

Bill No. CS for CS for CS for SB 1928

Barcode 020844

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Senator Baker moved the following amendment:

Senate Amendment (with title amendment)

On page 27, line 26, through
page 36, line 16, delete those lines

and insert:

Section 11. Section 316.2123, Florida Statutes, is
amended to read:

316.2123 Operation of an ATV on certain roadways.--

(1) The operation of an ATV, as defined in s.
317.0003, upon the public roads or streets of this state is
prohibited, except that an ATV may be operated during the
daytime on an unpaved roadway where the posted speed limit is
less than 35 miles per hour ~~by a licensed driver or by a minor
under the supervision of a licensed driver. The operator must
provide proof of ownership pursuant to chapter 317 upon
request by a law enforcement officer.~~

(2) A county is exempt from this section if the
governing body of the county, by majority vote, following a
noticed public hearing, votes to exempt the county from this

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1 section. Alternatively, a county may, by majority vote after
 2 such a hearing, designate certain unpaved roadways where an
 3 ATV may be operated during the daytime as long as each such
 4 designated roadway has a posted speed limit of less than 35
 5 miles per hour and is appropriately marked to indicate
 6 permissible ATV use.

7 (3) Any ATV operation that is permitted under
 8 subsection (1) or subsection (2) may be undertaken only by a
 9 licensed driver or a minor who is under the direct supervision
 10 of a licensed driver. The operator must provide proof of
 11 ownership under chapter 317 upon the request of a law
 12 enforcement officer.

13 Section 12. Subsection (1) of section 316.605, Florida
 14 Statutes, is amended to read:

15 316.605 Licensing of vehicles.--

16 (1) Every vehicle, at all times while driven, stopped,
 17 or parked upon any highways, roads, or streets of this state,
 18 shall be licensed in the name of the owner thereof in
 19 accordance with the laws of this state unless such vehicle is
 20 not required by the laws of this state to be licensed in this
 21 state and shall, except as otherwise provided in s. 320.0706
 22 for front-end registration license plates on truck tractors
 23 and s. 320.086(5) which exempts display of license plates on
 24 described former military vehicles, display the license plate
 25 or both of the license plates assigned to it by the state, one
 26 on the rear and, if two, the other on the front of the
 27 vehicle, each to be securely fastened to the vehicle outside
 28 the main body of the vehicle not higher than 60 inches and not
 29 lower than 12 inches from the ground and no more than 24
 30 inches to the left or right of the centerline of the vehicle,
 31 and in such manner as to prevent the plates from swinging, and

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1 all letters, numerals, printing, writing, and other
2 identification marks upon the plates regarding the word
3 "Florida," the registration decal, and the alphanumeric
4 designation shall be clear and distinct and free from
5 defacement, mutilation, grease, and other obscuring matter, so
6 that they will be plainly visible and legible at all times 100
7 feet from the rear or front. Vehicle license plates shall be
8 affixed and displayed in such a manner that the letters and
9 numerals shall be read from left to right parallel to the
10 ground. No vehicle license plate may be displayed in an
11 inverted or reversed position or in such a manner that the
12 letters and numbers and their proper sequence are not readily
13 identifiable. Nothing shall be placed upon the face of a
14 Florida plate except as permitted by law or by rule or
15 regulation of a governmental agency. No license plates other
16 than those furnished by the state shall be used. However, if
17 the vehicle is not required to be licensed in this state, the
18 license plates on such vehicle issued by another state, by a
19 territory, possession, or district of the United States, or by
20 a foreign country, substantially complying with the provisions
21 hereof, shall be considered as complying with this chapter. A
22 violation of this subsection is a noncriminal traffic
23 infraction, punishable as a nonmoving violation as provided in
24 chapter 318.

25 Section 13. Paragraph (b) of subsection (3) of section
26 316.650, Florida Statutes, is amended to read:

27 316.650 Traffic citations.--
28 (3)

29 (b) If a traffic citation is issued pursuant to s.
30 316.1001, a traffic enforcement officer may deposit the
31 original and one copy of such traffic citation or, in the case

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1 of a traffic enforcement agency that has an automated citation
 2 system, may provide an electronic facsimile with a court
 3 having jurisdiction over the alleged offense or with its
 4 traffic violations bureau within 45 days after the date of
 5 issuance of the citation to the violator. If the person cited
 6 for the violation of s. 316.1001 makes the election provided
 7 by s. 318.14(12) and pays the \$25 fine, or such other amount
 8 as imposed by the governmental entity owning the applicable
 9 toll facility, plus the amount of the unpaid toll that is
 10 shown on the traffic citation directly to the governmental
 11 entity that issued the citation, or on whose behalf the
 12 citation was issued, in accordance with s. 318.14(12), the
 13 traffic citation will not be submitted to the court, the
 14 disposition will be reported to the department by the
 15 governmental entity that issued the citation, or on whose
 16 behalf the citation was issued, and no points will be assessed
 17 against the person's driver's license.

18 Section 14. Subsection (12) of section 318.14, Florida
 19 Statutes, is amended to read:

20 318.14 Noncriminal traffic infractions; exception;
 21 procedures.--

22 (12) Any person cited for a violation of s. 316.1001
 23 may, in lieu of making an election as set forth in subsection
 24 (4) or s. 318.18(7), elect to pay a his or her fine of \$25, or
 25 such other amount as imposed by the governmental entity owning
 26 the applicable toll facility, plus the amount of the unpaid
 27 toll that is shown on the traffic citation directly to the
 28 governmental entity that issued the citation, or on whose
 29 behalf the citation was issued, within 30 days after the date
 30 of issuance of the citation. Any person cited for a violation
 31 of s. 316.1001 who does not elect to pay the fine imposed by

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1 the governmental entity owning the applicable toll facility
2 plus the amount of the unpaid toll that is shown on the
3 traffic citation directly to the governmental entity that
4 issued the citation, or on whose behalf the citation was
5 issued, as described in this subsection ~~section~~ shall have an
6 additional 45 days after the date of the issuance of the
7 citation in which to request a court hearing or to pay the
8 civil penalty and delinquent fee, if applicable, as provided
9 in s. 318.18(7), either by mail or in person, in accordance
10 with subsection (4).

11 Section 15. Section 318.18, Florida Statutes, is
12 amended to read:

13 318.18 Amount of ~~civil~~ penalties.--The penalties
14 required for a noncriminal disposition pursuant to s. 318.14
15 or a criminal offense listed in s. 318.17 are as follows:

- 16 (1) Fifteen dollars for:
17 (a) All infractions of pedestrian regulations.
18 (b) All infractions of s. 316.2065, unless otherwise
19 specified.
20 (c) Other violations of chapter 316 by persons 14
21 years of age or under who are operating bicycles, regardless
22 of the noncriminal traffic infraction's classification.

- 23 (2) Thirty dollars for all nonmoving traffic
24 violations and:
25 (a) For all violations of s. 322.19.
26 (b) For all violations of ss. 320.0605, 320.07(1),
27 322.065, and 322.15(1). Any person who is cited for a
28 violation of s. 320.07(1) shall be charged a delinquent fee
29 pursuant to s. 320.07(4).

