



549610

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/13/2010	.	
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The Committee on Judiciary (Fasano) recommended the following:

Senate Amendment (with title amendment)

Between lines 249 and 250
insert:

Section 12. Section 335.199, Florida Statutes, is created
to read:

335.199 Transportation projects modifying access to
adjacent property.-

(1) Whenever the Department of Transportation proposes any
project on the State Highway System which will divide a state
highway, erect median barriers modifying currently available
vehicle turning movements, or have the effect of closing or
modifying an existing access to an abutting property owner, the



14 department shall notify all affected property owners,
15 municipalities, and counties at least 180 days before the design
16 of the project is finalized. The department's notice shall
17 provide a written explanation regarding the need for the project
18 and indicate that all affected parties will be given an
19 opportunity to provide comments to the department regarding
20 potential impacts of the change.

21 (2) (a) If the project is within the boundaries of a
22 municipality, the notification shall be issued in writing to the
23 chief elected official of the municipality. If the project is in
24 the unincorporated area of a county, the notification shall be
25 issued in writing to the chief elected official of the county.

26 (b) The department must also consult with the applicable
27 local government on its final design proposal if the department
28 intends to divide a state highway, erect median barriers, or
29 close or modify existing access to abutting commercial business
30 properties. The local government may present the department with
31 alternatives that relieve impacts to such business properties.

32 (3) The department shall hold at least one public hearing
33 in the jurisdiction where the project is located and receive
34 public input to determine how the project will affect access to
35 businesses and the potential economic impact of the project on
36 the local business community.

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

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549610

43 ===== T I T L E A M E N D M E N T =====

44 And the title is amended as follows:

45 Delete lines 2 - 35

46 and insert:

47 An act relating to transportation; creating the
48 "Highway Safety Act"; providing legislative intent
49 relating to road rage and aggressive careless driving;
50 requiring the Department of Highway Safety and Motor
51 Vehicles to provide information about the Highway
52 Safety Act in driver's license educational materials;
53 amending s. 316.003, F.S.; defining the term "road
54 rage"; amending s. 316.083, F.S.; requiring an
55 operator of a motor vehicle to yield the left lane
56 when being overtaken on a multilane highway; providing
57 exceptions; amending s. 316.1923, F.S.; revising the
58 number of specified acts necessary to qualify as an
59 aggressive careless driver; providing specified
60 punishments for aggressive careless driving;
61 specifying the allocation of moneys received from the
62 increased fine imposed for aggressive careless
63 driving; reenacting s. 316.650(1)(a), F.S., relating
64 to traffic citations, to incorporate the amendments
65 made to s. 316.1923, F.S., in a reference thereto;
66 amending s. 318.1451, F.S.; requiring driver
67 improvement schools to collect a fee from certain
68 persons taking a basic driver improvement course;
69 providing for such fees to be used to provide signage
70 and educational materials relating to the act;
71 amending s. 318.19, F.S.; providing that a second or



549610

72 subsequent infraction as an aggressive careless driver
73 requires attendance at a mandatory hearing; providing
74 for the disposition of the increased penalties;
75 amending s. 320.697, F.S.; authorizing actions for
76 civil damages against motor vehicle dealers; amending
77 s. 322.05, F.S.; requiring certain persons under 18
78 years of age to complete a basic driver improvement
79 course before being issued a driver's license;
80 providing an exception; creating s. 335.199, F.S.;
81 directing the Department of Transportation to notify
82 certain property owners and local governmental
83 entities of certain proposed projects before
84 finalizing the design of certain transportation
85 projects; providing a timeframe for notification;
86 requiring the department to hold a public hearing and
87 receive public input regarding the effects of the
88 project on local businesses; directing the department
89 to consider the comments in the final design of the
90 project; providing an effective date.