

1 Troops license plates; providing for the design
2 of the plates; providing for the distribution
3 of annual use fees received from the sale of
4 such plates; amending s. 311.22, F.S.; revising
5 funding for certain dredging projects; amending
6 s. 332.007, F.S.; authorizing the Department of
7 Transportation to provide funds for certain
8 general aviation projects under certain
9 circumstances; extending the timeframe during
10 which the department is authorized to provide
11 operational and maintenance assistance to
12 certain airports and may redirect the use of
13 certain funds to security-related or
14 economic-impact projects related to the events
15 of September 11, 2001; amending s. 332.14,
16 F.S., relating to the Secure Airports for
17 Florida's Economy Council; providing for
18 certain members of the council to be nonvoting
19 members; amending s. 334.351, F.S.; requiring
20 nonprofit youth organizations that contract
21 with the Department of Transportation for the
22 purpose of operating youth work experience
23 programs to certify that the program
24 participants are residents of the state and
25 possess valid identification; specifying
26 criteria for the department to consider in
27 awarding contracts to such organizations;
28 requiring that the nonprofit youth
29 organizations submit certain reports and audits
30 to the department and demonstrate participation
31 in a peer assessment or review process;

1 amending s. 337.11, F.S.; providing that
2 certain construction projects be advertised for
3 bids in local newspapers; amending s. 337.14,
4 F.S.; authorizing the department to waive
5 specified prequalification requirements for
6 certain transportation projects under certain
7 conditions; amending s. 337.18, F.S.; revising
8 surety bond requirements for construction or
9 maintenance contracts; providing for
10 incremental annual surety bonds for multiyear
11 maintenance contracts under certain conditions;
12 revising the threshold for transportation
13 projects eligible for a waiver of surety bond
14 requirements; authorizing the department to
15 provide for phased surety bond coverage or an
16 alternate means of security for a portion of
17 the contract amount in lieu of the surety bond;
18 amending s. 338.221, F.S.; redefining the term
19 "economically feasible" for purposes of certain
20 turnpike projects; amending s. 338.2275, F.S.;
21 deleting obsolete provisions relating to
22 approved turnpike projects; revising the
23 maximum amount of bonds that are available for
24 turnpike projects; amending s. 338.234, F.S.;
25 granting the Florida Turnpike Enterprise, its
26 lessees, and licensees an exemption from
27 requirements to pay commercial rental tax on
28 capital improvements; creating s. 339.282,
29 F.S.; creating the Enhanced Bridge Program for
30 Sustainable Transportation within the
31 Department of Transportation; providing for the

1 use of funds in the program; providing project
2 guidelines for program funding; amending s.
3 339.08, F.S.; allowing moneys in the State
4 Transportation Trust Fund to pay the cost of
5 the Enhanced Bridge System; amending s. 339.55,
6 F.S.; providing for the use of State
7 Infrastructure Bank loans for certain damaged
8 transportation facilities in areas officially
9 declared to be in a state of emergency;
10 providing criteria; amending s. 341.071, F.S.;
11 requiring certain public transit providers to
12 annually report potential productivity and
13 performance enhancements; defining the term
14 "construction aggregate materials"; providing
15 legislative intent; prohibiting an agency from
16 approving or denying a land use zoning change,
17 comprehensive plan amendment, land use permit,
18 ordinance, or order without consulting with the
19 Department of Transportation and considering
20 the effect of such decision; prohibiting a
21 local government from imposing a moratorium on
22 the mining or extraction of construction
23 aggregate materials of longer than a specified
24 period; providing that limerock environmental
25 resource permitting and reclamation
26 applications are eligible to be expedited;
27 establishing the Strategic Aggregates Review
28 Task Force; providing for membership, staffing,
29 reporting, and expiration; amending s. 479.01,
30 F.S.; defining the term "wall mural"; creating
31 s. 479.156, F.S.; providing for regulation of

1 wall murals by municipalities or counties;
2 requiring that certain wall murals be located
3 in areas zoned for industrial or commercial
4 use; requiring that the local regulation of
5 wall murals be consistent with specified
6 criteria; requiring the Department of
7 Transportation and the Federal Highway
8 Administration to approve a wall mural under
9 certain conditions; creating s. 337.026, F.S.;
10 granting the department authority to enter into
11 agreements for construction aggregate
12 materials; amending s. 338.213, F.S.; extending
13 a period in which a specified percentage of
14 toll and bond financed commitments in Dade,
15 Broward, and Palm Beach Counties must be a
16 specific percentage of toll collections from
17 turnpike usage in those counties; providing an
18 effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. Subsection (1) of section 215.615, Florida
23 Statutes, is amended to read:

24 215.615 Fixed-guideway transportation systems
25 funding.--

26 (1) The issuance of revenue bonds by the Division of
27 Bond Finance, on behalf of the Department of Transportation,
28 pursuant to s. 11, Art. VII of the State Constitution, is
29 authorized, pursuant to the State Bond Act, to finance or
30 refinance fixed capital expenditures for fixed-guideway
31 transportation systems, as defined in s. 341.031, including

1 facilities appurtenant thereto, costs of issuance, and other
2 amounts relating to such financing or refinancing. ~~Such~~
3 ~~revenue bonds shall be matched on a 50-50 basis with funds~~
4 ~~from sources other than revenues of the Department of~~
5 ~~Transportation, in a manner acceptable to the Department of~~
6 ~~Transportation.~~ The Division of Bond Finance is authorized to
7 consider innovative financing techniques, ~~technologies~~ which
8 may include, but are not limited to, innovative bidding and
9 structures of potential financings ~~findings~~ that may result in
10 negotiated transactions. The following conditions apply to the
11 issuance of revenue bonds for fixed-guideway transportation
12 systems:

13 (a) The department and any participating commuter rail
14 authority or regional transportation authority established
15 under chapter 343, local governments, or local governments
16 collectively by interlocal agreement having jurisdiction of a
17 fixed-guideway transportation system may enter into an
18 interlocal agreement to promote the efficient and
19 cost-effective financing or refinancing of fixed-guideway
20 transportation system projects by revenue bonds issued
21 pursuant to this subsection. The terms of such interlocal
22 agreements shall include provisions for the Department of
23 Transportation to request the issuance of the bonds on behalf
24 of the parties; shall provide that after reimbursement
25 pursuant to interlocal agreement, the department's share may
26 be up to 50 percent of the eligible project cost, which may
27 include a share of annual ~~each party to the agreement is~~
28 ~~contractually liable for an equal share of funding an amount~~
29 ~~equal to the debt service requirements of such bonds; and~~
30 shall include any other terms, provisions, or covenants
31 necessary to the making of and full performance under such

1 interlocal agreement. Repayments made to the department under
2 any interlocal agreement are not pledged to the repayment of
3 bonds issued hereunder, and failure of the local governmental
4 authority to make such payment shall not affect the obligation
5 of the department to pay debt service on the bonds.

6 (b) Revenue bonds issued pursuant to this subsection
7 shall not constitute a general obligation of, or a pledge of
8 the full faith and credit of, the State of Florida. Bonds
9 issued pursuant to this section shall be payable from funds
10 available pursuant to s. 206.46(3), or other funds available
11 to the project, subject to annual appropriation. The amount of
12 revenues available for debt service shall never exceed a
13 maximum of 2 percent of all state revenues deposited into the
14 State Transportation Trust Fund.