30 1. If a person who is cited for a violation of s.
31 320.0605 or s. 320.07 can show proof of having a valid

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1 registration at the time of arrest, the clerk of the court may
2 dismiss the case and may assess a dismissal fee of up to
3 \$7.50. A person who finds it impossible or impractical to
4 obtain a valid registration certificate must submit an
5 affidavit detailing the reasons for the impossibility or
6 impracticality. The reasons may include, but are not limited
7 to, the fact that the vehicle was sold, stolen, or destroyed;
8 that the state in which the vehicle is registered does not
9 issue a certificate of registration; or that the vehicle is
10 owned by another person.

11 2. If a person who is cited for a violation of s.
12 322.03, s. 322.065, or s. 322.15 can show a driver's license
13 issued to him or her and valid at the time of arrest, the
14 clerk of the court may dismiss the case and may assess a
15 dismissal fee of up to \$7.50.

16 3. If a person who is cited for a violation of s.
17 316.646 can show proof of security as required by s. 627.733,
18 issued to the person and valid at the time of arrest, the
19 clerk of the court may dismiss the case and may assess a
20 dismissal fee of up to \$7.50. A person who finds it impossible
21 or impractical to obtain proof of security must submit an
22 affidavit detailing the reasons for the impracticality. The
23 reasons may include, but are not limited to, the fact that the
24 vehicle has since been sold, stolen, or destroyed; that the
25 owner or registrant of the vehicle is not required by s.
26 627.733 to maintain personal injury protection insurance; or
27 that the vehicle is owned by another person.

28 (c) For all violations of ss. 316.2935 and 316.610.
29 However, for a violation of s. 316.2935 or s. 316.610, if the
30 person committing the violation corrects the defect and
31 obtains proof of such timely repair by an affidavit of

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1 compliance executed by the law enforcement agency within 30
 2 days from the date upon which the traffic citation was issued,
 3 and pays \$4 to the law enforcement agency, thereby completing
 4 the affidavit of compliance, then upon presentation of said
 5 affidavit by the defendant to the clerk within the 30-day time
 6 period set forth under s. 318.14(4), the fine must be reduced
 7 to \$7.50, which the clerk of the court shall retain.

8 (d) For all violations of s. 316.126(1)(b), unless
 9 otherwise specified.

10 (3)(a) Except as otherwise provided in this section,
 11 \$60 for all moving violations not requiring a mandatory
 12 appearance.

13 (b) For moving violations involving unlawful speed,
 14 the fines are as follows:

	For speed exceeding the limit by:	Fine:
15	1-5 m.p.h.....	Warning
16	6-9 m.p.h.....	\$ 25
17	10-14 m.p.h.....	\$100
18	15-19 m.p.h.....	\$125
19	20-29 m.p.h.....	\$150
20	30 m.p.h. and above.....	\$250

21 (c) Notwithstanding paragraph (b), a person cited for
 22 exceeding the speed limit by up to 5 m.p.h. in a legally
 23 posted school zone will be fined \$50. A person exceeding the
 24 speed limit in a school zone shall pay a fine double the
 25 amount listed in paragraph (b).
 26

27 (d) A person cited for exceeding the speed limit in a
 28 posted construction zone, which posting must include
 29 notification of the speed limit and the doubling of fines,
 30 shall pay a fine double the amount listed in paragraph (b).
 31 The fine shall be doubled for construction zone violations

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1 only if construction personnel are present or operating
2 equipment on the road or immediately adjacent to the road
3 under construction.

4 (e) A person cited for exceeding the speed limit in an
5 enhanced penalty zone shall pay a fine amount of \$50 plus the
6 amount listed in paragraph (b). Notwithstanding paragraph (b),
7 a person cited for exceeding the speed limit by up to 5 m.p.h.
8 in a legally posted enhanced penalty zone shall pay a fine
9 amount of \$50.

10 (f) If a violation of s. 316.1301 or s. 316.1303
11 results in an injury to the pedestrian or damage to the
12 property of the pedestrian, an additional fine of up to \$250
13 shall be paid. This amount must be distributed pursuant to s.
14 318.21.

15 (g) A person cited for exceeding the speed limit
16 within a zone posted for any electronic or manual toll
17 collection facility shall pay a fine double the amount listed
18 in paragraph (b). However, no person cited for exceeding the
19 speed limit in any toll collection zone shall be subject to a
20 doubled fine unless the governmental entity or authority
21 controlling the toll collection zone first installs a traffic
22 control device providing warning that speeding fines are
23 doubled. Any such traffic control device must meet the
24 requirements of the uniform system of traffic control devices.

25 (h) A person cited for a second or subsequent
26 conviction of speed exceeding the limit by 30 miles per hour
27 and above within a 12-month period shall pay a fine that is
28 double the amount listed in paragraph (b). For purposes of
29 this paragraph, the term "conviction" means a finding of guilt
30 as a result of a jury verdict, nonjury trial, or entry of a
31 plea of guilty. Moneys received from the increased fine

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1 imposed by this paragraph shall be remitted to the Department
 2 of Revenue and deposited into the Department of Health
 3 Administrative Trust Fund to provide financial support to
 4 certified trauma centers to assure the availability and
 5 accessibility of trauma services throughout the state. Funds
 6 deposited into the Administrative Trust Fund under this
 7 section shall be allocated as follows:

8 1. Fifty percent shall be allocated equally among all
 9 Level I, Level II, and pediatric trauma centers in recognition
 10 of readiness costs for maintaining trauma services.

11 2. Fifty percent shall be allocated among Level I,
 12 Level II, and pediatric trauma centers based on each center's
 13 relative volume of trauma cases as reported in the Department
 14 of Health Trauma Registry.

15 (4) The penalty imposed under s. 316.545 shall be
 16 determined by the officer in accordance with the provisions of
 17 ss. 316.535 and 316.545.

18 (5)(a) One hundred dollars for a violation of s.
 19 316.172(1)(a), failure to stop for a school bus. If, at a
 20 hearing, the alleged offender is found to have committed this
 21 offense, the court shall impose a minimum civil penalty of
 22 \$100. In addition to this penalty, for a second or subsequent
 23 offense within a period of 5 years, the department shall
 24 suspend the driver's license of the person for not less than
 25 90 days and not more than 6 months.

26 (b) Two hundred dollars for a violation of s.
 27 316.172(1)(b), passing a school bus on the side that children
 28 enter and exit when the school bus displays a stop signal. If,
 29 at a hearing, the alleged offender is found to have committed
 30 this offense, the court shall impose a minimum civil penalty
 31 of \$200. In addition to this penalty, for a second or

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1 subsequent offense within a period of 5 years, the department
2 shall suspend the driver's license of the person for not less
3 than 180 days and not more than 1 year.

4 (6) One hundred dollars or the fine amount designated
5 by county ordinance, plus court costs for illegally parking,
6 under s. 316.1955, in a parking space provided for people who
7 have disabilities. However, this fine will be waived if a
8 person provides to the law enforcement agency that issued the
9 citation for such a violation proof that the person committing
10 the violation has a valid parking permit or license plate
11 issued pursuant to s. 316.1958, s. 320.0842, s. 320.0843, s.
12 320.0845, or s. 320.0848 or a signed affidavit that the owner
13 of the disabled parking permit or license plate was present at
14 the time the violation occurred, and that such a parking
15 permit or license plate was valid at the time the violation
16 occurred. The law enforcement officer, upon determining that
17 all required documentation has been submitted verifying that
18 the required parking permit or license plate was valid at the
19 time of the violation, must sign an affidavit of compliance.
20 Upon provision of the affidavit of compliance and payment of a
21 dismissal fee of up to \$7.50 to the clerk of the circuit
22 court, the clerk shall dismiss the citation.

