

1                   A bill to be entitled  
2           An act relating to transportation; amending s. 163.3180,  
3           F.S.; revising an exception to transportation concurrency  
4           requirements to provide for hangars used for assembly and  
5           manufacture of aircraft; conforming a cross-reference;  
6           amending s. 316.535, F.S.; increasing weight limits for  
7           vehicles on highways that are not in the Interstate  
8           Highway System; amending s. 334.03, F.S.; revising  
9           definitions relating to the Florida Transportation Code;  
10          amending s. 334.044, F.S.; revising powers and duties of  
11          the Department of Transportation; removing duty to assign  
12          jurisdictional responsibility and to designate facilities  
13          as part of the State Highway System; amending s. 334.047,  
14          F.S.; removing a provision prohibiting the department from  
15          establishing a maximum number of miles of urban principal  
16          arterial roads within a district or county; creating s.  
17          334.301, F.S.; authorizing counties to enter into  
18          agreements with private entities for the building,  
19          operation, ownership, or financing of toll facilities;  
20          requiring public declaration; requiring a public hearing;  
21          requiring county to make certain determinations prior to  
22          awarding a project; providing requirements for an  
23          agreement; amending s. 337.0261, F.S.; recognizing that  
24          construction aggregate materials mining is an industry of  
25          critical importance and that the mining of construction  
26          aggregate materials is in the public interest; amending s.  
27          705.18, F.S.; removing provisions for disposal of personal  
28          property lost or abandoned at certain public-use airports;

29 |       creating s. 705.182, F.S.; providing for disposal of  
30 |       personal property found on premises owned or controlled by  
31 |       the operator of a public-use airport; providing a time  
32 |       frame for the property to be claimed; providing options  
33 |       for disposing of such personal property; providing  
34 |       procedures for selling abandoned personal property;  
35 |       providing for notice of sale; permitting airport tenants  
36 |       to establish lost and found procedures; providing that  
37 |       purchaser holds title to the property free of the rights  
38 |       of persons then holding any legal or equitable interest  
39 |       thereto; creating s. 705.183, F.S.; providing for  
40 |       disposition of derelict or abandoned aircraft on the  
41 |       premises of public-use airports; providing procedures for  
42 |       such disposition; requiring a record of when the aircraft  
43 |       is found; defining the terms "derelict aircraft" and  
44 |       "abandoned aircraft"; providing for notification of  
45 |       aircraft owner and all persons having an equitable or  
46 |       legal interest in the aircraft; providing for notice if  
47 |       the owner of the aircraft is unknown or cannot be found;  
48 |       providing for disposition if the aircraft is not removed  
49 |       upon payment of required fees; requiring any sale of the  
50 |       aircraft to be at a public auction; providing notice  
51 |       requirements for such public auction; providing procedures  
52 |       for disposal of the aircraft; providing for liability if  
53 |       charges and costs related to the disposition are more than  
54 |       that obtained from the sale; providing for a lien by the  
55 |       airport for fees and charges; providing for notice of  
56 |       lien; requiring the filing of a claim of lien; providing

57 | for the form of the claim of lien; providing for service  
58 | of the claim of lien; providing that the purchaser of the  
59 | aircraft takes the property free of rights of persons  
60 | holding legal or equitable interest in the aircraft;  
61 | requiring purchaser or recipient to notify the Federal  
62 | Aviation Administration of change in ownership; providing  
63 | for disposition of moneys received for an aircraft sold at  
64 | public sale; authorizing the airport to issue documents  
65 | relating to the aircraft's disposal; creating s. 705.184,  
66 | F.S.; providing for disposition of derelict or abandoned  
67 | motor vehicles on the premises of public-use airports;  
68 | providing procedures; requiring recording of the abandoned  
69 | motor vehicle; defining the terms "derelict motor vehicle"  
70 | and "abandoned motor vehicle"; providing for removal of  
71 | such motor vehicle from airport premises; providing for  
72 | notice to the owner, the company insuring the motor  
73 | vehicle, and any lienholder; providing for disposition if  
74 | the motor vehicle is not removed upon payment of required  
75 | fees; requiring any sale of the motor vehicle to be at a  
76 | public auction; providing notice requirements for such  
77 | public auction; providing procedures for disposal of the  
78 | motor vehicle; providing for liability if charges and  
79 | costs related to the disposition are more than that  
80 | obtained from the sale; providing for a lien by the  
81 | airport or a licensed independent wrecker for fees and  
82 | charges; providing for notice of lien; requiring the  
83 | filing of a claim of lien; providing for the form of the  
84 | claim of lien; providing for service of claim of lien;

85 providing that the purchaser of the motor vehicle takes  
86 the property free of the rights of persons holding legal  
87 or equitable interest in the motor vehicle; amending ss.  
88 288.063, 311.07, 311.09, 316.2122, 316.515, 332.14,  
89 336.01, 338.222, 403.7211, and 479.01, F.S.; correcting  
90 cross-references; providing legislative findings;  
91 directing the Northwest Florida Regional Transportation  
92 Planning Organization to conduct a study on advancing  
93 funds for construction projects; directing the Department  
94 of Transportation to assist with the study; requiring the  
95 study be provided to the Governor, the Legislature, and  
96 certain entities; providing principles for the study;  
97 providing for content of the study; providing legislative  
98 findings with respect to the need to preserve investments  
99 in transportation infrastructure and reduce congestion;  
100 creating the Florida Transportation Revenue Study  
101 Commission for the purpose of studying the state's  
102 transportation needs and developing recommendations;  
103 requiring that the commission submit a report to the  
104 Legislature by a specified date; establishing powers and  
105 duties of the commission; providing for membership and  
106 authorizing the reimbursement of members for per diem and  
107 travel expenses; providing requirements for meetings of  
108 the commission; requiring the Center for Urban  
109 Transportation Research at the University of South Florida  
110 to provide staff support to the commission; providing  
111 funding for the commission through federal funds for

112 metropolitan transportation planning; providing an  
 113 effective date.

114

115 Be It Enacted by the Legislature of the State of Florida:

116

117 Section 1. Paragraph (b) of subsection (4) and paragraph  
 118 (d) of subsection (12) of section 163.3180, Florida Statutes,  
 119 are amended to read:

120 163.3180 Concurrency.--

121 (4)

122 (b) The concurrency requirement as implemented in local  
 123 comprehensive plans does not apply to public transit facilities.  
 124 For the purposes of this paragraph, public transit facilities  
 125 include transit stations and terminals; transit station parking;  
 126 park-and-ride lots; intermodal public transit connection or  
 127 transfer facilities; fixed bus, guideway, and rail stations; and  
 128 airport passenger terminals and concourses, air cargo  
 129 facilities, and hangars for the assembly, manufacture,  
 130 maintenance, or storage of aircraft. As used in this paragraph,  
 131 the terms "terminals" and "transit facilities" do not include  
 132 seaports or commercial or residential development constructed in  
 133 conjunction with a public transit facility.

134 (12) A development of regional impact may satisfy the  
 135 transportation concurrency requirements of the local  
 136 comprehensive plan, the local government's concurrency  
 137 management system, and s. 380.06 by payment of a proportionate-  
 138 share contribution for local and regionally significant traffic  
 139 impacts, if:

140 (d) If the regionally significant transportation facility  
 141 to be constructed or improved is under the maintenance authority  
 142 of a governmental entity, as defined by s. 334.03 (10) ~~(12)~~, other  
 143 than the local government with jurisdiction over the development  
 144 of regional impact, the developer is required to enter into a  
 145 binding and legally enforceable commitment to transfer funds to  
 146 the governmental entity having maintenance authority or to  
 147 otherwise assure construction or improvement of the facility.

148  
 149 The proportionate-share contribution may be applied to any  
 150 transportation facility to satisfy the provisions of this  
 151 subsection and the local comprehensive plan, but, for the  
 152 purposes of this subsection, the amount of the proportionate-  
 153 share contribution shall be calculated based upon the cumulative  
 154 number of trips from the proposed development expected to reach  
 155 roadways during the peak hour from the complete buildout of a  
 156 stage or phase being approved, divided by the change in the peak  
 157 hour maximum service volume of roadways resulting from  
 158 construction of an improvement necessary to maintain the adopted  
 159 level of service, multiplied by the construction cost, at the  
 160 time of developer payment, of the improvement necessary to  
 161 maintain the adopted level of service. For purposes of this  
 162 subsection, "construction cost" includes all associated costs of  
 163 the improvement. Proportionate-share mitigation shall be limited  
 164 to ensure that a development of regional impact meeting the  
 165 requirements of this subsection mitigates its impact on the  
 166 transportation system but is not responsible for the additional  
 167 cost of reducing or eliminating backlogs. This subsection also

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168 applies to Florida Quality Developments pursuant to s. 380.061  
 169 and to detailed specific area plans implementing optional sector  
 170 plans pursuant to s. 163.3245.

171 Section 2. Subsection (5) of section 316.535, Florida  
 172 Statutes, is amended to read:

173 316.535 Maximum weights.--

174 (5) With respect to those highways not in the Interstate  
 175 Highway System, in all cases in which it exceeds state law in  
 176 effect on January 4, 1975, the overall gross weight on the  
 177 vehicle or combination of vehicles, including all enforcement  
 178 tolerances, shall be as determined by the following formula:

179  
 180 
$$W = 500((LN \div (N-1)) + 12N + 36)$$

181  
 182 where W = overall gross weight of the vehicle to the nearest 500  
 183 pounds; L = distance in feet between the extreme of the external  
 184 axles; and N = number of axles on the vehicle. However, such  
 185 overall gross weight of any vehicle or combination of vehicles  
 186 may not exceed 88,000 ~~80,000~~ pounds including all enforcement  
 187 tolerances.

