

By Senator Gardiner

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1 A bill to be entitled
2 An act relating to transportation; amending s. 334.03,
3 F.S.; revising definitions relating to the assignment
4 of road jurisdiction; eliminating the definitions for
5 "arterial road," "collector road," "local road,"
6 "urban minor arterial road," and "urban principal
7 arterial road"; revising the definitions for "city
8 street system," "county road system," "functional
9 classification," and "state highway system"; amending
10 s. 334.044, F.S.; revising the Department of
11 Transportation's general powers and duties relating to
12 assignment of road jurisdiction; amending s. 334.047,
13 F.S.; eliminating an obsolete provision prohibiting
14 the department from establishing a maximum number of
15 miles of urban principal arterial roads within a
16 district or county; amending s. 337.14, F.S.;
17 clarifying provisions relating to the submission of
18 interim financial statements along with applications
19 for contractor qualification; amending ss. 163.3180,
20 288.063, 311.09, 316.2122, 316.515, 332.14, 336.01,
21 338.222, 341.8225, 479.01, 479.07, and 479.261, F.S.;
22 conforming cross-references; providing an effective
23 date.

24
25 Be It Enacted by the Legislature of the State of Florida:

26
27 Section 1. Section 334.03, Florida Statutes, is amended to
28 read:

29 334.03 Definitions.—When used in the Florida Transportation

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30 Code, the term:

31 ~~(1) "Arterial road" means a route providing service which~~
32 ~~is relatively continuous and of relatively high traffic volume,~~
33 ~~long average trip length, high operating speed, and high~~
34 ~~mobility importance. In addition, every United States numbered~~
35 ~~highway is an arterial road.~~

36 (1)~~(2)~~ "Bridge" means a structure, including supports,
37 erected over a depression or an obstruction, such as water or a
38 highway or railway, and having a track or passageway for
39 carrying traffic as defined in chapter 316 or other moving
40 loads.

41 (2)~~(3)~~ "City street system" means all local roads within a
42 municipality, that were under the jurisdiction of that
43 municipality on June 10, 1995; and roads constructed by a
44 municipality for its street system; and roads transferred to the
45 municipality's jurisdiction after that date by mutual consent
46 with another governmental entity, but not including roads so
47 transferred from the municipality's jurisdiction ~~and all~~
48 ~~collector roads inside that municipality, which are not in the~~
49 ~~county road system.~~

50 ~~(4) "Collector road" means a route providing service which~~
51 ~~is of relatively moderate average traffic volume, moderately~~
52 ~~average trip length, and moderately average operating speed.~~
53 ~~Such a route also collects and distributes traffic between local~~
54 ~~roads or arterial roads and serves as a linkage between land~~
55 ~~access and mobility needs.~~

56 (3)~~(5)~~ "Commissioners" means the governing body of a
57 county.

58 (4)~~(6)~~ "Consolidated metropolitan statistical area" means

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59 two or more metropolitan statistical areas that are socially and
60 economically interrelated as defined by the United States Bureau
61 of the Census.

62 (5)~~(7)~~ "Controlled access facility" means a street or
63 highway to which the right of access is highly regulated by the
64 governmental entity having jurisdiction over the facility in
65 order to maximize the operational efficiency and safety of the
66 high-volume through traffic utilizing the facility. Owners or
67 occupants of abutting lands and other persons have a right of
68 access to or from such facility at such points only and in such
69 manner as may be determined by the governmental entity.

70 (6)~~(8)~~ "County road system" means all roads within a county
71 which were under the jurisdiction of that county on June 10,
72 1995; and roads constructed by a county for that county's road
73 system; and roads transferred to the jurisdiction of the county
74 after that date by mutual consent with another governmental
75 entity, but not including roads so transferred from the
76 jurisdiction of the county collector roads in the unincorporated
77 areas of a county and all extensions of such collector roads
78 into and through any incorporated areas, all local roads in the
79 unincorporated areas, and all urban minor arterial roads not in
80 the State Highway System.

81 (7)~~(9)~~ "Department" means the Department of Transportation.

82 (8)~~(10)~~ "Florida Intrastate Highway System" means a system
83 of limited access and controlled access facilities on the State
84 Highway System which have the capacity to provide high-speed and
85 high-volume traffic movements in an efficient and safe manner.