15 (c) The projects to be financed or refinanced with the
16 proceeds of the revenue bonds issued hereunder are designated
17 as state fixed capital outlay projects for purposes of s.
18 11(d), Art. VII of the State Constitution, and the specific
19 projects to be financed or refinanced shall be determined by
20 the Department of Transportation in accordance with state law
21 and appropriations from the State Transportation Trust Fund.
22 Each project to be financed with the proceeds of the bonds
23 issued pursuant to this subsection must first be approved by
24 the Legislature by an act of general law.

25 (d) Any complaint for validation of bonds issued
26 pursuant to this section shall be filed in the circuit court
27 of the county where the seat of state government is situated,
28 the notice required to be published by s. 75.06 shall be
29 published only in the county where the complaint is filed, and
30 the complaint and order of the circuit court shall be served
31

1 only on the state attorney of the circuit in which the action
2 is pending.

3 (e) The state does hereby covenant with holders of
4 such revenue bonds or other instruments of indebtedness issued
5 hereunder, that it will not repeal or impair or amend these
6 provisions in any manner that will materially and adversely
7 affect the rights of such holders as long as bonds authorized
8 by this subsection are outstanding.

9 (f) This subsection supersedes any inconsistent
10 provisions in existing law.

11

12 Notwithstanding this subsection, the lien of revenue bonds
13 issued pursuant to this subsection on moneys deposited into
14 the State Transportation Trust Fund shall be subordinate to
15 the lien on such moneys of bonds issued under ss. 215.605,
16 320.20, and 215.616, and any pledge of such moneys to pay
17 operating and maintenance expenses under s. 206.46(5) and
18 chapter 348, as may be amended.

19 Section 2. Section 318.18, Florida Statutes, is
20 amended to read:

21 318.18 Amount of ~~civil~~ penalties.--The penalties
22 required for a noncriminal disposition pursuant to s. 318.14
23 or a criminal offense listed in s. 318.17 are as follows:

24 (1) Fifteen dollars for:

25 (a) All infractions of pedestrian regulations.

26 (b) All infractions of s. 316.2065, unless otherwise
27 specified.

28 (c) Other violations of chapter 316 by persons 14
29 years of age or under who are operating bicycles, regardless
30 of the noncriminal traffic infraction's classification.

31

1 (2) Thirty dollars for all nonmoving traffic
2 violations and:

3 (a) For all violations of s. 322.19.

4 (b) For all violations of ss. 320.0605, 320.07(1),
5 322.065, and 322.15(1). Any person who is cited for a
6 violation of s. 320.07(1) shall be charged a delinquent fee
7 pursuant to s. 320.07(4).

8 1. If a person who is cited for a violation of s.
9 320.0605 or s. 320.07 can show proof of having a valid
10 registration at the time of arrest, the clerk of the court may
11 dismiss the case and may assess a dismissal fee of up to
12 \$7.50. A person who finds it impossible or impractical to
13 obtain a valid registration certificate must submit an
14 affidavit detailing the reasons for the impossibility or
15 impracticality. The reasons may include, but are not limited
16 to, the fact that the vehicle was sold, stolen, or destroyed;
17 that the state in which the vehicle is registered does not
18 issue a certificate of registration; or that the vehicle is
19 owned by another person.

20 2. If a person who is cited for a violation of s.
21 322.03, s. 322.065, or s. 322.15 can show a driver's license
22 issued to him or her and valid at the time of arrest, the
23 clerk of the court may dismiss the case and may assess a
24 dismissal fee of up to \$7.50.

25 3. If a person who is cited for a violation of s.
26 316.646 can show proof of security as required by s. 627.733,
27 issued to the person and valid at the time of arrest, the
28 clerk of the court may dismiss the case and may assess a
29 dismissal fee of up to \$7.50. A person who finds it impossible
30 or impractical to obtain proof of security must submit an
31 affidavit detailing the reasons for the impracticality. The

1 reasons may include, but are not limited to, the fact that the
2 vehicle has since been sold, stolen, or destroyed; that the
3 owner or registrant of the vehicle is not required by s.
4 627.733 to maintain personal injury protection insurance; or
5 that the vehicle is owned by another person.

6 (c) For all violations of ss. 316.2935 and 316.610.
7 However, for a violation of s. 316.2935 or s. 316.610, if the
8 person committing the violation corrects the defect and
9 obtains proof of such timely repair by an affidavit of
10 compliance executed by the law enforcement agency within 30
11 days from the date upon which the traffic citation was issued,
12 and pays \$4 to the law enforcement agency, thereby completing
13 the affidavit of compliance, then upon presentation of said
14 affidavit by the defendant to the clerk within the 30-day time
15 period set forth under s. 318.14(4), the fine must be reduced
16 to \$7.50, which the clerk of the court shall retain.

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

19 (3)(a) Except as otherwise provided in this section,
20 \$60 for all moving violations not requiring a mandatory
21 appearance.

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

24

For speed exceeding the limit by:	Fine:
25 1-5 m.p.h.....	Warning
26 6-9 m.p.h.....	\$25
27 10-14 m.p.h.....	\$100
28 15-19 m.p.h.....	\$125
29 20-29 m.p.h.....	\$150
30 30 m.p.h. and above.....	\$250

31

1
2 (c) Notwithstanding paragraph (b), a person cited for
3 exceeding the speed limit by up to 5 m.p.h. in a legally
4 posted school zone will be fined \$50. A person exceeding the
5 speed limit in a school zone shall pay a fine double the
6 amount listed in paragraph (b).

7 (d) A person cited for exceeding the speed limit in a
8 posted construction zone, which posting must include
9 notification of the speed limit and the doubling of fines,
10 shall pay a fine double the amount listed in paragraph (b).
11 The fine shall be doubled for construction zone violations
12 only if construction personnel are present or operating
13 equipment on the road or immediately adjacent to the road
14 under construction.

15 (e) A person cited for exceeding the speed limit in an
16 enhanced penalty zone shall pay a fine amount of \$50 plus the
17 amount listed in paragraph (b). Notwithstanding paragraph (b),
18 a person cited for exceeding the speed limit by up to 5 m.p.h.
19 in a legally posted enhanced penalty zone shall pay a fine
20 amount of \$50.

21 (f) If a violation of s. 316.1301 or s. 316.1303
22 results in an injury to the pedestrian or damage to the
23 property of the pedestrian, an additional fine of up to \$250
24 shall be paid. This amount must be distributed pursuant to s.
25 318.21.

26 (g) A person cited for exceeding the speed limit
27 within a zone posted for any electronic or manual toll
28 collection facility shall pay a fine double the amount listed
29 in paragraph (b). However, no person cited for exceeding the
30 speed limit in any toll collection zone shall be subject to a
31 doubled fine unless the governmental entity or authority

1 controlling the toll collection zone first installs a traffic
2 control device providing warning that speeding fines are
3 doubled. Any such traffic control device must meet the
4 requirements of the uniform system of traffic control devices.

