

The Florida Senate
PROFESSIONAL STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Transportation Committee

BILL: SB 2912

INTRODUCER: Senators Bullard and Diaz de la Portilla

SUBJECT: Historic Highways/Miami-Dade County

DATE: April 11, 2007 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Eichin	Meyer	TR	Favorable
2.			CA	
3.				
4.				
5.				
6.				

I. Summary:

The bill allows public funds to be used for alterations including the installation of sidewalks, curbing, and landscaping intended to enhance pedestrian access to a portion of the designated state historic highway known as Old Cutler Road in Miami-Dade County. The Department of State must approve any alteration.

This bill creates law affecting Ch. 74-400, Laws of Florida.

II. Present Situation:

In 1974, the Legislature designated Old Cutler Road in Miami-Dade County as a state historic highway. The limits of the designation extend from the road's intersection with U.S. 1 in Goulds, northward and eastward, encompassing portions currently known as LeJeune Road, Ingraham Highway, Douglas Road, and Main Highway to its intersection with Franklin Avenue in Coconut Grove.

As part of the designation, no public funds may be expended for the following purposes:

- To cut or remove any tree having at least a six inch diameter from within 35 feet of either side of the pavement;
- To alter the physical dimensions of the roadway except for intersections with primary or secondary roads; or
- To erect, demolish, or significantly alter the appearance of any structure within 100 feet of either side of the pavement, including walls, fences, sidewalks, and curbing. However, bicycle paths and recreational facilities not requiring the removal of

historic structures and structural modifications preserving or enhancing the road's historic or scenic value may be made with approval of the Department of State.

Normal maintenance and repair of the road and affected structures is allowed provided the physical dimensions and location of the road, and appearance of affected structures are preserved, as is any work necessary to protect public health and safety as determined by the agency with jurisdiction over the portion of the road involved. However, preservation of the road takes priority over traffic management. Likewise, safety modifications may not be made when alternative measures, including more restrictive traffic regulations, are available.

III. Effect of Proposed Changes:

The bill allows public funds to be used for alterations including the installation of sidewalks, curbing, and landscaping intended to enhance pedestrian access to that portion of the road between S.W. 184th Street and S.W. 216th Street in the Town of Cutler Bay. The Department of State must approve any alteration.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

No funds are appropriated by this bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

This Senate Professional Staff Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

VIII. Summary of Amendments:

None.

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