86 (9)~~(11)~~ "Functional classification" means the assignment of
87 roads into systems according to the character of service they

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88 provide in relation to the total road network , using procedures
89 developed by the Federal Highway Administration. ~~Basic~~
90 ~~functional categories include arterial roads, collector roads,~~
91 ~~and local roads which may be subdivided into principal, major,~~
92 ~~or minor levels. These levels may be additionally divided into~~
93 ~~rural and urban categories.~~

94 (10)~~(12)~~ "Governmental entity" means a unit of government,
95 or any officially designated public agency or authority of a
96 unit of government, that has the responsibility for planning,
97 construction, operation, or maintenance or jurisdiction over
98 transportation facilities; the term includes the Federal
99 Government, the state government, a county, an incorporated
100 municipality, a metropolitan planning organization, an
101 expressway or transportation authority, a road and bridge
102 district, a special road and bridge district, and a regional
103 governmental unit.

104 (11)~~(13)~~ "Limited access facility" means a street or
105 highway especially designed for through traffic, and over, from,
106 or to which owners or occupants of abutting land or other
107 persons have no right or easement of access, light, air, or view
108 by reason of the fact that their property abuts upon such
109 limited access facility or for any other reason. Such highways
110 or streets may be facilities from which trucks, buses, and other
111 commercial vehicles are excluded; or they may be facilities open
112 to use by all customary forms of street and highway traffic.

113 (12)~~(14)~~ "Local governmental entity" means a unit of
114 government with less than statewide jurisdiction, or any
115 officially designated public agency or authority of such a unit
116 of government, that has the responsibility for planning,

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117 construction, operation, or maintenance of, or jurisdiction
118 over, a transportation facility; the term includes, but is not
119 limited to, a county, an incorporated municipality, a
120 metropolitan planning organization, an expressway or
121 transportation authority, a road and bridge district, a special
122 road and bridge district, and a regional governmental unit.

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

127 (13)~~(16)~~ "Metropolitan area" means a geographic region
128 comprising as a minimum the existing urbanized area and the
129 contiguous area projected to become urbanized within a 20-year
130 forecast period. The boundaries of a metropolitan area may be
131 designated so as to encompass a metropolitan statistical area or
132 a consolidated metropolitan statistical area. If a metropolitan
133 area, or any part thereof, is located within a nonattainment
134 area, the boundaries of the metropolitan area must be designated
135 so as to include the boundaries of the entire nonattainment
136 area, unless otherwise provided by agreement between the
137 applicable metropolitan planning organization and the Governor.

138 (14)~~(17)~~ "Metropolitan statistical area" means an area that
139 includes a municipality of 50,000 persons or more, or an
140 urbanized area of at least 50,000 persons as defined by the
141 United States Bureau of the Census, provided that the component
142 county or counties have a total population of at least 100,000.

143 (15)~~(18)~~ "Nonattainment area" means an area designated by
144 the United States Environmental Protection Agency, pursuant to
145 federal law, as exceeding national primary or secondary ambient

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146 air quality standards for the pollutants carbon monoxide or
147 ozone.

148 (16)~~(19)~~ "Periodic maintenance" means activities that are
149 large in scope and require a major work effort to restore
150 deteriorated components of the transportation system to a safe
151 and serviceable condition, including, but not limited to, the
152 repair of large bridge structures, major repairs to bridges and
153 bridge systems, and the mineral sealing of lengthy sections of
154 roadway.

155 (17)~~(20)~~ "Person" means any person described in s. 1.01 or
156 any unit of government in or outside the state.

157 (18)~~(21)~~ "Right of access" means the right of ingress to a
158 highway from abutting land and egress from a highway to abutting
159 land.

160 (19)~~(22)~~ "Right-of-way" means land in which the state, the
161 department, a county, or a municipality owns the fee or has an
162 easement devoted to or required for use as a transportation
163 facility.

164 (20)~~(23)~~ "Road" means a way open to travel by the public,
165 including, but not limited to, a street, highway, or alley. The
166 term includes associated sidewalks, the roadbed, the right-of-
167 way, and all culverts, drains, sluices, ditches, water storage
168 areas, waterways, embankments, slopes, retaining walls, bridges,
169 tunnels, and viaducts necessary for the maintenance of travel
170 and all ferries used in connection therewith.

