

By the Committee on Transportation; and Senator Gardiner

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1 A bill to be entitled
2 An act relating to transportation; amending s.
3 163.3180, F.S., relating to transportation
4 concurrency; exempting hangars for the assembly or
5 manufacture of aircraft from such requirements;
6 amending s. 316.2015, F.S.; providing restraint
7 requirements relating to certain truck operators who
8 carry minor children in the bed of such truck upon a
9 highway maintained by the state, a county, or a
10 municipality at a speed exceeding 35 miles per hour;
11 providing exceptions; providing a penalty; amending s.
12 316.29545, F.S.; excluding vehicles owned or leased by
13 private investigative services from certain
14 restrictions when used in specified activities;
15 amending s. 316.515, F.S.; clarifying that
16 manufactured buildings are not divisible loads for the
17 purposes of issuing special permits for overlength
18 trailers; revising the maximum length of such
19 overlength trailers; amending s. 316.535, F.S.;
20 increasing the weight limits for certain highways;
21 amending s. 316.545, F.S.; increasing the maximum
22 weight limits on certain vehicles to compensate for
23 weight increases that result from the installation of
24 idle-reduction technologies; creating s. 336.445,
25 F.S.; authorizing counties to enter into agreements
26 with private entities for the building, operation,
27 ownership, or financing of toll facilities; requiring
28 a public declaration; requiring a public hearing;
29 requiring that the county make certain determinations

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30 prior to awarding a project; providing requirements
31 for an agreement; amending s. 337.0261, F.S.;
32 providing findings recognizing that construction
33 aggregate materials mining is an industry of critical
34 importance and that the mining of construction
35 aggregate materials is in the public interest;
36 amending s. 348.51 F.S.; revising the definition of
37 the term "bonds"; amending s. 348.54, F.S.;
38 authorizing the Tampa-Hillsborough County Expressway
39 Authority to make and issue notes, refunding bonds,
40 and other evidences of indebtedness or obligations for
41 specified purposes relating to the expressway system;
42 prohibiting the authority from pledging the credit or
43 taxing power of the state; providing that the
44 authority's obligations are not obligations of the
45 state, a political subdivision, or agency; providing
46 that the state, a political subdivision, or agency is
47 not liable for the payment of principal or interest on
48 the authority's obligations; amending s. 348.545,
49 F.S.; authorizing costs of authority improvements to
50 be financed by bonds issued on behalf of the authority
51 pursuant to the State Bond Act or bonds issued by the
52 authority pursuant to ch. 348, F.S.; amending s.
53 348.56, F.S.; authorizing bonds to be issued on behalf
54 of the authority pursuant to the State Bond Act or
55 issued by the authority pursuant to ch. 348, F.S.;
56 revising requirements for such bonds; requiring the
57 bonds to be sold at public sale; authorizing the
58 authority to negotiate the sale of bonds with

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59 underwriters under certain circumstances; amending s.
60 348.565, F.S.; providing that facilities of the
61 expressway system are approved to be refinanced by the
62 revenue bonds issued by the Division of Bond Finance
63 of the State Board of Administration and the State
64 Bond Act, or by revenue bonds issued by the authority;
65 providing that certain projects of the authority are
66 approved for financing or refinancing by revenue bonds
67 issued according to part IV of ch. 348, F.S., and the
68 State Constitution; amending s. 348.57, F.S.;

69 authorizing the authority to provide for the issuance
70 of certain bonds for the refunding of any bonds then
71 outstanding regardless of whether the bonds being
72 refunded were issued by the authority pursuant to this
73 chapter or on behalf of the authority pursuant to the
74 State Bond Act; amending s. 348.70, F.S.; providing
75 that part IV of ch. 348, F.S., relating to the Tampa-
76 Hillsborough County Express Authority, does not
77 repeal, rescind, or modify certain laws; amending s.
78 705.18, F.S.; removing references to public-use
79 airports or its directors; removing required
80 disposition of moneys from sale of property abandoned
81 at a public-use airport; creating s. 705.182, F.S.,
82 relating to the disposal of personal property found on
83 public-use airports; providing a timeframe for
84 property to be claimed; providing options for
85 disposing of personal property; providing procedures
86 for selling abandoned personal property; providing for
87 the notice of sale; permitting an airport tenant to

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88 establishing its own lost and found procedures;
89 providing that the purchaser holds title to the
90 property; creating s. 705.183, F.S., relating to
91 derelict or abandoned aircraft on the premises of
92 public-use airports; creating procedures for the
93 disposal of derelict or abandoned aircraft on the
94 premises of public-use airports; requiring a record of
95 when an aircraft is found; defining the terms
96 "derelict aircraft" and "abandoned aircraft";
97 requiring a determination of an aircraft owner and
98 persons having legal interest in the aircraft;
99 requiring notification of the aircraft owner and all
100 persons having an equitable or legal interest in the
101 aircraft; providing items to be included in the
102 notice; providing an exception; providing for notice
103 if the owner of the aircraft is unknown or cannot be
104 found; providing the form of notice; providing for
105 placement of the notice; providing procedures for
106 failure to remove an aircraft and pay fees; requiring
107 any sale of aircraft to be at a public auction;
108 providing notice requirements for the public auction;
109 providing procedures for disposing of an aircraft;
110 providing for liability of charges and costs related
111 to aircraft are less than what is obtained from a
112 sale; providing for a lien by the airport and for all
113 fees and charges related to the aircraft; providing
114 for notice of lien; requiring the filing of a claim of
115 lien; providing for the form of the claim of lien;
116 providing for service of the claim of lien; providing

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117 that the purchaser of the aircraft takes the property
118 free of rights of persons holding legal or equitable
119 interest in the aircraft; requiring that the purchaser
120 or recipient notify the Federal Aviation
121 Administration of the change in ownership; providing
122 for deduction of the costs if the aircraft sold at
123 public sale; requiring that the balance be deposited
124 in an interest-bearing account; providing a timeframe
125 for the owner to claim the funds; providing that the
126 balance may be retained by the airport; authorizing an
127 airport to issue documents relating to the aircraft
128 disposal; creating s. 705.184, F.S., relating to
129 derelict or abandoned motor vehicles on the premises
130 of public-use airports; creating procedures for the
131 disposal of derelict or abandoned motor vehicles on
132 public-use airports; requiring recording of the
133 abandoned motor vehicle; defining the terms "derelict
134 motor vehicle" and "abandoned motor vehicle";
135 permitting a vehicle to be removed from the airport
136 premises; requiring a determination of the owner of
137 the motor vehicle and the insurance company insuring
138 the motor vehicle; requiring notification of the
139 owner, insurer, and lienholder; providing items to be
140 included in the notice; providing for an exception;
141 providing for the notice form; providing for placing
142 of the notice; providing a minimum time for the
143 notice; providing procedures for failure to remove the
144 motor vehicle and pay fees; requiring any sale of a
145 motor vehicle to be at a public auction; providing

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146 notice requirement for a public auction; providing
147 procedures for disposing of the motor vehicle;
148 providing for liability if charges and costs related
149 to motor vehicle are less than what is obtained from
150 sale; providing for a lien by the airport for all fees
151 and charges related to the motor vehicle; providing
152 for notice of the lien; requiring the filing of a
153 claim of lien, providing for the form of the claim of
154 lien; providing for service of claim of lien;
155 providing that the purchaser of the motor vehicle
156 takes the property free of rights of persons holding
157 legal or equitable interest in the motor vehicle;
158 providing an effective date.