23 (7) Mandatory \$100 fine ~~One hundred dollars~~ for each a
24 violation of s. 316.1001 plus the amount of the unpaid toll
25 shown on the traffic citation for each citation issued. The
26 clerk of the court shall forward \$25 of the \$100 fine
27 received, plus the amount of the unpaid toll that is shown on
28 the citation, to the governmental entity that issued the
29 citation, or on whose behalf the citation was issued. If a
30 plea arrangement is reached prior to the date set for a
31 scheduled evidentiary hearing and adjudication is withheld,

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1 there shall be a mandatory fine assessed per citation of not
2 less than \$50 and not more than \$100, plus the amount of the
3 unpaid toll for each citation issued. The clerk of the court
4 shall forward \$25 of the fine imposed plus the amount of the
5 unpaid toll that is shown on the citation to the governmental
6 entity that issued the citation or on whose behalf the
7 citation was issued. The court shall have specific authority
8 to consolidate issued citations for the same defendant for the
9 purpose of sentencing and aggregate jurisdiction. In addition,
10 the department shall suspend for 60 days the driver's license
11 of a person who is convicted of 10 violations of s. 316.1001
12 within a 36-month period. However, a person may elect to pay
13 ~~\$30 to the clerk of the court, in which case adjudication is~~
14 ~~withheld, and no points are assessed under s. 322.27. Upon~~
15 ~~receipt of the fine, the clerk of the court must retain \$5 for~~
16 ~~administrative purposes and must forward the \$25 to the~~
17 ~~governmental entity that issued the citation. Any funds~~
18 received by a governmental entity for this violation may be
19 used for any lawful purpose related to the operation or
20 maintenance of a toll facility.

21 (8)(a) Any person who fails to comply with the court's
22 requirements or who fails to pay the civil penalties specified
23 in this section within the 30-day period provided for in s.
24 318.14 must pay an additional civil penalty of \$12, \$2.50 of
25 which must be remitted to the Department of Revenue for
26 deposit in the General Revenue Fund, and \$9.50 of which must
27 be remitted to the Department of Revenue for deposit in the
28 Highway Safety Operating Trust Fund. The department shall
29 contract with the Florida Association of Court Clerks, Inc.,
30 to design, establish, operate, upgrade, and maintain an
31 automated statewide Uniform Traffic Citation Accounting System

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1 to be operated by the clerks of the court which shall include,
 2 but not be limited to, the accounting for traffic infractions
 3 by type, a record of the disposition of the citations, and an
 4 accounting system for the fines assessed and the subsequent
 5 fine amounts paid to the clerks of the court. On or before
 6 December 1, 2001, the clerks of the court must provide the
 7 information required by this chapter to be transmitted to the
 8 department by electronic transmission pursuant to the
 9 contract.

10 (b) Any person who fails to comply with the court's
 11 requirements as to civil penalties specified in this section
 12 due to demonstrable financial hardship shall be authorized to
 13 satisfy such civil penalties by public works or community
 14 service. Each hour of such service shall be applied, at the
 15 rate of the minimum wage, toward payment of the person's civil
 16 penalties; provided, however, that if the person has a trade
 17 or profession for which there is a community service need and
 18 application, the rate for each hour of such service shall be
 19 the average standard wage for such trade or profession. Any
 20 person who fails to comply with the court's requirements as to
 21 such civil penalties who does not demonstrate financial
 22 hardship may also, at the discretion of the court, be
 23 authorized to satisfy such civil penalties by public works or
 24 community service in the same manner.

25 (c) If the noncriminal infraction has caused or
 26 resulted in the death of another, the person who committed the
 27 infraction may perform 120 community service hours under s.
 28 316.027(4), in addition to any other penalties.

29 (9) One hundred dollars for a violation of s.
 30 316.1575.

31 (10) Twenty-five dollars for a violation of s.

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1 316.2074.

2 (11)(a) In addition to the stated fine, court costs
3 must be paid in the following amounts and shall be deposited
4 by the clerk into the fine and forfeiture fund established
5 pursuant to s. 142.01:

- 6 For pedestrian infractions.....\$ 3.
- 7 For nonmoving traffic infractions.....\$ 16.
- 8 For moving traffic infractions.....\$ 30.

9 (b) In addition to the court cost required under
10 paragraph (a), up to \$3 for each infraction shall be collected
11 and distributed by the clerk in those counties that have been
12 authorized to establish a criminal justice selection center or
13 a criminal justice access and assessment center pursuant to
14 the following special acts of the Legislature:

- 15 1. Chapter 87-423, Laws of Florida, for Brevard
16 County.
- 17 2. Chapter 89-521, Laws of Florida, for Bay County.
- 18 3. Chapter 94-444, Laws of Florida, for Alachua
19 County.
- 20 4. Chapter 97-333, Laws of Florida, for Pinellas
21 County.

22
23 Funds collected by the clerk pursuant to this paragraph shall
24 be distributed to the centers authorized by those special
25 acts.

26 (c) In addition to the court cost required under
27 paragraph (a), a \$2.50 court cost must be paid for each
28 infraction to be distributed by the clerk to the county to
29 help pay for criminal justice education and training programs
30 pursuant to s. 938.15. Funds from the distribution to the
31 county not directed by the county to fund these centers or

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1 programs shall be retained by the clerk and used for funding
2 the court-related services of the clerk.

3 (d) In addition to the court cost required under
4 paragraph (a), a \$3 court cost must be paid for each
5 infraction to be distributed as provided in s. 938.01 and a \$2
6 court cost as provided in s. 938.15 when assessed by a
7 municipality or county.

8 (12) Two hundred dollars for a violation of s.
9 316.520(1) or (2). If, at a hearing, the alleged offender is
10 found to have committed this offense, the court shall impose a
11 minimum civil penalty of \$200. For a second or subsequent
12 adjudication within a period of 5 years, the department shall
13 suspend the driver's license of the person for not less than 1
14 year and not more than 2 years.

15 (13) In addition to any penalties imposed for
16 noncriminal traffic infractions pursuant to this chapter or
17 imposed for criminal violations listed in s. 318.17, a board
18 of county commissioners or any unit of local government which
19 is consolidated as provided by s. 9, Art. VIII of the State
20 Constitution of 1885, as preserved by s. 6(e), Art. VIII of
21 the Constitution of 1968:

22 (a) May impose by ordinance a surcharge of up to \$15
23 for any infraction or violation to fund state court
24 facilities. The court shall not waive this surcharge. Up to 25
25 percent of the revenue from such surcharge may be used to
26 support local law libraries provided that the county or unit
27 of local government provides a level of service equal to that
28 provided prior to July 1, 2004, which shall include the
29 continuation of library facilities located in or near the
30 county courthouse or annexes.

