

CHAMBER ACTION

1 The Transportation Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to abandonment of roads; amending s.
7 316.006, F.S.; providing that a municipality may exercise
8 its home rule authority to abandon, vacate, discontinue,
9 or close roads or rights-of-way in the municipality's
10 jurisdiction; conforming a cross-reference; transferring
11 and renumbering s. 316.00825, F.S., relating to a county's
12 authority to close and abandon roads and rights-of-way and
13 convey the county's interest to a homeowners' association;
14 providing an effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

17
18 Section 1. Paragraph (c) is added to subsection (2) of
19 section 316.006, Florida Statutes, and paragraph (c) of
20 subsection (3) of said section is amended, to read:

21 316.006 Jurisdiction.--Jurisdiction to control traffic is
22 vested as follows:

23 (2) MUNICIPALITIES.--

24 (c) The governing body of a municipality may exercise its
 25 home rule powers granted under chapter 166 to abandon, vacate,
 26 discontinue, or close roads or rights-of-way under its
 27 jurisdiction pursuant to the terms and conditions specified by
 28 the governing body as serving a municipal purpose.

29
 30 This subsection shall not limit those counties which have the
 31 charter powers to provide and regulate arterial, toll, and other
 32 roads, bridges, tunnels, and related facilities from the proper
 33 exercise of those powers by the placement and maintenance of
 34 traffic control devices which conform to the manual and
 35 specifications of the Department of Transportation on streets
 36 and highways located within municipal boundaries.

37 (3) COUNTIES.--

38 (c) If the governing body of a county abandons the roads
 39 and rights-of-way dedicated in a recorded residential
 40 subdivision, and simultaneously conveys the county's interest
 41 therein to a homeowners' association for the subdivision in the
 42 manner prescribed in s. 336.125 ~~316.00825~~, that county's traffic
 43 control jurisdiction over the abandoned and conveyed roads
 44 ceases unless the requirements of paragraph (b) are met.

45
 46 Notwithstanding the provisions of subsection (2), each county
 47 shall have original jurisdiction to regulate parking, by
 48 resolution of the board of county commissioners and the erection
 49 of signs conforming to the manual and specifications of the
 50 Department of Transportation, in parking areas located on
 51 property owned or leased by the county, whether or not such

HB 625

2005
CS

52 | areas are located within the boundaries of chartered
53 | municipalities.

54 | Section 2. Section 316.00825, Florida Statutes, is
55 | transferred and renumbered as section 336.125, Florida Statutes.

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