159

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

161

162 Section 1. Paragraph (b) of subsection (4) of section
163 163.3180, Florida Statutes, is amended to read:

164 (4) (b) The concurrency requirement as implemented in local
165 comprehensive plans does not apply to public transit facilities.
166 For the purposes of this paragraph, public transit facilities
167 include transit stations and terminals; transit station parking;
168 park-and-ride lots; intermodal public transit connection or
169 transfer facilities; fixed bus, guideway, and rail stations; and
170 airport passenger terminals and concourses, air cargo
171 facilities, and hangars for the assembly, manufacture,
172 maintenance, or storage of aircraft. As used in this paragraph,
173 the terms "terminals" and "transit facilities" do not include
174 seaports or commercial or residential development constructed in

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175 conjunction with a public transit facility.

176 Section 2. Subsection (2) of section 316.2015, Florida
177 Statutes, is amended to read:

178 316.2015 Unlawful for person to ride on exterior of
179 vehicle.-

180 (2) (a) No person shall ride on any vehicle upon any portion
181 thereof not designed or intended for the use of passengers. This
182 paragraph does not apply to an employee of a fire department, an
183 employee of a governmentally operated solid waste disposal
184 department or a waste disposal service operating pursuant to a
185 contract with a governmental entity, or to a volunteer
186 firefighter when the employee or firefighter is engaged in the
187 necessary discharge of a duty, and does not apply to a person
188 who is being transported in response to an emergency by a public
189 agency or pursuant to the direction or authority of a public
190 agency. This paragraph does not apply to an employee engaged in
191 the necessary discharge of a duty or to a person or persons
192 riding within truck bodies in space intended for merchandise.

193 (b) It is unlawful for any operator of a pickup truck or
194 flatbed truck to permit a minor child who has not attained 18
195 years of age to ride upon limited access facilities of the state
196 within the open body of a pickup truck or flatbed truck unless
197 the minor is restrained within the open body in the back of a
198 truck that has been modified to include secure seating and
199 safety restraints to prevent the passenger from being thrown,
200 falling, or jumping from the truck. This paragraph does not
201 apply in a medical emergency if the child is accompanied within
202 the truck by an adult. A county is exempt from this paragraph if
203 the governing body of the county, by majority vote, following a

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204 noticed public hearing, votes to exempt the county from this
205 paragraph.

206 (c) It is unlawful for any operator of a pickup truck or
207 flatbed truck to permit a minor child who has not attained 6
208 years of age to ride within the open body of the pickup truck or
209 flatbed truck at a speed that exceeds 35 miles per hour upon any
210 street or highway that is maintained by the state, a county, or
211 a municipality unless the minor is restrained within the open
212 body in the back of a truck that has been modified to include
213 secure seating and safety restraints that are appropriate for
214 the child's age to prevent such child from being thrown,
215 falling, or jumping from the truck. This paragraph does not
216 apply in a medical emergency if the child is accompanied within
217 the truck by an adult. A county is exempt from this paragraph if
218 the governing body of the county, by majority vote, following a
219 noticed public hearing, votes to exempt the county from this
220 paragraph. This paragraph also does not apply to the operator of
221 a pickup truck if the truck is the only vehicle owned by the
222 operator or the immediate family of the operator.

223 (d)-(e) Any person who violates this subsection shall be
224 cited for a nonmoving violation, punishable as provided in
225 chapter 318.

226 Section 3. Section 316.29545, Florida Statutes, is amended
227 to read:

228 316.29545 Window suncreening exclusions; medical
229 exemption; certain law enforcement vehicles and private
230 investigative service vehicles exempt.-

231 (1) The department shall issue medical exemption
232 certificates to persons who are afflicted with Lupus or similar

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233 medical conditions which require a limited exposure to light,
234 which certificates shall entitle the person to whom the
235 certificate is issued to have sunscreening material on the
236 windshield, side windows, and windows behind the driver which is
237 in violation of the requirements of ss. 316.2951-316.2957. The
238 department shall provide, by rule, for the form of the medical
239 certificate authorized by this section. At a minimum, the
240 medical exemption certificate shall include a vehicle
241 description with the make, model, year, vehicle identification
242 number, medical exemption decal number issued for the vehicle,
243 and the name of the person or persons who are the registered
244 owners of the vehicle. A medical exemption certificate shall be
245 nontransferable and shall become null and void upon the sale or
246 transfer of the vehicle identified on the certificate.

247 (2) The department shall exempt all law enforcement
248 vehicles used in undercover or canine operations from the window
249 sunscreening requirements of ss. 316.2951-316.2957.

250 (3) The department shall exempt from the window
251 sunscreening restrictions of ss. 316.2953, 316.2954, and
252 316.2956 vehicles owned or leased by private investigative
253 agencies licensed under chapter 493 and used in homeland
254 security functions on behalf of federal, state, or local
255 authorities; executive protection activities; undercover,
256 covert, or surveillance operations involving child abductions,
257 convicted sex offenders, insurance fraud, or missing persons or
258 property; or investigative activities in which evidence is being
259 obtained for civil or criminal court proceedings.

260 (4)~~(3)~~ The department may charge a fee in an amount
261 sufficient to defray the expenses of issuing a medical exemption

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262 certificate as described in subsection (1).

263 Section 4. Subsection (14) of section 316.515, Florida
264 Statutes, is amended to read:

265 316.515 Maximum width, height, length.—

266 (14) MANUFACTURED BUILDINGS.—The Department of
267 Transportation may, in its discretion and upon application and
268 good cause shown therefor that the same is not contrary to the
269 public interest, issue a special permit for truck tractor-
270 semitrailer combinations where the total number of overwidth
271 deliveries of manufactured buildings, as defined in s.
272 553.36(13), may be reduced by permitting the use of multiple
273 sections or single units on an overlength trailer of no more
274 than 80 ~~54~~ feet.