188 Section 3. Section 334.03, Florida Statutes, is amended to  
 189 read:

190 334.03 Definitions.--When used in the Florida  
 191 Transportation Code, the term:

192 ~~(1) "Arterial road" means a route providing service which~~  
 193 ~~is relatively continuous and of relatively high traffic volume,~~  
 194 ~~long average trip length, high operating speed, and high~~

195 ~~mobility importance. In addition, every United States numbered~~  
 196 ~~highway is an arterial road.~~

197 (1)~~(2)~~ "Bridge" means a structure, including supports,  
 198 erected over a depression or an obstruction, such as water or a  
 199 highway or railway, and having a track or passageway for  
 200 carrying traffic as defined in chapter 316 or other moving  
 201 loads.

202 (2)~~(3)~~ "City street system" means all local roads within a  
 203 municipality that were under the jurisdiction of that  
 204 municipality on June 10, 1995, roads constructed by a  
 205 municipality for that municipality's street system, and roads  
 206 transferred to the municipality's jurisdiction after that date  
 207 by mutual consent with another governmental entity, but does not  
 208 include roads so transferred from the municipality's  
 209 jurisdiction, ~~and all collector roads inside that municipality,~~  
 210 ~~which are not in the county road system.~~

211 ~~(4)~~ "Collector road" means a route providing service which  
 212 ~~is of relatively moderate average traffic volume, moderately~~  
 213 ~~average trip length, and moderately average operating speed.~~  
 214 ~~Such a route also collects and distributes traffic between local~~  
 215 ~~roads or arterial roads and serves as a linkage between land~~  
 216 ~~access and mobility needs.~~

217 (3)~~(5)~~ "Commissioners" means the governing body of a  
 218 county.

219 (4)~~(6)~~ "Consolidated metropolitan statistical area" means  
 220 two or more metropolitan statistical areas that are socially and  
 221 economically interrelated as defined by the United States Bureau  
 222 of the Census.



223        (5)~~(7)~~ "Controlled access facility" means a street or  
 224 highway to which the right of access is highly regulated by the  
 225 governmental entity having jurisdiction over the facility in  
 226 order to maximize the operational efficiency and safety of the  
 227 high-volume through traffic utilizing the facility. Owners or  
 228 occupants of abutting lands and other persons have a right of  
 229 access to or from such facility at such points only and in such  
 230 manner as may be determined by the governmental entity.

231        (6)~~(8)~~ "County road system" means all roads within a  
 232 county which were under the jurisdiction of that county on June  
 233 10, 1995, roads constructed by a county for that county's road  
 234 system, and roads transferred to the county's jurisdiction after  
 235 that date by mutual consent with another governmental entity,  
 236 but does not include roads so transferred from the county's  
 237 jurisdiction ~~collector roads in the unincorporated areas of a~~  
 238 ~~county and all extensions of such collector roads into and~~  
 239 ~~through any incorporated areas, all local roads in the~~  
 240 ~~unincorporated areas, and all urban minor arterial roads not in~~  
 241 ~~the State Highway System.~~

242        (7)~~(9)~~ "Department" means the Department of  
 243 Transportation.

244        (8)~~(10)~~ "Florida Intrastate Highway System" means a system  
 245 of limited access and controlled access facilities on the State  
 246 Highway System which have the capacity to provide high-speed and  
 247 high-volume traffic movements in an efficient and safe manner.

248        (9)~~(11)~~ "Functional classification" means the assignment  
 249 of roads into systems according to the character of service they  
 250 provide in relation to the total road network using procedures

251 developed by the Federal Highway Administration. ~~Basic~~  
 252 ~~functional categories include arterial roads, collector roads,~~  
 253 ~~and local roads which may be subdivided into principal, major,~~  
 254 ~~or minor levels. Those levels may be additionally divided into~~  
 255 ~~rural and urban categories.~~

256 (10)~~(12)~~ "Governmental entity" means a unit of government,  
 257 or any officially designated public agency or authority of a  
 258 unit of government, that has the responsibility for planning,  
 259 construction, operation, or maintenance or jurisdiction over  
 260 transportation facilities; the term includes the Federal  
 261 Government, the state government, a county, an incorporated  
 262 municipality, a metropolitan planning organization, an  
 263 expressway or transportation authority, a road and bridge  
 264 district, a special road and bridge district, and a regional  
 265 governmental unit.

266 (11)~~(13)~~ "Limited access facility" means a street or  
 267 highway especially designed for through traffic, and over, from,  
 268 or to which owners or occupants of abutting land or other  
 269 persons have no right or easement of access, light, air, or view  
 270 by reason of the fact that their property abuts upon such  
 271 limited access facility or for any other reason. Such highways  
 272 or streets may be facilities from which trucks, buses, and other  
 273 commercial vehicles are excluded; or they may be facilities open  
 274 to use by all customary forms of street and highway traffic.

275 (12)~~(14)~~ "Local governmental entity" means a unit of  
 276 government with less than statewide jurisdiction, or any  
 277 officially designated public agency or authority of such a unit  
 278 of government, that has the responsibility for planning,

279 construction, operation, or maintenance of, or jurisdiction  
 280 over, a transportation facility; the term includes, but is not  
 281 limited to, a county, an incorporated municipality, a  
 282 metropolitan planning organization, an expressway or  
 283 transportation authority, a road and bridge district, a special  
 284 road and bridge district, and a regional governmental unit.

285 ~~(15) "Local road" means a route providing service which is~~  
 286 ~~of relatively low average traffic volume, short average trip~~  
 287 ~~length or minimal through-traffic movements, and high land~~  
 288 ~~access for abutting property.~~

289 (13)~~(16)~~ "Metropolitan area" means a geographic region  
 290 comprising as a minimum the existing urbanized area and the  
 291 contiguous area projected to become urbanized within a 20-year  
 292 forecast period. The boundaries of a metropolitan area may be  
 293 designated so as to encompass a metropolitan statistical area or  
 294 a consolidated metropolitan statistical area. If a metropolitan  
 295 area, or any part thereof, is located within a nonattainment  
 296 area, the boundaries of the metropolitan area must be designated  
 297 so as to include the boundaries of the entire nonattainment  
 298 area, unless otherwise provided by agreement between the  
 299 applicable metropolitan planning organization and the Governor.

300 (14)~~(17)~~ "Metropolitan statistical area" means an area  
 301 that includes a municipality of 50,000 persons or more, or an  
 302 urbanized area of at least 50,000 persons as defined by the  
 303 United States Bureau of the Census, provided that the component  
 304 county or counties have a total population of at least 100,000.

305 (15)~~(18)~~ "Nonattainment area" means an area designated by  
 306 the United States Environmental Protection Agency, pursuant to

307 federal law, as exceeding national primary or secondary ambient  
 308 air quality standards for the pollutants carbon monoxide or  
 309 ozone.

310 (16)~~(19)~~ "Periodic maintenance" means activities that are  
 311 large in scope and require a major work effort to restore  
 312 deteriorated components of the transportation system to a safe  
 313 and serviceable condition, including, but not limited to, the  
 314 repair of large bridge structures, major repairs to bridges and  
 315 bridge systems, and the mineral sealing of lengthy sections of  
 316 roadway.

317 (17)~~(20)~~ "Person" means any person described in s. 1.01 or  
 318 any unit of government in or outside the state.

319 (18)~~(21)~~ "Right of access" means the right of ingress to a  
 320 highway from abutting land and egress from a highway to abutting  
 321 land.

322 (19)~~(22)~~ "Right-of-way" means land in which the state, the  
 323 department, a county, or a municipality owns the fee or has an  
 324 easement devoted to or required for use as a transportation  
 325 facility.

326 (20)~~(23)~~ "Road" means a way open to travel by the public,  
 327 including, but not limited to, a street, highway, or alley. The  
 328 term includes associated sidewalks, the roadbed, the right-of-  
 329 way, and all culverts, drains, sluices, ditches, water storage  
 330 areas, waterways, embankments, slopes, retaining walls, bridges,  
 331 tunnels, and viaducts necessary for the maintenance of travel  
 332 and all ferries used in connection therewith.

333 (21)~~(24)~~ "Routine maintenance" means minor repairs and  
 334 associated tasks necessary to maintain a safe and efficient

335 transportation system. The term includes: pavement patching;  
 336 shoulder repair; cleaning and repair of drainage ditches,  
 337 traffic signs, and structures; mowing; bridge inspection and  
 338 maintenance; pavement striping; litter cleanup; and other  
 339 similar activities.

340 (22)~~(25)~~ "State Highway System" means the ~~following, which~~  
 341 ~~shall be facilities to which access is regulated:~~

342 ~~(a) The interstate system and all other roads within the~~  
 343 ~~state which were under the jurisdiction of the state on June 10,~~  
 344 ~~1995, roads constructed by an agency of the state for the State~~  
 345 ~~Highway System, and roads transferred to the state's~~  
 346 ~~jurisdiction after that date by mutual consent with another~~  
 347 ~~governmental entity, but does not include roads so transferred~~  
 348 ~~from the state's jurisdiction. These facilities shall be~~  
 349 ~~facilities to which access is regulated.~~

350 ~~(b) All rural arterial routes and their extensions into~~  
 351 ~~and through urban areas;~~

352 ~~(c) All urban principal arterial routes; and~~

353 ~~(d) The urban minor arterial mileage on the existing State~~  
 354 ~~Highway System as of July 1, 1987, plus additional mileage to~~  
 355 ~~comply with the 2-percent requirement as described below.~~

356  
 357 ~~However, not less than 2 percent of the public road mileage of~~  
 358 ~~each urbanized area on record as of June 30, 1986, shall be~~  
 359 ~~included as minor arterials in the State Highway System.~~

360 ~~Urbanized areas not meeting the foregoing minimum requirement~~  
 361 ~~shall have transferred to the State Highway System additional~~  
 362 ~~minor arterials of the highest significance in which case the~~

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363 ~~total minor arterials in the State Highway System from any~~  
 364 ~~urbanized area shall not exceed 2.5 percent of that area's total~~  
 365 ~~public urban road mileage.~~

366 (23)~~(26)~~ "State Park Road System" means roads embraced  
 367 within the boundaries of state parks and state roads leading to  
 368 state parks, other than roads of the State Highway System, the  
 369 county road systems, or the city street systems.

