

Bill No. CS for CS for SB 1456

Amendment No. ____ Barcode 392054

CHAMBER ACTION

Senate

House

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Senator Sebesta moved the following amendment:

Senate Amendment (with title amendment)

On page 19, line 8, through page 20, line 20, delete those lines

and insert:

Section 12. Subsection (1) of section 337.401, Florida Statutes, is amended to read:

337.401 Use of right-of-way for utilities subject to regulation; permit; fees.--

(1) The department and local governmental entities, referred to in ss. 337.401-337.404 as the "authority," that have jurisdiction and control of public roads or publicly owned rail corridors are authorized to prescribe and enforce reasonable rules or regulations with reference to the placing and maintaining along, across, or on any road or publicly owned rail corridors under their respective jurisdictions any electric transmission, telephone, telegraph, or other communications services lines; pole lines; poles; railways; ditches; sewers; water, heat, or gas mains; pipelines; fences;

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1 gasoline tanks and pumps; or other structures hereinafter
2 referred to as the "utility." The department may enter into a
3 permit-delegation agreement with a governmental entity if
4 issuance of a permit is based on requirements that the
5 department finds will ensure the safety and integrity of
6 facilities of the Department of Transportation; however, the
7 permit-delegation agreement does not apply to facilities of
8 electric utilities as defined in s. 366.02(2).

9 Section 13. Section 95.361, Florida Statutes, is
10 amended to read:

11 95.361 Roads presumed to be dedicated.--

12 (1) When a road, constructed by a county, a
13 municipality, or the Department of Transportation, has been
14 maintained or repaired continuously and uninterruptedly for 4
15 years by the county, municipality, or the Department of
16 Transportation, jointly or severally, the road shall be deemed
17 to be dedicated to the public to the extent in width that has
18 been actually maintained for the prescribed period, whether or
19 not the road has been formally established as a public
20 highway. The dedication shall vest all right, title,
21 easement, and appurtenances in and to the road in:

22 (a) The county, if it is a county road;

23 (b) The municipality, if it is a municipal street or
24 road; or

25 (c) The state, if it is a road in the State Highway
26 System or State Park Road System,

27

28 whether or not there is a record of a conveyance, dedication,
29 or appropriation to the public use.

30 (2) In those instances where a road has been
31 constructed by a nongovernmental entity, or where the road was

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1 not constructed by the entity currently maintaining or
2 repairing it, or where it cannot be determined who constructed
3 the road, and when such road has been regularly maintained or
4 repaired for the immediate past 7 years by a county, a
5 municipality, or the Department of Transportation, whether
6 jointly or severally, such road shall be deemed to be
7 dedicated to the public to the extent of the width that
8 actually has been maintained or repaired for the prescribed
9 period, whether or not the road has been formally established
10 as a public highway. This subsection shall not apply to an
11 electric utility, as defined in s. 366.02(2) The dedication
12 shall vest all rights, title, easement, and appurtenances in
13 and to the road in:

14 (a) The county, if it is a county road;

15 (b) The municipality, if it is a municipal street or
16 road; or

17 (c) The state, if it is a road in the State Highway
18 System or State Park Road System,

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20 whether or not there is a record of conveyance, dedication, or
21 appropriation to the public use.

22 (3) The filing of a map in the office of the clerk of
23 the circuit court of the county where the road is located
24 showing the lands and reciting on it that the road has vested
25 in the state, a county, or a municipality in accordance with
26 subsection (1) or subsection (2) or by any other means of
27 acquisition, duly certified by:

28 (a) The secretary of the Department of Transportation,
29 or the secretary's designee, if the road is a road in the
30 State Highway System or State Park Road System;

31 (b) The chair and clerk of the board of county

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1 commissioners of the county, if the road is a county road; or

2 (c) The mayor and clerk of the municipality, if the
3 road is a municipal road or street,

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5 shall be prima facie evidence of ownership of the land by the
6 state, county, or municipality, as the case may be.