275 Section 5. Subsection (5) of section 316.535, Florida
276 Statutes, is amended to read:

277 316.535 Maximum weights.—

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

283
$$W = 500((LN \div (N-1)) + 12N + 36)$$

284

285 where W = overall gross weight of the vehicle to the nearest 500
286 pounds; L = distance in feet between the extreme of the external
287 axles; and N = number of axles on the vehicle. However, such
288 overall gross weight of any vehicle or combination of vehicles
289 may not exceed 80,000 pounds ~~including all enforcement~~
290 ~~tolerances.~~ The scale tolerance provided in s. 316.545(2)

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291 applies to all weight limitations of this subsection. Except
292 when a vehicle exceeds the posted weight limit on a bridge,
293 finest for violations of the total gross weight limitations
294 provided for in this subsection shall be based on the amount by
295 which the actual weight of the vehicle and load exceeds the
296 allowable maximum weight determined under this subsection, plus
297 the scale tolerance provided in s. 316.545(2).

298 Section 6. Subsection (3) of section 316.545, Florida
299 Statutes, is amended to read:

300 316.545 Weight and load unlawful; special fuel and motor
301 fuel tax enforcement; inspection; penalty; review.—

302 (3) Any person who violates the overloading provisions of
303 this chapter shall be conclusively presumed to have damaged the
304 highways of this state by reason of such overloading, which
305 damage is hereby fixed as follows:

306 (a) When the excess weight is 200 pounds or less than the
307 maximum herein provided, the penalty shall be \$10;

308 (b) Five cents per pound for each pound of weight in excess
309 of the maximum herein provided when the excess weight exceeds
310 200 pounds. However, whenever the gross weight of the vehicle or
311 combination of vehicles does not exceed the maximum allowable
312 gross weight, the maximum fine for the first 600 pounds of
313 unlawful axle weight shall be \$10;

314 (c) For a vehicle equipped with fully functional idle-
315 reduction technology, any penalty shall be calculated by
316 reducing the actual gross vehicle weight or the internal bridge
317 weight by the certified weight of the idle-reduction technology
318 or by 400 pounds, whichever is less. The vehicle operator must
319 present written certification of the weight of the idle-

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320 reduction technology and must demonstrate or certify that the
321 idle-reduction technology is fully functional at all times. This
322 calculation is not allowed for vehicles described in s.
323 316.535 (6) ;

324 (d) ~~(e)~~ An apportioned motor vehicle, as defined in s.
325 320.01, operating on the highways of this state without being
326 properly licensed and registered shall be subject to the
327 penalties as herein provided; and

328 (e) ~~(d)~~ Vehicles operating on the highways of this state
329 from nonmember International Registration Plan jurisdictions
330 which are not in compliance with the provisions of s. 316.605
331 shall be subject to the penalties as herein provided.

332 Section 7. Section 336.445, Florida Statutes, is created to
333 read:

334 336.445 Public-private partnerships with counties.-

335 (1) Notwithstanding any other provision of law or
336 ordinance, a county may enter into agreements with private
337 entities, or a consortia thereof, for the building, operation,
338 ownership, or financing of toll facilities as part of the county
339 road system under the following circumstances:

340 (a) The county has publically declared at a properly
341 noticed commission meeting the need for a toll facility and a
342 desire to contract with a private entity for the building,
343 operation, ownership, or financing of a toll facility; and

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

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

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- 349 (a) Is not contrary to the public's interest;
350 (b) Would not require state funds to be used;
351 (c) Would have adequate safeguards in place to ensure that
352 no additional costs or service disruptions would be realized by
353 the travelling public in the event of default or cancellation of
354 the agreement by the county; and
355 (d) Would have adequate safeguards in place to ensure that
356 the county or the private entity has the opportunity to add
357 capacity to the proposed project and other transportation
358 facilities serving similar origins and destinations.
359 (3) Any agreement between a county and a private entity, or
360 consortia thereof, must address the following:
361 (a) Regulations governing the future increase of toll or
362 fare revenues; and
363 (b) That the private entity shall provide an investment
364 grade traffic and revenue study prepared by an internationally
365 recognized traffic and revenue expert that is accepted by the
366 national bond rating agencies. The private entity shall also
367 provide a finance plan than identifies the project cost,
368 revenues by source, financing, major assumptions, internal rate
369 of return on private investment, whether any government funds
370 are assumed to deliver a cost-feasible project, and a total cash
371 flow analysis beginning with the implementation of the project
372 and extending for the term of the agreement.
373 Section 8. Subsection (2) of section 337.0261, Florida
374 Statutes, is amended to read:
375 337.0261 Construction aggregate materials.-
376 (2) LEGISLATIVE INTENT.—The Legislature finds that there is
377 a strategic and critical need for an available supply of

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378 construction aggregate materials within the state and that a
379 disruption of the supply would cause a significant detriment to
380 the state's construction industry, transportation system, and
381 overall health, safety, and welfare. In addition, the
382 Legislature recognizes that construction aggregate materials
383 mining is an industry of critical importance to the state and
384 that the mining of construction aggregate materials is in the
385 public interest.

386 Section 9. Subsection (3) of section 348.51, Florida
387 Statutes, is amended to read:

388 348.51 Definitions.—The following terms whenever used or
389 referred to in this part shall have the following meanings,
390 except in those instances where the context clearly indicates
391 otherwise:

392 (3) "Bonds" means and includes the notes, bonds, refunding
393 bonds, or other evidences of indebtedness or obligations, in
394 either temporary or definitive form, which of the authority is
395 authorized to issue issued pursuant to this part.

396 Section 10. Subsections (7) and (8) of section 348.54,
397 Florida Statutes, are amended to read:

398 348.54 Powers of the authority.—Except as otherwise limited
399 herein, the authority shall have the power:

400 (7) To borrow money and to make and issue negotiable bonds,
401 notes, refunding bonds, and other evidences of indebtedness or
402 obligations, either in temporary or definitive form, hereinafter
403 in this chapter referred to bonds of the authority, for the
404 purpose of financing all or part of the improvement or extension
405 of the expressway system, and appurtenant facilities, including
406 all approaches, streets, roads, bridges, and avenues of access

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407 for the expressway system and for any other purpose authorized
408 by this part and to provide for the rights of the holders
409 thereof.