370 (24)~~(27)~~ "State road" means a street, road, highway, or  
 371 other way open to travel by the public generally and dedicated  
 372 to the public use according to law or by prescription and  
 373 designated by the department, as provided by law, as part of the  
 374 State Highway System.

375 (25)~~(28)~~ "Structure" means a bridge, viaduct, tunnel,  
 376 causeway, approach, ferry slip, culvert, toll plaza, gate, or  
 377 other similar facility used in connection with a transportation  
 378 facility.

379 (26)~~(29)~~ "Sufficiency rating" means the objective rating  
 380 of a road or section of a road for the purpose of determining  
 381 its capability to serve properly the actual or anticipated  
 382 volume of traffic using the road.

383 (27)~~(30)~~ "Transportation corridor" means any land area  
 384 designated by the state, a county, or a municipality which is  
 385 between two geographic points and which area is used or suitable  
 386 for the movement of people and goods by one or more modes of  
 387 transportation, including areas necessary for management of  
 388 access and securing applicable approvals and permits.

389 Transportation corridors shall contain, but are not limited to,  
 390 the following:

391 (a) Existing publicly owned rights-of-way;

392 (b) All property or property interests necessary for  
 393 future transportation facilities, including rights of access,  
 394 air, view, and light, whether public or private, for the purpose  
 395 of securing and utilizing future transportation rights-of-way,  
 396 including, but not limited to, any lands reasonably necessary  
 397 now or in the future for securing applicable approvals and  
 398 permits, borrow pits, drainage ditches, water retention areas,  
 399 rest areas, replacement access for landowners whose access could  
 400 be impaired due to the construction of a future facility, and  
 401 replacement rights-of-way for relocation of rail and utility  
 402 facilities.

403 (28)~~(31)~~ "Transportation facility" means any means for the  
 404 transportation of people or property from place to place which  
 405 is constructed, operated, or maintained in whole or in part from  
 406 public funds. The term includes the property or property rights,  
 407 both real and personal, which have been or may be established by  
 408 public bodies for the transportation of people or property from  
 409 place to place.

410 (29)~~(32)~~ "Urban area" means a geographic region comprising  
 411 as a minimum the area inside the United States Bureau of the  
 412 Census boundary of an urban place with a population of 5,000 or  
 413 more persons, expanded to include adjacent developed areas as  
 414 provided for by Federal Highway Administration regulations.

415 ~~(33) "Urban minor arterial road" means a route that~~  
 416 ~~generally interconnects with and augments an urban principal~~  
 417 ~~arterial road and provides service to trips of shorter length~~  
 418 ~~and a lower level of travel mobility. The term includes all~~

419 ~~arterials not classified as "principal" and contain facilities~~  
420 ~~that place more emphasis on land access than the higher system.~~

421 (30)~~(34)~~ "Urban place" means a geographic region composed  
422 of one or more contiguous census tracts that have been found by  
423 the United States Bureau of the Census to contain a population  
424 density of at least 1,000 persons per square mile.

425 ~~(35) "Urban principal arterial road" means a route that~~  
426 ~~generally serves the major centers of activity of an urban area,~~  
427 ~~the highest traffic volume corridors, and the longest trip~~  
428 ~~purpose and carries a high proportion of the total urban area~~  
429 ~~travel on a minimum of mileage. Such roads are integrated, both~~  
430 ~~internally and between major rural connections.~~

431 (31)~~(36)~~ "Urbanized area" means a geographic region  
432 comprising as a minimum the area inside an urban place of 50,000  
433 or more persons, as designated by the United States Bureau of  
434 the Census, expanded to include adjacent developed areas as  
435 provided for by Federal Highway Administration regulations.  
436 Urban areas with a population of fewer than 50,000 persons which  
437 are located within the expanded boundary of an urbanized area  
438 are not separately recognized.

439 (32)~~(37)~~ "511" or "511 services" means three-digit  
440 telecommunications dialing to access interactive voice response  
441 telephone traveler information services provided in the state as  
442 defined by the Federal Communications Commission in FCC Order  
443 No. 00-256, July 31, 2000.

444 (33)~~(38)~~ "Interactive voice response" means a software  
445 application that accepts a combination of voice telephone input  
446 and touch-tone keypad selection and provides appropriate



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447 | responses in the form of voice, fax, callback, e-mail, and other  
 448 | media.

449 |       Section 4. Subsections (11) and (13) of section 334.044,  
 450 | Florida Statutes, are amended to read:

451 |       334.044 Department; powers and duties.--The department  
 452 | shall have the following general powers and duties:

453 |       (11) To establish a numbering system for public roads and  
 454 | to functionally classify such roads, ~~and to assign~~  
 455 | ~~jurisdictional responsibility.~~

456 |       (13) To ~~designate existing and to~~ plan proposed  
 457 | transportation facilities as part of the State Highway System,  
 458 | and to construct, maintain, and operate such facilities.

459 |       Section 5. Section 334.047, Florida Statutes, is amended  
 460 | to read:

461 |       334.047 Prohibition.--Notwithstanding any other provision  
 462 | of law to the contrary, the Department of Transportation may not  
 463 | establish a cap on the number of miles in the State Highway  
 464 | System ~~or a maximum number of miles of urban principal arterial~~  
 465 | ~~roads, as defined in s. 334.03, within a district or county.~~

466 |       Section 6. Section 334.301, Florida Statutes, is created  
 467 | to read:

468 |       334.301 Public-private partnerships with counties.--

469 |       (1) Notwithstanding any other provision of law or  
 470 | ordinance, a county may enter into agreements with private  
 471 | entities, or a consortia thereof, for the building, operation,  
 472 | ownership, or financing of toll facilities as part of the county  
 473 | road system under the following circumstances:

474 |       (a) The county has publically declared at a properly

475 noticed commission meeting the need for a toll facility and a  
476 desire to contract with a private entity for the building,  
477 operation, ownership, or financing of a toll facility; and

478 (b) The county establishes after a public hearing that the  
479 proposal includes unique benefits and that adoption of the  
480 project is not contrary to the interest of the public.

481 (2) Before awarding the project to a private entity, the  
482 county must determine that the proposed project:

483 (a) Is not contrary to the public's interest;

484 (b) Would not require state funds to be used;

485 (c) Would have adequate safeguards in place to ensure that  
486 no additional costs or service disruptions would be realized by  
487 the travelling public in the event of default or cancellation of  
488 the agreement by the county; and

489 (d) Would have adequate safeguards in place to ensure that  
490 the county or the private entity has the opportunity to add  
491 capacity to the proposed project and other transportation  
492 facilities serving similar origins and destinations.

493 (3) Any agreement between a county and a private entity,  
494 or consortia thereof, must address the following:

495 (a) Regulations governing the future increase of toll or  
496 fare revenues; and

497 (b) That the private entity shall provide an investment  
498 grade traffic and revenue study prepared by an internationally  
499 recognized traffic and revenue expert that is accepted by the  
500 national bond rating agencies. The private entity shall also  
501 provide a finance plan than identifies the project cost,  
502 revenues by source, financing, major assumptions, internal rate

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503 of return on private investment, whether any government funds  
 504 are assumed to deliver a cost-feasible project, and a total cash  
 505 flow analysis beginning with the implementation of the project  
 506 and extending for the term of the agreement.

507 Section 7. Subsection (2) of section 337.0261, Florida  
 508 Statutes, is amended to read:

509 337.0261 Construction aggregate materials.--

510 (2) LEGISLATIVE INTENT.--The Legislature finds that there  
 511 is a strategic and critical need for an available supply of  
 512 construction aggregate materials within the state and that a  
 513 disruption of the supply would cause a significant detriment to  
 514 the state's construction industry, transportation system, and  
 515 overall health, safety, and welfare. In addition, the  
 516 Legislature recognizes that construction aggregate materials  
 517 mining is an industry of critical importance to the state and  
 518 that the mining of construction aggregate materials is in the  
 519 public interest.

520 Section 8. Section 705.18, Florida Statutes, is amended to  
 521 read:

522 705.18 Disposal of personal property lost or abandoned on  
 523 university or community college campuses ~~or certain public-use~~  
 524 ~~airports~~; disposition of proceeds from sale thereof.--

525 (1) Whenever any lost or abandoned personal property shall  
 526 be found on a campus of an institution in the State University  
 527 System or a campus of a state-supported community college, ~~or on~~  
 528 ~~premises owned or controlled by the operator of a public-use~~  
 529 ~~airport having regularly scheduled international passenger~~  
 530 ~~service~~, the president of the institution or the president's

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531 ~~designee or the director of the airport or the director's~~  
532 ~~designee~~ shall take charge thereof and make a record of the date  
533 such property was found. If, within 30 days after such property  
534 is found, or a longer period of time as may be deemed  
535 appropriate by the president ~~or the director~~ under the  
536 circumstances, the property ~~it~~ is not claimed by the owner, the  
537 president ~~or director~~ shall order it sold at public outcry after  
538 giving notice of the time and place of sale in a publication of  
539 general circulation on the campus of such institution ~~or within~~  
540 ~~the county where the airport is located~~ and written notice to  
541 the owner if known. The rightful owner of such property may  
542 reclaim the same at any time prior to sale.

543 (2) All moneys realized from such institution's sale shall  
544 be placed in an appropriate fund and used solely for student  
545 scholarship and loan purposes. ~~All moneys realized from such~~  
546 ~~sale by an airport, less its costs of storage, transportation,~~  
547 ~~and publication of notice, shall, unless another use is required~~  
548 ~~by federal law, be deposited into the state school fund.~~

549 Section 9. Section 705.182, Florida Statutes, is created  
550 to read:

551 705.182 Disposal of personal property found on the  
552 premises of public-use airports.--

553 (1) Whenever any personal property, other than an aircraft  
554 or motor vehicle, is found on premises owned or controlled by  
555 the operator of a public-use airport, the director of the  
556 airport or the director's designee shall take charge thereof and  
557 make a record of the date such property was found.

