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2 An act relating to transportation projects; creating  
3 s. 335.199, F.S.; directing the Department of  
4 Transportation to notify certain property owners and  
5 local governmental entities of certain proposed  
6 projects before finalizing the design of certain  
7 transportation projects; providing a timeframe for  
8 notification; requiring the department to hold a  
9 public hearing and receive public input regarding the  
10 effects of the project on local businesses; directing  
11 the department to consider the comments in the final  
12 design of the project; providing an effective date.

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

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16 Section 1. Section 335.199, Florida Statutes, is created to  
17 read:

18 335.199 Transportation projects modifying access to  
19 adjacent property.—

20 (1) Whenever the Department of Transportation proposes any  
21 project on the State Highway System which will divide a state  
22 highway, erect median barriers modifying currently available  
23 vehicle turning movements, or have the effect of closing or  
24 modifying an existing access to an abutting property owner, the  
25 department shall notify all affected property owners,  
26 municipalities, and counties at least 180 days before the design  
27 of the project is finalized. The department's notice shall  
28 provide a written explanation regarding the need for the project  
29 and indicate that all affected parties will be given an

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30 opportunity to provide comments to the department regarding  
31 potential impacts of the change.

32 (2) (a) If the project is within the boundaries of a  
33 municipality, the notification shall be issued in writing to the  
34 chief elected official of the municipality. If the project is in  
35 the unincorporated area of a county, the notification shall be  
36 issued in writing to the chief elected official of the county.

37 (b) The department must also consult with the applicable  
38 local government on its final design proposal if the department  
39 intends to divide a state highway, erect median barriers, or  
40 close or modify existing access to abutting commercial business  
41 properties. The local government may present the department with  
42 alternatives that relieve impacts to such business properties.

43 (3) The department shall hold at least one public hearing  
44 in the jurisdiction where the project is located and receive  
45 public input to determine how the project will affect access to  
46 businesses and the potential economic impact of the project on  
47 the local business community.

48 (4) The department must review all comments from the public  
49 hearing and take the comments and any alternatives presented by  
50 a local government under subsection (2) into consideration in  
51 the final design of the highway project.

52 Section 2. This act shall take effect July 1, 2010.