171 (21)~~(24)~~ "Routine maintenance" means minor repairs and
172 associated tasks necessary to maintain a safe and efficient
173 transportation system. The term includes: pavement patching;
174 shoulder repair; cleaning and repair of drainage ditches,

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175 traffic signs, and structures; mowing; bridge inspection and
176 maintenance; pavement striping; litter cleanup; and other
177 similar activities.

178 ~~(22)-(25)~~ "State Highway System" means the ~~following, which~~
179 ~~shall be facilities to which access is regulated:~~

180 ~~(a) The Interstate system and all other roads within the~~
181 ~~state which were under the jurisdiction of the state on June 10,~~
182 ~~1995, and roads constructed by an agency of the state for the~~
183 ~~State Highway System, plus roads transferred to the state's~~
184 ~~jurisdiction after that date by mutual consent with another~~
185 ~~governmental entity, but not including roads so transferred from~~
186 ~~the state's jurisdiction. These facilities shall be facilities~~
187 ~~to which access is regulated.~~

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

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

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

194

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

198 ~~Urbanized areas not meeting the foregoing minimum requirement~~
199 ~~shall have transferred to the State Highway System additional~~
200 ~~minor arterials of the highest significance in which case the~~
201 ~~total minor arterials in the State Highway System from any~~
202 ~~urbanized area shall not exceed 2.5 percent of that area's total~~
203 ~~public urban road mileage.~~

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204 (23)~~(26)~~ "State Park Road System" means roads embraced
205 within the boundaries of state parks and state roads leading to
206 state parks, other than roads of the State Highway System, the
207 county road systems, or the city street systems.

208 (24)~~(27)~~ "State road" means a street, road, highway, or
209 other way open to travel by the public generally and dedicated
210 to the public use according to law or by prescription and
211 designated by the department, as provided by law, as part of the
212 State Highway System.

213 (25)~~(28)~~ "Structure" means a bridge, viaduct, tunnel,
214 causeway, approach, ferry slip, culvert, toll plaza, gate, or
215 other similar facility used in connection with a transportation
216 facility.

217 (26)~~(29)~~ "Sufficiency rating" means the objective rating of
218 a road or section of a road for the purpose of determining its
219 capability to serve properly the actual or anticipated volume of
220 traffic using the road.

221 (27)~~(30)~~ "Transportation corridor" means any land area
222 designated by the state, a county, or a municipality which is
223 between two geographic points and which area is used or suitable
224 for the movement of people and goods by one or more modes of
225 transportation, including areas necessary for management of
226 access and securing applicable approvals and permits.

227 Transportation corridors shall contain, but are not limited to,
228 the following:

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

230 (b) All property or property interests necessary for future
231 transportation facilities, including rights of access, air,
232 view, and light, whether public or private, for the purpose of

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233 securing and utilizing future transportation rights-of-way,
234 including, but not limited to, any lands reasonably necessary
235 now or in the future for securing applicable approvals and
236 permits, borrow pits, drainage ditches, water retention areas,
237 rest areas, replacement access for landowners whose access could
238 be impaired due to the construction of a future facility, and
239 replacement rights-of-way for relocation of rail and utility
240 facilities.

241 (28)~~(31)~~ "Transportation facility" means any means for the
242 transportation of people or property from place to place which
243 is constructed, operated, or maintained in whole or in part from
244 public funds. The term includes the property or property rights,
245 both real and personal, which have been or may be established by
246 public bodies for the transportation of people or property from
247 place to place.

248 (29)~~(32)~~ "Urban area" means a geographic region comprising
249 as a minimum the area inside the United States Bureau of the
250 Census boundary of an urban place with a population of 5,000 or
251 more persons, expanded to include adjacent developed areas as
252 provided for by Federal Highway Administration regulations.

253 ~~(33) "Urban minor arterial road" means a route that~~
254 ~~generally interconnects with and augments an urban principal~~
255 ~~arterial road and provides service to trips of shorter length~~
256 ~~and a lower level of travel mobility. The term includes all~~
257 ~~arterials not classified as "principal" and contain facilities~~
258 ~~that place more emphasis on land access than the higher system.~~

259 (30)~~(34)~~ "Urban place" means a geographic region composed
260 of one or more contiguous census tracts that have been found by
261 the United States Bureau of the Census to contain a population

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262 density of at least 1,000 persons per square mile.