5 (h) A person cited for a second or subsequent
6 conviction of speed exceeding the limit by 30 miles per hour
7 and above within a 12-month period shall pay a fine that is
8 double the amount listed in paragraph (b). For purposes of
9 this paragraph, the term "conviction" means a finding of guilt
10 as a result of a jury verdict, nonjury trial, or entry of a
11 plea of guilty. Moneys received from the increased fine
12 imposed by this paragraph shall be remitted to the Department
13 of Revenue and deposited into the Department of Health
14 Administrative Trust Fund to provide financial support to
15 certified trauma centers to assure the availability and
16 accessibility of trauma services throughout the state. Funds
17 deposited into the Administrative Trust Fund under this
18 section shall be allocated as follows:

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

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

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

29 (5)(a) One hundred dollars for a violation of s.
30 316.172(1)(a), failure to stop for a school bus. If, at a
31 hearing, the alleged offender is found to have committed this

1 offense, the court shall impose a minimum civil penalty of
2 \$100. In addition to this penalty, for a second or subsequent
3 offense within a period of 5 years, the department shall
4 suspend the driver's license of the person for not less than
5 90 days and not more than 6 months.

6 (b) Two hundred dollars for a violation of s.
7 316.172(1)(b), passing a school bus on the side that children
8 enter and exit when the school bus displays a stop signal. If,
9 at a hearing, the alleged offender is found to have committed
10 this offense, the court shall impose a minimum civil penalty
11 of \$200. In addition to this penalty, for a second or
12 subsequent offense within a period of 5 years, the department
13 shall suspend the driver's license of the person for not less
14 than 180 days and not more than 1 year.

15 (6) One hundred dollars or the fine amount designated
16 by county ordinance, plus court costs for illegally parking,
17 under s. 316.1955, in a parking space provided for people who
18 have disabilities. However, this fine will be waived if a
19 person provides to the law enforcement agency that issued the
20 citation for such a violation proof that the person committing
21 the violation has a valid parking permit or license plate
22 issued pursuant to s. 316.1958, s. 320.0842, s. 320.0843, s.
23 320.0845, or s. 320.0848 or a signed affidavit that the owner
24 of the disabled parking permit or license plate was present at
25 the time the violation occurred, and that such a parking
26 permit or license plate was valid at the time the violation
27 occurred. The law enforcement officer, upon determining that
28 all required documentation has been submitted verifying that
29 the required parking permit or license plate was valid at the
30 time of the violation, must sign an affidavit of compliance.
31 Upon provision of the affidavit of compliance and payment of a

1 dismissal fee of up to \$7.50 to the clerk of the circuit
2 court, the clerk shall dismiss the citation.

3 (7) One hundred dollars for a violation of s.
4 316.1001. However, a person may elect to pay \$30 to the clerk
5 of the court, in which case adjudication is withheld, and no
6 points are assessed under s. 322.27. Upon receipt of the fine,
7 the clerk of the court must retain \$5 for administrative
8 purposes and must forward the \$25 to the governmental entity
9 that issued the citation. Any funds received by a governmental
10 entity for this violation may be used for any lawful purpose
11 related to the operation or maintenance of a toll facility.

12 (8)(a) Any person who fails to comply with the court's
13 requirements or who fails to pay the civil penalties specified
14 in this section within the 30-day period provided for in s.
15 318.14 must pay an additional civil penalty of \$12, \$2.50 of
16 which must be remitted to the Department of Revenue for
17 deposit in the General Revenue Fund, and \$9.50 of which must
18 be remitted to the Department of Revenue for deposit in the
19 Highway Safety Operating Trust Fund. The department shall
20 contract with the Florida Association of Court Clerks, Inc.,
21 to design, establish, operate, upgrade, and maintain an
22 automated statewide Uniform Traffic Citation Accounting System
23 to be operated by the clerks of the court which shall include,
24 but not be limited to, the accounting for traffic infractions
25 by type, a record of the disposition of the citations, and an
26 accounting system for the fines assessed and the subsequent
27 fine amounts paid to the clerks of the court. On or before
28 December 1, 2001, the clerks of the court must provide the
29 information required by this chapter to be transmitted to the
30 department by electronic transmission pursuant to the
31 contract.

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

16 (c) If the noncriminal infraction has caused or
17 resulted in the death of another, the person who committed the
18 infraction may perform 120 community service hours under s.
19 316.027(4), in addition to any other penalties.

20 (9) One hundred dollars for a violation of s.
21 316.1575.

22 (10) Twenty-five dollars for a violation of s.
23 316.2074.

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

28
29 For pedestrian infractions.....\$ 3.
30 For nonmoving traffic infractions.....\$ 16.
31 For moving traffic infractions.....\$ 30.

1
2 (b) In addition to the court cost required under
3 paragraph (a), up to \$3 for each infraction shall be collected
4 and distributed by the clerk in those counties that have been
5 authorized to establish a criminal justice selection center or
6 a criminal justice access and assessment center pursuant to
7 the following special acts of the Legislature:

8 1. Chapter 87-423, Laws of Florida, for Brevard
9 County.

10 2. Chapter 89-521, Laws of Florida, for Bay County.

11 3. Chapter 94-444, Laws of Florida, for Alachua
12 County.

13 4. Chapter 97-333, Laws of Florida, for Pinellas
14 County.

15
16 Funds collected by the clerk pursuant to this paragraph shall
17 be distributed to the centers authorized by those special
18 acts.

19 (c) In addition to the court cost required under
20 paragraph (a), a \$2.50 court cost must be paid for each
21 infraction to be distributed by the clerk to the county to
22 help pay for criminal justice education and training programs
23 pursuant to s. 938.15. Funds from the distribution to the
24 county not directed by the county to fund these centers or
25 programs shall be retained by the clerk and used for funding
26 the court-related services of the clerk.

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

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

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

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

24 (b) That imposed increased fees or service charges by
25 ordinance under s. 28.2401, s. 28.241, or s. 34.041 for the
26 purpose of securing payment of the principal and interest on
27 bonds issued by the county before July 1, 2003, to finance
28 state court facilities, may impose by ordinance a surcharge
29 for any infraction or violation for the exclusive purpose of
30 securing payment of the principal and interest on bonds issued
31 by the county before July 1, 2003, to fund state court

1 facilities until the date of stated maturity. The court shall
2 not waive this surcharge. Such surcharge may not exceed an
3 amount per violation calculated as the quotient of the maximum
4 annual payment of the principal and interest on the bonds as
5 of July 1, 2003, divided by the number of traffic citations
6 for county fiscal year 2002-2003 certified as paid by the
7 clerk of the court of the county. Such quotient shall be
8 rounded up to the next highest dollar amount. The bonds may be
9 refunded only if savings will be realized on payments of debt
10 service and the refunding bonds are scheduled to mature on the
11 same date or before the bonds being refunded.

12
13 A county may not impose both of the surcharges authorized
14 under paragraphs (a) and (b) concurrently. The clerk of court
15 shall report, no later than 30 days after the end of the
16 quarter, the amount of funds collected under this subsection
17 during each quarter of the fiscal year. The clerk shall submit
18 the report, in a format developed by the Office of State
19 Courts Administrator, to the chief judge of the circuit, the
20 Governor, the President of the Senate, and the Speaker of the
21 House of Representatives.