558 (2) If, within 30 calendar days after such property is

559 found or for a longer period of time as may be deemed  
560 appropriate by the director or the director's designee under the  
561 circumstances, the property is not claimed by the owner, the  
562 director or the director's designee may:

563 (a) Retain any or all of the property for use by the  
564 airport or for use by the state or the unit of local government  
565 owning or operating the airport;

566 (b) Trade such property to another unit of local  
567 government or a state agency;

568 (c) Donate the property to a charitable organization;

569 (d) Sell the property; or

570 (e) Dispose of the property through an appropriate refuse  
571 removal company or a company that provides salvage services for  
572 the type of personal property found or located on the airport  
573 premises.

574 (3) The airport shall notify the owner, if known, of the  
575 property found on the airport premises and that the airport  
576 intends to dispose of the property as provided in subsection  
577 (2).

578 (4) If the airport elects to sell the property under  
579 paragraph (2) (d), the property must be sold at a public auction  
580 either on the Internet or at a specified physical location after  
581 giving notice of the time and place of sale, at least 10  
582 calendar days prior to the date of sale, in a publication of  
583 general circulation within the county where the airport is  
584 located and after written notice, via certified mail, return  
585 receipt requested, is provided to the owner, if known. Any such  
586 notice shall be sufficient if the notice refers to the airport's

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587 intention to sell all then-accumulated found property, and there  
588 is no requirement that the notice identify each item to be sold.  
589 The rightful owner of such property may reclaim the property at  
590 any time prior to sale by presenting acceptable evidence of  
591 ownership to the airport director or the director's designee.  
592 All proceeds from the sale of the property shall be retained by  
593 the airport for use by the airport in any lawfully authorized  
594 manner.

595 (5) Nothing in this section shall preclude the airport  
596 from allowing a domestic or international air carrier or other  
597 tenant, on premises owned or controlled by the operator of a  
598 public-use airport, to establish its own lost and found  
599 procedures for personal property and to dispose of such personal  
600 property.

601 (6) A purchaser or recipient in good faith of personal  
602 property sold or obtained under this section shall take the  
603 property free of the rights of persons then holding any legal or  
604 equitable interest thereto, whether or not recorded.

605 Section 10. Section 705.183, Florida Statutes, is created  
606 to read:

607 705.183 Disposal of derelict or abandoned aircraft on the  
608 premises of public-use airports.--

609 (1) (a) Whenever any derelict or abandoned aircraft is  
610 found or located on premises owned or controlled by the operator  
611 of a public-use airport, whether or not such premises are under  
612 a lease or license to a third party, the director of the airport  
613 or the director's designee shall make a record of the date the  
614 aircraft was found or determined to be present on the airport

615 premises.

616 (b) For purposes of this section, the term:

617 1. "Abandoned aircraft" means an aircraft that has been  
618 disposed of on a public-use airport in a wrecked, inoperative,  
619 or partially dismantled condition or an aircraft that has  
620 remained in an idle state on premises owned or controlled by the  
621 operator of a public-use airport for 45 consecutive calendar  
622 days.

623 2. "Derelict aircraft" means any aircraft that is not in a  
624 flyable condition, does not have a current certificate of air  
625 worthiness issued by the Federal Aviation Administration, and is  
626 not in the process of actively being repaired.

627 (2) The director or the director's designee shall contact  
628 the Federal Aviation Administration, Aircraft Registration  
629 Branch, to determine the name and address of the last registered  
630 owner of the aircraft and shall make a diligent personal search  
631 of the appropriate records, or contact an aircraft title search  
632 company, to determine the name and address of any person having  
633 an equitable or legal interest in the aircraft. Within 10  
634 business days after receipt of the information, the director or  
635 the director's designee shall notify the owner and all persons  
636 having an equitable or legal interest in the aircraft by  
637 certified mail, return receipt requested, of the location of the  
638 derelict or abandoned aircraft on the airport premises, that  
639 fees and charges for the use of the airport by the aircraft have  
640 accrued and the amount thereof, that the aircraft is subject to  
641 a lien under subsection (5) for the accrued fees and charges for  
642 the use of the airport and for the transportation, storage, and

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643 removal of the aircraft, that the lien is subject to enforcement  
644 pursuant to law, and that the airport may cause the use, trade,  
645 sale, or removal of the aircraft as described in s.  
646 705.182(2)(a), (b), (d), or (e) if, within 30 calendar days  
647 after the date of receipt of such notice, the aircraft has not  
648 been removed from the airport upon payment in full of all  
649 accrued fees and charges for the use of the airport and for the  
650 transportation, storage, and removal of the aircraft. Such  
651 notice may require removal of the aircraft in less than 30  
652 calendar days if the aircraft poses a danger to the health or  
653 safety of users of the airport, as determined by the director or  
654 the director's designee.

655 (3) If the owner of the aircraft is unknown or cannot be  
656 found, the director or the director's designee shall cause a  
657 laminated notice to be placed upon such aircraft in  
658 substantially the following form:

659  
660 NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED  
661 PROPERTY. This property, to wit: (setting forth brief  
662 description) is unlawfully upon public property known as  
663 (setting forth brief description of location) and has accrued  
664 fees and charges for the use of the (same description of  
665 location as above) and for the transportation, storage, and  
666 removal of the property. These accrued fees and charges must be  
667 paid in full and the property must be removed within 30 calendar  
668 days after the date of this notice; otherwise, the property will  
669 be removed and disposed of pursuant to chapter 705, Florida  
670 Statutes. The property is subject to a lien for all accrued fees



671 and charges for the use of the public property known as (same  
 672 description of location as above) by such property and for all  
 673 fees and charges incurred by the public property known as (same  
 674 description of location as above) for the transportation,  
 675 storage, and removal of the property. This lien is subject to  
 676 enforcement pursuant to law. The owner will be liable for such  
 677 fees and charges, as well as the cost for publication of this  
 678 notice. Dated this: (setting forth the date of posting of  
 679 notice), signed: (setting forth name, title, address, and  
 680 telephone number of law enforcement officer).

681  
 682 Such notice shall be not less than 8 inches by 10 inches and  
 683 shall be sufficiently weatherproof to withstand normal exposure  
 684 to the weather. If, at the end of 30 calendar days after posting  
 685 the notice, the owner or any person interested in the described  
 686 derelict or abandoned aircraft has not removed the aircraft from  
 687 the airport upon payment in full of all accrued fees and charges  
 688 for the use of the airport and for the transportation, storage,  
 689 and removal of the aircraft, or shown reasonable cause for  
 690 failure to do so, the director or the director's designee may  
 691 cause the use, trade, sale, or removal of the aircraft as  
 692 described in s. 705.182(2)(a), (b), (d), or (e).

693 (4) Such aircraft shall be removed within the time period  
 694 specified in the notice provided under subsection (2) or  
 695 subsection (3). If, at the end of such period of time, the owner  
 696 or any person interested in the described derelict or abandoned  
 697 aircraft has not removed the aircraft from the airport upon  
 698 payment in full of all accrued fees and charges for the use of

699 the airport and for the transportation, storage, and removal of  
700 the aircraft, or shown reasonable cause for the failure to do  
701 so, the director or the director's designee may cause the use,  
702 trade, sale, or removal of the aircraft as described in s.  
703 705.182(2) (a), (b), (d), or (e).

704 (a) If the airport elects to sell the aircraft in  
705 accordance with s. 705.182(2) (d), the aircraft must be sold at  
706 public auction after giving notice of the time and place of  
707 sale, at least 10 calendar days prior to the date of sale, in a  
708 publication of general circulation within the county where the  
709 airport is located and after providing written notice of the  
710 intended sale to all parties known to have an interest in the  
711 aircraft.

712 (b) If the airport elects to dispose of the aircraft in  
713 accordance with s. 705.182(2) (e), the airport shall be entitled  
714 to negotiate with the company for a price to be received from  
715 such company in payment for the aircraft, or, if circumstances  
716 so warrant, a price to be paid to such company by the airport  
717 for the costs of disposing of the aircraft. All information  
718 pertaining to the establishment of such price and the  
719 justification for the amount of such price shall be prepared and  
720 maintained by the airport, and such negotiated price shall be  
721 deemed to be a commercially reasonable price.

722 (c) If the sale price or the negotiated price is less than  
723 the airport's then current charges and costs against the  
724 aircraft, or if the airport is required to pay the salvage  
725 company for its services, the owner of the aircraft shall remain  
726 liable to the airport for the airport's costs that are not

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727 offset by the sale price or negotiated price, in addition to the  
728 owner's liability for payment to the airport of the price the  
729 airport was required to pay any salvage company. All costs  
730 incurred by the airport in the removal, storage, and sale of any  
731 aircraft shall be recoverable against the owner thereof.

732 (5) The airport shall have a lien on a derelict or  
733 abandoned aircraft for all fees and charges for the use of the  
734 airport by such aircraft and for all fees and charges incurred  
735 by the airport for the transportation, storage, and removal of  
736 the aircraft. As a prerequisite to perfecting a lien under this  
737 section, the airport director or the director's designee must  
738 serve a notice in accordance with subsection (2) on the last  
739 registered owner and all persons having an equitable or legal  
740 interest in the aircraft. Serving the notice does not dispense  
741 with recording the claim of lien.

742 (6) (a) For the purpose of perfecting its lien under this  
743 section, the airport shall record a claim of lien which shall  
744 state:

745 1. The name and address of the airport.

746 2. The name of the last registered owner of the aircraft  
747 and all persons having a legal or equitable interest in the  
748 aircraft.

749 3. The fees and charges incurred by the aircraft for the  
750 use of the airport and the fees and charges for the  
751 transportation, storage, and removal of the aircraft.

752 4. A description of the aircraft sufficient for  
753 identification.

754 (b) The claim of lien shall be signed and sworn to or

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755 affirmed by the airport director or the director's designee.