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

269 (31)~~(36)~~ "Urbanized area" means a geographic region
270 comprising as a minimum the area inside an urban place of 50,000
271 or more persons, as designated by the United States Bureau of
272 the Census, expanded to include adjacent developed areas as
273 provided for by Federal Highway Administration regulations.
274 Urban areas with a population of fewer than 50,000 persons which
275 are located within the expanded boundary of an urbanized area
276 are not separately recognized.

277 (32)~~(37)~~ "511" or "511 services" means three-digit
278 telecommunications dialing to access interactive voice response
279 telephone traveler information services provided in the state as
280 defined by the Federal Communications Commission in FCC Order
281 No. 00-256, July 31, 2000.

282 (33)~~(38)~~ "Interactive voice response" means a software
283 application that accepts a combination of voice telephone input
284 and touch-tone keypad selection and provides appropriate
285 responses in the form of voice, fax, callback, e-mail, and other
286 media.

287 Section 2. Subsections (11) and (13) of section 334.044,
288 Florida Statutes, are amended to read:

289 334.044 Department; powers and duties.—The department shall
290 have the following general powers and duties:

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291 (11) To establish a numbering system for public roads and
292 to functionally classify such roads, ~~and to assign~~
293 ~~jurisdictional responsibility.~~

294 (13) To ~~designate existing and to~~ plan proposed
295 transportation facilities as part of the State Highway System,
296 and to construct, maintain, and operate such facilities.

297 Section 3. Section 334.047, Florida Statutes, is amended to
298 read:

299 334.047 Prohibition.—Notwithstanding any other ~~provision of~~
300 law to the contrary, the Department of Transportation may not
301 establish a cap on the number of miles in the State Highway
302 System ~~or a maximum number of miles of urban principal arterial~~
303 ~~roads, as defined in s. 334.03, within a district or county.~~

304 Section 4. Subsection (1) of section 337.14, Florida
305 Statutes, is amended to read:

306 337.14 Application for qualification; certificate of
307 qualification; restrictions; request for hearing.—

308 (1) Any person desiring to bid for the performance of any
309 construction contract in excess of \$250,000 which the department
310 proposes to let must first be certified by the department as
311 qualified pursuant to this section and rules of the department.
312 The rules of the department shall address the qualification of
313 persons to bid on construction contracts in excess of \$250,000
314 and shall include requirements with respect to the equipment,
315 past record, experience, financial resources, and organizational
316 personnel of the applicant necessary to perform the specific
317 class of work for which the person seeks certification. The
318 department may ~~is authorized to~~ limit the dollar amount of any
319 contract upon which a person is qualified to bid or the

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320 aggregate total dollar volume of contracts such person is
321 allowed to have under contract at any one time. Each applicant
322 seeking qualification to bid on construction contracts in excess
323 of \$250,000 shall furnish the department a statement under oath,
324 on such forms as the department may prescribe, setting forth
325 detailed information as required on the application. Each
326 application for certification shall be accompanied by the latest
327 annual financial statement of the applicant completed within the
328 last 12 months. If the application or the annual financial
329 statement shows the financial condition of the applicant more
330 than 4 months before ~~prior to~~ the date on which the application
331 is received by the department, ~~then~~ an interim financial
332 statement must also be submitted and be accompanied by an
333 updated application. The interim financial statement must cover
334 the period from the end date of the annual statement and must
335 show the financial condition of the applicant no more than 4
336 months before ~~prior to~~ the date that the interim financial
337 statement ~~on which the application~~ is received by the
338 department. Each required annual or interim financial statement
339 must be audited and accompanied by the opinion of a certified
340 public accountant or a public accountant approved by the
341 department. The information required by this subsection is
342 confidential and exempt from the provisions of s. 119.07(1). The
343 department shall act upon the application for qualification
344 within 30 days after the department determines that the
345 application is complete. The department may waive the
346 requirements of this subsection for projects having a contract
347 price of \$500,000 or less if the department determines that the
348 project is of a noncritical nature and the waiver will not

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349 endanger public health, safety, or property.