22 (14) In addition to any penalties imposed for
23 noncriminal traffic infractions under this chapter or imposed
24 for criminal violations listed in s. 318.17, any unit of local
25 government that is consolidated as provided by s. 9, Art. VIII
26 of the State Constitution of 1885, as preserved by s. 6(e),
27 Art. VIII of the State Constitution of 1968, and that is
28 granted the authority in the State Constitution to exercise
29 all the powers of a municipal corporation, and any unit of
30 local government operating under a home rule charter adopted
31 pursuant to ss. 10, 11, and 24, Art. VIII of the State

1 Constitution of 1885, as preserved by s. 6(e), Art. VIII of
2 the State Constitution of 1968, that is granted the authority
3 in the State Constitution to exercise all the powers conferred
4 now or hereafter by general law upon municipalities, may
5 impose by ordinance a surcharge of up to \$15 for any
6 infraction or violation. Revenue from the surcharge shall be
7 transferred to such unit of local government for the purpose
8 of replacing fine revenue deposited into the clerk's fine and
9 forfeiture fund under s. 142.01. The court may not waive this
10 surcharge. Proceeds from the imposition of the surcharge
11 authorized in this subsection shall not be used for the
12 purpose of securing payment of the principal and interest on
13 bonds. This subsection, and any surcharge imposed pursuant to
14 this subsection, shall stand repealed September 30, 2007.

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

22 (16) One hundred dollars for a violation of s.
23 316.622(3) or (4), for a vehicle that fails to display a
24 sticker authorizing it to transport migrant or seasonal farm
25 workers or fails to display standardized notification
26 instructions requiring passengers to fasten their seat belts.
27 Two hundred dollars for a violation of s. 316.622(1) or (2),
28 for operating a farm labor vehicle that fails to conform to
29 vehicle safety standards or lacks seat belt assemblies at each
30 passenger position.

31

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

10 Section 3. Subsection (17) is added to section 318.21,
11 Florida Statutes, to read:

12 318.21 Disposition of civil penalties by county
13 courts.--All civil penalties received by a county court
14 pursuant to the provisions of this chapter shall be
15 distributed and paid monthly as follows:

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

20 Section 4. Paragraph (iii) is added to subsection (4)
21 of section 320.08056, Florida Statutes, and subsection (6) of
22 that section, is amended to read:

23 320.08056 Specialty license plates.--

24 (4) The following license plate annual use fees shall
25 be collected for the appropriate specialty license plates:

26 (iii) Support Our Troops license plate, \$25.

27 (6) Specialty license plates must bear the design
28 required by law for the appropriate specialty license plate,
29 and the designs and colors must conform to the department's
30 design specifications. In addition to a design, the specialty
31 license plates may bear the imprint of numerals from 1 to 999,

1 inclusive, capital letters "A" through "Z," or a combination
2 thereof. The department shall determine the maximum number of
3 characters, including both numerals and letters. All specialty
4 license plates must be otherwise of the same material and size
5 as standard license plates issued for any registration period.
6 A specialty license plate may bear an appropriate slogan,
7 emblem, or logo in a size and placement that conforms to the
8 department's design specifications. The sponsoring
9 organization's Internet domain name may appear on the plate.

10 Section 5. Subsection (61) is added to section
11 320.08058, Florida Statutes, to read:

12 320.08058 Specialty license plates.--

13 (61) SUPPORT OUR TROOPS LICENSE PLATES.--

14 (a) The department shall develop a Support Our Troops
15 license plate as provided in this section. The plate must bear
16 the colors and design approved by the department and must
17 contain the "Support Our Troops" mark of Support Our Troops,
18 Inc. The word "Florida" must appear at the top of the plate
19 and the words "Support Our Troops" must appear at the bottom
20 of the plate. The field of the plate may be colored.

21 (b) The annual use fees from the plate shall be
22 distributed to Support Our Troops, Inc., to be used for the
23 benefit of Florida troops and their families in accordance
24 with its articles of incorporation. Support Our Troops, Inc.,
25 shall receive the first \$60,000 of the use fees to offset
26 startup costs for developing and establishing the plate.
27 Thereafter, the department shall distribute the annual use
28 fees as follows:

29 1. Twenty-five percent shall be distributed to Support
30 Our Troops, Inc., to offset marketing, administration, and
31 promotion costs.

1 2. Of the remaining 75 percent, 65 percent shall be
2 distributed to Support Our Troops, Inc., and 35 percent shall
3 be distributed to the State Homes for Veterans Trust Fund
4 within the Department of Veterans' Affairs State Homes.

5 Section 6. Subsection (1) of section 311.22, Florida
6 Statutes, is amended to read:

7 311.22 Additional authorization for funding certain
8 dredging projects.--

9 (1) The Florida Seaport Transportation and Economic
10 Development Council shall establish a program to fund dredging
11 projects in counties having a population of fewer than 300,000
12 according to the last official census. Funds made available
13 under this program may be used to fund approved projects for
14 the dredging or deepening of channels, turning basins, or
15 harbors on a 25 percent local ~~50-50~~ matching basis with any
16 port authority, as such term is defined in s. 315.02(2), which
17 complies with the permitting requirements in part IV of
18 chapter 373 and the local financial management and reporting
19 provisions of part III of chapter 218.

20 Section 7. Section 334.351, Florida Statutes, is
21 amended to read:

22 334.351 Youth work experience program; findings and
23 intent; authority to contract; limitation.--

24 (1) The Legislature finds and declares that young men
25 and women of the state should be given an opportunity to
26 obtain public service work and training experience that
27 protects and conserves the valuable resources of the state and
28 promotes participation in other community enhancement
29 projects. Notwithstanding the requirements of chapters 287 and
30 337, the Department of Transportation is authorized to
31 contract with public agencies and nonprofit organizations for

1 the performance of work related to the construction and
2 maintenance of transportation-related facilities by youths
3 enrolled in youth work experience programs. The total amount
4 of contracts entered into by the department under this section
5 in any fiscal year may not exceed the amount specifically
6 appropriated by the Legislature for this program.

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

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

16 (a) The number of participants receiving
17 life-management skills training;

18 (b) The number of participants receiving high school
19 diplomas or GEDs;

20 (c) The number of participants receiving scholarships;

21 (d) The number of participants receiving bonuses;

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

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

26 (4) Each nonprofit youth organization under contract
27 with the department must:

28 (a) Submit an annual report to the department by
29 January 1 of each year. The report must include, but need not
30 be limited to, the applicable performance of the organization
31

1 when measured by the criteria in subsection (3) for the
2 organization's most recently completed fiscal year.

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

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

11 Section 8. Paragraph (c) of subsection (6) and
12 subsection (8) of section 332.007, Florida Statutes, are
13 amended to read:

14 332.007 Administration and financing of aviation and
15 airport programs and projects; state plan.--

16 (6) Subject to the availability of appropriated funds,
17 the department may participate in the capital cost of eligible
18 public airport and aviation development projects in accordance
19 with the following rates, unless otherwise provided in the
20 General Appropriations Act or the substantive bill
21 implementing the General Appropriations Act:

22 (c) When federal funds are not available, the
23 department may fund up to 80 percent of master planning and
24 eligible aviation development projects at publicly owned,
25 publicly operated airports. If federal funds are available but
26 insufficient to meet the maximum authorized federal share, the
27 department may fund up to 80 percent of the nonfederal share
28 of such projects. Such funding is limited to airports that
29 have no scheduled commercial service.