31 (b) That imposed increased fees or service charges by

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1 ordinance under s. 28.2401, s. 28.241, or s. 34.041 for the
2 purpose of securing payment of the principal and interest on
3 bonds issued by the county before July 1, 2003, to finance
4 state court facilities, may impose by ordinance a surcharge
5 for any infraction or violation for the exclusive purpose of
6 securing payment of the principal and interest on bonds issued
7 by the county before July 1, 2003, to fund state court
8 facilities until the date of stated maturity. The court shall
9 not waive this surcharge. Such surcharge may not exceed an
10 amount per violation calculated as the quotient of the maximum
11 annual payment of the principal and interest on the bonds as
12 of July 1, 2003, divided by the number of traffic citations
13 for county fiscal year 2002-2003 certified as paid by the
14 clerk of the court of the county. Such quotient shall be
15 rounded up to the next highest dollar amount. The bonds may be
16 refunded only if savings will be realized on payments of debt
17 service and the refunding bonds are scheduled to mature on the
18 same date or before the bonds being refunded. Notwithstanding
19 any of the foregoing provisions of this paragraph that limit
20 the use of surcharge revenues, if the revenues generated as a
21 result of the adoption of this ordinance exceed the debt
22 service on the bonds, the surplus revenues may be used to pay
23 down the debt service on the bonds; fund other
24 state-court-facility construction projects as may be certified
25 by the chief judge as necessary to address unexpected growth
26 in caseloads, emergency requirements to accommodate public
27 access, threats to the safety of the public, judges, staff,
28 and litigants, or other exigent circumstances; or support
29 local law libraries in or near the county courthouse or
30 annexes.

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1 A county may not impose both of the surcharges authorized
 2 under paragraphs (a) and (b) concurrently. The clerk of court
 3 shall report, no later than 30 days after the end of the
 4 quarter, the amount of funds collected under this subsection
 5 during each quarter of the fiscal year. The clerk shall submit
 6 the report, in a format developed by the Office of State
 7 Courts Administrator, to the chief judge of the circuit, the
 8 Governor, the President of the Senate, and the Speaker of the
 9 House of Representatives.

10 (14) In addition to any penalties imposed for
 11 noncriminal traffic infractions under this chapter or imposed
 12 for criminal violations listed in s. 318.17, any unit of local
 13 government that is consolidated as provided by s. 9, Art. VIII
 14 of the State Constitution of 1885, as preserved by s. 6(e),
 15 Art. VIII of the State Constitution of 1968, and that is
 16 granted the authority in the State Constitution to exercise
 17 all the powers of a municipal corporation, and any unit of
 18 local government operating under a home rule charter adopted
 19 pursuant to ss. 10, 11, and 24, Art. VIII of the State
 20 Constitution of 1885, as preserved by s. 6(e), Art. VIII of
 21 the State Constitution of 1968, that is granted the authority
 22 in the State Constitution to exercise all the powers conferred
 23 now or hereafter by general law upon municipalities, may
 24 impose by ordinance a surcharge of up to \$15 for any
 25 infraction or violation. Revenue from the surcharge shall be
 26 transferred to such unit of local government for the purpose
 27 of replacing fine revenue deposited into the clerk's fine and
 28 forfeiture fund under s. 142.01. The court may not waive this
 29 surcharge. Proceeds from the imposition of the surcharge
 30 authorized in this subsection shall not be used for the
 31 purpose of securing payment of the principal and interest on

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1 bonds. This subsection, and any surcharge imposed pursuant to
2 this subsection, shall stand repealed September 30, 2007.

3 (15) One hundred twenty-five dollars for a violation
4 of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has
5 failed to stop at a traffic signal. Sixty dollars shall be
6 distributed as provided in s. 318.21, and the remaining \$65
7 shall be remitted to the Department of Revenue for deposit
8 into the Administrative Trust Fund of the Department of
9 Health.

10 (16) One hundred dollars for a violation of s.
11 316.622(3) or (4), for a vehicle that fails to display a
12 sticker authorizing it to transport migrant or seasonal farm
13 workers or fails to display standardized notification
14 instructions requiring passengers to fasten their seat belts.
15 Two hundred dollars for a violation of s. 316.622(1) or (2),
16 for operating a farm labor vehicle that fails to conform to
17 vehicle safety standards or lacks seat belt assemblies at each
18 passenger position.

19 (17) In addition to any penalties imposed, a surcharge
20 of \$3 must be paid for all criminal offenses listed in s.
21 318.17 and for all noncriminal moving traffic violations under
22 chapter 316. Revenue from the surcharge shall be remitted to
23 the Department of Revenue and deposited quarterly into the
24 State Agency Law Enforcement Radio System Trust Fund of the
25 Department of Management Services for the state agency law
26 enforcement radio system, as described in s. 282.1095. This
27 subsection expires July 1, 2012.

28 Section 16. Subsection (17) is added to section
29 318.21, Florida Statutes, to read:

30 318.21 Disposition of civil penalties by county
31 courts.--All civil penalties received by a county court

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1 pursuant to the provisions of this chapter shall be
2 distributed and paid monthly as follows:

3 (17) Notwithstanding subsections (1) and (2), the
4 proceeds from the surcharge imposed under s. 318.18(17) shall
5 be distributed as provided in that subsection. This subsection
6 expires July 1, 2012.

7 Section 17. Section 320.061, Florida Statutes, is
8 amended to read:

9 320.061 Unlawful to alter motor vehicle registration
10 certificates, license plates, mobile home stickers, or
11 validation stickers or to obscure license plates; penalty.--No
12 person shall alter the original appearance of any registration
13 license plate, mobile home sticker, validation sticker, or
14 vehicle registration certificate issued for and assigned to
15 any motor vehicle or mobile home, whether by mutilation,
16 alteration, defacement, or change of color or in any other
17 manner. No person shall apply or attach any substance,
18 reflective matter, illuminated device, spray, coating,
19 covering, or other material onto or around any license plate
20 that interferes with the legibility, angular visibility, or
21 detectability of any feature or detail on the license plate or
22 interferes with the ability to record any feature or detail on
23 the license plate. Any person who violates ~~the provisions of~~
24 this section commits ~~is guilty of~~ a misdemeanor of the second
25 degree, punishable as provided in s. 775.082 or s. 775.083.

26 Section 18. Paragraph (c) of subsection (6) and
27 subsection (8) of section 332.007, Florida Statutes, are
28 amended to read:

29 332.007 Administration and financing of aviation and
30 airport programs and projects; state plan.--

31 (6) Subject to the availability of appropriated funds,

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1 the department may participate in the capital cost of eligible
2 public airport and aviation development projects in accordance
3 with the following rates, unless otherwise provided in the
4 General Appropriations Act or the substantive bill
5 implementing the General Appropriations Act:

6 (c) When federal funds are not available, the
7 department may fund up to 80 percent of master planning and
8 eligible aviation development projects at publicly owned,
9 publicly operated airports. If federal funds are available,
10 the department may fund up to 80 percent of the nonfederal
11 share of such projects. Such funding is limited to airports
12 that have no scheduled commercial service.

13 (8) Notwithstanding any other provision of law to the
14 contrary, the department is authorized to fund security
15 projects at ~~provide operational and maintenance assistance to~~
16 publicly owned public-use airports. ~~Such assistance shall be~~
17 ~~to comply with enhanced federal security requirements or to~~
18 ~~address related economic impacts from the events of September~~
19 ~~11, 2001.~~ For projects in the current adopted work program, or
20 projects added using the available budget of the department,
21 airports may request the department change the project purpose
22 in accordance with this provision notwithstanding the
23 provisions of s. 339.135(7). For purposes of this subsection,
24 the department may fund up to 100 percent of eligible project
25 costs that are not funded by the Federal Government. ~~Prior to~~
26 ~~releasing any funds under this section, the department shall~~
27 ~~review and approve the expenditure plans submitted by the~~
28 ~~airport. The department shall inform the Legislature of any~~
29 ~~change that it approves under this subsection.~~ This subsection
30 shall expire on June 30, 2012 ~~2007~~.