756 (c) The claim of lien shall be sufficient if it is in  
 757 substantially the following form:

758  
 759 CLAIM OF LIEN

760 State of \_\_\_\_\_

761 County of \_\_\_\_\_

762 Before me, the undersigned notary public, personally appeared

763 \_\_\_\_\_, who was duly sworn and says that he/she is the

764 \_\_\_\_\_ of \_\_\_\_\_, whose address is \_\_\_\_\_; and that the

765 following described aircraft:

766 (Description of aircraft)

767 owned by \_\_\_\_\_, whose address is \_\_\_\_\_, has accrued

768 \$ \_\_\_\_\_ in fees and charges for the use by the aircraft of

769 \_\_\_\_\_ and for the transportation, storage, and removal

770 of the aircraft from \_\_\_\_\_; that the lienor served its

771 notice to the last registered owner and all persons having a

772 legal or equitable interest in the aircraft on \_\_\_\_\_, (year),

773 by \_\_\_\_\_.

774 (Signature)

775 Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day

776 of \_\_\_\_\_, (year), by (name of person making statement).

777 (Signature of Notary Public) (Print, Type, or Stamp Commissioned

778 name of Notary Public)

779 Personally Known OR Produced \_\_\_\_\_ as identification.

781 However, the negligent inclusion or omission of any information

782 in this claim of lien which does not prejudice the last

783 registered owner does not constitute a default that operates to  
784 defeat an otherwise valid lien.

785 (d) The claim of lien shall be served on the last  
786 registered owner of the aircraft and all persons having an  
787 equitable or legal interest in the aircraft. The claim of lien  
788 shall be so served before recordation.

789 (e) The claim of lien shall be recorded with the clerk of  
790 court in the county where the airport is located. The recording  
791 of the claim of lien shall be constructive notice to all persons  
792 of the contents and effect of such claim. The lien shall attach  
793 at the time of recordation and shall take priority as of that  
794 time.

795 (7) A purchaser or recipient in good faith of an aircraft  
796 sold or obtained under this section takes the property free of  
797 the rights of persons then holding any legal or equitable  
798 interest thereto, whether or not recorded. The purchaser or  
799 recipient is required to notify the appropriate Federal Aviation  
800 Administration office of such change in the registered owner of  
801 the aircraft.

802 (8) If the aircraft is sold at public sale, the airport  
803 shall deduct from the proceeds of sale the costs of  
804 transportation, storage, publication of notice, and all other  
805 costs reasonably incurred by the airport, and any balance of the  
806 proceeds shall be deposited into an interest-bearing account not  
807 later than 30 calendar days after the airport's receipt of the  
808 proceeds and held there for 1 year. The rightful owner of the  
809 aircraft may claim the balance of the proceeds within 1 year  
810 after the date of the deposit by making application to the

811 airport and presenting acceptable written evidence of ownership  
 812 to the airport's director or the director's designee. If no  
 813 rightful owner claims the proceeds within the 1-year time  
 814 period, the balance of the proceeds shall be retained by the  
 815 airport to be used in any manner authorized by law.

816 (9) Any person acquiring a legal interest in an aircraft  
 817 that is sold by an airport under this section or s. 705.182  
 818 shall be the lawful owner of such aircraft and all other legal  
 819 or equitable interests in such aircraft shall be divested and of  
 820 no further force and effect, provided that the holder of any  
 821 such legal or equitable interests was notified of the intended  
 822 disposal of the aircraft to the extent required in this section.  
 823 The airport may issue documents of disposition to the purchaser  
 824 or recipient of an aircraft disposed of under this section.

825 Section 11. Section 705.184, Florida Statutes, is created  
 826 to read:

827 705.184 Derelict or abandoned motor vehicles on the  
 828 premises of public-use airports.--

829 (1) (a) Whenever any derelict or abandoned motor vehicle is  
 830 found on premises owned or controlled by the operator of a  
 831 public-use airport, including airport premises leased to a third  
 832 party, the director of the airport or the director's designee  
 833 may take charge thereof and make a record of the date such motor  
 834 vehicle was found.

835 (b) For purposes of this section, the term:

836 1. "Abandoned motor vehicle" means a motor vehicle that  
 837 has been disposed of on a public-use airport in a wrecked,  
 838 inoperative, or partially dismantled condition or a motor

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839 vehicle that has remained in an idle state on the premises of a  
840 public-use airport for 45 consecutive calendar days.

841 2. "Derelict motor vehicle" means any motor vehicle that  
842 is not in a drivable condition.

843 (c) After the information relating to the abandoned or  
844 derelict motor vehicle is recorded in the airport's records, the  
845 director or the director's designee may cause the motor vehicle  
846 to be removed from airport premises by the airport's wrecker or  
847 by a licensed independent wrecker company to be stored at a  
848 suitable location on or off the airport premises. If the motor  
849 vehicle is to be removed from airport premises by the airport's  
850 wrecker, the airport must follow the procedures in subsections  
851 (2)-(8). The procedures in subsections (2)-(8) do not apply if  
852 the motor vehicle is removed from the airport premises by a  
853 licensed independent wrecker company.

854 (2) The airport director or the director's designee shall  
855 contact the Department of Highway Safety and Motor Vehicles to  
856 notify that department that the airport has possession of the  
857 abandoned or derelict motor vehicle and to determine the name  
858 and address of the owner of the motor vehicle, the insurance  
859 company insuring the motor vehicle notwithstanding the  
860 provisions of s. 627.736, and any person who has filed a lien on  
861 the motor vehicle. Within 7 business days after receipt of the  
862 information, the director or the director's designee shall send  
863 notice by certified mail, return receipt requested, to the owner  
864 of the motor vehicle, the insurance company insuring the motor  
865 vehicle notwithstanding the provisions of s. 627.736, and all  
866 persons of record claiming a lien against the motor vehicle. The

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867 notice shall state the fact of possession of the motor vehicle,  
868 that charges for reasonable towing, storage, and parking fees,  
869 if any, have accrued and the amount thereof, that a lien as  
870 provided in subsection (6) will be claimed, that the lien is  
871 subject to enforcement pursuant to law, that the owner or  
872 lienholder, if any, has the right to a hearing as set forth in  
873 subsection (4), and that any motor vehicle which, at the end of  
874 30 calendar days after receipt of the notice, has not been  
875 removed from the airport upon payment in full of all accrued  
876 charges for reasonable towing, storage, and parking fees, if  
877 any, may be disposed of as provided in s. 705.182(2) (a), (b),  
878 (d), or (e), including, but not limited to, the motor vehicle  
879 being sold free of all prior liens after 35 calendar days after  
880 the time the motor vehicle is stored if any prior liens on the  
881 motor vehicle are more than 5 years of age or after 50 calendar  
882 days after the time the motor vehicle is stored if any prior  
883 liens on the motor vehicle are 5 years of age or less.

884 (3) If attempts to notify the owner or lienholder pursuant  
885 to subsection (2) are not successful, the requirement of notice  
886 by mail shall be considered met and the director or the  
887 director's designee, in accordance with subsection (5), may  
888 cause the motor vehicle to be disposed of as provided in s.  
889 705.182(2) (a), (b), (d), or (e), including, but not limited to,  
890 the motor vehicle being sold free of all prior liens after 35  
891 calendar days after the time the motor vehicle is stored if any  
892 prior liens on the motor vehicle are more than 5 years of age or  
893 after 50 calendar days after the time the motor vehicle is  
894 stored if any prior liens on the motor vehicle are 5 years of



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895 age or less.

896 (4) (a) The owner of, or any person with a lien on, a motor  
897 vehicle removed pursuant to subsection (1), may, within 10  
898 calendar days after the time he or she has knowledge of the  
899 location of the motor vehicle, file a complaint in the county  
900 court of the county in which the motor vehicle is stored to  
901 determine if his or her property was wrongfully taken or  
902 withheld.

903 (b) Upon filing a complaint, an owner or lienholder may  
904 have his or her motor vehicle released upon posting with the  
905 court a cash or surety bond or other adequate security equal to  
906 the amount of the fees for towing, storage, and accrued parking,  
907 if any, to ensure the payment of such fees in the event he or  
908 she does not prevail. Upon the posting of the bond or other  
909 adequate security and the payment of any applicable fee, the  
910 clerk of the court shall issue a certificate notifying the  
911 airport of the posting of the bond or other adequate security  
912 and directing the airport to release the motor vehicle. At the  
913 time of such release, after reasonable inspection, the owner or  
914 lienholder shall give a receipt to the airport reciting any  
915 claims he or she has for loss or damage to the motor vehicle or  
916 the contents thereof.

917 (5) If, after 30 calendar days after receipt of the  
918 notice, the owner or any person claiming a lien has not removed  
919 the motor vehicle from its storage location upon payment in full  
920 of all accrued charges for reasonable towing, storage, and  
921 parking fees, if any, or shown reasonable cause for the failure  
922 to do so, the airport director or the director's designee may

923 dispose of the motor vehicle as provided in s. 705.182(2) (a),  
 924 (b), (d), or (e). If the airport elects to sell the motor  
 925 vehicle pursuant to s. 705.182(2) (d), the motor vehicle may be  
 926 sold free of all prior liens after 35 calendar days after the  
 927 time the motor vehicle is stored if any prior liens on the motor  
 928 vehicle are more than 5 years of age or after 50 calendar days  
 929 after the time the motor vehicle is stored if any prior liens on  
 930 the motor vehicle are 5 years of age or less. The sale shall be  
 931 a public auction either on the Internet or at a specified  
 932 physical location. If the date of the sale was not included in  
 933 the notice required in subsection (2), notice of the sale, sent  
 934 by certified mail, return receipt requested, shall be given to  
 935 the owner of the motor vehicle and to all persons claiming a  
 936 lien on the motor vehicle. Such notice shall be mailed not less  
 937 than 10 calendar days before the date of the sale. In addition  
 938 to the notice by mail, public notice of the time and place of  
 939 the sale at auction shall be made by publishing a notice thereof  
 940 one time, at least 10 calendar days prior to the date of sale,  
 941 in a newspaper of general circulation in the county in which the  
 942 sale is to be held. All costs incurred by the airport for the  
 943 towing, storage, and sale of the motor vehicle, as well as all  
 944 accrued parking fees, if any, shall be recovered by the airport  
 945 from the proceeds of the sale, and any proceeds of the sale in  
 946 excess of such costs shall be retained by the airport for use by  
 947 the airport in any manner authorized by law.

