurance carrier to make payment on
 473 account of such injury or damage, and shall also contain a
 474 provision that bankruptcy or insolvency of the insured or of the
 475 insured's estate shall not relieve the insurance carrier of any
 476 of its obligations under said policy.

477 Section 14. Subsection (3) of section 627.733, Florida
 478 Statutes, is amended to read:

479 627.733 Required security.—

480 (3) Such security shall be provided:

481 (a) By an insurance policy delivered or issued for delivery
 482 in this state by an authorized or eligible motor vehicle
 483 liability insurer which provides the benefits and exemptions
 484 contained in ss. 627.730-627.7405. Any policy of insurance
 485 represented or sold as providing the security required hereunder
 486 shall be deemed to provide insurance for the payment of the
 487 required benefits; or

488 (b) By any other method authorized by s. 324.031(1)(b) or
 489 (1)(c) 324.031(2) or (3) and approved by the Department of
 490 Highway Safety and Motor Vehicles as affording security
 491 equivalent to that afforded by a policy of insurance or by self-
 492 insuring as authorized by s. 768.28(16). The person filing such
 493 security shall have all of the obligations and rights of an

Page 17 of 18

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

22-01498-14

20141618__

494 insurer under ss. 627.730-627.7405.

495 Section 15. This act shall take effect October 1, 2014.

Page 18 of 18

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

The Florida Senate
COMMITTEE VOTE RECORD

COMMITTEE: Transportation
ITEM: SB 1618
FINAL ACTION:
MEETING DATE: Thursday, April 3, 2014
TIME: 9:00 —10:30 a.m.
PLACE: 37 Senate Office Building

| FINAL VOTE | | | 4/03/2014 1 Amendment 766326 by Brandes | | 4/03/2014 2 Amendment 679322 | | 4/03/2014 3 Motion to have a time certain vote at 10:29 a.m. | |
|------------|-----|----------------------|---|-----|---------------------------------|-----------|---|----------|
| Yea | Nay | SENATORS | Brandes | | Evers | | Richter | |
| | | | Yea | Nay | Yea | Nay | Yea | Nay |
| | | Clemens | | | | | | |
| | | Diaz de la Portilla | | | | | | |
| | | Evers | | | | | | |
| | | Garcia | | | | | | |
| | | Joyner | | | | | | |
| | | Lee | | | | | | |
| | | Richter | | | | | | |
| | | Thompson | | | | | | |
| | | Margolis, VICE CHAIR | | | | | | |
| | | Brandes, CHAIR | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| Yea | Nay | TOTALS | Yea | Nay | - Yea | WD Nay | FAV Yea | - Nay |

CODES: FAV=Favorable
 UNF=Unfavorable
 -R=Reconsidered

RCS=Replaced by Committee Substitute
 RE=Replaced by Engrossed Amendment
 RS=Replaced by Substitute Amendment

TP=Temporarily Postponed
 VA=Vote After Roll Call
 VC=Vote Change After Roll Call

WD=Withdrawn
 OO=Out of Order
 AV=Abstain from Voting

CourtSmart Tag Report

Room: LL 37
Caption: Senate Transportation

Case:
Judge:

Type:

Started: 4/3/2014 9:01:48 AM

Ends: 4/3/2014 10:31:55 AM

Length: 01:30:08

9:01:50 AM Meeting called to order by Chairman Brandes
9:01:54 AM Roll call by Administrative Assistant, Marilyn Hudson
9:02:13 AM Comments from Chairman Brandes
9:02:22 AM Tab 1 - Confirmation of Kenneth Wright, Florida Transportation Commission
9:03:11 AM Senator Lee moves for confirmation
9:03:26 AM Roll call by Administrative Assistant, Marilyn Hudson
9:03:43 AM Kenneth Wright, Florida Transportation Commission reported favorably
9:03:59 AM Tab 2 - SB 820 Transportation Facility Designations by Senator Bullard introduced
9:04:27 AM Explanation of SB 820 by Senator Bullard
9:05:01 AM Explanation of PCS 631934 by Cindy Price
9:07:13 AM Explanation of Amendment 77826 by Cindy Price
9:07:33 AM Comments from Chairman Brandes
9:07:44 AM Amendment to the Amendment adopted
9:07:57 AM PCS amendment approved
9:08:06 AM Closure waived
9:08:10 AM Roll call on CS/SB 820 by Administrative Assistant, Marilyn Hudson
9:08:37 AM CS/SB 820 reported favorably
9:08:42 AM Tab 4 - CS/SB 1070 by Senator Simpson introduced
9:08:55 AM Delete all amendment explained by Senator Simpson
9:09:33 AM Question from Senator Clemens
9:09:43 AM Response from Senator Simpson
9:10:14 AM Ryan Padgett, Assistant General Counsel, Florida League of Cities waives in support
9:10:28 AM Comments from Chairman Brandes
9:10:35 AM Question from Senator Lee
9:11:10 AM Question from Senator Joyner
9:11:18 AM Response from Senator Simpson
9:11:27 AM Follow-up from Senator Joyner
9:11:32 AM Response from Senator Simpson
9:11:42 AM Comments from Chairman Brandes
9:11:47 AM Closure waived
9:11:53 AM Amendment adopted
9:12:11 AM Reggie Bouthillier, TransMontaigne waives in support
9:12:17 AM Alison Dudley, President, AB Dudley and Associates waives in support
9:12:20 AM Brewster Bevis, Senior Vice President, Associated Industries of Florida waives in support
9:12:30 AM Closure waived
9:12:34 AM Senator Lee moves for CS
9:12:39 AM Roll call on CS/CS/SB 1070 by Administrative Assistant, Marilyn Hudson
9:13:05 AM Reported favorably
9:13:15 AM Tab 3 SB 1558
9:13:25 AM Explanation of SB 1558 by Senator Abruzzo
9:13:47 AM Comments from Chairman Brandes
9:14:01 AM Comments from Senator Joyner
9:14:19 AM Closure by Senator Abruzzo
9:14:27 AM Roll call on SB 1558 by Administrative Assistant, Marilyn Hudson
9:14:52 AM Tab 6 - SB 754, Certificates of Destruction introduced
9:15:07 AM Explanation of CS/SB 754 by Senator Bradley
9:17:06 AM Comments from Chairman Brandes
9:17:15 AM Amendment 172828 introduced
9:17:26 AM Substitute Amendment 333396 explained by Chairman Brandes
9:18:37 AM Comments from Chairman Brandes
9:18:44 AM Speaker Marcus Oliver, Area Manager Florida
9:20:03 AM Comments from Chairman Brandes

9:20:11 AM Substitute amendment 333396 adopted
9:20:22 AM 748030 by Senator Richter explained by Senator Bradley
9:21:13 AM Marcus Oliver, Area Manager Florida waives in support
9:21:24 AM Speaker Jorge Conforme, Government Affairs, LKQ Corporation
9:24:06 AM Speaker Tim Stanfield, Florida Police Chiefs Association
9:24:42 AM Speaker Trevor Mask, Attorney, Florida Auto Dismantlers and Recyclers Association
9:25:14 AM Comments from Senator Bradley
9:25:59 AM Comments from Chairman Brandes
9:26:04 AM Amendment 748030 adopted
9:26:15 AM Amendment 460774 explained
9:26:23 AM Closure waived
9:26:26 AM Amendment adopted
9:26:30 AM Amendment 912646 explained
9:26:44 AM Amendment adopted
9:26:48 AM Amendment 568946 explained by Chairman Brandes
9:27:33 AM Comments from Chairman Brandes
9:27:38 AM Amendment adopted
9:27:40 AM Comments from Chairman Brandes
9:27:46 AM Speaker Dan West, General Manager, Coport
9:28:51 AM Question from Senator Joyner
9:29:00 AM Response from Dan West
9:29:22 AM Marcus Oliver, Area Manager, Insurance Auto Auctions waives in support
9:29:30 AM Tim Meenan, Nationwide Insurance Company waives in support
9:29:37 AM Comments from Senator Lee
9:32:58 AM Closure by Senator Bradley on CS/SB 754
9:33:25 AM Senator Evers moves for a CS
9:33:32 AM Roll call on CS/CS/SB 754 by Administrative Assistant, Marilyn Hudson
9:33:54 AM Bill reported favorably
9:34:04 AM Senator Richter will like to be shown as voting favorable on the confirmation, 820, 1070 and 1558
9:34:19 AM Senator Thompson would like to be reported favorably on 820, 1158, 1070 and the confirmation
9:34:36 AM Tab 5 - SB 772, Expressway Authorities by Senator Garcia
9:34:45 AM Explanation of SB 772 by Senator Garcia
9:35:16 AM Amendment 450614 explained by Senator Garcia
9:36:49 AM Question from Senator Joyner
9:37:19 AM Question from Senator Brandes
9:37:30 AM Question from Senator Lee
9:37:44 AM Response from Senator Joyner
9:38:03 AM Follow-up question from Senator Lee
9:38:14 AM Response from Chairman Brandes
9:38:25 AM Response from Senator Joyner
9:38:35 AM Comments from Senator Margolis
9:38:53 AM Response from Chairman Brandes
9:39:11 AM Amendment 242324 withdrawn
9:39:26 AM Amendment 744348 withdrawn
9:39:37 AM Amendment 227068 withdrawn
9:39:49 AM Amendment 912642 withdrawn
9:39:56 AM Amendment 673792 withdrawn
9:40:42 AM Amendment 574892 substitute amendment by Senator Garcia introduced
9:41:25 AM Explanation of Substitute strike-all amendment by Senator Garcia
9:43:37 AM Comments from Chairman Brandes
9:43:56 AM Question from Senator Joyner
9:44:11 AM Response from Senator Garcia
9:45:17 AM Follow-up question from Senator Joyner
9:45:58 AM Response from Senator Garcia
9:46:21 AM Additional question from Senator Joyner
9:46:53 AM Response from Senator Garcia
9:48:05 AM Comments from Senator Joyner
9:48:46 AM Response from Senator Garcia
9:49:41 AM Question from Senator Diaz de la Portilla
9:50:15 AM Response from Senator Garcia
9:50:43 AM Follow-up question from Senator Diaz de la Portilla
9:50:55 AM Response from Senator Garcia