30 (8) Notwithstanding any other provision of law to the
31 contrary, the department is authorized to fund security

1 ~~projects at provide operational and maintenance assistance to~~
2 ~~publicly owned public-use airports. Such assistance shall be~~
3 ~~to comply with enhanced federal security requirements or to~~
4 ~~address related economic impacts from the events of September~~
5 ~~11, 2001.~~ For projects in the current adopted work program, or
6 projects added using the available budget of the department,
7 airports may request that the department change the project
8 purpose in accordance with this provision notwithstanding the
9 provisions of s. 339.135(7). For purposes of this subsection,
10 the department may fund up to 100 percent of eligible project
11 costs that are not funded by the Federal Government. ~~Prior to~~
12 ~~releasing any funds under this section, the department shall~~
13 ~~review and approve the expenditure plans submitted by the~~
14 ~~airport. The department shall inform the Legislature of any~~
15 ~~change that it approves under this subsection.~~ This subsection
16 shall expire on June 30, 2012 ~~2007~~.

17 Section 9. Subsections (2) and (4) of section 332.14,
18 Florida Statutes, are amended to read:

19 332.14 Secure Airports for Florida's Economy
20 Council.--

21 (2) The Secure Airports for Florida's Economy (SAFE)
22 Council is created within the Department of Transportation.
23 The council shall consist of the following 27 members:

24 (a) The airport director, or his or her designee, of
25 each of the following airports:

- 26 1. Daytona Beach International Airport.
- 27 2. Ft. Lauderdale-Hollywood International Airport.
- 28 3. Gainesville Regional Airport.
- 29 4. Jacksonville International Airport.
- 30 5. Key West International Airport.
- 31 6. Melbourne International Airport.

- 1 7. Miami International Airport.
- 2 8. Naples Municipal Airport.
- 3 9. Okaloosa County Regional Airport.
- 4 10. Orlando International Airport.
- 5 11. Orlando-Sanford International Airport.
- 6 12. Palm Beach County International Airport.
- 7 13. Panama City-Bay County International Airport.
- 8 14. Pensacola Regional Airport.
- 9 15. Sarasota-Bradenton International Airport.
- 10 16. Southwest Florida International Airport.
- 11 17. St. Petersburg-Clearwater International Airport.
- 12 18. Tallahassee Regional Airport.
- 13 19. Tampa International Airport.
- 14 (b) The executive directors of two general aviation
- 15 airports appointed by the Florida Airports Council.
- 16 (c) The Secretary ~~of the Department~~ of Transportation
- 17 or his or her designee.
- 18 (d) The director of the Office of Tourism, Trade, and
- 19 Economic Development or his or her designee.
- 20 (e) The Secretary ~~of the Department~~ of Community
- 21 Affairs or his or her designee.
- 22 (f) The executive director of the Department of Law
- 23 Enforcement or his or her designee.
- 24 (g) A representative of the airline industry appointed
- 25 by the Air Transport Association.
- 26 (h) A representative of the general aviation industry
- 27 appointed by the Florida Aviation Trades Association.
- 28 (4) The council shall adopt bylaws governing the
- 29 manner in which the business of the council will be conducted.
- 30 The bylaws shall specify the procedure by which the chair of
- 31 the council is elected. The council shall meet at the call of

1 | its chair, at the request of a majority of its membership, or
2 | at such times as may be prescribed in its bylaws. However, the
3 | council must meet at least twice a year. Except for the
4 | members appointed pursuant to paragraphs (2)(d), (e), and (f),
5 | all members of the council are voting members. A majority of
6 | voting members of the council constitutes a quorum for the
7 | purpose of transacting the business of the council. A vote of
8 | the majority of the members present is sufficient for any
9 | action of the council, except that a member representing the
10 | Department of Transportation, the Department of Community
11 | Affairs, the Department of Law Enforcement, or the Office of
12 | Tourism, Trade, and Economic Development may vote to overrule
13 | any action of the council approving a project pursuant to
14 | paragraph (7)(a). The bylaws of the council may require a
15 | greater vote for a particular action.

16 | Section 10. Paragraph (a) of subsection (3) of section
17 | 337.11, Florida Statutes, is amended to read:

18 | 337.11 Contracting authority of department; bids;
19 | emergency repairs, supplemental agreements, and change orders;
20 | combined design and construction contracts; progress payments;
21 | records; requirements of vehicle registration.--

22 | (3)(a) On all construction contracts of \$250,000 or
23 | less, and any construction contract of less than \$500,000 for
24 | which the department has waived prequalification under s.
25 | 337.14, the department shall advertise for bids in a newspaper
26 | having general circulation in the county where the proposed
27 | work is to be located. Publication shall be at least once a
28 | week for no less than 2 consecutive weeks, and the first
29 | publication shall be no less than 14 days prior to the date on
30 | which bids are to be received.

31 |

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

3 337.14 Application for qualification; certificate of
4 qualification; restrictions; request for hearing.--

5 (1) Any person desiring to bid for the performance of
6 any construction contract in excess of \$250,000 which the
7 department proposes to let must first be certified by the
8 department as qualified pursuant to this section and rules of
9 the department. The rules of the department shall address the
10 qualification of persons to bid on construction contracts in
11 excess of \$250,000 and shall include requirements with respect
12 to the equipment, past record, experience, financial
13 resources, and organizational personnel of the applicant
14 necessary to perform the specific class of work for which the
15 person seeks certification. The department is authorized to
16 limit the dollar amount of any contract upon which a person is
17 qualified to bid or the aggregate total dollar volume of
18 contracts such person is allowed to have under contract at any
19 one time. Each applicant seeking certification ~~qualification~~
20 to bid on construction contracts in excess of \$250,000 shall
21 furnish the department a statement under oath, on such forms
22 as the department may prescribe, setting forth detailed
23 information as required on the application. Each application
24 for certification shall be accompanied by the latest annual
25 financial statement of the applicant completed within the last
26 12 months. If the annual financial statement shows the
27 financial condition of the applicant more than 4 months prior
28 to the date on which the application is received by the
29 department, then an interim financial statement must also be
30 submitted. The interim financial statement must cover the
31 period from the end date of the annual statement and must show

1 | the financial condition of the applicant no more than 4 months
2 | prior to the date on which the application is received by the
3 | department. Each required annual or interim financial
4 | statement must be audited and accompanied by the opinion of a
5 | certified public accountant or a public accountant approved by
6 | the department. The information required by this subsection is
7 | confidential and exempt from the provisions of s. 119.07(1).
8 | The department shall act upon the application ~~for~~
9 | ~~qualification~~ within 30 days after the department determines
10 | that the application is complete. The department may waive the
11 | requirements of this subsection for projects having a contract
12 | price of \$500,000 or less if the department determines that
13 | the project is of a noncritical nature and the waiver will not
14 | endanger public health, safety, or property.