31 Section 19. Subsection (4) of section 332.14, Florida

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1 Statutes, is amended to read:

2 332.14 Secure Airports for Florida's Economy
3 Council.--

4 (4) The council shall adopt bylaws governing the
5 manner in which the business of the council will be conducted.
6 The bylaws shall specify the procedure by which the chair of
7 the council is elected. The council shall meet at the call of
8 its chair, at the request of a majority of its membership, or
9 at such times as may be prescribed in its bylaws. However, the
10 council must meet at least twice a year. Except for the
11 members under paragraphs (2)(d), (e), and (f), all members of
12 the council are voting members. A majority of voting members
13 of the council constitutes a quorum for the purpose of
14 transacting the business of the council. A vote of the
15 majority of the members present is sufficient for any action
16 of the council, except that a member representing the
17 Department of Transportation, the Department of Community
18 Affairs, the Department of Law Enforcement, or the Office of
19 Tourism, Trade, and Economic Development may ~~vote to overrule~~
20 any action of the council approving a project pursuant to
21 paragraph (7)(a). The bylaws of the council may require a
22 greater vote for a particular action.

23 Section 20. Section 334.351, Florida Statutes, is
24 amended to read:

25 334.351 Youth work experience program; findings and
26 intent; authority to contract; limitation.--

27 (1) The Legislature finds and declares that young men
28 and women of the state should be given an opportunity to
29 obtain public service work and training experience that
30 protects and conserves the valuable resources of the state and
31 promotes participation in other community enhancement

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1 projects. Notwithstanding the requirements of chapters 287 and
 2 337, the Department of Transportation is authorized to
 3 contract with public agencies and nonprofit organizations for
 4 the performance of work related to the construction and
 5 maintenance of transportation-related facilities by youths
 6 enrolled in youth work experience programs. The total amount
 7 of contracts entered into by the department under this section
 8 in any fiscal year may not exceed the amount specifically
 9 appropriated by the Legislature for this program.

10 (2) Each nonprofit youth organization that provides
 11 services under a contract with the department must certify
 12 that each young person enrolled in its work experience program
 13 is a resident of this state and possesses a valid Florida
 14 driver's license or identification card.

15 (3) When selecting a nonprofit youth organization to
 16 perform work on transportation-related facilities and before
 17 awarding a contract under this section, the department must
 18 consider the following criteria:

19 (a) The number of participants receiving
 20 life-management skills training;

21 (b) The number of participants receiving high school
 22 diplomas or GEDs;

23 (c) The number of participants receiving scholarships;

24 (d) The number of participants receiving bonuses;

25 (e) The number of participants who have secured
 26 full-time jobs; and

27 (f) The other programs or services that support the
 28 development of disadvantaged youths.

29 (4) Each nonprofit youth organization under contract
 30 with the department must:

31 (a) Submit an annual report to the department by

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1 January 1 of each year. The report must include, but need not
 2 be limited to, the applicable performance of the organization
 3 when measured by the criteria in subsection (3) for the
 4 organization's most recently completed fiscal year.

5 (b) Submit an independent audit of the organization's
 6 financial records to the department each year. The
 7 organization's contract with the department must allow the
 8 department the right to inspect the organization's financial
 9 and program records.

10 (c) Demonstrate participation in a peer assessment or
 11 review process, such as the Excellence in Corps Operations of
 12 the National Association of Service and Conservation Corps.

13 Section 21. Paragraph (c) of subsection (1) of section
 14 336.025, Florida Statutes, is amended to read:

15 336.025 County transportation system; levy of local
 16 option fuel tax on motor fuel and diesel fuel.--

17 (1)

18 (c) Local governments may use the services of the
 19 Division of Bond Finance of the State Board of Administration
 20 pursuant to the State Bond Act to issue any bonds through the
 21 provisions of this section and may pledge the revenues from
 22 local option fuel taxes to secure the payment of the bonds. ~~In~~
 23 ~~no case may a jurisdiction issue bonds pursuant to this~~
 24 ~~section more frequently than once per year.~~ Counties and
 25 municipalities may join together for the issuance of bonds
 26 issued pursuant to this section.

27 Section 22. Subsection (3) of section 336.41, Florida
 28 Statutes, is amended to read:

29 336.41 Counties; employing labor and providing road
 30 equipment; accounting; when competitive bidding required.--

31 (3) All construction and reconstruction of roads and

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1 bridges, including resurfacing, full scale mineral seal
 2 coating, and major bridge and bridge system repairs, to be
 3 performed utilizing the proceeds of the 80-percent portion of
 4 the surplus of the constitutional gas tax shall be let to
 5 contract to the lowest responsible bidder by competitive bid,
 6 except for:

7 (a) Construction and maintenance in emergency
 8 situations, and

9 (b) In addition to emergency work, construction and
 10 reconstruction, including resurfacing, mineral seal coating,
 11 and bridge repairs, having a total cumulative annual value not
 12 to exceed 5 percent of its 80-percent portion of the
 13 constitutional gas tax or \$400,000 ~~\$250,000~~, whichever is
 14 greater, and

15 (c) Construction of sidewalks, curbing, accessibility
 16 ramps, or appurtenances incidental to roads and bridges if
 17 each project is estimated in accordance with generally
 18 accepted cost-accounting principles to have total construction
 19 project costs of less than \$400,000 or as adjusted by the
 20 percentage change in the Construction Cost Index from January
 21 1, 2008,

22
 23 for which the county may utilize its own forces. However, if,
 24 after proper advertising, no bids are received by a county for
 25 a specific project, the county may use its own forces to
 26 construct the project, notwithstanding the limitation of this
 27 subsection. Nothing in this section shall prevent the county
 28 from performing routine maintenance as authorized by law.

29 Section 23. Construction aggregate materials.--

30 (1) DEFINITIONS.--"Construction aggregate materials"
 31 means crushed stone, limestone, dolomite, limerock, shell

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1 rock, cemented coquina, sand for use as a component of
 2 mortars, concrete, bituminous mixtures, or underdrain filters,
 3 and other mined resources providing the basic material for
 4 concrete, asphalt, and road base.

5 (2) LEGISLATIVE INTENT.--The Legislature finds that
 6 there is a strategic and critical need for an available supply
 7 of construction aggregate materials within the state and that
 8 a disruption of the supply would cause a significant detriment
 9 to the state's construction industry, transportation system,
 10 and overall health, safety, and welfare.

11 (3) LOCAL GOVERNMENT DECISIONMAKING.--No local
 12 government shall approve or deny a proposed land use zoning
 13 change, comprehensive plan amendment, land use permit,
 14 ordinance, or order regarding construction aggregate materials
 15 without considering any information provided by the Department
 16 of Transportation regarding the effect such change, amendment,
 17 permit decision, ordinance, or order would have on the
 18 availability, transportation, and potential extraction of
 19 construction aggregate materials on the local area, the
 20 region, and the state. The failure of the Department of
 21 Transportation to provide this information shall not be a
 22 basis for delay or invalidation of the local government
 23 action. No local government may impose a moratorium, or
 24 combination of moratoria, of more than 12 months' duration on
 25 the mining or extraction of construction aggregate materials,
 26 commencing on the date the vote was taken to impose the
 27 moratorium. January 1, 2007, shall serve as the commencement
 28 of the 12-month period for moratoria already in place as of
 29 July 1, 2007.