7 (4) Any person, firm, corporation, or entity having or
8 claiming any interest in and to any of the property affected
9 by subsection (2) shall have and is hereby allowed a period of
10 1 year after the effective date of this subsection, or a
11 period of 7 years after the initial date of regular
12 maintenance or repair of the road, whichever period is
13 greater, to file a claim in equity or with a court of law
14 against the particular governing authority assuming
15 jurisdiction over such property to cause a cessation of the
16 maintenance and occupation of the property. Such timely filed
17 and adjudicated claim shall prevent the dedication of the road
18 to the public pursuant to subsection (2).

19 (5) This section does not apply to any facility of an
20 electric utility which is located on property otherwise
21 subject to this section.

22 Section 14. Subsections (2) and (6) of section
23 341.8203, Florida Statutes, are amended to read:

24 341.8203 Definitions.--As used in this act, unless the
25 context clearly indicates otherwise, the term:

26 (2) "Authority" means the Florida High-Speed Rail
27 Authority and its agents. However, for purposes of s. 341.840,
28 the term does not include any agent of the authority except as
29 provided in that section.

30 (6) "High-speed rail system" means any high-speed
31 fixed guideway system for transporting people or goods, which

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1 system is capable of operating at speeds in excess of 120
 2 miles per hour, including, but not limited to, a monorail
 3 system, dual track rail system, suspended rail system,
 4 magnetic levitation system, pneumatic repulsion system, or
 5 other system approved by the authority. The term includes a
 6 corridor and structures essential to the operation of the
 7 line, including the land, structures, improvements,
 8 rights-of-way, easements, rail lines, rail beds, guideway
 9 structures, ~~stations, platforms,~~ switches, yards, parking
 10 facilities, power relays, switching houses, and rail stations,
 11 ~~associated development,~~ and also includes any other facilities
 12 or equipment used exclusively ~~or useful~~ for the purposes of
 13 ~~high-speed rail system~~ design, construction, operation,
 14 maintenance, or the financing of the high-speed rail system.

15 Section 15. Section 341.840, Florida Statutes, is
 16 amended to read:

17 341.840 Tax exemption.--

18 (1) The exercise of the powers granted by this act
 19 will be in all respects for the benefit of the people of this
 20 state, for the increase of their commerce, welfare, and
 21 prosperity, and for the improvement of their health and living
 22 conditions, ~~and as~~ The design, construction building,
 23 operation, maintenance, and financing of a high-speed rail
 24 system by the authority, ~~or~~ its agent, ~~or~~ the owner or lessee
 25 thereof, as herein authorized, constitutes the performance of
 26 an essential public function.

27 (2)(a) For the purposes of this section, the term
 28 "authority" does not include agents of the authority other
 29 than contractors who qualify as such pursuant to subsection
 30 (7).

31 (b) For the purposes of this section, any item or

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1 property that is within the definition of "associated
2 development" in s. 341.8203(1) shall not be considered to be
3 part of the high-speed rail system as defined in s.
4 341.8203(6).

5 (3)(a) Purchases or leases of tangible personal
6 property or real property by the authority, excluding agents
7 of the authority, are exempt from taxes imposed by chapter 212
8 as provided in s. 212.08(6). Purchases or leases of tangible
9 personal property that is incorporated into the high-speed
10 rail system as a component part thereof, as determined by the
11 authority, by agents of the authority or the owner of the
12 high-speed rail system are exempt from sales or use taxes
13 imposed by chapter 212. Leases, rentals, or licenses to use
14 real property granted to agents of the authority or the owner
15 of the high-speed rail system are exempt from taxes imposed by
16 s. 212.031 if the real property becomes part of such system.
17 The exemptions granted in this subsection do not apply to
18 sales, leases, or licenses by the authority, agents of the
19 authority, or the owner of the high-speed rail system.

20 (b) The exemption granted in paragraph (a) to
21 purchases or leases of tangible personal property by agents of
22 the authority or by the owner of the high-speed rail system
23 applies only to property that becomes a component part of such
24 system. It does not apply to items, including, but not limited
25 to, cranes, bulldozers, forklifts, other machinery and
26 equipment, tools and supplies, or other items of tangible
27 personal property used in the construction, operation, or
28 maintenance of the high-speed rail system when such items are
29 not incorporated into the high-speed rail system as a
30 component part thereof.