350 Section 5. Paragraph (a) of subsection (12) of section
351 163.3180, Florida Statutes, is amended to read:

352 163.3180 Concurrency.—

353 (12) (a) A development of regional impact may satisfy the
354 transportation concurrency requirements of the local
355 comprehensive plan, the local government's concurrency
356 management system, and s. 380.06 by payment of a proportionate-
357 share contribution for local and regionally significant traffic
358 impacts, if:

359 1. The development of regional impact which, based on its
360 location or mix of land uses, is designed to encourage
361 pedestrian or other nonautomotive modes of transportation;

362 2. The proportionate-share contribution for local and
363 regionally significant traffic impacts is sufficient to pay for
364 one or more required mobility improvements that will benefit a
365 regionally significant transportation facility;

366 3. The owner and developer of the development of regional
367 impact pays or assures payment of the proportionate-share
368 contribution; and

369 4. If the regionally significant transportation facility to
370 be constructed or improved is under the maintenance authority of
371 a governmental entity, as defined by s. 334.03(10) ~~s.~~

372 ~~334.03(12)~~, other than the local government with jurisdiction
373 over the development of regional impact, the developer is
374 required to enter into a binding and legally enforceable
375 commitment to transfer funds to the governmental entity having
376 maintenance authority or to otherwise assure construction or
377 improvement of the facility.

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378
379 The proportionate-share contribution may be applied to any
380 transportation facility to satisfy the provisions of this
381 subsection and the local comprehensive plan, but, for the
382 purposes of this subsection, the amount of the proportionate-
383 share contribution shall be calculated based upon the cumulative
384 number of trips from the proposed development expected to reach
385 roadways during the peak hour from the complete buildout of a
386 stage or phase being approved, divided by the change in the peak
387 hour maximum service volume of roadways resulting from
388 construction of an improvement necessary to maintain the adopted
389 level of service, multiplied by the construction cost, at the
390 time of developer payment, of the improvement necessary to
391 maintain the adopted level of service. For purposes of this
392 subsection, "construction cost" includes all associated costs of
393 the improvement. Proportionate-share mitigation shall be limited
394 to ensure that a development of regional impact meeting the
395 requirements of this subsection mitigates its impact on the
396 transportation system but is not responsible for the additional
397 cost of reducing or eliminating backlogs. This subsection also
398 applies to Florida Quality Developments pursuant to s. 380.061
399 and to detailed specific area plans implementing optional sector
400 plans pursuant to s. 163.3245.

401 Section 6. Subsection (3) of section 288.063, Florida
402 Statutes, is amended to read:

403 288.063 Contracts for transportation projects.—

404 (3) With respect to any contract executed pursuant to this
405 section, the term "transportation project" means a
406 transportation facility as defined in s. 334.03(28) ~~§~~.

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407 ~~334.03(31)~~ which is necessary in the judgment of the Office of
408 Tourism, Trade, and Economic Development to facilitate the
409 economic development and growth of the state. Except for
410 applications received prior to July 1, 1996, such transportation
411 projects shall be approved only as a consideration to attract
412 new employment opportunities to the state or expand or retain
413 employment in existing companies operating within the state, or
414 to allow for the construction or expansion of a state or federal
415 correctional facility in a county that has ~~with~~ a population of
416 75,000 or fewer which ~~less than~~ creates new employment
417 opportunities or expands or retains employment in the county.
418 The Office of Tourism, Trade, and Economic Development shall
419 institute procedures to ensure that small and minority
420 businesses have equal access to funding provided under this
421 section. Funding for approved transportation projects may
422 include any expenses, other than administrative costs and
423 equipment purchases specified in the contract, necessary for
424 new, or improvement to existing, transportation facilities.
425 Funds made available pursuant to this section may not be
426 expended in connection with the relocation of a business from
427 one community to another community in this state unless the
428 Office of Tourism, Trade, and Economic Development determines
429 that without such relocation the business will move outside this
430 state or determines that the business has a compelling economic
431 rationale for the relocation which creates additional jobs.
432 Subject to appropriation for projects under this section, any
433 appropriation greater than \$10 million shall be allocated to
434 each of the districts of the Department of Transportation to
435 ensure equitable geographical distribution. Such allocated funds

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436 that remain uncommitted by the third quarter of the fiscal year
437 shall be reallocated among the districts based on pending
438 project requests.