30 (4) EXPEDITED PERMITTING.--Due to the state's critical
 31 infrastructure needs and the potential shortfall in available

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1 construction aggregate materials, limerock environmental
 2 resource permitting and reclamation applications filed after
 3 March 1, 2007, are eligible for the expedited permitting
 4 processes contained in s. 403.973, Florida Statutes.
 5 Challenges to state agency action in the expedited permitting
 6 process for establishment of a limerock mine in this state
 7 under s. 403.973, Florida Statutes, are subject to the same
 8 requirements as challenges brought under s. 403.973(15)(a),
 9 Florida Statutes, except that, notwithstanding s. 120.574,
 10 Florida Statutes, summary proceedings must be conducted within
 11 30 days after a party files the motion for summary hearing,
 12 regardless of whether the parties agree to the summary
 13 proceeding.

14 (5) STRATEGIC AGGREGATES REVIEW TASK FORCE.--

15 (a) The Strategic Aggregates Review Task Force is
 16 created to evaluate the availability and disposition of
 17 construction aggregate materials and related mining and land
 18 use practices in this state.

19 (b) The task force shall be appointed by August 1,
 20 2007, and shall be composed of the following 19 members:

21 1. The President of the Senate, the Speaker of the
 22 House of Representatives, and the Governor shall each appoint
 23 one member from each of the following groups:

24 a. The mining industry.

25 b. The construction industry.

26 c. The transportation industries, including seaports,
 27 trucking, railroads, or roadbuilders.

28 d. Elected officials representing counties identified
 29 by the Department of Transportation as limestone or sand
 30 resource areas. Rural, midsize, and urban counties shall each
 31 have one elected official on the task force.

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- 1 e. Environmental advocacy groups.
- 2 2. The Secretary of Environmental Protection or
- 3 designee.
- 4 3. The Secretary of Community Affairs or designee.
- 5 4. The Secretary of Transportation or designee.
- 6 5. One member appointed by the Florida League of
- 7 Cities, Inc.
- 8 (c) Members of the commission shall serve without
- 9 compensation. Travel and per diem expenses for members who are
- 10 not state employees shall be paid by the Department of
- 11 Transportation in accordance with s. 112.061, Florida
- 12 Statutes.
- 13 (d) The Department of Transportation shall organize
- 14 and provide administrative support for the task force and
- 15 coordinate with other state agencies and local governments in
- 16 obtaining and providing such data and information as may be
- 17 needed by the task force to complete its evaluation. The
- 18 department may conduct any supporting studies as are required
- 19 to obtain needed information or otherwise assist the task
- 20 force in its review and deliberations.
- 21 (e) The Department of Transportation shall collect and
- 22 provide information to the task force relating to construction
- 23 aggregate materials and the amount of such materials used by
- 24 the department on state road infrastructure projects and shall
- 25 provide any technical and supporting information relating to
- 26 the use of such materials as is available to the department.
- 27 (f) The task force shall report its findings to the
- 28 Governor, the President of the Senate, and the Speaker of the
- 29 House of Representatives by February 1, 2008. The report must
- 30 identify locations with significant concentrations of
- 31 construction aggregate materials and recommend actions

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1 intended to ensure the continued extraction and availability
2 of construction aggregate materials.

3 (g) The task force shall be dissolved on July 1, 2008.

4 Section 24. Section 337.026, Florida Statutes, is
5 created to read:

6 337.026 Authority of department to enter into
7 agreements for construction aggregate materials.--

8 (1) The department may pursue procurement techniques
9 that will provide the department with reliable and economic
10 supplies of construction aggregate materials and control time
11 and cost increases on construction projects.

12 (2) The department may enter into agreements with
13 private or public entities. Such agreements may include, but
14 are not limited to, department acquisition of materials or
15 resources or long-term leases for a term not to exceed 99
16 years that will advance the state's transportation needs.

17 (3) To the maximum extent practical, the department
18 must use the existing process to award and administer such
19 procurement techniques. When techniques authorized by this
20 section are to be used, the department is not required to
21 adhere to provisions of law that would prevent, preclude, or
22 prohibit it from using this procurement technique. However,
23 prior to using this procurement technique, the department must
24 document in writing the need for the exception and identify
25 the benefits the traveling public and the affected community
26 are anticipated to receive.

27 Section 25. Paragraph (a) of subsection (3) of section
28 337.11, Florida Statutes, is amended to read:

29 337.11 Contracting authority of department; bids;
30 emergency repairs, supplemental agreements, and change orders;
31 combined design and construction contracts; progress payments;

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1 records; requirements of vehicle registration.--

2 (3)(a) On all construction contracts of \$250,000 or
3 less, and any construction contract of less than \$500,000 for
4 which the department has waived prequalification under s.
5 337.14, the department shall advertise for bids in a newspaper
6 having general circulation in the county where the proposed
7 work is located. Publication shall be at least once a week for
8 no less than 2 consecutive weeks, and the first publication
9 shall be no less than 14 days prior to the date on which bids
10 are to be received.

11 Section 26. Subsection (1) of section 337.14, Florida
12 Statutes, is amended to read:

13 337.14 Application for qualification; certificate of
14 qualification; restrictions; request for hearing.--

15 (1) Any person desiring to bid for the performance of
16 any construction contract in excess of \$250,000 which the
17 department proposes to let must first be certified by the
18 department as qualified pursuant to this section and rules of
19 the department. The rules of the department shall address the
20 qualification of persons to bid on construction contracts in
21 excess of \$250,000 and shall include requirements with respect
22 to the equipment, past record, experience, financial
23 resources, and organizational personnel of the applicant
24 necessary to perform the specific class of work for which the
25 person seeks certification. The department is authorized to
26 limit the dollar amount of any contract upon which a person is
27 qualified to bid or the aggregate total dollar volume of
28 contracts such person is allowed to have under contract at any
29 one time. Each applicant seeking qualification to bid on
30 construction contracts in excess of \$250,000 shall furnish the
31 department a statement under oath, on such forms as the

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1 department may prescribe, setting forth detailed information
2 as required on the application. Each application for
3 certification shall be accompanied by the latest annual
4 financial statement of the applicant completed within the last
5 12 months. If the annual financial statement shows the
6 financial condition of the applicant more than 4 months prior
7 to the date on which the application is received by the
8 department, then an interim financial statement must also be
9 submitted. The interim financial statement must cover the
10 period from the end date of the annual statement and must show
11 the financial condition of the applicant no more than 4 months
12 prior to the date on which the application is received by the
13 department. Each required annual or interim financial
14 statement must be audited and accompanied by the opinion of a
15 certified public accountant or a public accountant approved by
16 the department. The information required by this subsection is
17 confidential and exempt from the provisions of s.
18 119.07(1). The department shall act upon the application for
19 qualification within 30 days after the department determines
20 that the application is complete. The department may waive the
21 requirements of this subsection for projects having a contract
22 price of \$500,000 or less if the department determines that
23 the project is of a noncritical nature and the waiver will not
24 endanger public health, safety, or property.