31 (4) Any bonds or other, neither the authority, its

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1 ~~agent, nor the owner of such system shall be required to pay~~
2 ~~any taxes or assessments upon or in respect to the system or~~
3 ~~any property acquired or used by the authority, its agent, or~~
4 ~~such owner under the provisions of this act or upon the income~~
5 ~~therefrom, any security, and all notes, mortgages, security~~
6 ~~agreements, letters of credit, or other instruments that arise~~
7 ~~out of or are given to secure the repayment of bonds or other~~
8 ~~security, issued by the authority, or on behalf of the~~
9 ~~authority therefor, their transfer, and the income therefrom,~~
10 including any profit made on the sale thereof, shall at all
11 times be free from taxation of every kind by the state, the
12 counties, and the municipalities and other political
13 subdivisions in the state. This subsection, however, does not
14 exempt from taxation or assessment the leasehold interest of a
15 lessee in any project or any other property or interest owned
16 by the lessee. The exemption granted by this subsection is not
17 applicable to any tax imposed by chapter 220 on interest
18 income or profits on the sale of debt obligations owned by
19 corporations.

20 (5) When property of the authority is leased to
21 another person or entity, the property shall be exempt from ad
22 valorem taxation only if the use by the lessee qualifies the
23 property for exemption under s. 196.199.

24 (6) A leasehold interest held by the authority is not
25 subject to intangible tax. However, if a leasehold interest
26 held by the authority is subleased to a nongovernmental
27 lessee, such subleasehold interest shall be deemed to be an
28 interest described in s. 199.023(1)(d), and is subject to the
29 intangible tax.

30 (7)(a) In order to be considered an agent of the
31 authority for purposes of the exemption from sales and use tax

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1 granted by subsection (3) for tangible personal property
2 incorporated into the high-speed rail system, a contractor of
3 the authority that purchases or fabricates such tangible
4 personal property must be certified by the authority as
5 provided in this subsection.

6 (b)1. A contractor must apply for a renewal of the
7 exemption not later than December 1 of each calendar year.

8 2. A contractor must apply to the authority on the
9 application form adopted by the authority, which shall develop
10 the form in consultation with the Department of Revenue.

11 3. The authority shall review each submitted
12 application and determine whether it is complete. The
13 authority shall notify the applicant of any deficiencies in
14 the application within 30 days. Upon receipt of a completed
15 application, the authority shall evaluate the application for
16 exemption under this subsection and issue a certification that
17 the contractor is qualified to act as an agent of the
18 authority for purposes of this section or a denial of such
19 certification within 30 days. The authority shall provide the
20 Department of Revenue with a copy of each certification issued
21 upon approval of an application. Upon receipt of a
22 certification from the authority, the Department of Revenue
23 shall issue an exemption permit to the contractor.

24 (c)1. The contractor may extend a copy of its
25 exemption permit to its vendors in lieu of paying sales tax on
26 purchases of tangible personal property qualifying for
27 exemption under this section. Possession of a copy of the
28 exemption permit relieves the seller of the responsibility of
29 collecting tax on the sale, and the Department of Revenue
30 shall look solely to the contractor for recovery of tax upon a
31 determination that the contractor was not entitled to the

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1 exemption.

2 2. The contractor may extend a copy of its exemption
3 permit to real property subcontractors supplying and
4 installing tangible personal property that is exempt under
5 subsection (3). Any such subcontractor is authorized to extend
6 a copy of the permit to the subcontractor's vendors in order
7 to purchase qualifying tangible personal property tax-exempt.
8 If the subcontractor uses the exemption permit to purchase
9 tangible personal property that is determined not to qualify
10 for exemption under subsection (3), the Department of Revenue
11 may assess and collect any tax, penalties, and interest that
12 are due from either the contractor holding the exemption
13 permit or the subcontractor that extended the exemption permit
14 to the seller.

