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A bill to be entitled  
 An act relating to county and municipal taxes on motor fuel; amending ss. 206.60 and 206.605, F.S.; including bicycle paths and pedestrian pathways within authorized uses of proceeds of county and municipal taxes on motor fuel; providing an effective date.

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

Section 1. Paragraph (b) of subsection (1) and subsection (4) of section 206.60, Florida Statutes, are amended to read:

206.60 County tax on motor fuel.--

(1) The proceeds of the county fuel tax imposed pursuant to s. 206.41(1)(b) are appropriated for public transportation purposes in the manner following:

(b)1. The Department of Revenue shall, from month to month, distribute the amount allocated to each of the several counties under paragraph (a) to the board of county commissioners of the county, who shall use such funds solely for the acquisition of rights-of-way; the construction, reconstruction, operation, maintenance, and repair of transportation facilities, roads, ~~and~~ bridges, bicycle paths, and pedestrian pathways therein; or the reduction of bonded indebtedness of such county or of special road and bridge districts within such county, incurred for road and bridge or other transportation purposes. In the event the powers and duties relating to transportation facilities, roads, ~~and~~ bridges, bicycle paths, and pedestrian pathways usually exercised and performed by boards of county commissioners are exercised and performed by some other or separate county board,



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31 such board shall receive the proceeds, exercise the powers, and  
32 perform the duties designated in this section to be done by the  
33 boards of county commissioners.

34 2. The board of county commissioners of each county, or  
35 any separate board or local agency exercising the powers and  
36 performing the duties relating to transportation facilities,  
37 roads, ~~and bridges~~, bicycle paths, and pedestrian pathways  
38 usually exercised and performed by the boards of county  
39 commissioners, shall be assigned the full responsibility for the  
40 maintenance of transportation facilities in the county and of  
41 roads in the county road system.

42 3. Nothing in this paragraph as amended by chapter 71-212,  
43 Laws of Florida, shall be construed to permit the expenditure of  
44 public funds in such manner or for such projects as would  
45 violate the State Constitution or the trust indenture of any  
46 bond issue or which would cause the state to lose any federal  
47 aid funds for highway or transportation purposes; and the  
48 provisions of this paragraph shall be applied in a manner to  
49 avoid such result.

50 (4) It is hereby expressly recognized and declared by the  
51 Legislature that all public roads, ~~and bridges~~, bicycle paths,  
52 and pedestrian pathways being constructed or built or which will  
53 be hereafter constructed or built, including the acquisition of  
54 rights-of-way as incident thereto, either by the Department of  
55 Transportation or the several counties of the state, were, are,  
56 and will be constructed and built as general public projects and  
57 undertakings and that the cost of the construction and building  
58 thereof, including the acquisition of rights-of-way as incident  
59 thereto, was, is, and will be legitimate, proper state expense  
60 incurred for a general public and state purpose. And it is



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61 expressly recognized and declared that the construction,  
 62 reconstruction, maintenance, and acquisition of rights-of-way of  
 63 all secondary roads are essential to the welfare of the state  
 64 and that such roads when constructed, reconstructed, or  
 65 maintained, or such rights-of-way when acquired, are and will be  
 66 for a general public and state purpose. And the Legislature has  
 67 found and hereby declares that for the proper and efficient  
 68 construction and maintenance of public highways designated state  
 69 roads, it is in the best interest of the state to further  
 70 integrate the activities of the Department of Transportation and  
 71 the several boards of county commissioners as provided in  
 72 subsection (1) in order that both state and local highway needs  
 73 may be adequately provided for.

74 Section 2. Subsection (2) of section 206.605, Florida  
 75 Statutes, is amended to read:

76 206.605 Municipal tax on motor fuel.--

77 (2) Funds available under this section shall be used only  
 78 for purchase of transportation facilities and road and street  
 79 rights-of-way; construction, reconstruction, and maintenance of  
 80 roads, and streets, bicycle paths, and pedestrian pathways; ~~for~~  
 81 ~~the~~ adjustment of city-owned utilities as required by road and  
 82 street construction; and the construction, reconstruction,  
 83 transportation-related public safety activities, maintenance,  
 84 and operation of transportation facilities. Municipalities are  
 85 authorized to expend the funds received under this section in  
 86 conjunction with other cities or counties or state or federal  
 87 government in joint projects.

88 Section 3. This act shall take effect upon becoming a law.