25 Section 27. Paragraph (a) of subsection (1) of section
26 337.18, Florida Statutes, is amended to read:

27 337.18 Surety bonds for construction or maintenance
28 contracts; requirement with respect to contract award; bond
29 requirements; defaults; damage assessments.--

30 (1)(a) A surety bond shall be required of the
31 successful bidder in an amount equal to the awarded contract

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1 price. However, the department may choose, in its discretion
2 and applicable only to multiyear maintenance contracts, to
3 allow for incremental annual contract bonds that cumulatively
4 total the full, awarded, multiyear contract price. For a
5 project for which the contract price is \$250,000 ~~\$150,000~~ or
6 less, the department may waive the requirement for all or a
7 portion of a surety bond if it determines the project is of a
8 noncritical nature and nonperformance will not endanger public
9 health, safety, or property. If the secretary or his designee
10 determines that it is in the best interests of the department
11 to reduce the bonding requirement for a project and that to do
12 so will not endanger public health, safety, or property, the
13 department may waive the requirement of a surety bond in an
14 amount equal to the awarded contract price for a project
15 having a contract price of \$250 million or more and, in its
16 place, may set a surety bond amount that is a portion of the
17 total contract price and provide an alternate means of
18 security for the balance of the contract amount that is not
19 covered by the surety bond or provide for incremental surety
20 bonding and provide an alternate means of security for the
21 balance of the contract amount that is not covered by the
22 surety bond. Such alternative means of security may include
23 letters of credit, United States bonds and notes, parent
24 company guarantees, and cash collateral. The department may
25 require alternate means of security if a surety bond is
26 waived. The surety on such bond shall be a surety company
27 authorized to do business in the state. All bonds shall be
28 payable to the department and conditioned for the prompt,
29 faithful, and efficient performance of the contract according
30 to plans and specifications and within the time period
31 specified, and for the prompt payment of all persons defined

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1 in s. 713.01 furnishing labor, material, equipment, and
 2 supplies for work provided in the contract; however, whenever
 3 an improvement, demolition, or removal contract price is
 4 \$25,000 or less, the security may, in the discretion of the
 5 bidder, be in the form of a cashier's check, bank money order
 6 of any state or national bank, certified check, or postal
 7 money order. The department shall adopt rules to implement
 8 this subsection. Such rules shall include provisions under
 9 which the department shall refuse to accept bonds on contracts
 10 when a surety wrongfully fails or refuses to settle or provide
 11 a defense for claims or actions arising under a contract for
 12 which the surety previously furnished a bond.

13 Section 28. Section 338.161, Florida Statutes, is
 14 amended to read:

15 338.161 Authority of department or toll agencies to
 16 advertise and promote electronic toll collection; expanded
 17 uses of electronic toll collection system; studies
 18 authorized.--

19 (1) The department is authorized to incur expenses for
 20 paid advertising, marketing, and promotion of toll facilities
 21 and electronic toll collection products and services.
 22 Promotions may include discounts and free products.

23 (2) The department is authorized to receive funds from
 24 advertising placed on electronic toll collection products and
 25 promotional materials to defray the costs of products and
 26 services.

27 (3)(a) The department or any toll agency created by
 28 statute may incur expenses to advertise or promote its
 29 electronic toll collection system to consumers on or off the
 30 turnpike or toll system.

31 (b) If the department or any toll agency created by

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1 statute finds that it can increase nontoll revenues or add
 2 convenience or other value for its customers, the department
 3 or toll agency may enter into agreements with any private or
 4 public entity allowing the use of its electronic toll
 5 collection system to pay parking fees for vehicles equipped
 6 with a transponder or similar device. The department or toll
 7 agency may initiate feasibility studies of additional future
 8 uses of its electronic toll collection system and make
 9 recommendations to the Legislature to authorize such uses.

10 Section 29. Subsections (1), (3), and (4) of section
 11 338.2275, Florida Statutes, are amended to read:

12 338.2275 Approved turnpike projects.--

13 (1) Legislative approval of the department's tentative
 14 work program that contains the turnpike project constitutes
 15 approval to issue bonds as required by s. 11(f), Art. VII of
 16 the State Constitution. No more than \$10 billion of bonds may
 17 be outstanding to fund approved turnpike projects. Turnpike
 18 projects approved to be included in future tentative work
 19 programs include, but are not limited to, projects contained
 20 in the 2003-2004 tentative work program. A maximum of \$4.5
 21 billion of bonds may be issued to fund approved turnpike
 22 projects.

23 ~~(3) Subject to verification of economic feasibility by~~
 24 ~~the department in accordance with s. 338.221(8), the~~
 25 ~~department shall acquire the assets and assume the liabilities~~
 26 ~~of the Sawgrass Expressway as a candidate project from the~~
 27 ~~Broward County Expressway Authority. The agreement to acquire~~
 28 ~~the Sawgrass Expressway shall be subject to the terms and~~
 29 ~~covenants of the Broward County Expressway Authority Bond~~
 30 ~~Series 1984 and 1986A lease purchase agreements and shall not~~
 31 ~~act to the detriment of the bondholders nor decrease the~~

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1 ~~quality of the bonds. The department shall provide for the~~
 2 ~~cost of operations and maintenance expenses and for the~~
 3 ~~replacement of future Broward County gasoline tax funds~~
 4 ~~pledged for the payment of principal and interest on such~~
 5 ~~bonds. The department shall repay, to the extent possible,~~
 6 ~~Broward County gasoline tax funds used since July 6, 1988, for~~
 7 ~~debt service on such bonds. For the purpose of calculating the~~
 8 ~~economic feasibility of this project, the department is~~
 9 ~~authorized to exclude operations and maintenance expenses~~
 10 ~~accumulated between July 6, 1988, and the date of the~~
 11 ~~agreement. Upon performance of all terms of the agreement~~
 12 ~~between the parties, the Sawgrass Expressway will become a~~
 13 ~~part of the turnpike system.~~

14 ~~(3)(4)~~ Bonds may not be issued to fund a turnpike
 15 project until the department has made a final determination
 16 that the project is economically feasible in accordance with
 17 s. 338.221, based on the most current information available.

18 Section 30. Subsections (3), (4), and (6) of section
 19 338.231, Florida Statutes, are amended to read:

20 338.231 Turnpike tolls, fixing; pledge of tolls and
 21 other revenues.--The department shall at all times fix,
 22 adjust, charge, and collect such tolls for the use of the
 23 turnpike system as are required in order to provide a fund
 24 sufficient with other revenues of the turnpike system to pay
 25 the cost of maintaining, improving, repairing, and operating
 26 such turnpike system; to pay the principal of and interest on
 27 all bonds issued to finance or refinance any portion of the
 28 turnpike system as the same become due and payable; and to
 29 create reserves for all such purposes.

30 (3) The department shall publish a proposed change in
 31 the toll rate for the use of an existing toll facility, in the

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1 manner provided for in s. 120.54, which will provide for
 2 public notice and the opportunity for a public hearing before
 3 the adoption of the proposed rate change. When the department
 4 is evaluating a proposed turnpike toll project under s.
 5 338.223 and has determined that there is a high probability
 6 that the project will pass the test of economic feasibility
 7 predicated on proposed toll rates, the toll rate that is
 8 proposed to be charged after the project is constructed must
 9 be adopted during the planning and project development phase
 10 of the project, in the manner provided for in s. 120.54,
 11 including public notice and the opportunity for a public
 12 hearing. For such a new project, the toll rate becomes
 13 effective upon the opening of the project to traffic.