410 (8) To secure the payment of bonds by a pledge of all or
411 any portion of the revenues or such other moneys legally
412 available therefor and of all or any portion of the Hillsborough
413 County gasoline tax funds in the manner provided by this part;
414 and in general to provide for the security of the bonds and the
415 rights and remedies of the holders thereof. Interest upon the
416 amount of gasoline tax funds to be repaid to the county pursuant
417 to s. 348.60 shall be payable, at the highest rate applicable to
418 any outstanding bonds of the authority, out of revenues and
419 other available moneys not required to meet the authority's
420 obligations to its bondholders. The authority shall have no
421 power at any time or in any manner to pledge the credit or
422 taxing power of the state or any political subdivision or
423 agency, including the city and the county, nor shall any of the
424 authority's obligations be deemed to be obligations of the state
425 or of any political subdivision or agency, nor shall the state
426 or any political subdivision or agency, except the authority, be
427 liable for the payment of the principal of or interest on such
428 obligations.

429 Section 11. Section 348.545, Florida Statutes, is amended
430 to read:

431 348.545 Facility improvement; bond financing authority.—
432 Pursuant to s. 11(f), Art. VII of the State Constitution, the
433 Legislature hereby approves for bond financing by the Tampa-
434 Hillsborough County Expressway Authority improvements to toll
435 collection facilities, interchanges to the legislatively

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436 approved expressway system, and any other facility appurtenant,
437 necessary, or incidental to the approved system. Subject to
438 terms and conditions of applicable revenue bond resolutions and
439 covenants, such costs ~~financing~~ may be financed in whole or in
440 part by revenue bonds issued pursuant to s. 348.56(1)(a) or s.
441 348.56(1)(b) whether currently issued or issued in the future,
442 or by a combination of such bonds.

443 Section 12. Subsections (1) and (2) of section 348.56,
444 Florida Statutes, are amended to read:

445 348.56 Bonds of the authority.—

446 (1) (a) Bonds may be issued on behalf of the authority
447 pursuant to the State Bond Act.

448 (b) Alternatively, the authority shall have the power and
449 is hereby authorized from time to time to issue bonds in such
450 principal amount as, in the opinion of the authority, shall be
451 necessary to provide sufficient moneys for achieving its
452 corporate purposes, including construction, reconstruction,
453 improvement, extension, repair, maintenance and operation of the
454 expressway system, the cost of acquisition of all real property,
455 interest on bonds during construction and for a reasonable
456 period thereafter, establishment of reserves to secure bonds,
457 and all other expenditures of the authority incident to and
458 necessary or convenient to carry out its corporate purposes and
459 powers.

460 (2) (a) Bonds issued by the authority pursuant to paragraph
461 (1) (a) or paragraph (1) (b) shall be authorized by resolution of
462 the members of the authority and shall bear such date or dates,
463 mature at such time or times, not exceeding 40 years from their
464 respective dates, bear interest at such rate or rates, not

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465 exceeding the maximum rate fixed by general law for authorities,
466 be in such denominations, be in such form, either coupon or
467 fully registered, carry such registration, exchangeability and
468 interchangeability privileges, be payable in such medium of
469 payment and at such place or places, be subject to such terms of
470 redemption and be entitled to such priorities of lien on the
471 revenues, other available moneys, and the Hillsborough County
472 gasoline tax funds as such resolution or any resolution
473 subsequent thereto may provide. The bonds shall be executed
474 either by manual or facsimile signature by such officers as the
475 authority shall determine, provided that such bonds shall bear
476 at least one signature which is manually executed thereon. The
477 coupons attached to such bonds shall bear the facsimile
478 signature or signatures of such officer or officers as shall be
479 designated by the authority. Such bonds shall have the seal of
480 the authority affixed, imprinted, reproduced, or lithographed
481 thereon.

482 (b) The bonds issued pursuant to paragraph (1)(a) or
483 paragraph (1)(b) shall be sold at public sale in the same manner
484 provided in the State Bond Act, ~~and the net interest cost to the~~
485 ~~authority on such bonds shall not exceed the maximum rate fixed~~
486 ~~by general law for authorities. If all bids received on the~~
487 ~~public sale are rejected, the authority may then proceed to~~
488 ~~negotiate for the sale of the bonds at a net interest cost which~~
489 ~~shall be less than the lowest net interest cost stated in the~~
490 ~~bids rejected at the public sale. However, if the authority~~
491 determines, by official action at a public meeting, that a
492 negotiated sale of such bonds is in the best interest of the
493 authority, the authority may negotiate the sale of such bonds

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494 with the underwriter or underwriters designated by the authority
495 and the Division of Bond Finance within the State Board of
496 Administration with respect to bonds issued pursuant to
497 paragraph (1) (a) or solely by the authority with respect to
498 bonds issued pursuant to paragraph (1) (b). The authority's
499 determination to negotiate the sale of such bonds may be based,
500 in part, upon the written advice of the authority's financial
501 adviser. Pending the preparation of definitive bonds, temporary
502 bonds or interim certificates may be issued to the purchaser or
503 purchasers of such bonds and may contain such terms and
504 conditions as the authority may determine.

505 Section 13. Section 348.565, Florida Statutes, is amended
506 to read:

507 348.565 Revenue bonds for specified projects.—The existing
508 facilities that constitute the Tampa-Hillsborough County
509 Expressway System are hereby approved to be refinanced by the
510 ~~issuance of~~ revenue bonds issued by the Division of Bond Finance
511 of the State Board of Administration pursuant to s. 11(f), Art.
512 VII of the State Constitution and the State Bond Act, or by
513 revenue bonds issued by the authority pursuant to s.
514 348.56(1) (b). In addition, the following projects of the Tampa-
515 Hillsborough County Expressway Authority are approved to be
516 financed or refinanced by the issuance of revenue bonds in
517 accordance with this part and ~~pursuant to~~ s. 11(f), Art. VII of
518 the State Constitution:

519 (1) Brandon area feeder roads.

520 (2) Capital improvements to the expressway system,
521 including safety and operational improvements and toll
522 collection equipment.

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523 (3) Lee Roy Selmon Crosstown Expressway System widening.

524 (4) The connector highway linking the Lee Roy Selmon
525 Crosstown Expressway to Interstate 4.

526 Section 14. Subsection (1) of section 348.57, Florida
527 Statutes, is amended to read:

528 348.57 Refunding bonds.—

529 (1) Subject to public notice as provided in s. 348.54, the
530 authority is authorized to provide by resolution for the
531 issuance from time to time of bonds pursuant to s. 348.56(1)(b)
532 for the purpose of refunding any bonds then outstanding
533 regardless of whether the bonds being refunded were issued by
534 the authority pursuant to this chapter or on behalf of the
535 authority pursuant to the State Bond Act. The authority is
536 further authorized to provide by resolution for the issuance of
537 bonds for the combined purpose of:

538 (a) Paying the cost of constructing, reconstructing,
539 improving, extending, repairing, maintaining and operating the
540 expressway system.