15 | Section 12. Paragraph (a) of subsection (1) of section
16 | 337.18, Florida Statutes, is amended to read:

17 | 337.18 Surety bonds for construction or maintenance
18 | contracts; requirement with respect to contract award; bond
19 | requirements; defaults; damage assessments.--

20 | (1)(a) A surety bond shall be required of the
21 | successful bidder in an amount equal to the awarded contract
22 | price. However, the department may choose, in its discretion
23 | and applicable only to multiyear maintenance contracts, to
24 | allow for incremental annual contract bonds that cumulatively
25 | total the full, awarded, multiyear contract price. For a
26 | project for which the contract price is ~~\$250,000~~~~\$150,000~~ or
27 | less, the department may waive the requirement for all or a
28 | portion of a surety bond if it determines the project is of a
29 | noncritical nature and nonperformance will not endanger public
30 | health, safety, or property. If the secretary or his designee
31 | determines that it is in the best interests of the state to

1 reduce the bonding requirement for a project and that to do so
2 will not endanger public health, safety, or property, the
3 department may waive the requirement of a surety bond in an
4 amount equal to the awarded contract price for a project
5 having a contract price of \$250 million or more and, in its
6 place, may set a surety bond amount that is a portion of the
7 total contract price and provide an alternate means of
8 security for the balance of the contract amount that is not
9 covered by the surety bond or provide for incremental surety
10 bonding and provide an alternate means of security for the
11 balance of the contract amount that is not covered by the
12 surety bond. Such alternative means of security may include
13 letters of credit, United States bonds and notes, parent
14 company guaranties, and cash collateral. The department may
15 require alternate means of security if a surety bond is
16 waived. The surety on such bond shall be a surety company
17 authorized to do business in the state. All bonds shall be
18 payable to the department and conditioned for the prompt,
19 faithful, and efficient performance of the contract according
20 to plans and specifications and within the time period
21 specified, and for the prompt payment of all persons
22 furnishing, as defined in s. 713.01, ~~furnishing~~ labor,
23 material, equipment, and supplies for work provided in the
24 contract; however, whenever an improvement, demolition, or
25 removal contract price is \$25,000 or less, the security may,
26 in the discretion of the bidder, be in the form of a cashier's
27 check, bank money order of any state or national bank,
28 certified check, or postal money order. The department shall
29 adopt rules to implement this subsection. Such rules shall
30 include provisions under which the department shall refuse to
31 accept bonds on contracts when a surety wrongfully fails or

1 | refuses to settle or provide a defense for claims or actions
2 | arising under a contract for which the surety previously
3 | furnished a bond.

4 | Section 13. Subsection (8) of section 338.221, Florida
5 | Statutes, is amended to read:

6 | 338.221 Definitions of terms used in ss.
7 | 338.22-338.241.--As used in ss. 338.22-338.241, the following
8 | words and terms have the following meanings, unless the
9 | context indicates another or different meaning or intent:

10 | (8) "Economically feasible" means:

11 | (a) For a proposed turnpike project⁷ that, as
12 | determined by the department before the issuance of revenue
13 | bonds for the project, the estimated net revenues of the
14 | proposed turnpike project, excluding feeder roads and turnpike
15 | improvements, will be sufficient to pay at least ~~50 percent of~~
16 | ~~the debt service on the bonds by the end of the 12th year of~~
17 | ~~operation and to pay at least~~ 100 percent of the annual debt
18 | service on the bonds associated with the project by the end of
19 | the 30th ~~22nd~~ year of operation. In implementing this
20 | paragraph, up to 50 percent of the adopted work program costs
21 | of the project may be funded from turnpike revenues.

22 | (b) For turnpike projects, except for feeder roads and
23 | turnpike improvements, financed from revenues of the turnpike
24 | system, such project⁷ or ~~such~~ group of projects, originally
25 | financed from revenues of the turnpike system, that the
26 | project is expected to generate sufficient revenues to
27 | amortize project costs within 15 years of opening to traffic.

28 |
29 | This subsection does not prohibit the pledging of revenues
30 | from the entire turnpike system to bonds issued to finance or
31 | refinance a turnpike project or group of turnpike projects.

1 Section 14. Subsection (3) of section 338.2275,
2 Florida Statutes, is repealed and subsection (1) of that
3 section is amended to read:

4 338.2275 Approved turnpike projects.--

5 (1) Legislative approval of the department's tentative
6 work program that contains the turnpike project constitutes
7 approval to issue bonds as required by s. 11(f), Art. VII of
8 the State Constitution. No more than \$9 billion of bonds may
9 be outstanding to fund approved turnpike projects. ~~Turnpike~~
10 ~~projects approved to be included in future tentative work~~
11 ~~programs include, but are not limited to, projects contained~~
12 ~~in the 2003-2004 tentative work program. A maximum of \$4.5~~
13 ~~billion of bonds may be issued to fund approved turnpike~~
14 ~~projects.~~

15 Section 15. Section 338.234, Florida Statutes, is
16 amended to read:

17 338.234 Granting concessions or selling along the
18 turnpike system; immunity from taxation.--

19 (1) The department may enter into contracts or
20 licenses with any person for the sale of services or products
21 or business opportunities on the turnpike system, or the
22 turnpike enterprise may sell services, products, or business
23 opportunities on the turnpike system, which benefit the
24 traveling public or provide additional revenue to the turnpike
25 system. Services, business opportunities, and products
26 authorized to be sold include, but are not limited to, motor
27 fuel, vehicle towing, and vehicle maintenance services; food
28 with attendant nonalcoholic beverages; lodging, meeting rooms,
29 and other business services opportunities; advertising and
30 other promotional opportunities, which advertising and
31 promotions must be consistent with the dignity and integrity

1 of the state; state lottery tickets sold by authorized
2 retailers; games and amusements that operate by the
3 application of skill, not including games of chance as defined
4 in s. 849.16 or other illegal gambling games; Florida citrus,
5 goods promoting the state, or handmade goods produced within
6 the state; and travel information, tickets, reservations, or
7 other related services. However, the department, pursuant to
8 the grants of authority to the turnpike enterprise under this
9 section, shall not exercise the power of eminent domain solely
10 for the purpose of acquiring real property in order to provide
11 business services or opportunities, such as lodging and
12 meeting-room space on the turnpike system.

13 (2) The effectuation of the authorized purposes of the
14 Florida Intrastate Highway System and Florida Turnpike
15 Enterprise, created under this chapter, is for the benefit of
16 the people of the state, for the increase of their commerce
17 and prosperity, and for the improvement of their health and
18 living conditions and, because the system and enterprise
19 perform essential government functions in effectuating such
20 purposes, neither the turnpike enterprise nor any
21 nongovernment lessee or licensee renting, leasing, or
22 licensing real property from the turnpike enterprise, pursuant
23 to an agreement authorized by this section are required to pay
24 any commercial rental tax imposed under s. 212.031 on any
25 capital improvements constructed, improved, acquired,
26 installed, or used for such purposes.

27 Section 16. Section 339.282, Florida Statutes, is
28 created to read:

29 339.282 Enhanced Bridge Program for Sustainable
30 Transportation.--
31

1 (1) There is created within the Department of
2 Transportation the Enhanced Bridge Program for Sustainable
3 Transportation for the purpose of providing funds to improve
4 the sufficiency rating of local bridges and to improve
5 congested roads on the State Highway System or local corridors
6 on which high-cost bridges are located in order to improve a
7 corridor or provide an alternative corridor.

8 (2) Matching funds provided from the program may fund
9 up to 50 percent of project costs.

10 (3) The department shall allocate a minimum of 25
11 percent of funding available for the program for local bridge
12 projects to replace, rehabilitate, paint, or install scour
13 countermeasures to highway bridges located on public roads,
14 other than those on the State Highway System. A project to be
15 funded must, at a minimum:

16 (a) Be classified as a structurally deficient bridge
17 having a poor condition rating for the deck, superstructure,
18 substructure component, or culvert;

19 (b) Have a sufficiency rating of 35 or below; and

20 (c) Have average daily traffic of at least 500
21 vehicles.