14 (4) For the period July 1, 1998, through June 30, 2017
 15 ~~2007~~, the department shall, to the maximum extent feasible,
 16 program sufficient funds in the tentative work program such
 17 that the percentage of turnpike toll and bond financed
 18 commitments in Dade County, Broward County, and Palm Beach
 19 County as compared to total turnpike toll and bond financed
 20 commitments shall be at least 90 percent of the share of net
 21 toll collections attributable to users of the turnpike system
 22 in Dade County, Broward County, and Palm Beach County as
 23 compared to total net toll collections attributable to users
 24 of the turnpike system. The requirements of this subsection do
 25 not apply when the application of such requirements would
 26 violate any covenant established in a resolution or trust
 27 indenture relating to the issuance of turnpike bonds.

28 (6) In each fiscal year while any of the bonds of the
 29 Broward County Expressway Authority series 1984 and series
 30 1986-A remain outstanding, the department is authorized to
 31 pledge revenues from the turnpike system to the payment of

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1 certain dredging projects; amending s.
2 316.2123, F.S.; authorizing a county to
3 designate certain unpaved roadways where an ATV
4 may be operated; providing conditions for such
5 operation; amending s. 316.605, F.S.; providing
6 height and placement requirements for vehicle
7 license plates; prohibiting display that
8 obscures identification of the letters and
9 numbers on a license plate; providing
10 penalties; amending s. 316.650, F.S.; revising
11 procedures for disposition of citations issued
12 for failure to pay toll; providing that the
13 citation will not be submitted to the court and
14 no points will be assessed on the driver's
15 license if the person cited elects to make
16 payment directly to the governmental entity
17 that issued the citation; providing for
18 reporting of the citation by the governmental
19 entity to the Department of Highway Safety and
20 Motor Vehicles; amending s. 318.14, F.S.;
21 providing for the amount required to be paid
22 under certain procedures for disposition of a
23 citation issued for failure to pay toll;
24 providing for the person cited to request a
25 court hearing; amending s. 318.18, F.S.;
26 revising penalties for failure to pay a
27 prescribed toll; providing for disposition of
28 amounts received by the clerk of court;
29 removing procedures for withholding of
30 adjudication; providing for suspension of a
31 driver's license under certain circumstances;

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1 revising authorized uses of revenue received by
2 a county from a certain surcharge; revising
3 penalty provisions to provide for certain
4 criminal penalties; imposing a surcharge to be
5 paid for specified traffic-related criminal
6 offenses and all moving traffic violations;
7 providing for distribution of the proceeds of
8 the surcharge to be used for the state agency
9 law enforcement radio system; providing for
10 future expiration; amending s. 318.21, F.S.;
11 revising distribution provisions to provide for
12 distribution of the surcharge; providing for
13 future expiration; amending s. 320.061, F.S.;
14 prohibiting interfering with the legibility,
15 angular visibility, or detectability of any
16 feature or detail on a license plate or
17 interfering with the ability to photograph or
18 otherwise record any feature or detail on a
19 license plate; providing penalties; amending s.
20 332.007, F.S.; authorizing the Department of
21 Transportation to provide funds for certain
22 general aviation projects under certain
23 circumstances; extending the timeframe that the
24 department is authorized to provide operational
25 and maintenance assistance to certain airports
26 and may redirect the use of certain funds to
27 security-related or economic-impact projects
28 related to the events of September 11, 2001;
29 amending s. 332.14, F.S.; providing that
30 certain members of the Secure Airports for
31 Florida's Economy Council shall be nonvoting

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1 members; authorizing certain members to
2 overrule certain actions of the council;
3 amending s. 334.351, F.S.; amending s. 334.351,
4 F.S.; requiring nonprofit youth organizations
5 that contract with the Department of
6 Transportation for the purpose of operating
7 youth work experience programs to certify that
8 the program participants are residents of the
9 state and possess valid identification;
10 specifying criteria for the department to
11 consider in awarding contracts to such
12 organizations; requiring that the nonprofit
13 youth organizations submit certain reports and
14 audits to the department and demonstrate
15 participation in a peer assessment or review
16 process; amending s. 336.025, F.S.; deleting a
17 prohibition against local governments issuing
18 certain bonds secured by revenues from local
19 option fuel taxes more than once a year;
20 amending s. 336.41, F.S.; revising an exception
21 to competitive-bid requirements for certain
22 county road construction and reconstruction
23 projects; increasing the value threshold under
24 which the exception applies; defining the term
25 "construction aggregate materials"; providing
26 legislative intent; prohibiting a local
27 government from approving or denying a land use
28 zoning change, comprehensive plan amendment,
29 land use permit, ordinance, or order regarding
30 construction aggregate materials without
31 considering information provided by the

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1 Department of Transportation and considering
2 the effect of such decision; prohibiting an
3 agency from imposing a moratorium on the mining
4 and extraction of construction aggregate
5 materials of longer than a specified period;
6 providing that limerock environmental resource
7 permitting and reclamation applications are
8 eligible to be expedited; establishing the
9 Strategic Aggregates Review Task Force;
10 providing for membership, staffing, reporting,
11 and expiration; providing for support and the
12 coordination of data and information for the
13 task force; requiring that the task force
14 report its findings to the Governor and the
15 Legislature; providing report requirements;
16 providing for the dissolution of the task
17 force; creating s. 337.026, F.S.; authorizing
18 the Department of Transportation to pursue
19 procurement techniques relating to construction
20 aggregate materials; authorizing the department
21 to enter into agreements for construction
22 aggregate materials; providing exceptions;
23 providing requirements for such exceptions;
24 amending s. 337.11, F.S.; providing that
25 certain construction projects be advertised for
26 bids in local newspapers; amending s. 337.14,
27 F.S.; authorizing the department to waive
28 specified prequalification requirements for
29 certain transportation projects under certain
30 conditions; amending s. 337.18, F.S.; revising
31 surety bond requirements for construction or

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1 maintenance contracts; providing for
2 incremental annual surety bonds for multiyear
3 maintenance contracts under certain conditions;
4 revising the threshold for transportation
5 projects eligible for a waiver of surety bond
6 requirements; authorizing the department to
7 provide for phased surety bond coverage or an
8 alternate means of security for a portion of
9 the contract amount in lieu of the surety bond;
10 amending s. 338.161, F.S.; providing for the
11 Department of Transportation and certain toll
12 agencies to enter into agreements with public
13 or private entities for additional uses of
14 electronic toll collection products and
15 services; authorizing feasibility studies by
16 the department or a toll agency of additional
17 uses of electronic toll devices for legislative
18 consideration; amending s. 338.2275, F.S.;
19 raising the limit on outstanding bonds to fund
20 turnpike projects; removing a provision
21 authorizing the department to acquire the
22 Sawgrass Expressway from the Broward County
23 Expressway Authority; amending s. 338.231,
24 F.S.; extending the timeframe for application
25 of requirement that the department program in
26 the tentative work program certain funds
27 relative to the share of toll collections
28 attributable to users of the turnpike system in
29 certain areas; removing a reference to conform;
30 amending s. 339.08, F.S.;

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