15 (d) Any contractor authorized to act as an agent of
16 the authority under this section shall maintain the necessary
17 books and records to document the exempt status of purchases
18 and fabrication costs made or incurred under the permit. In
19 addition, an authorized contractor extending its exemption
20 permit to its subcontractors shall maintain a copy of the
21 subcontractor's books, records, and invoices indicating all
22 purchases made by the subcontractor under the authorized
23 contractor's permit. If, in an audit conducted by the
24 Department of Revenue, it is determined that tangible personal
25 property purchased or fabricated claiming exemption under this
26 section does not meet the criteria for exemption, the amount
27 of taxes not paid at the time of purchase or fabrication shall
28 be immediately due and payable to the Department of Revenue,
29 together with the appropriate interest and penalty, computed
30 from the date of purchase, in the manner prescribed by chapter
31 212.

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1 (e) If a contractor fails to apply for a high-speed
2 rail system exemption permit, or if a contractor initially
3 determined by the authority to not qualify for exemption is
4 subsequently determined to be eligible, the contractor shall
5 receive the benefit of the exemption in this subsection
6 through a refund of previously paid taxes for transactions
7 that otherwise would have been exempt. A refund may not be
8 made for such taxes without the issuance of a certification by
9 the authority that the contractor was authorized to make
10 purchases tax-exempt and a determination by the Department of
11 Revenue that the purchases qualified for the exemption.

12 (f) The authority may adopt rules governing the
13 application process for exemption of a contractor as an
14 authorized agent of the authority.

15 (g) The Department of Revenue may adopt rules
16 governing the issuance and form of high-speed rail system
17 exemption permits, the audit of contractors and subcontractors
18 using such permits, the recapture of taxes on nonqualified
19 purchases, and the manner and form of refund applications.

20 Section 16. Section 343.71, Florida Statutes, is
21 amended to read:

22 343.71 Short title.--This part may be cited as the
23 "Tampa Bay Commuter Transit Rail Authority Act."

24 Section 17. Subsection (1) of section 343.72, Florida
25 Statutes, is amended to read:

26 343.72 Definitions.--As used in this part, unless the
27 context clearly indicates otherwise, the term:

28 (1) "Authority" means the Tampa Bay Commuter Transit
29 Rail Authority.

30 Section 18. Section 343.73, Florida Statutes, is
31 amended to read:

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1 343.73 Tampa Bay Commuter Transit ~~Rail~~ Authority.--

2 (1) There is created and established a body politic
3 and corporate, an agency of the state, to be known as the
4 Tampa Bay Commuter Transit ~~Rail~~ Authority, hereinafter
5 referred to as the authority.

6 (2) The board shall consist of the following members:

7 (a) The metropolitan planning organizations of
8 Hernando, Hillsborough, Pasco, Pinellas, Manatee, Sarasota,
9 and Polk Counties shall each elect a member as its
10 representative on the board. The member must be an elected
11 official and a member of the respective metropolitan planning
12 organization when elected and for the full extent of his or
13 her term on the board.

14 (b) The county commissions of those counties shall
15 each appoint a citizen member to the board who is not a county
16 commissioner but who is a resident and a qualified elector of
17 that county. Insofar as is practicable, the citizen member
18 shall represent the business and civic interests of the
19 community.

20 (c) The Secretary of Transportation shall appoint as a
21 member of the board the district secretary, or his or her
22 designee, for each district within the seven ~~five~~ counties
23 served by the authority.

24 (d) The local transit authority in each of the seven
25 ~~five~~ counties shall elect one member who shall serve as an ex
26 officio nonvoting member of the board.

27 (e) The Governor shall appoint one member to the board
28 who is a resident and a qualified elector in the area served
29 by the authority.

30 (3) The terms of the county commissioners on the
31 governing board of the authority shall be 2 years. All other

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1 members on the governing board of the authority shall serve
2 staggered 4-year terms. Each member shall hold office until
3 his or her successor has been appointed.

4 (4) A vacancy during a term shall be filled by the
5 respective appointing authority within 90 days in the same
6 manner as the original appointment and only for the balance of
7 the unexpired term.