22 (4) Special consideration shall be given to bridges
23 that are closed to all traffic or that have a load restriction
24 of less than 10 tons.

25 (5) The department shall allocate remaining funding
26 available for the program to improve highly congested roads on
27 the State Highway System or local corridors on which high-cost
28 bridges are located in order to improve the corridor or
29 provide an alternative corridor. A project to be funded must,
30 at a minimum:

1 (a) Be on or provide direct relief to an existing
2 corridor that is backlogged or constrained; and

3 (b) Be a major bridge having an estimated cost greater
4 than \$25 million.

5 (6) Preference shall be given to bridge projects
6 located on corridors that connect to the Strategic Intermodal
7 System created in s. 339.61, and that have been identified as
8 regionally significant in accordance with s.
9 339.155(5)(c), (d), and (e).

10 Section 17. Subsection (1) of section 339.08, Florida
11 Statutes, is amended to read:

12 339.08 Use of moneys in State Transportation Trust
13 Fund.--

14 (1) The department shall expend moneys in the State
15 Transportation Trust Fund accruing to the department, in
16 accordance with its annual budget. The use of such moneys
17 shall be restricted to the following purposes:

18 (a) To pay administrative expenses of the department,
19 including administrative expenses incurred by the several
20 state transportation districts, but excluding administrative
21 expenses of commuter rail authorities that do not operate rail
22 service.

23 (b) To pay the cost of construction of the State
24 Highway System.

25 (c) To pay the cost of maintaining the State Highway
26 System.

27 (d) To pay the cost of public transportation projects
28 in accordance with chapter 341 and ss. 332.003-332.007.

29 (e) To reimburse counties or municipalities for
30 expenditures made on projects in the State Highway System as
31 authorized by s. 339.12(4) upon legislative approval.

1 (f) To pay the cost of economic development
2 transportation projects in accordance with s. 288.063.

3 (g) To lend or pay a portion of the operating,
4 maintenance, and capital costs of a revenue-producing
5 transportation project that is located on the State Highway
6 System or that is demonstrated to relieve traffic congestion
7 on the State Highway System.

8 (h) To match any federal-aid funds allocated for any
9 other transportation purpose, including funds allocated to
10 projects not located in the State Highway System.

11 (i) To pay the cost of county road projects selected
12 in accordance with the Small County Road Assistance Program
13 created in s. 339.2816.

14 (j) To pay the cost of county or municipal road
15 projects selected in accordance with the County Incentive
16 Grant Program created in s. 339.2817, ~~and~~ the Small County
17 Outreach Program created in s. 339.2818, and the Enhanced
18 Bridge Program created in s. 339.282.

19 (k) To provide loans and credit enhancements for use
20 in constructing and improving highway transportation
21 facilities selected in accordance with the state-funded
22 infrastructure bank created in s. 339.55.

23 (l) To pay the cost of projects on the Florida
24 Strategic Intermodal System created in s. 339.61.

25 (m) To pay the cost of transportation projects
26 selected in accordance with the Transportation Regional
27 Incentive Program created in s. 339.2819.

28 (n) To pay other lawful expenditures of the
29 department.

30 Section 18. Subsection (4) of section 339.55, Florida
31 Statutes, is amended, and paragraph (c) is added to subsection

1 (2) and paragraph (j) is added to subsection (7) of that
2 section, to read:

3 339.55 State-funded infrastructure bank.--

4 (2) The bank may lend capital costs or provide credit
5 enhancements for:

6 (c)1. Emergency loans for damages incurred to
7 public-use commercial deepwater seaports, public-use airports,
8 and other public-use transit and intermodal facilities that
9 are within an area that is part of an official state
10 declaration of emergency pursuant to chapter 252 and all other
11 applicable laws. Such loans:

12 a. May not exceed 24 months in duration except in
13 extreme circumstances, for which the Secretary of
14 Transportation may grant up to 36 months upon making written
15 findings specifying the conditions requiring a 36-month term.

16 b. Require application from the recipient to the
17 department that includes documentation of damage claims filed
18 with the Federal Emergency Management Agency or an applicable
19 insurance carrier and documentation of the recipient's overall
20 financial condition.

21 c. Are subject to approval by the Secretary of
22 Transportation and the Legislative Budget Commission.

23 2. Loans provided under this paragraph must be repaid
24 upon receipt by the recipient of eligible program funding for
25 damages in accordance with the claims filed with the Federal
26 Emergency Management Agency or an applicable insurance
27 carrier, but no later than the duration of the loan.

28 (4) Loans from the bank may bear interest at or below
29 market interest rates, as determined by the department.

30 Repayment of any loan ~~from the bank~~ shall commence not later
31 than 5 years after the project has been completed or, in the

1 case of a highway project, the facility has opened to traffic,
2 whichever is later, and shall be repaid within ~~in no more than~~
3 30 years, except for loans provided under paragraph (2)(c),
4 which shall be repaid within 36 months.

5 (7) The department may consider, but is not limited
6 to, the following criteria for evaluation of projects for
7 assistance from the bank:

8 (j) The extent to which damage from a disaster that
9 results in a declaration of emergency has impacted a public
10 transportation facility's ability to maintain its previous
11 level of service and remain accessible to the public or has
12 had a major impact on the cash flow or revenue-generation
13 ability of the public-use facility.

14 Section 19. Subsection (2) of section 341.071, Florida
15 Statutes, is amended to read:

16 341.071 Transit productivity and performance measures;
17 reports.--

18 (2) Each public transit provider shall establish
19 productivity and performance measures, which must be approved
20 by the department and which must be selected from measures
21 developed pursuant to s. 341.041(3). Each provider shall by
22 January 31 of each year report ~~annually~~ to the department
23 relative to these measures. In approving these measures, the
24 department shall give consideration to the goals and
25 objectives of each system, the needs of the local area, and
26 the role for public transit in the local area. The report
27 shall also specifically address potential enhancements to
28 productivity and performance which would have the effect of
29 increasing farebox recovery ratio.

30 Section 20. Construction aggregate materials.--
31

1 (1) DEFINITIONS.--As used in this section, the term
2 "construction aggregate materials" means crushed stone,
3 limestone, dolomite, limerock, shell rock, cemented coquina,
4 sand for use as a component of mortars, concrete, bituminous
5 mixtures, or underdrain filters, and other mined resources
6 providing the basic material for concrete, asphalt, and road
7 base.

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

14 (3) LOCAL GOVERNMENT DECISIONMAKING.--No local
15 government shall approve or deny a proposed land use zoning
16 change, comprehensive plan amendment, land use permit,
17 ordinance, or order regarding construction aggregate materials
18 without considering all information provided by the Department
19 of Transportation regarding the effect such change, amendment,
20 permit decision, ordinance, or order would have on the
21 availability, transportation, and potential extraction of
22 construction aggregate materials on the local area, the
23 region, and the state. The failure of the Department of
24 Transportation to provide this information shall not be a
25 basis for the delay or invalidation of the local government
26 action. No local government may impose a moratorium or
27 combination of moratoria on the mining or extraction of
28 construction aggregate materials which lasts more than 12
29 months, commencing on the date on which the vote to impose the
30 moratorium was taken. January 1, 2007, shall serve as the
31

1 commencement of the 12-month period for moratoria already in
2 place as of July 1, 2007.