541 (b) Refunding bonds then outstanding. The authorization,
542 sale and issuance of such obligations, the maturities and other
543 details thereof, the rights and remedies of the holders thereof,
544 and the rights, powers, privileges, duties and obligations of
545 the authority with respect to the same shall be governed by the
546 foregoing provisions of this part insofar as the same may be
547 applicable.

548 Section 15. Section 348.70, Florida Statutes, is amended to
549 read:

550 348.70 This part complete and additional authority.—

551 (1) The powers conferred by this part shall be in addition

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552 and supplemental to the existing respective powers of the
553 authority, the department, the county and the city, if any, and
554 this part shall not be construed as repealing any of the
555 provisions of any other law, general, special or local, but
556 shall be deemed to supersede such other law or laws in the
557 exercise of the powers provided in this part insofar as such
558 other law or laws are inconsistent with the provisions of this
559 part and to provide a complete method for the exercise of the
560 powers granted herein. The construction, reconstruction,
561 improvement, extension, repair, maintenance and operation of the
562 expressway system, and the issuance of bonds hereunder to
563 finance all or part of the cost thereof, may be accomplished
564 upon compliance with the provisions of this part without regard
565 to or necessity for compliance with the provisions, limitations,
566 or restrictions contained in any other general, special or local
567 law, including, but not limited to, s. 215.821, and no approval
568 of any bonds issued under this part by the qualified electors or
569 qualified electors who are freeholders in the state or in the
570 county or in the city or in any other political subdivision of
571 the state shall be required for the issuance of such bonds.

572 (2) This part does not repeal, rescind, or modify any other
573 law or laws relating to the State Board of Administration, the
574 Department of Transportation, or the Division of Bond Finance of
575 the State Board of Administration, but shall supersede such
576 other law or laws as are inconsistent with the provisions of
577 this part, including, but not limited to, s. 215.821.

578 Section 16. Section 705.18, Florida Statutes, is amended to
579 read:

580 705.18 Disposal of personal property lost or abandoned on

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581 university or community college campuses ~~or certain public-use~~
582 ~~airports~~; disposition of proceeds from sale thereof.-

583 (1) Whenever any lost or abandoned personal property shall
584 be found on a campus of an institution in the State University
585 System or a campus of a state-supported community college, ~~or on~~
586 ~~premises owned or controlled by the operator of a public-use~~
587 ~~airport having regularly scheduled international passenger~~
588 ~~service~~, the president of the institution or the president's
589 designee ~~or the director of the airport or the director's~~
590 ~~designee~~ shall take charge thereof and make a record of the date
591 such property was found. If, within 30 days after such property
592 is found, or a longer period of time as may be deemed
593 appropriate by the president ~~or the director~~ under the
594 circumstances, the property ~~it~~ is not claimed by the owner, the
595 president ~~or director~~ shall order it sold at public outcry after
596 giving notice of the time and place of sale in a publication of
597 general circulation on the campus of such institution ~~or within~~
598 ~~the county where the airport is located~~ and written notice to
599 the owner if known. The rightful owner of such property may
600 reclaim the same at any time prior to sale.

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

607 Section 17. Section 705.182, Florida Statutes, is created
608 to read:

609 705.182 Disposal of personal property found on the premises

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610 of public-use airports.-

611 (1) Whenever any personal property, other than aircraft or
612 motor vehicles, is found on premises owned or controlled by the
613 operator of a public-use airport, the director of the airport or
614 the director's designee shall take charge thereof and make a
615 record of the date such property was found.

616 (2) If within 30 calendar days after such property is
617 found, or for such longer period of time as may be deemed
618 appropriate by the director or the director's designee under the
619 circumstances, the property is not claimed by the owner, the
620 director or the director's designee may:

621 (a) Retain any or all of the property for the airport's own
622 use or for use by the state or unit of local government owning
623 or operating the airport;

624 (b) Trade such property to another unit of local government
625 or state agency;

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

627 (d) Sell the property; or

628 (e) Dispose of the property through an appropriate refuse
629 removal company or a company that provides salvage services for
630 the type of personal property found or located on the airport.

631
632 The airport shall notify the owner, if known, of property found
633 on the airport and that the airport intends to dispose of the
634 property in any of the manners permitted in this section.

635 (3) If the airport elects to sell the property under
636 paragraph (2) (d), the property must be sold at a public auction
637 on the Internet or at a specified physical location after giving
638 notice of the time and place of sale, at least 10 calendar days

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639 prior to the date of sale, in a publication of general
640 circulation within the county where the airport is located and
641 after written notice via certified mail, return receipt
642 requested, is provided to the owner, if known. Any such notice
643 is deemed sufficient if the notice refers to the airport's
644 intention to sell all then-accumulated found property, and the
645 notice need not identify each item to be sold. The rightful
646 owner of such property may reclaim the property at any time
647 prior to sale by presenting to the airport director or the
648 director's designee acceptable evidence of ownership. All
649 proceeds from the sale of the property shall be retained by the
650 airport for use by the airport in any lawfully authorized
651 manner.

652 (4) This section does not preclude the airport from
653 allowing a domestic or international air carrier or other tenant
654 on premises owned or controlled by the operator of a public-use
655 airport from establishing its own lost and found procedures for
656 personal property and from disposing of such personal property.

657 (5) A purchaser or recipient in good faith of personal
658 property sold or obtained under this section takes the property
659 free of the rights of persons then holding any legal or
660 equitable interest thereto, whether recorded or not.

661 Section 18. Section 705.183, Florida Statutes, is created
662 to read:

663 705.183 Disposal of derelict or abandoned aircraft on the
664 premises of public-use airports.-

665 (1) Whenever any derelict or abandoned aircraft is found or
666 located on premises owned or controlled by the operator of a
667 public-use airport, whether such premises are under a lease or

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668 license to third parties, the director of the airport or the
669 director's designee shall make a record of the date such
670 aircraft was found or determined to be present on the airport.
671 The term "derelict aircraft" means any aircraft that is not in a
672 flyable condition, does not have a current certificate of air
673 worthiness issued by the Federal Aviation Administration, or is
674 not in the process of actively being repaired. The term
675 "abandoned aircraft" means an aircraft that has been disposed of
676 on a public-use airport in a wrecked, inoperative, or partially
677 dismantled condition, or an aircraft that has remained in an
678 idle state on the premises owned or controlled by the operator
679 of a public-use airport for 45 consecutive calendar days.