439 Section 7. Paragraph (b) of subsection (3) of section
440 311.07, Florida Statutes, is amended to read:

441 311.07 Florida seaport transportation and economic
442 development funding.—

443 (3)

444 (b) Projects eligible for funding by grants under the
445 program are limited to the following port facilities or port
446 transportation projects:

447 1. Transportation facilities within the jurisdiction of the
448 port.

449 2. The dredging or deepening of channels, turning basins,
450 or harbors.

451 3. The construction or rehabilitation of wharves, docks,
452 structures, jetties, piers, storage facilities, cruise
453 terminals, automated people mover systems, or any facilities
454 necessary or useful in connection with any of the foregoing.

455 4. The acquisition of vessel tracking systems, container
456 cranes, or other mechanized equipment used in the movement of
457 cargo or passengers in international commerce.

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

459 6. The acquisition, improvement, enlargement, or extension
460 of existing port facilities.

461 7. Environmental protection projects which are necessary
462 because of requirements imposed by a state agency as a condition
463 of a permit or other form of state approval; which are necessary
464 for environmental mitigation required as a condition of a state,

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

469 8. Transportation facilities as defined in s. 334.03(28) ~~s.~~
470 ~~334.03(31)~~ which are not otherwise part of the Department of
471 Transportation's adopted work program.

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

474 10. Construction or rehabilitation of port facilities as
475 defined in s. 315.02, excluding any park or recreational
476 facilities, in ports listed in s. 311.09(1) with operating
477 revenues of \$5 million or less, provided that such projects
478 create economic development opportunities, capital improvements,
479 and positive financial returns to such ports.

480 Section 8. Subsection (7) of section 311.09, Florida
481 Statutes, is amended to read:

482 311.09 Florida Seaport Transportation and Economic
483 Development Council.—

484 (7) The Department of Transportation shall review the list
485 of projects approved by the council for consistency with the
486 Florida Transportation Plan and the department's adopted work
487 program. In evaluating the consistency of a project, the
488 department shall determine whether the transportation impact of
489 the proposed project is adequately handled by existing state-
490 owned transportation facilities or by the construction of
491 additional state-owned transportation facilities as identified
492 in the Florida Transportation Plan and the department's adopted
493 work program. In reviewing for consistency a transportation

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494 facility project as defined in s. 334.03(28) ~~s. 334.03(31)~~ which
495 is not otherwise part of the department's work program, the
496 department shall evaluate whether the project is needed to
497 provide for projected movement of cargo or passengers from the
498 port to a state transportation facility or local road. If the
499 project is needed to provide for projected movement of cargo or
500 passengers, the project shall be approved for consistency as a
501 consideration to facilitate the economic development and growth
502 of the state in a timely manner. The Department of
503 Transportation shall identify those projects which are
504 inconsistent with the Florida Transportation Plan and the
505 adopted work program and shall notify the council of projects
506 found to be inconsistent.

507 Section 9. Section 316.2122, Florida Statutes, is amended
508 to read:

509 316.2122 Operation of a low-speed vehicle or mini truck on
510 certain roadways.—The operation of a low-speed vehicle as
511 defined in s. 320.01(42) or a mini truck as defined in s.
512 320.01(45) on any road ~~as defined in s. 334.03(15) or (33)~~ is
513 authorized with the following restrictions:

514 (1) A low-speed vehicle or mini truck may be operated only
515 on streets where the posted speed limit is 35 miles per hour or
516 less. This does not prohibit a low-speed vehicle or mini truck
517 from crossing a road or street at an intersection where the road
518 or street has a posted speed limit of more than 35 miles per
519 hour.

520 (2) A low-speed vehicle must be equipped with headlamps,
521 stop lamps, turn signal lamps, taillamps, reflex reflectors,
522 parking brakes, rearview mirrors, windshields, seat belts, and

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523 vehicle identification numbers.

524 (3) A low-speed vehicle or mini truck must be registered
525 and insured in accordance with s. 320.02 and titled pursuant to
526 chapter 319.

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

529 (5) A county or municipality may prohibit the operation of
530 low-speed vehicles or mini trucks on any road under its
531 jurisdiction if the governing body of the county or municipality
532 determines that such prohibition is necessary in the interest of
533 safety.