948 (6) The airport pursuant to this section or, if used, a  
 949 licensed independent wrecker company pursuant to s. 713.78 shall  
 950 have a lien on an abandoned or derelict motor vehicle for all

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951 reasonable towing, storage, and accrued parking fees, if any,  
952 except that no storage fee shall be charged if the motor vehicle  
953 is stored less than 6 hours. As a prerequisite to perfecting a  
954 lien under this section, the airport director or the director's  
955 designee must serve a notice in accordance with subsection (2)  
956 on the owner of the motor vehicle, the insurance company  
957 insuring the motor vehicle notwithstanding the provisions of s.  
958 627.736, and all persons of record claiming a lien against the  
959 motor vehicle. If attempts to notify the owner, the insurance  
960 company insuring the motor vehicle notwithstanding the  
961 provisions of s. 627.736, or lienholders are not successful, the  
962 requirement of notice by mail shall be considered met. Serving  
963 of the notice does not dispense with recording the claim of  
964 lien.

965 (7) (a) For the purpose of perfecting its lien under this  
966 section, the airport shall record a claim of lien which shall  
967 state:

968 1. The name and address of the airport.

969 2. The name of the owner of the motor vehicle, the  
970 insurance company insuring the motor vehicle notwithstanding the  
971 provisions of s. 627.736, and all persons of record claiming a  
972 lien against the motor vehicle.

973 3. The costs incurred from reasonable towing, storage, and  
974 parking fees, if any.

975 4. A description of the motor vehicle sufficient for  
976 identification.

977 (b) The claim of lien shall be signed and sworn to or  
978 affirmed by the airport director or the director's designee.

979 (c) The claim of lien shall be sufficient if it is in  
 980 substantially the following form:

982 CLAIM OF LIEN

983 State of \_\_\_\_\_  
 984 County of \_\_\_\_\_

985 Before me, the undersigned notary public, personally appeared  
 986 \_\_\_\_\_, who was duly sworn and says that he/she is the  
 987 \_\_\_\_\_ of \_\_\_\_\_, whose address is \_\_\_\_\_; and that the  
 988 following described motor vehicle:

989 (Description of motor vehicle)  
 990 owned by \_\_\_\_\_, whose address is \_\_\_\_\_, has accrued  
 991 \$ \_\_\_\_\_ in fees for a reasonable tow, for storage, and for  
 992 parking, if applicable; that the lienor served its notice to the  
 993 owner, the insurance company insuring the motor vehicle  
 994 notwithstanding the provisions of s. 627.736, Florida Statutes,  
 995 and all persons of record claiming a lien against the motor  
 996 vehicle on \_\_\_\_\_, (year), by \_\_\_\_\_.

997 (Signature)  
 998 Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day  
 999 of \_\_\_\_\_, (year), by (name of person making statement).

1000 (Signature of Notary Public) (Print, Type, or Stamp Commissioned  
 1001 name of Notary Public)

1002 Personally Known OR Produced \_\_\_\_\_ as identification.

1004 However, the negligent inclusion or omission of any information  
 1005 in this claim of lien which does not prejudice the owner does  
 1006 not constitute a default that operates to defeat an otherwise

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1007 valid lien.

1008 (d) The claim of lien shall be served on the owner of the  
 1009 motor vehicle, the insurance company insuring the motor vehicle  
 1010 notwithstanding the provisions of s. 627.736, and all persons of  
 1011 record claiming a lien against the motor vehicle. If attempts to  
 1012 notify the owner, the insurance company insuring the motor  
 1013 vehicle notwithstanding the provisions of s. 627.736, or  
 1014 lienholders are not successful, the requirement of notice by  
 1015 mail shall be considered met. The claim of lien shall be so  
 1016 served before recordation.

1017 (e) The claim of lien shall be recorded with the clerk of  
 1018 court in the county where the airport is located. The recording  
 1019 of the claim of lien shall be constructive notice to all persons  
 1020 of the contents and effect of such claim. The lien shall attach  
 1021 at the time of recordation and shall take priority as of that  
 1022 time.

1023 (8) A purchaser or recipient in good faith of a motor  
 1024 vehicle sold or obtained under this section takes the property  
 1025 free of the rights of persons then holding any legal or  
 1026 equitable interest thereto, whether or not recorded.

1027 Section 12. Subsection (3) of section 288.063, Florida  
 1028 Statutes, is amended to read:

1029 288.063 Contracts for transportation projects.--

1030 (3) With respect to any contract executed pursuant to this  
 1031 section, the term "transportation project" means a  
 1032 transportation facility as defined in s. 334.03 ~~(28)~~ ~~(31)~~ which is  
 1033 necessary in the judgment of the Office of Tourism, Trade, and  
 1034 Economic Development to facilitate the economic development and

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1035 growth of the state. Except for applications received prior to  
1036 July 1, 1996, such transportation projects shall be approved  
1037 only as a consideration to attract new employment opportunities  
1038 to the state or expand or retain employment in existing  
1039 companies operating within the state, or to allow for the  
1040 construction or expansion of a state or federal correctional  
1041 facility in a county with a population of 75,000 or less that  
1042 creates new employment opportunities or expands or retains  
1043 employment in the county. The Office of Tourism, Trade, and  
1044 Economic Development shall institute procedures to ensure that  
1045 small and minority businesses have equal access to funding  
1046 provided under this section. Funding for approved transportation  
1047 projects may include any expenses, other than administrative  
1048 costs and equipment purchases specified in the contract,  
1049 necessary for new, or improvement to existing, transportation  
1050 facilities. Funds made available pursuant to this section may  
1051 not be expended in connection with the relocation of a business  
1052 from one community to another community in this state unless the  
1053 Office of Tourism, Trade, and Economic Development determines  
1054 that without such relocation the business will move outside this  
1055 state or determines that the business has a compelling economic  
1056 rationale for the relocation which creates additional jobs.  
1057 Subject to appropriation for projects under this section, any  
1058 appropriation greater than \$10 million shall be allocated to  
1059 each of the districts of the Department of Transportation to  
1060 ensure equitable geographical distribution. Such allocated funds  
1061 that remain uncommitted by the third quarter of the fiscal year

1062 shall be reallocated among the districts based on pending  
 1063 project requests.

1064 Section 13. Paragraph (b) of subsection (3) of section  
 1065 311.07, Florida Statutes, is amended to read:

1066 311.07 Florida seaport transportation and economic  
 1067 development funding.--

1068 (3)

1069 (b) Projects eligible for funding by grants under the  
 1070 program are limited to the following port facilities or port  
 1071 transportation projects:

1072 1. Transportation facilities within the jurisdiction of  
 1073 the port.

1074 2. The dredging or deepening of channels, turning basins,  
 1075 or harbors.

1076 3. The construction or rehabilitation of wharves, docks,  
 1077 structures, jetties, piers, storage facilities, cruise  
 1078 terminals, automated people mover systems, or any facilities  
 1079 necessary or useful in connection with any of the foregoing.

1080 4. The acquisition of vessel tracking systems, container  
 1081 cranes, or other mechanized equipment used in the movement of  
 1082 cargo or passengers in international commerce.

1083 5. The acquisition of land to be used for port purposes.

1084 6. The acquisition, improvement, enlargement, or extension  
 1085 of existing port facilities.

1086 7. Environmental protection projects which are necessary  
 1087 because of requirements imposed by a state agency as a condition  
 1088 of a permit or other form of state approval; which are necessary  
 1089 for environmental mitigation required as a condition of a state,

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1090 federal, or local environmental permit; which are necessary for  
 1091 the acquisition of spoil disposal sites and improvements to  
 1092 existing and future spoil sites; or which result from the  
 1093 funding of eligible projects listed in this paragraph.

1094 8. Transportation facilities as defined in s.  
 1095 334.03(28) ~~(31)~~ which are not otherwise part of the Department of  
 1096 Transportation's adopted work program.

1097 9. Seaport intermodal access projects identified in the 5-  
 1098 year Florida Seaport Mission Plan as provided in s. 311.09(3).

1099 10. Construction or rehabilitation of port facilities as  
 1100 defined in s. 315.02, excluding any park or recreational  
 1101 facilities, in ports listed in s. 311.09(1) with operating  
 1102 revenues of \$5 million or less, provided that such projects  
 1103 create economic development opportunities, capital improvements,  
 1104 and positive financial returns to such ports.

1105 Section 14. Subsection (7) of section 311.09, Florida  
 1106 Statutes, is amended to read:

1107 311.09 Florida Seaport Transportation and Economic  
 1108 Development Council.--

1109 (7) The Department of Transportation shall review the list  
 1110 of projects approved by the council for consistency with the  
 1111 Florida Transportation Plan and the department's adopted work  
 1112 program. In evaluating the consistency of a project, the  
 1113 department shall determine whether the transportation impact of  
 1114 the proposed project is adequately handled by existing state-  
 1115 owned transportation facilities or by the construction of  
 1116 additional state-owned transportation facilities as identified  
 1117 in the Florida Transportation Plan and the department's adopted



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1118 work program. In reviewing for consistency a transportation  
1119 facility project as defined in s. 334.03(28)~~(31)~~ which is not  
1120 otherwise part of the department's work program, the department  
1121 shall evaluate whether the project is needed to provide for  
1122 projected movement of cargo or passengers from the port to a  
1123 state transportation facility or local road. If the project is  
1124 needed to provide for projected movement of cargo or passengers,  
1125 the project shall be approved for consistency as a consideration  
1126 to facilitate the economic development and growth of the state  
1127 in a timely manner. The Department of Transportation shall  
1128 identify those projects which are inconsistent with the Florida  
1129 Transportation Plan and the adopted work program and shall  
1130 notify the council of projects found to be inconsistent.