680 (2) The director or the director's designee shall contact
681 the Aircraft Registration Branch of the Federal Aviation
682 Administration in order to determine the name and address of the
683 last registered aircraft owner and make a diligent personal
684 search of the appropriate records, or contact an aircraft title
685 search company, in order to determine the name and address of
686 any person having an equitable or legal interest in the
687 aircraft. Within 10 business days after receipt of this
688 information, the director or the director's designee shall
689 notify the owner and all persons having an equitable or legal
690 interest in the aircraft by certified mail, return receipt
691 requested, advising them of the location of the derelict or
692 abandoned aircraft on the airport; that fees and charges for the
693 use of the airport by the aircraft have accrued and the amount
694 thereof; that the aircraft is subject to a lien as provided in
695 subsection (5) for the accrued fees and charges for the use of
696 the airport and for the transportation, storage, and removal of

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697 the aircraft; that the lien is subject to enforcement pursuant
698 to law; and that the airport may cause the use, trade, sale, or
699 removal of the aircraft as described in s. 705.182(2)(a), (b),
700 (d), and (e) if, within 30 calendar days following the date of
701 receipt of such notice, the aircraft has not been removed from
702 the airport upon payment in full of all accrued fees and charges
703 for the use of the airport and for the transportation, storage,
704 and removal of the aircraft. Such notice may require removal of
705 the aircraft in less than 30 calendar days if the aircraft poses
706 a danger to the health or safety of users of the airport, as
707 determined by the director or the director's designee.

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

712
713 NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE
714 ATTACHED PROPERTY. This property, to wit: ...(setting
715 forth brief description)... is unlawfully upon public
716 property known as ...(setting forth brief description
717 of location)... and has accrued fees and charges for
718 the use of the ...(same description of location as
719 above)... and for the transportation, storage, and
720 removal of the property. These accrued fees and
721 charges must be paid in full and the property must be
722 removed within 30 calendar days following the date of
723 this notice; otherwise, the property will be removed
724 and disposed of pursuant to chapter 705, Florida
725 Statutes. The property is subject to a lien for all

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726 accrued fees and charges for the use of the public
727 property known as ... (same description of location as
728 above) ... by such property and for all fees and
729 charges incurred by the public property known as
730 ... (same description of location as above) ... for the
731 transportation, storage, and removal of the property.
732 This lien is subject to enforcement pursuant to law.
733 The owner will be liable for these fees and charges,
734 as well as the cost for publication of this notice.
735 Dated this: ... (setting forth the date of posting of
736 notice) ..., signed: ... (setting forth name, title,
737 address, and telephone number of law enforcement
738 officer)

739
740 Such notice must be at least 8 inches by 10 inches and
741 sufficiently weatherproof to withstand normal exposure to the
742 elements. If, at the end of 30 calendar days after posting the
743 notice, the owner or any person interested in the derelict or
744 abandoned aircraft described has not removed the aircraft from
745 the airport upon payment in full of all accrued fees and charges
746 for the use of the airport and for the transportation, storage,
747 and removal of the aircraft, or shown reasonable cause for
748 failure to do so, the director or the director's designee may
749 cause the use, trade, sale, or removal of the aircraft as
750 described in s. 705.182(2) (a), (b), (d), and (e).

751 (4) Such aircraft shall be removed within the time period
752 specified in the notice provided under subsection (2) or
753 subsection (3). If, at the end of such period of time, the owner
754 or any person interested in the derelict or abandoned aircraft

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755 has not removed the aircraft from the airport upon payment in
756 full of all accrued fees and charges for the use of the airport
757 and for the transportation, storage, and removal of the
758 aircraft, or shown reasonable cause for the failure to do so,
759 the director or the director's designee may cause the use,
760 trade, sale, or removal of the aircraft as described in s.
761 705.182(2) (a), (b), (d), and (e).

762 (a) If the airport elects to sell the aircraft in
763 accordance with s. 705.182(2) (d), the aircraft must be sold at
764 public auction after giving notice of the time and place of sale
765 at least 10 calendar days prior to the date of sale in a
766 publication of general circulation within the county where the
767 airport is located and after providing written notice of the
768 intended sale to all parties known to have an interest in the
769 aircraft.

770 (b) If the airport elects to dispose of the aircraft in
771 accordance with s. 705.182(2) (e), the airport may negotiate with
772 the company for a price to be received from such company in
773 payment for the aircraft, or, if circumstances warrant, a price
774 to be paid to such company by the airport for the costs of
775 disposing of the aircraft. All information pertaining to the
776 establishment of such price and the justification for the amount
777 of such price shall be prepared and maintained by the airport,
778 and such negotiated price shall be deemed to be a commercially
779 reasonable price.

780 (c) If the sale price or the negotiated price is less than
781 the airport's then-current charges and costs against the
782 aircraft, or if the airport is required to pay the salvage
783 company for its services, the owner of the aircraft remains

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784 liable to the airport for the airport's costs that are not
785 offset by the sale price or negotiated price, in addition to the
786 owner's liability for payment to the airport of the price the
787 airport was required to pay any salvage company. All costs
788 incurred by the airport in the removal, storage, and sale of any
789 aircraft are recoverable against the owner thereof.

790 (5) The airport has a lien on derelict or abandoned
791 aircraft for all fees and charges for the use of the airport by
792 such aircraft and for all fees and charges incurred by the
793 airport for the transportation, storage, and removal of the
794 aircraft. As a prerequisite to perfecting a lien under this
795 section, the airport director or the director's designee must
796 serve a notice in accordance with subsection (2) on the last
797 registered owner and all persons having an equitable or legal
798 interest in the aircraft. The serving of the notice does not
799 dispense with recording the claim of lien.

800 (6) (a) For the purpose of perfecting its lien under this
801 section, the airport shall record a claim of lien which must
802 state:

- 803 1. The name and address of the airport.
- 804 2. The name of the last registered aircraft owner and all
805 persons having a legal or equitable interest in the aircraft.
- 806 3. The fees and charges incurred by the aircraft for the
807 use of the airport, and the fees and charges for the
808 transportation, storage and removal of the aircraft.
- 809 4. A description of the aircraft sufficient for
810 identification.

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

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

816 CLAIM OF LIEN

817 State of _____

818 County of _____

819 Before me, the undersigned notary public, personally
 820 appeared _____, who was duly sworn and says that

821 he/she is the _____ of _____, whose address

822 is _____; and that the following described aircraft:

823 (Description of aircraft)

824 owned by _____, whose address is _____,

825 has accrued \$ _____ in fees and charges for the

826 use by the aircraft of _____ and for the

827 transportation, storage and removal of the aircraft

828 from _____; that the lienor served its

829 notice to the last registered owner and all persons

830 having a legal or equitable interest in the aircraft

831 on _____, (year), by _____.