8 (5) The members of the authority shall not be entitled
9 to compensation, but shall be reimbursed for travel expenses
10 actually incurred in their duties as provided by law.

11 (6) Members of the authority shall be required to
12 comply with the applicable financial disclosure requirements
13 of ss. 112.3145, 112.3148, and 112.3149.

14 Section 19. Subsection (1) of section 343.74, Florida
15 Statutes, is amended to read:

16 343.74 Powers and duties.--

17 (1)(a) The authority created by s. 343.73 has the
18 right to own, operate, maintain, and manage a commuter rail
19 system and commuter ferry system in Hernando, Hillsborough,
20 Pasco, Pinellas, Manatee, Sarasota, and Polk Counties.

21 (b) It is the express intention of this part that the
22 authority be authorized to plan, develop, own, purchase,
23 lease, or otherwise acquire, demolish, construct, improve,
24 relocate, equip, repair, maintain, operate, and manage a
25 commuter rail system, commuter rail facilities, or commuter
26 ferry system; to establish and determine such policies as may
27 be necessary for the best interest of the operation and
28 promotion of a commuter rail system and commuter ferry system;
29 and to adopt such rules as may be necessary to govern the
30 operation of a commuter rail system, commuter rail facilities,
31 and commuter ferry system.

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1 Section 20. Subsection (1) of section 3 of chapter
2 57-1658, Laws of Florida, as created by chapter 88-474, Laws
3 of Florida, is amended to read:

4 Section 3. Greater Orlando Aviation Authority.

5 (1) There is hereby created a board or commission to
6 be known as the "Greater Orlando Aviation Authority," and by
7 that name the authority may sue and be sued, plead and be
8 impleaded, contract and be contracted with, and have an
9 official seal. The authority is hereby constituted an agency
10 of the city, and exercise by the authority of the powers
11 conferred by this act shall be deemed and held to be an
12 essential municipal function of the city. The authority shall
13 consist of seven members who shall be elected or appointed as
14 follows: one member shall be the mayor of the City of an
15 ~~incumbent member of the Orlando City Council, who may be the~~
16 ~~mayor commissioner or any other commissioner elected by a~~
17 ~~majority vote of such council;~~ one member shall be the chair
18 ~~an incumbent member~~ of the Board of County Commissioners of
19 Orange County, Florida, ~~who may be the chairman or any other~~
20 ~~commissioner elected by a majority vote of such commission;~~
21 and five members shall be appointed by the Governor, subject
22 to confirmation by the Senate. Three members appointed by the
23 Governor shall be residents and electors of Orange County,
24 Florida; one member appointed by the Governor shall be a
25 resident and elector of Osceola County, Florida, ~~effective~~
26 ~~April 1992;~~ and, one member appointed by the Governor shall be
27 a resident and elector of Orange County, Florida, or Seminole
28 County, Florida. All seven members shall be entitled to an
29 equal voice and vote on all matters relating to the authority
30 and its business. Two of the five appointed members initially
31 appointed by the Governor shall be appointed for a term of 2

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1 years and three members shall be appointed for a term of four
2 years, the term of each member so appointed to be designated
3 by the Governor at the time of the appointment. All
4 subsequent appointments shall be for a term of 4 years. The
5 member of the city council and the member of the county
6 commission shall be elected for a term of two years each;
7 provided, however, that any such commissioner's term shall end
8 at such time as he may cease to be a city or county
9 commissioner, at which time a successor or successors shall be
10 elected for any unexpired term. The terms of all members
11 shall end at the expiration of their terms or as otherwise
12 herein specified.