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

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

19 (a) The Strategic Aggregates Review Task Force is
20 created to evaluate the availability and disposition of
21 construction aggregate materials and related mining and land
22 use practices in this state.

23 (b) The task force shall be appointed by August 1,
24 2007, and shall be composed of the following 19 members:

25 1. The President of the Senate, the Speaker of the
26 House of Representatives, and the Governor shall each appoint
27 one member from each of the following groups:

28 a. The mining industry.

29 b. The construction industry.

30 c. The transportation industries, including seaports,
31 trucking, railroads, or roadbuilders.

1 d. Elected officials representing counties identified
2 by the Department of Transportation as limestone or sand
3 resource areas. Rural, mid-size, and urban counties shall each
4 have one elected official on the task force.

5 e. Environmental advocacy groups.

6 2. The Secretary of Environmental Protection or
7 designee.

8 3. The Secretary of Community Affairs or designee.

9 4. The Secretary of Transportation or designee.

10 5. One member appointed by the Florida League of
11 Cities, Inc.

12 (c) Members of the commission shall serve without
13 compensation. Travel and per diem expenses for members who are
14 not state employees shall be paid by the Department of
15 Transportation in accordance with s. 112.061, Florida
16 Statutes.

17 (d) The Department of Transportation shall organize
18 and provide administrative support for the task force and
19 coordinate with other state agencies and local governments in
20 obtaining and providing such data and information as may be
21 needed by the task force to complete its evaluation. The
22 department may conduct any supporting studies as are required
23 to obtain needed information or otherwise assist the task
24 force in its review and deliberations.

25 (e) The Department of Transportation shall collect and
26 provide information to the task force relating to construction
27 aggregate materials and the amount of such materials used by
28 the department on state road infrastructure projects, and
29 shall provide any technical and supporting information
30 relating to the use of such materials as is available to the
31 department.

1 (f) The task force shall report its findings to the
2 Governor, the President of the Senate, and the Speaker of the
3 House of Representatives by February 1, 2008. The report must
4 identify locations with significant concentrations of
5 construction aggregate materials and recommend actions
6 intended to ensure the continued extraction and availability
7 of construction aggregate materials.

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

9 Section 21. Subsection (27) is added to section
10 479.01, Florida Statutes, to read:

11 479.01 Definitions.--As used in this chapter, the
12 term:

13 (27) "Wall mural" means a sign that is a painting or
14 an artistic work composed of photographs or arrangements of
15 color and that displays a commercial or noncommercial message,
16 relies solely on the side of the building for rigid structural
17 support, and is painted on the building or depicted on vinyl,
18 fabric, or other similarly flexible material that is held in
19 place flush or flat against the surface of the building. The
20 term excludes a painting or work placed on a structure that is
21 erected for the sole or primary purpose of signage.

22 Section 22. Section 479.156, Florida Statutes, is
23 created to read:

24 479.156 Wall murals.--Notwithstanding any other
25 provision of this chapter, a municipality or county may permit
26 and regulate wall murals within areas designated by such
27 government. If a municipality or county permits wall murals, a
28 wall mural that displays a commercial message and is within
29 660 feet of the nearest edge of the right-of-way within an
30 area adjacent to the interstate highway system or the
31 federal-aid primary highway system shall be located in an area

1 that is zoned for industrial or commercial use and the
2 municipality or county shall establish and enforce regulations
3 for such areas that, at a minimum, set forth criteria
4 governing the size, lighting, and spacing of wall murals
5 consistent with the intent of the Highway Beautification Act
6 of 1965 and with customary use. A wall mural that is subject
7 to municipal or county regulation and the Highway
8 Beautification Act of 1965 must be approved by the Department
9 of Transportation and the Federal Highway Administration and
10 may not violate the agreement between the state and the United
11 States Department of Transportation or violate federal
12 regulations enforced by the Department of Transportation under
13 s. 479.02(1). The existence of a wall mural as defined in s.
14 479.01(27) shall not be considered in determining whether a
15 sign as defined in s. 479.01(17), either existing or new, is
16 in compliance with s. 479.07(9)(a).

17 Section 23. Section 337.026, Florida Statutes, is
18 created to read:

19 337.026 Authority of department to enter into
20 agreements for construction aggregate materials.--

21 (1) The department may pursue procurement techniques
22 that will provide reliable and economic supplies of
23 construction aggregate materials and that control time and
24 cost increases on construction projects.

25 (2) The department may enter into agreements with
26 private or public entities. Such agreements may include, but
27 are not limited to, acquisition of materials or resources or
28 long-term leases for terms not to exceed 99 years which will
29 advance the state's transportation needs.

30 (3) To the maximum extent practicable, the department
31 must use the existing process to administer such procurement

1 techniques. When procurement techniques authorized by this
2 section are to be used, the department is not required to
3 adhere to provisions of law that would prevent, preclude, or
4 prohibit it from using this procurement technique. However,
5 prior to using this procurement technique, the department must
6 document in writing the need for the exception and specify the
7 benefits that the traveling public and the affected community
8 are anticipated to receive.

9 Section 24. Subsection (4) of section 338.231, Florida
10 Statutes, is amended to read:

11 338.231 Turnpike tolls, fixing; pledge of tolls and
12 other revenues.--The department shall at all times fix,
13 adjust, charge, and collect such tolls for the use of the
14 turnpike system as are required in order to provide a fund
15 sufficient with other revenues of the turnpike system to pay
16 the cost of maintaining, improving, repairing, and operating
17 such turnpike system; to pay the principal of and interest on
18 all bonds issued to finance or refinance any portion of the
19 turnpike system as the same become due and payable; and to
20 create reserves for all such purposes.

21 (4) For the period July 1, 1998, through June 30, 2017
22 ~~2007~~, the department shall, to the maximum extent feasible,
23 program sufficient funds in the tentative work program such
24 that the percentage of turnpike toll and bond financed
25 commitments in Dade County, Broward County, and Palm Beach
26 County as compared to total turnpike toll and bond financed
27 commitments shall be at least 90 percent of the share of net
28 toll collections attributable to users of the turnpike system
29 in Dade County, Broward County, and Palm Beach County as
30 compared to total net toll collections attributable to users
31 of the turnpike system. The requirements of this subsection do

1 not apply when the application of such requirements would
2 violate any covenant established in a resolution or trust
3 indenture relating to the issuance of turnpike bonds.

4 Section 25. This act shall take effect July 1, 2007.

5
6 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
7 COMMITTEE SUBSTITUTE FOR
8 CS/CS/CS Senate Bill 2804

9 The Committee Substitute for CS/CS/CS Senate Bill 2804:

- 10 -- Imposes a \$3 surcharge on the penalties for moving
11 violations to be used for the state agency law
enforcement radio system;
- 12 -- Reduces the local matching fund requirement in the small
13 county dredging program from 50% to 25%;
- 14 -- Establishes a number of criteria for youth work
15 experience programs contracting with the Florida
Department of Transportation;
- 16 -- Extends the requirement to program 90% of turnpike
17 revenues originating in Miami-Dade, Broward, and Palm
Beach Counties in those counties through 2017;
- 18 -- Establishes additional criteria for public-private
19 partnerships and clarifies the ability of all expressway
authorities to engage in public-private partnerships; and
- 20 -- Creates the "Support Our Troops" specialty license plate.
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