534 (6) The Department of Transportation may prohibit the
535 operation of low-speed vehicles or mini trucks on any road under
536 its jurisdiction if it determines that such prohibition is
537 necessary in the interest of safety.

538 Section 10. Paragraph (c) of subsection (5) of section
539 316.515, Florida Statutes, is amended to read:

540 316.515 Maximum width, height, length.—

541 (5) IMPLEMENTS OF HUSBANDRY AND FARM EQUIPMENT;
542 AGRICULTURAL TRAILERS; FORESTRY EQUIPMENT; SAFETY REQUIREMENTS.—

543 (c) The width and height limitations of this section do not
544 apply to farming or agricultural equipment, whether self-
545 propelled, pulled, or hauled, when temporarily operated during
546 daylight hours upon a public road that is not a limited access
547 facility as defined in s. 334.03(11) ~~s. 334.03(13)~~, and the
548 width and height limitations may be exceeded by such equipment
549 without a permit. To be eligible for this exemption, the
550 equipment shall be operated within a radius of 50 miles of the
551 real property owned, rented, or leased by the equipment owner.

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552 However, equipment being delivered by a dealer to a purchaser is
553 not subject to the 50-mile limitation. Farming or agricultural
554 equipment greater than 174 inches in width must have one warning
555 lamp mounted on each side of the equipment to denote the width
556 and must have a slow-moving vehicle sign. Warning lamps required
557 by this paragraph must be visible from the front and rear of the
558 vehicle and must be visible from a distance of at least 1,000
559 feet.

560 Section 11. Paragraph (b) of subsection (7) of section
561 332.14, Florida Statutes, is amended to read:

562 332.14 Secure Airports for Florida's Economy Council.—

563 (7) The SAFE council may utilize, as appropriate and with
564 legislative spending authorization, any federal, state, and
565 local government contributions as well as private donations to
566 fund SAFE Master Plan projects.

567 (b) The council shall review and approve or disapprove each
568 project eligible to be funded pursuant to this act. The council
569 shall annually submit a list of projects which have been
570 approved by the council to the Secretary of Transportation, the
571 Secretary of Community Affairs, the executive director of the
572 Department of Law Enforcement, and the director of the Office of
573 Tourism, Trade, and Economic Development. The list shall specify
574 the recommended funding level for each project, and, if staged
575 implementation of the project is appropriate, the funding
576 requirements for each stage shall be specified.

577 1. The Department of Community Affairs shall review the
578 list of projects approved by the council to determine
579 consistency with approved local government comprehensive plans
580 of the units of local government in which the airport is located

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581 and consistency with the airport master plan. The Department of
582 Community Affairs shall identify and notify the council of those
583 projects which are not consistent, to the maximum extent
584 feasible, with such comprehensive plans and airport master
585 plans.

586 2. The Department of Transportation shall review the list
587 of projects approved by the council for consistency with the
588 Florida Transportation Plan and the department's adopted work
589 program. In evaluating the consistency of a project, the
590 department shall determine whether the transportation impact of
591 the proposed project is adequately handled by existing state-
592 owned transportation facilities or by the construction of
593 additional state-owned transportation facilities as identified
594 in the Florida Transportation Plan and the department's adopted
595 work program. In reviewing for consistency a transportation
596 facility project as defined in s. 334.03(28) ~~s. 334.03(31)~~ which
597 is not otherwise part of the department's work program, the
598 department shall evaluate whether the project is needed to
599 provide for projected movement of cargo or passengers from the
600 airport to a state transportation facility or local road. If the
601 project is needed to provide for projected movement of cargo or
602 passengers, the project shall be approved for consistency as a
603 consideration to facilitate the economic development and growth
604 of the state in a timely manner. The department shall identify
605 those projects which are inconsistent with the Florida
606 Transportation Plan and the adopted work program and shall
607 notify the council of projects found to be inconsistent.

608 3. The Office of Tourism, Trade, and Economic Development,
609 in consultation with Enterprise Florida, Inc., shall review the

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610 list of projects approved by the council to evaluate the
611 economic benefit of the project and to determine whether the
612 project is consistent with the SAFE Master Plan. The Office of
613 Tourism, Trade, and Economic Development shall review the
614 economic benefits of each project based upon the rules adopted
615 pursuant to paragraph (a). The Office of Tourism, Trade, and
616 Economic Development shall identify those projects which it has
617 determined do not offer an economic benefit to the state or are
618 not consistent with the SAFE Master Plan and shall notify the
619 council of its findings.