1131 Section 15. Section 316.2122, Florida Statutes, is amended  
1132 to read:

1133 316.2122 Operation of a low-speed vehicle on certain  
1134 roadways.--The operation of a low-speed vehicle, as defined in  
1135 s. 320.01(42), on any road under the jurisdiction of a county or  
1136 municipality or on an urban minor arterial road under the  
1137 jurisdiction of the Department of Transportation as defined in  
1138 s. 334.03(15) or (33), is authorized with the following  
1139 restrictions:

1140 (1) A low-speed vehicle may be operated only on streets  
1141 where the posted speed limit is 35 miles per hour or less. This  
1142 does not prohibit a low-speed vehicle from crossing a road or  
1143 street at an intersection where the road or street has a posted  
1144 speed limit of more than 35 miles per hour.

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1145 (2) A low-speed vehicle must be equipped with headlamps,  
 1146 stop lamps, turn signal lamps, taillamps, reflex reflectors,  
 1147 parking brakes, rearview mirrors, windshields, seat belts, and  
 1148 vehicle identification numbers.

1149 (3) A low-speed vehicle must be registered and insured in  
 1150 accordance with s. 320.02.

1151 (4) Any person operating a low-speed vehicle must have in  
 1152 his or her possession a valid driver's license.

1153 (5) A county or municipality may prohibit the operation of  
 1154 low-speed vehicles on any road under its jurisdiction if the  
 1155 governing body of the county or municipality determines that  
 1156 such prohibition is necessary in the interest of safety.

1157 (6) The Department of Transportation may prohibit the  
 1158 operation of low-speed vehicles on any road under its  
 1159 jurisdiction if it determines that such prohibition is necessary  
 1160 in the interest of safety.

1161 Section 16. Paragraph (c) of subsection (5) of section  
 1162 316.515, Florida Statutes, is amended to read:

1163 316.515 Maximum width, height, length.--

1164 (5) IMPLEMENTS OF HUSBANDRY AND FARM EQUIPMENT;  
 1165 AGRICULTURAL TRAILERS; FORESTRY EQUIPMENT; SAFETY  
 1166 REQUIREMENTS.--

1167 (c) The width and height limitations of this section do  
 1168 not apply to farming or agricultural equipment, whether self-  
 1169 propelled, pulled, or hauled, when temporarily operated during  
 1170 daylight hours upon a public road that is not a limited access  
 1171 facility as defined in s. 334.03 (11) ~~(13)~~, and the width and  
 1172 height limitations may be exceeded by such equipment without a

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1173 permit. To be eligible for this exemption, the equipment shall  
1174 be operated within a radius of 50 miles of the real property  
1175 owned, rented, or leased by the equipment owner. However,  
1176 equipment being delivered by a dealer to a purchaser is not  
1177 subject to the 50-mile limitation. Farming or agricultural  
1178 equipment greater than 174 inches in width must have one warning  
1179 lamp mounted on each side of the equipment to denote the width  
1180 and must have a slow-moving vehicle sign. Warning lamps required  
1181 by this paragraph must be visible from the front and rear of the  
1182 vehicle and must be visible from a distance of at least 1,000  
1183 feet.

1184 Section 17. Paragraph (b) of subsection (7) of section  
1185 332.14, Florida Statutes, is amended to read:

1186 332.14 Secure Airports for Florida's Economy Council.--

1187 (7) The SAFE council may utilize, as appropriate and with  
1188 legislative spending authorization, any federal, state, and  
1189 local government contributions as well as private donations to  
1190 fund SAFE Master Plan projects.

1191 (b) The council shall review and approve or disapprove  
1192 each project eligible to be funded pursuant to this act. The  
1193 council shall annually submit a list of projects which have been  
1194 approved by the council to the Secretary of Transportation, the  
1195 Secretary of Community Affairs, the executive director of the  
1196 Department of Law Enforcement, and the director of the Office of  
1197 Tourism, Trade, and Economic Development. The list shall specify  
1198 the recommended funding level for each project, and, if staged  
1199 implementation of the project is appropriate, the funding  
1200 requirements for each stage shall be specified.

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1201           1. The Department of Community Affairs shall review the  
1202 list of projects approved by the council to determine  
1203 consistency with approved local government comprehensive plans  
1204 of the units of local government in which the airport is located  
1205 and consistency with the airport master plan. The Department of  
1206 Community Affairs shall identify and notify the council of those  
1207 projects which are not consistent, to the maximum extent  
1208 feasible, with such comprehensive plans and airport master  
1209 plans.

1210           2. The Department of Transportation shall review the list  
1211 of projects approved by the council for consistency with the  
1212 Florida Transportation Plan and the department's adopted work  
1213 program. In evaluating the consistency of a project, the  
1214 department shall determine whether the transportation impact of  
1215 the proposed project is adequately handled by existing state-  
1216 owned transportation facilities or by the construction of  
1217 additional state-owned transportation facilities as identified  
1218 in the Florida Transportation Plan and the department's adopted  
1219 work program. In reviewing for consistency a transportation  
1220 facility project as defined in s. 334.03 (28) ~~(31)~~ which is not  
1221 otherwise part of the department's work program, the department  
1222 shall evaluate whether the project is needed to provide for  
1223 projected movement of cargo or passengers from the airport to a  
1224 state transportation facility or local road. If the project is  
1225 needed to provide for projected movement of cargo or passengers,  
1226 the project shall be approved for consistency as a consideration  
1227 to facilitate the economic development and growth of the state  
1228 in a timely manner. The department shall identify those projects

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1229 | which are inconsistent with the Florida Transportation Plan and  
 1230 | the adopted work program and shall notify the council of  
 1231 | projects found to be inconsistent.

1232 |         3. The Office of Tourism, Trade, and Economic Development,  
 1233 | in consultation with Enterprise Florida, Inc., shall review the  
 1234 | list of projects approved by the council to evaluate the  
 1235 | economic benefit of the project and to determine whether the  
 1236 | project is consistent with the SAFE Master Plan. The Office of  
 1237 | Tourism, Trade, and Economic Development shall review the  
 1238 | economic benefits of each project based upon the rules adopted  
 1239 | pursuant to paragraph (a). The Office of Tourism, Trade, and  
 1240 | Economic Development shall identify those projects which it has  
 1241 | determined do not offer an economic benefit to the state or are  
 1242 | not consistent with the SAFE Master Plan and shall notify the  
 1243 | council of its findings.

1244 |         4. The Department of Law Enforcement shall review the list  
 1245 | of projects approved by the council for consistency with  
 1246 | domestic security provisions of ss. 943.03101, 943.0311, and  
 1247 | 943.0312. The Department of Law Enforcement shall identify those  
 1248 | projects that it has determined are inconsistent with the  
 1249 | state's strategic plan for domestic security and shall notify  
 1250 | the council of its findings.

1251 |         Section 18. Section 336.01, Florida Statutes, is amended  
 1252 | to read:

1253 |         336.01 Designation of county road system.--The county road  
 1254 | system shall be as defined in s. 334.03(6)~~(8)~~.

1255 |         Section 19. Subsection (2) of section 338.222, Florida  
 1256 | Statutes, is amended to read:

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1257 338.222 Department of Transportation sole governmental  
 1258 entity to acquire, construct, or operate turnpike projects;  
 1259 exception.--

1260 (2) The department may contract with any local  
 1261 governmental entity as defined in s. 334.03(12)~~(14)~~ for the  
 1262 design, right-of-way acquisition, or construction of any  
 1263 turnpike project which the Legislature has approved. Local  
 1264 governmental entities may negotiate with the department for the  
 1265 design, right-of-way acquisition, and construction of any  
 1266 section of the turnpike project within areas of their respective  
 1267 jurisdictions or within counties with which they have interlocal  
 1268 agreements.

1269 Section 20. Paragraph (a) of subsection (2) of section  
 1270 403.7211, Florida Statutes, is amended to read:

1271 403.7211 Hazardous waste facilities managing hazardous  
 1272 wastes generated offsite; federal facilities managing hazardous  
 1273 waste.--

1274 (2) The department shall not issue any permit under s.  
 1275 403.722 for the construction, initial operation, or substantial  
 1276 modification of a facility for the disposal, storage, or  
 1277 treatment of hazardous waste generated offsite which is proposed  
 1278 to be located in any of the following locations:

1279 (a) Any area where life-threatening concentrations of  
 1280 hazardous substances could accumulate at any residence or  
 1281 residential subdivision as the result of a catastrophic event at  
 1282 the proposed facility, unless each such residence or residential  
 1283 subdivision is served by at least one arterial road or urban  
 1284 minor arterial road that, ~~as defined in s. 334.03, which~~

1285 provides safe and direct egress by land to an area where such  
 1286 life-threatening concentrations of hazardous substances could  
 1287 not accumulate in a catastrophic event. Egress by any road  
 1288 leading from any residence or residential subdivision to any  
 1289 point located within 1,000 yards of the proposed facility is  
 1290 unsafe for the purposes of this paragraph. In determining  
 1291 whether egress proposed by the applicant is safe and direct, the  
 1292 department shall also consider, at a minimum, the following  
 1293 factors:

1294 1. Natural barriers such as water bodies, and whether any  
 1295 road in the proposed evacuation route is impaired by a natural  
 1296 barrier such as a water body;

1297 2. Potential exposure during egress and potential  
 1298 increases in the duration of exposure;

1299 3. Whether any road in a proposed evacuation route passes  
 1300 in close proximity to the facility; and

1301 4. Whether any portion of the evacuation route is  
 1302 inherently directed toward the facility.