832 (Signature)

833 Sworn to (or affirmed) and subscribed before me this

834 _____ day of _____, (year), by (name of person making

835 statement).

836 (Signature of Notary Public) (Print, Type or Stamp

837 Commissioned name of Notary Public)

838 Personally Known or Produced as Identification.

839

840 However, the negligent inclusion or omission of any information

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

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

844 (d) The claim of lien shall be served on the last
845 registered aircraft owner and all persons having an equitable or
846 legal interest in the aircraft. The claim of lien shall be
847 served before recordation.

848 (e) The claim of lien shall be recorded in the clerk's
849 office. The recording of the claim of lien constitutes
850 constructive notice to all persons of the contents and effect of
851 such claim. The lien attaches at the time of recordation and
852 takes priority as of that time.

853 (7) A purchaser or recipient in good faith of an aircraft
854 sold or obtained under this section takes the property free of
855 the rights of persons then holding any legal or equitable
856 interest thereto, whether recorded or not. The purchaser or
857 recipient shall notify the appropriate Federal Aviation
858 Administration office of such change in the registered owner of
859 the aircraft.

860 (8) If the aircraft is sold at public sale, the airport
861 shall deduct from the proceeds of sale the costs of
862 transportation, storage, and publication of notice and all other
863 costs reasonably incurred by the airport, and any balance of the
864 proceeds shall be deposited into an interest-bearing account
865 within 30 calendar days after the airport's receipt of the
866 proceeds and held there for 1 year. The rightful owner of the
867 aircraft may claim the balance of the proceeds within 1 year
868 following the date of the deposit by making application to the
869 airport and presentation to the airport's director or the
870 director's designee of acceptable written evidence of ownership.

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871 If no rightful owner comes forward with a claim to the proceeds
872 within the 1-year period, the balance of the proceeds shall be
873 retained by the airport to be used in any legally authorized
874 manner.

875 (9) Any person acquiring a legal interest in an aircraft
876 that is sold by an airport under the provisions of s. 705.182 or
877 this section is the lawful owner of such aircraft and all other
878 legal or equitable interests in such aircraft are divested and
879 of no further force and effect if the holder of any such legal
880 or equitable interests was notified of the intended disposal of
881 the aircraft to the extent required in this section. The airport
882 may to issue documents of disposition to the purchaser or
883 recipient of an aircraft disposed of under this section.

884 Section 19. Section 705.184, Florida Statutes, is created
885 to read:

886 705.184 Derelict or abandoned motor vehicles on the
887 premises of public-use airports.-

888 (1) Whenever any derelict or abandoned motor vehicle is
889 found on premises owned or controlled by the operator of a
890 public-use airport, including airport premises leased to third
891 parties, the director of the airport or the director's designee
892 may take charge thereof and make a record of the date such motor
893 vehicle was found. The term "derelict motor vehicle" means any
894 motor vehicle that is not in a drivable condition. The term
895 "abandoned motor vehicle" means a motor vehicle that has been
896 disposed of on a public-use airport in a wrecked, inoperative,
897 or partially dismantled condition, or a motor vehicle that has
898 remained in an idle state on a public-use airport for 45
899 consecutive calendar days. After the information relating to the

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900 derelict or abandoned motor vehicle is recorded in the airport's
901 records, the director or the director's designee may cause the
902 motor vehicle to be removed from airport premises by the
903 airport's own wrecker or by a licensed independent wrecking
904 company and stored at a suitable location on or off the airport
905 premises. If the director or the director's designee causes the
906 motor vehicle to be removed from airport premises by the
907 airport's own wrecker, the airport is subject to the procedures
908 set forth in subsections (2)-(8). If the director or the
909 director's designee causes the motor vehicle to be removed from
910 the airport premises by a licensed independent wrecking company,
911 the airport is not subject to the procedures set forth in
912 subsections (2)-(8).

913 (2) The airport director or the director's designee shall
914 contact the Department of Highway Safety and Motor Vehicles in
915 order to notify the department that the airport has possession
916 of the subject motor vehicle and in order to determine the name
917 and address of the owner of the motor vehicle, the insurance
918 company insuring the motor vehicle notwithstanding the
919 provisions of s. 627.736, and any person who has filed a lien on
920 the motor vehicle. Within 7 business days after receipt of this
921 information, the director or the director's designee shall send
922 notice by certified mail, return receipt requested, to the owner
923 of the motor vehicle, the insurance company insuring the motor
924 vehicle notwithstanding the provisions of s. 627.736, and all
925 persons of record claiming a lien against the motor vehicle. The
926 notice must state the fact of possession of the motor vehicle;
927 that charges for a reasonable tow fee, a reasonable storage fee,
928 or accrued parking fees, if any, have accrued and the amount

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929 thereof; that a lien as provided in subsection (6) will be
930 claimed; that the lien is subject to enforcement pursuant to
931 law; that the owner or lienholder, if any, has the right to a
932 hearing as set forth in subsection (4); and that any motor
933 vehicle which, at the end of 30 calendar days after receipt of
934 the notice, has not been removed from the airport upon payment
935 in full of all accrued charges for a reasonable tow fee, a
936 reasonable storage fee, and parking fees, if any, may be
937 disposed of in any of the manners set forth in s. 705.182(2)(a),
938 (b), (d), and (e), including, but not limited to, the motor
939 vehicle being sold free of all prior liens after 35 calendar
940 days following the time the motor vehicle is stored if any prior
941 liens on the motor vehicle are more than 5 years of age, or
942 after 50 calendar days following the time the motor vehicle is
943 stored if any prior liens on the motor vehicle are 5 years of
944 age or less.

945 (3) If attempts to notify the owner or lienholder pursuant
946 to subsection (2) prove unsuccessful, the requirement of notice
947 by mail is deemed met and the director or the director's
948 designee, in accordance with the requirements of subsection (5),
949 may cause the motor vehicle to be disposed of in any of the
950 manners set forth in s. 705.182(2)(a), (b), (d), and (e),
951 including, but not limited to, the motor vehicle being sold free
952 of all prior liens after 35 calendar days following the time the
953 motor vehicle is stored if any prior liens on the motor vehicle
954 are more than 5 years of age, or after 50 calendar days
955 following the time the motor vehicle is stored if any prior
956 liens on the motor vehicle are 5 years of age or less.

957 (4) (a) The owner of, or any person with a lien on, a motor

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958 vehicle removed pursuant to the provisions of subsection (1),
959 within 10 calendar days after the time he or she has knowledge
960 of the location of the motor vehicle, may file a complaint in
961 the county court of the county in which the motor vehicle is
962 stored to determine if his or her property was wrongfully taken
963 or withheld.