620 4. The Department of Law Enforcement shall review the list
621 of projects approved by the council for consistency with
622 domestic security provisions of ss. 943.03101, 943.0311, and
623 943.0312. The Department of Law Enforcement shall identify those
624 projects that it has determined are inconsistent with the
625 state's strategic plan for domestic security and shall notify
626 the council of its findings.

627 Section 12. Section 336.01, Florida Statutes, is amended to
628 read:

629 336.01 Designation of county road system.—The county road
630 system shall be as defined in s. 334.03(6) ~~s. 334.03(8)~~.

631 Section 13. Subsection (2) of section 338.222, Florida
632 Statutes, is amended to read:

633 338.222 Department of Transportation sole governmental
634 entity to acquire, construct, or operate turnpike projects;
635 exception.—

636 (2) The department may contract with any local governmental
637 entity as defined in s. 334.03(12) ~~s. 334.03(14)~~ for the design,
638 right-of-way acquisition, or construction of any turnpike

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639 project which the Legislature has approved. Local governmental
640 entities may negotiate with the department for the design,
641 right-of-way acquisition, and construction of any section of the
642 turnpike project within areas of their respective jurisdictions
643 or within counties with which they have interlocal agreements.

644 Section 14. Subsection (2) of section 341.8225, Florida
645 Statutes, as created by chapter 2009-271, Laws of Florida, is
646 amended to read:

647 341.8225 Department of Transportation sole governmental
648 entity to acquire, construct, or operate high-speed rail
649 projects; exception.—

650 (2) Local governmental entities, as defined in s.
651 334.03(12) ~~s. 334.03(14)~~, may negotiate with the department for
652 the design, right-of-way acquisition, and construction of any
653 component of the high-speed rail system within areas of their
654 respective jurisdictions or within counties with which they have
655 interlocal agreements.

656 Section 15. Subsection (24) of section 479.01, Florida
657 Statutes, is amended to read:

658 479.01 Definitions.—As used in this chapter, the term:

659 (24) "Urban area" has the same meaning as defined in s.
660 334.03(29) ~~s. 334.03(32)~~.

661 Section 16. Subsection (1) of section 479.07, Florida
662 Statutes, is amended to read:

663 479.07 Sign permits.—

664 (1) Except as provided in ss. 479.105(1)(e) and 479.16, a
665 person may not erect, operate, use, or maintain, or cause to be
666 erected, operated, used, or maintained, any sign on the State
667 Highway System outside an urban area, as defined in s.

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668 334.03(29) ~~s. 334.03(32)~~, or on any portion of the interstate or
669 federal-aid primary highway system without first obtaining a
670 permit for the sign from the department and paying the annual
671 fee as provided in this section. As used in this section, the
672 term "on any portion of the State Highway System, interstate, or
673 federal-aid primary system" means a sign located within the
674 controlled area which is visible from any portion of the main-
675 traveled way of such system.

676 Section 17. Subsection (5) of section 479.261, Florida
677 Statutes, is amended to read:

678 479.261 Logo sign program.—

679 (5) At a minimum, permit fees for businesses that
680 participate in the program must be established in an amount
681 sufficient to offset the total cost to the department for the
682 program, including contract costs. The department shall provide
683 the services in the most efficient and cost-effective manner
684 through department staff or by contracting for some or all of
685 the services. The department shall adopt rules that set
686 reasonable rates based upon factors such as population, traffic
687 volume, market demand, and costs for annual permit fees.
688 However, annual permit fees for sign locations inside an urban
689 area, as defined in s. 334.03(29) ~~s. 334.03(32)~~, may not exceed
690 \$5,000, and annual permit fees for sign locations outside an
691 urban area, as defined in s. 334.03(29) ~~s. 334.03(32)~~, may not
692 exceed \$2,500. After recovering program costs, the proceeds from
693 the annual permit fees shall be deposited into the State
694 Transportation Trust Fund and used for transportation purposes.

695 Section 18. This act shall take effect July 1, 2010.