1303  
 1304 For the purposes of this subsection, all distances shall be  
 1305 measured from the outer limit of the active hazardous waste  
 1306 management area. "Substantial modification" includes: any  
 1307 physical change in, change in the operations of, or addition to  
 1308 a facility which could increase the potential offsite impact, or  
 1309 risk of impact, from a release at that facility; and any change  
 1310 in permit conditions which is reasonably expected to lead to  
 1311 greater potential impacts or risks of impacts, from a release at  
 1312 that facility. "Substantial modification" does not include a

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1313 change in operations, structures, or permit conditions which  
 1314 does not substantially increase either the potential impact  
 1315 from, or the risk of, a release. Physical or operational changes  
 1316 to a facility related solely to the management of nonhazardous  
 1317 waste at the facility shall not be considered a substantial  
 1318 modification. The department shall, by rule, adopt criteria to  
 1319 determine whether a facility has been substantially modified.  
 1320 "Initial operation" means the initial commencement of operations  
 1321 at the facility.

1322 Section 21. Subsection (24) of section 479.01, Florida  
 1323 Statutes, is amended to read:

1324 479.01 Definitions.--As used in this chapter, the term:

1325 (24) "Urban area" has the same meaning as defined in s.  
 1326 334.03 (29) ~~(32)~~.

1327 Section 22. (1) The Legislature hereby finds and declares  
 1328 that there is a shortage of current funds available to pay for  
 1329 capacity projects on the state road system and desires to study  
 1330 the possibility of certain counties advancing funds for the  
 1331 payment of the costs of such projects.

1332 (2) The Northwest Florida Regional Transportation Planning  
 1333 Organization, an interlocal agency under part I of chapter 163,  
 1334 Florida Statutes, is directed to study the feasibility of  
 1335 advance-funding the costs of capacity projects in its member  
 1336 counties. The Department of Transportation shall assist the  
 1337 organization in conducting the study.

1338 (3) By February 1, 2010, the Northwest Florida Regional  
 1339 Transportation Planning Organization shall provide a study to  
 1340 the Governor, the President of the Senate, the Speaker of the



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1341 House of Representatives, the department, any metropolitan  
1342 planning organization in any county served by the organization,  
1343 and the counties served by the organization discussing the  
1344 financial viability of advancing transportation funds to pay for  
1345 current capacity projects. The study must be based on the  
1346 following assumptions:

1347 (a) Any advanced projects must be consistent with the  
1348 Northwest Florida Regional Transportation Planning  
1349 Organization's 5-year plan and the department's work program.

1350 (b) Any bonds shall have a maturity not to exceed 30  
1351 years.

1352 (c) A maximum of 25 percent of the department's capacity  
1353 funds allocated to the counties served by the Northwest Florida  
1354 Regional Transportation Planning Organization may be used to pay  
1355 debt service on the bonds.

1356 (d) The funds may only be advanced for the following  
1357 components of a construction project on a state road: planning,  
1358 engineering, design, right-of-way acquisition, and construction.

1359 (e) The cost of the projects must be balanced with the  
1360 funds available from the bonds.

1361 (f) The department shall have final approval of the  
1362 projects financed through advanced funds.

1363 (4) The study shall contain:

1364 (a) An analysis of the financial feasibility of advancing  
1365 capacity projects.

1366 (b) A long-range finance plan, including an estimate of  
1367 the annual debt service on the bonds.

1368 (c) A tentative list of capacity projects and the priority

1369 in which they would be advanced. These projects must be  
 1370 consistent with the criteria in s. 339.135(2) (b), Florida  
 1371 Statutes.

1372 (d) A 5-year work program of the projects to be advanced.  
 1373 This program must be consistent with chapter 339, Florida  
 1374 Statutes.

1375 (e) A report of any statutory changes, including a draft  
 1376 bill, needed to give the Northwest Florida Regional  
 1377 Transportation Planning Organization the ability to advance  
 1378 construction projects. The draft bill language shall address, at  
 1379 a minimum:

1380 1. Developing a list of road projects to be advanced,  
 1381 consistent with the organization's 5-year plan.

1382 2. Giving the department the authority to review projects  
 1383 to determine consistency with its current work program.

1384 3. Giving the organization the authority to issue bonds  
 1385 with a maturity of not greater than 30 years.

1386 4. Requiring proceed of the bonds to be delivered to the  
 1387 department to pay the cost of completing the projects.

1388 5. Requiring the road projects to be consistent with the  
 1389 organization's 5-year plan.

1390 6. Permitting any participating county to elect to  
 1391 undertake responsibility for the payment of a portion of the  
 1392 cost of any project in the county pursuant to an agreement with  
 1393 the organization and the department.

1394 7. Providing that, in each year that the bonds are  
 1395 outstanding, no more than 25 percent of the state transportation  
 1396 funds for capacity projects within the area of operation of the

1397 organization shall be paid over to the organization for the  
 1398 purpose of paying debt service on bonds the organization issued  
 1399 for such capacity projects. Such payments shall be made in lieu  
 1400 of programming such capacity funds for the direct annual capital  
 1401 costs of such projects.

1402 8. Providing that, in the event that the capacity funds  
 1403 allocated to the member counties of the organization are less  
 1404 than the amount needed to satisfy the payment requirements under  
 1405 the contract, the department shall defer the funded capacity on  
 1406 any other projects in the member counties of the organization to  
 1407 the extent necessary to make up such deficiency, so as to enable  
 1408 the organization to make the required debt service payments on  
 1409 the bonds or to replenish the reserves established for the bonds  
 1410 which may have been used to make up such deficiency.

1411 9. Providing that the bonds shall state on their face that  
 1412 they do not constitute a pledge of the faith or taxing power of  
 1413 the state, and no holder of any bond shall have the right to  
 1414 compel payment of the bonds from any funds of the state, other  
 1415 than amounts required to be paid to the organization under the  
 1416 contract. The bonds shall be limited and special obligations  
 1417 payable solely from the sources described herein.

1418 10. Establishing such other terms and provisions as may be  
 1419 deemed reasonable and necessary to enable the organization to  
 1420 market the bonds at the most advantageous rates possible.

1421 Section 23. Florida Transportation Revenue Study  
 1422 Commission.--

1423 (1) The Legislature finds and declares that the costs of  
 1424 preserving investments in transportation infrastructure and

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1425 eliminating or reducing congestion in the movement of people and  
1426 goods is expected to substantially increase and those costs will  
1427 have a commensurate effect on the state's economy, environment,  
1428 and quality of life.

1429 (2) The Florida Transportation Revenue Study Commission is  
1430 created for the purpose of studying state, regional, and local  
1431 transportation needs and developing new and innovative funding  
1432 options and recommendations that address this state's future  
1433 transportation needs. The commission shall submit a written  
1434 report to the Legislature containing its findings and  
1435 recommendations by January 1, 2011. The report presented by the  
1436 commission shall, at a minimum, include findings and  
1437 recommendations regarding:

1438 (a) The stability of existing transportation revenue  
1439 sources, taking into account energy-efficient vehicles, emerging  
1440 technologies, alternative fuels, and other state and federal  
1441 initiatives.

1442 (b) The funding needs of state, regional, and local  
1443 transportation facilities and services and the ability to  
1444 address those needs.

1445 (c) New and innovative funding options that can be used by  
1446 the state, metropolitan planning organizations, local  
1447 governments, and other major transportation providers to fund  
1448 transportation facilities and services.

1449 (3) The commission shall consist of 13 members. Three  
1450 members shall be appointed by the Governor, three members shall  
1451 be appointed by the President of the Senate, and three members  
1452 shall be appointed by the Speaker of the House of

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1453 Representatives. One member shall be the Secretary of  
1454 Transportation, or the secretary's designee, one member shall be  
1455 appointed by the Metropolitan Planning Organization Advisory  
1456 Council, one member shall be appointed by the Florida  
1457 Association of Counties from among its members, and one member  
1458 shall be appointed by the Florida League of Cities from among  
1459 its members. The membership of the commission must represent  
1460 transportation organizations, local governments, developers and  
1461 homebuilders, the business community, the environmental  
1462 community, transportation labor organizations, and other  
1463 appropriate stakeholders in the transportation system. One  
1464 member shall be designated by the Governor as chair of the  
1465 commission. Members shall be appointed to a term that ends upon  
1466 adjournment sine die of the 2011 regular legislative session.  
1467 Any vacancy that occurs on the commission shall be filled in the  
1468 same manner as the original appointment. Members of the  
1469 commission shall serve without compensation, but are entitled to  
1470 reimbursement for per diem and travel expenses in accordance  
1471 with s. 112.061, Florida Statutes, while in performance of their  
1472 duties.

1473 (4) The first meeting of the commission shall be held by  
1474 October 1, 2009, and thereafter the commission shall meet at the  
1475 call of the chair but not less frequently than three times per  
1476 year. Each member of the commission is entitled to one vote and  
1477 actions of the commission are not binding unless taken by a  
1478 majority vote of the members present. A majority of the  
1479 membership constitutes a quorum at any meeting of the  
1480 commission. The commission may adopt its own rules of procedure

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1481 and has such other powers as are necessary to complete its  
1482 responsibilities.

1483 (5) The Center for Urban Transportation Research at the  
1484 University of South Florida shall provide staff and other  
1485 resources necessary to assist the commission in accomplishing  
1486 its goals. All agencies under the control of the Governor are  
1487 directed, and all other federal, state, and local agencies are  
1488 requested, to render assistance to, and cooperate with, the  
1489 commission.

1490 Section 24. Funding for the Florida Transportation Revenue  
1491 Study Commission.--The sum of \$225,000 in federal metropolitan  
1492 planning funds is appropriated from the State Transportation  
1493 Trust Fund to the Center for Urban Transportation Research at  
1494 the University of South Florida for each of the 2009-2010 and  
1495 2010-2011 fiscal years for the purpose of paying the expenses of  
1496 staff services and providing other related assistance to the  
1497 Florida Transportation Revenue Study Commission.

1498 Section 25. This act shall take effect July 1, 2009.