13 Section 21. Section 337.408, Florida Statutes, is
14 amended to read:

15 337.408 Regulation of benches, transit shelters,
16 street light poles, ~~and~~ waste disposal receptacles, and
17 modular news racks within rights-of-way.--

18 (1) Benches or transit shelters, including advertising
19 displayed on benches or transit shelters, may be installed
20 within the right-of-way limits of any municipal, county, or
21 state road, except a limited access highway, ~~+~~ provided that
22 such benches or transit shelters are for the comfort or
23 convenience of the general public, ~~7~~ or are at designated stops
24 on official bus routes ~~+~~ and, ~~7~~ provided ~~further,~~ that written
25 authorization has been given to a qualified private supplier
26 of such service by the municipal government within whose
27 incorporated limits such benches or transit shelters are
28 installed, ~~7~~ or by the county government within whose
29 unincorporated limits such benches or transit shelters are
30 installed. A municipality or county may authorize the
31 installation, without public bid, of benches and transit

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1 shelters together with advertising displayed thereon, within
2 the right-of-way limits of such roads. Any contract for the
3 installation of benches or transit shelters or advertising on
4 benches or transit shelters which was entered into before
5 April 8, 1992, without public bidding, is ratified and
6 affirmed. Such benches or transit shelters may not interfere
7 with right-of-way preservation and maintenance. Any bench or
8 transit shelter located on a sidewalk within the right-of-way
9 limits of any road on the State Highway System or the county
10 road system shall be located so as to leave at least 36 inches
11 of clearance for pedestrians and persons in wheelchairs. Such
12 clearance shall be measured in a direction perpendicular to
13 the centerline of the road.

14 (2) Waste disposal receptacles of less than 110
15 gallons in capacity, including advertising displayed on such
16 waste disposal receptacles, may be installed within the
17 right-of-way limits of any municipal, county, or state road,
18 except a limited access highway, provided that written
19 authorization has been given to a qualified private supplier
20 of such service by the appropriate municipal or county
21 government. A municipality or county may authorize the
22 installation, without public bid, of waste disposal
23 receptacles together with advertising displayed thereon within
24 the right-of-way limits of such roads. Such waste disposal
25 receptacles may not interfere with right-of-way preservation
26 and maintenance.

27 (3) Modular news racks, including advertising thereon,
28 may be located within the right-of-way limits of any
29 municipal, county, or state road, except a limited access
30 highway, provided the municipal government within whose
31 incorporated limits such racks are installed or the county

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1 government within whose unincorporated limits such racks are
2 installed has passed an ordinance regulating the placement of
3 modular news racks within the right-of-way and has authorized
4 a qualified private supplier of modular news racks to provide
5 such service. The modular news rack or advertising thereon
6 shall not exceed a height of 56 inches or a total advertising
7 space of 56 square feet. No later than 45 days prior to
8 installation of modular news racks, the private supplier shall
9 provide a map of proposed locations and typical installation
10 plans to the department for approval. If the department does
11 not respond within 45 days after receipt of the submitted
12 plans, installation may proceed.

13 ~~(4)(3)~~ The department has the authority to direct the
14 immediate relocation or removal of any bench, transit shelter,
15 ~~or waste disposal receptacle~~, or modular news rack which
16 endangers life or property, except that transit bus benches
17 which have been placed in service prior to April 1, 1992, are
18 not required ~~do not have~~ to comply with bench size and
19 advertising display size requirements which have been
20 established by the department prior to March 1, 1992. Any
21 transit bus bench that was in service prior to April 1, 1992,
22 may be replaced with a bus bench of the same size or smaller,
23 if the bench is damaged or destroyed or otherwise becomes
24 unusable. The department is authorized to adopt ~~promulgate~~
25 rules relating to the regulation of bench size and advertising
26 display size requirements. ~~However~~, If a municipality or
27 county within which a bench is to be located has adopted an
28 ordinance or other applicable regulation that establishes
29 bench size or advertising display sign requirements different
30 from requirements specified in department rule, ~~then~~ the local
31 government requirement shall be applicable within the

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1 respective municipality or county. Placement of any bench or
2 advertising display on the National Highway System under a
3 local ordinance or regulation adopted pursuant to this
4 subsection shall be subject to approval of the Federal Highway
5 Administration.