964 (b) Upon filing a complaint, an owner or lienholder may
965 have his or her motor vehicle released upon posting with the
966 court a cash or surety bond or other adequate security equal to
967 the amount of the fees for towing, storage, and accrued parking,
968 if any, to ensure the payment of such fees in the event he or
969 she does not prevail. Upon the posting of the bond or other
970 adequate security and the payment of any applicable fee, the
971 clerk of the court shall issue a certificate notifying the
972 airport of the posting of the bond or other adequate security
973 and directing the airport to release the motor vehicle. At the
974 time of such release, after reasonable inspection, the owner or
975 lienholder shall give a receipt to the airport reciting any
976 claims he or she has for loss or damage to the motor vehicle or
977 the contents thereof.

978 (5) If, after 30 calendar days following receipt of the
979 notice, the owner or any person claiming a lien has not removed
980 the motor vehicle from its storage location upon payment in full
981 of all accrued charges for a reasonable tow fee, a reasonable
982 storage fee, and parking fees, if any, or shown reasonable cause
983 for the failure to do so, the airport director or the director's
984 designee may dispose of the motor vehicle by any of the manners
985 set forth in s. 705.182(2) (a), (b), (d), and (e). If the airport
986 elects to sell the motor vehicle pursuant to s. 705.182(2) (d),

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987 the motor vehicle may be sold free of all prior liens after 35
988 calendar days following the time the motor vehicle is stored if
989 any prior liens on the motor vehicle are more than 5 years of
990 age, or after 50 calendar days following the time the motor
991 vehicle is stored if any prior liens on the motor vehicle are 5
992 years of age or less. The sale shall be a public auction on the
993 Internet or at a specified physical location. If the date of the
994 sale was not included in the notice required in subsection (2),
995 notice of the sale sent by certified mail, return receipt
996 requested, shall be given to the owner of the motor vehicle and
997 to all persons claiming a lien on the motor vehicle. Such notice
998 shall be mailed at least 10 calendar days before the date of the
999 sale. In addition to the notice by mail, public notice of the
1000 time and place of the sale at auction shall be made by
1001 publishing a notice thereof one time, at least 10 calendar days
1002 prior to the date of sale, in a newspaper of general circulation
1003 in the county in which the sale is to be held. All costs
1004 incurred by the airport for the towing, storage, and sale of the
1005 motor vehicle, as well as all accrued parking fees, if any,
1006 shall be recovered by the airport from the proceeds of the sale,
1007 and any proceeds of the sale in excess of these costs shall be
1008 retained by the airport for use by the airport in any lawfully
1009 authorized manner.

1010 (6) Pursuant to this section, the airport or, if used, a
1011 licensed independent wrecking company pursuant to s. 713.78, has
1012 a lien on a derelict or abandoned motor vehicle for a reasonable
1013 tow fee, a reasonable storage fee, and all accrued parking fees,
1014 if any; except that a storage fee may not be charged if the
1015 vehicle is stored less than 6 hours. As a prerequisite to

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1016 perfecting a lien under this section, the airport director or
1017 the director's designee must serve a notice in accordance with
1018 subsection (2) on the owner of the motor vehicle, the insurance
1019 company insuring the motor vehicle notwithstanding the
1020 provisions of s. 627.736, and all persons of record claiming a
1021 lien against the motor vehicle. If attempts to notify the owner,
1022 the insurance company insuring the motor vehicle notwithstanding
1023 the provisions of s. 627.736, or lienholders prove unsuccessful,
1024 the requirement of notice by mail will be considered met. The
1025 servng of the notice does not dispense with recording the claim
1026 of lien.

1027 (7) (a) For the purpose of perfecting its lien under this
1028 section, the airport shall record a claim of lien, which must
1029 state:

1030 1. The name and address of the airport.

1031 2. The name of the owner of the motor vehicle, the
1032 insurance company insuring the motor vehicle notwithstanding the
1033 provisions of s. 627.736, and all persons of record claiming a
1034 lien against the motor vehicle.

1035 3. The fees incurred for a reasonable tow, reasonable
1036 storage, and parking, if any.

1037 4. A description of the motor vehicle sufficient for
1038 identification.

1039 (b) The claim of lien shall be signed and sworn to or
1040 affirmed by the airport director or the director's designee.

1041 (c) The claim of lien is sufficient if it is in
1042 substantially the following form:

1043
1044 CLAIM OF LIEN

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1045 State of _____
 1046 County of _____
 1047 Before me, the undersigned notary public, personally
 1048 appeared _____, who was duly sworn and says that
 1049 he/she is the _____ of _____, whose address
 1050 is _____; and that the following described motor
 1051 vehicle:
 1052 (Description of motor vehicle)
 1053 owned by _____, whose address is _____,
 1054 has accrued \$ _____ in fees for a reasonable tow,
 1055 for storage, and for parking, if applicable; that the
 1056 lienor served its notice to the owner, the insurance
 1057 company insuring the motor vehicle notwithstanding the
 1058 provisions of s. 627.736, and all persons of record
 1059 claiming a lien against the motor vehicle on _____,
 1060 (year), by _____.
 1061 (Signature)
 1062 Sworn to (or affirmed) and subscribed before me this
 1063 _____ day of _____, (year), by (name of person making
 1064 statement).
 1065 (Signature of Notary Public) (Print, Type or Stamp
 1066 Commissioned name of Notary Public)
 1067 Personally Known or Produced as Identification.

1068
 1069 However, the negligent inclusion or omission of any information
 1070 in this claim of lien which does not prejudice the owner does
 1071 not constitute a default that operates to defeat an otherwise
 1072 valid lien.

1073 (d) The claim of lien shall be served on the owner of the

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1074 motor vehicle, the insurance company insuring the motor vehicle
1075 notwithstanding the provisions of s. 627.736, and all persons of
1076 record claiming a lien against the motor vehicle. If attempts to
1077 notify the owner, the insurance company insuring the motor
1078 vehicle notwithstanding the provisions of s. 627.736, or
1079 lienholders prove unsuccessful, the requirement of notice by
1080 mail will be deemed met. The claim of lien shall be served
1081 before recordation.

1082 (e) The claim of lien shall be recorded in the clerk's
1083 office. The recording of the claim of lien is constructive
1084 notice to all persons of the contents and effect of such claim.
1085 The lien attaches at the time of recordation and takes priority
1086 as of that time.

1087 (8) A purchaser or recipient in good faith of a motor
1088 vehicle sold or obtained under this section takes the property
1089 free of the rights of persons then holding any legal or
1090 equitable interest thereto, whether recorded or not.

1091 Section 20. This act shall take effect July 1, 2009.