9:51:24 AM Response from Senator Garcia
9:51:48 AM Follow-up question from Senator Diaz de la Portilla
9:52:00 AM Response from Chairman Brandes
9:52:11 AM Handwritten amendment to 450614 (substitute) by Senator Margolis
9:54:03 AM Comments from Senator Garcia regarding amendment
9:54:42 AM Comments from Senator Margolis
9:55:00 AM Comments from Senator Garcia regarding against amendment
9:55:23 AM Comments from Senator Diaz de la Portilla
9:57:45 AM Response from Senator Garcia
9:58:36 AM Closure waived
9:58:40 AM Amendment adopted
9:58:50 AM Amendment 242324 explained by Senator Joyner
10:01:48 AM Response from Senator Garcia
10:02:34 AM Closure on Amendment 242324 by Senator Joyner
10:02:48 AM Amendment failed
10:03:15 AM Amendment 744348 by Senator Joyner explained
10:03:36 AM Roll call on Amendment 744348
10:03:48 AM Amendment fails
10:04:18 AM Amendment 673792 withdrawn
10:04:33 AM Amendment 574892 - amendment adopted
10:05:02 AM Speaker Pamela Leslie, President, Transportation Management and Policy Consultants
10:06:45 AM Speaker Fausto Gomez, Miami-Dade Expressway Authority in opposition
10:08:04 AM Speaker Daniel Tapia, Director, Governmental Affairs waives in opposition
10:08:44 AM Substitute Amendment adopted
10:09:02 AM Speaker Tere Garcia, Planner in opposition of bill
10:10:23 AM Speaker Enrique Crooks, President/Engineer, EAC Consulting, Inc. in opposition
10:11:39 AM Speaker Kelley Teague, Legislative Affairs Director, Orange County in opposition
10:12:33 AM Speaker Luz Weinberg, MDX Board Member in opposition
10:13:13 AM Speaker Ernest Sochin, Vice Mayor, in opposition
10:13:50 AM Closure by Senator Garcia
10:15:19 AM Senator Margolis moves for staff to make technical changes
10:16:13 AM Senator Lee moves for CS
10:16:17 AM Roll call on CS/SB 772 by Administrative Assistant, Marilyn Hudson
10:16:42 AM CS/SB 772 reported favorably
10:16:47 AM Tab 7 - SB 1618, Chauffeured Limousines by Chairman Brandes introduced
10:17:00 AM Senator Margolis introduces SB 1618
10:17:10 AM Explanation of SB 1618 and Strike-all amendment 766326 by Chairman Brandes
10:18:16 AM Comments from Senator Margolis
10:18:49 AM Comments from Senator Richter regarding time certain
10:19:30 AM Explanation of amendment 679322 by Senator Evers
10:21:24 AM Speaker Rick Versace, President, Florida Limousine Association in opposition
10:22:40 AM Speaker Brock Rosayn, President, Metro Taxi in opposition
10:23:22 AM Speaker G.C. Murray, Deputy General Counsel, Florida Justice Association in favor of Amendment
10:24:13 AM Senator withdraws amendment
10:25:07 AM Speaker, Cristina Bichocho, Owner, JMS Limousines
10:27:14 AM Speaker, Robert A. Search, President, Gulf Coast Transportation in opposition
10:28:19 AM Speaker John Madiedo, Jr., President, Professional risk Managers, Inc. and Professional Insurance Center, Inc., Public Transportation Industry
10:29:48 AM Comments from Senator Margolis
10:30:07 AM Motion from Senator Clemens to rescind time certain
10:30:21 AM Roll call on motion
10:30:58 AM Roll call on Bill
10:31:32 AM Meeting adjourned