6 ~~(5)(4)~~ No bench, transit shelter, ~~or~~ waste disposal
7 receptacle, or modular news rack, or advertising thereon,
8 shall be erected or so placed on the right-of-way of any road
9 which conflicts with the requirements of federal law,
10 regulations, or safety standards, thereby causing the state or
11 any political subdivision the loss of federal funds.
12 Competition among persons seeking to provide bench, transit
13 shelter, ~~or~~ waste disposal receptacle, or modular news rack
14 services or advertising on such benches, shelters, ~~or~~
15 receptacles, or news racks may be regulated, restricted, or
16 denied by the appropriate local government entity consistent
17 with the provisions of this section.

18 ~~(6)(5)~~ Street light poles, including attached public
19 service messages and advertisements, may be located within the
20 right-of-way limits of municipal and county roads in the same
21 manner as benches, transit shelters, ~~and~~ waste disposal
22 receptacles, and modular news racks as provided in this
23 section and in accordance with municipal and county
24 ordinances. Public service messages and advertisements may be
25 installed on street light poles on roads on the State Highway
26 System in accordance with height, size, setback, spacing
27 distance, duration of display, safety, traffic control, and
28 permitting requirements established by administrative rule of
29 the Department of Transportation. Public service messages and
30 advertisements shall be subject to bilateral agreements, where
31 applicable, to be negotiated with the owner of the street

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1 light poles, which shall consider, among other things, power
 2 source rates, design, safety, operational and maintenance
 3 concerns, and other matters of public importance. For the
 4 purposes of this section, the term "street light poles" does
 5 not include electric transmission or distribution poles. The
 6 department shall have authority to ~~adopt~~ establish
 7 ~~administrative~~ rules pursuant to ss. 120.536(1) and 120.54 to
 8 implement the provisions of this section ~~subsection~~. No
 9 advertising on light poles shall be permitted on the
 10 Interstate Highway System. No permanent structures carrying
 11 advertisements attached to light poles shall be permitted on
 12 the National Highway System.

13 ~~(7)(6)~~ Wherever the provisions of this section are
 14 inconsistent with other provisions of this chapter or with the
 15 provisions of chapter 125, chapter 335, chapter 336, or
 16 chapter 479, the provisions of this section shall prevail.

17
 18 (Redesignate subsequent sections.)
 19
 20

21 ===== T I T L E A M E N D M E N T =====

22 And the title is amended as follows:

23 On page 2, lines 16-23, delete those lines

24
 25 and insert:

26 minimum annual allocation; amending s. 337.401,
 27 F.S.; providing that a permit-delegation
 28 agreement between the Department of
 29 Transportation and a governmental entity does
 30 not apply to facilities of electric utilities;
 31 amending s. 95.361, F.S.; providing that

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1 provisions governing the circumstances under
2 which a road is deemed to be dedicated to the
3 public do not apply to a electric utility
4 facility located on property otherwise subject
5 to those provisions; amending s. 341.8203,
6 F.S.; redefining the terms "authority" and
7 "high-speed rail system"; amending s. 341.840,
8 F.S.; revising the tax exemption of the
9 authority and its agents and contractors;
10 providing for annual redetermination of
11 eligibility for exemption; providing for
12 recapture of taxes when an exemption is used
13 inappropriately; providing for rules; amending
14 ss. 343.71, 343.72, 343.73, and 343.74, F.S.,
15 relating to the Tampa Bay Commuter Rail
16 Authority Act; redesignating the authority as
17 the "Tampa Bay Commuter Transit Authority";
18 adding representatives of Manatee and Sarasota
19 Counties to the board of authority; including
20 Manatee and Sarasota Counties within the
21 jurisdiction of the authority; amending s. 3 of
22 chapter 88-474, Laws of Florida, as amended,
23 relating to the Greater Orlando Aviation
24 Authority; providing the mayor of Orlando, and
25 chair of the Orange County Commission shall be
26 members of the authority; amount of the loan
27 from the bank; amending s. 337.408, F.S.;
28 providing for placement of certain modular news
29 racks, including advertising thereon, within
30 the right-of-way limits of any municipal,
31 county, or state road; providing requirements,

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1 restrictions, and limitations; authorizing
2 removal under certain circumstances;
3 authorizing the department to adopt rules;
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