

By Senator Latvala

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1                                   A bill to be entitled  
2           An act relating to transportation; amending s. 20.23,  
3           F.S.; providing that the Florida Statewide Passenger  
4           Rail Commission has the primary and exclusive  
5           authority to monitor certain designated functions  
6           related to passenger rail systems; removing from the  
7           Florida Transportation Commission the responsibility  
8           and duty to monitor the efficiency, productivity, and  
9           management of all publicly funded passenger rail  
10          systems in the state; amending s. 316.3025, F.S.;  
11          providing a uniform civil penalty for failure to  
12          possess a current, prescribed form of medical  
13          examiner's certificate reflecting a driver's physical  
14          qualification to drive a commercial motor vehicle;  
15          amending s. 334.03, F.S.; revising and repealing  
16          obsolete definitions in the Florida Transportation  
17          Code; amending s. 334.044, F.S.; revising the duties  
18          and powers of the Department of Transportation;  
19          amending s. 334.047, F.S.; repealing an obsolete  
20          provision prohibiting the department from establishing  
21          a maximum number of miles of urban principal arterial  
22          roads within a district or county;  
23          amending s. 336.021, F.S.; revising the date when  
24          imposition of the ninth-cent fuel tax will be levied;  
25          amending s. 336.025, F.S.; revising the date when  
26          imposition or rate charges of the local option fuel  
27          tax shall be levied; amending s. 337.111, F.S.;  
28          providing additional forms of security for the cost of  
29          removal of monuments or memorials or modifications to

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30 an installation site at highway rest areas; repealing  
31 s. 338.001, F.S., relating to the Florida Interstate  
32 Highway System Plan; amending s. 338.01, F.S.;  
33 clarifying provisions governing the designation and  
34 function of limited access facilities; amending s.  
35 338.227, F.S.; replacing a reference to the Florida  
36 Intrastate Highway System Plan with a reference to the  
37 Strategic Intermodal System Plan to provide for the  
38 participation of minority businesses in certain  
39 contracts related to the plan; amending ss. 338.2275  
40 and 338.228, F.S., relating to turnpike projects;  
41 revising cross-references; amending s. 338.234, F.S.;  
42 replacing a reference to the Florida Intrastate  
43 Highway System with a reference to the Strategic  
44 Intermodal System to exempt certain lessees from  
45 payment of commercial rental tax; amending s. 339.62,  
46 F.S.; replacing a reference to the Florida Intrastate  
47 Highway System with a reference to highway corridors  
48 to clarify the components of the Strategic Intermodal  
49 System; amending s. 339.63, F.S.; adding military  
50 access facilities to the types of facilities included  
51 in to the Strategic Intermodal System and the Emerging  
52 Strategic Intermodal System; amending s. 339.64, F.S.;  
53 deleting provisions creating the Statewide Intermodal  
54 Transportation Advisory Council; creating s. 339.65,  
55 F.S.; requiring the department to plan and develop for  
56 Strategic Intermodal System highway corridors to aid  
57 traffic movement around the state; requiring the  
58 department to follow specified policy guidelines when

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59 developing the corridors; directing the department to  
60 establish standards and criteria for functional  
61 designs of the highway system; providing for an  
62 appropriation for developing the corridor; requiring  
63 strategic highway projects to be a part of the  
64 department's adopted work program; amending s.  
65 339.155, F.S.; providing a reference to federally  
66 required transportation planning factors; clarifying  
67 provisions relating to the Florida Transportation  
68 Plan; deleting certain duplicative performance  
69 reporting requirements: amending s. 341.840, F.S.;

70 replacing references to the "Florida High Speed Rail  
71 Authority" with references to the "Florida Rail  
72 Enterprise" for purposes of a tax exemption; amending  
73 ss. 163.3180, 288.063, 311.07, 311.09, 316.2122,  
74 316.515, 336.01, 338.222, 341.8225, 479.01, 479.07,  
75 and 479.261, F.S.; conforming cross-references to  
76 changes made by the act; providing an effective date.

77  
78 Be It Enacted by the Legislature of the State of Florida:

79  
80 Section 1. Paragraph (b) of subsection (3) of section  
81 20.23, Florida Statutes, is amended to read:

82 20.23 Department of Transportation.—There is created a  
83 Department of Transportation which shall be a decentralized  
84 agency.

85 (3) There is created the Florida Statewide Passenger Rail  
86 Commission.

87 (b) The commission shall have the primary and exclusive

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88 functions of:

89 1. Monitoring the efficiency, productivity, and management  
90 of all publicly funded passenger rail systems in the state,  
91 including, but not limited to, any authority created under  
92 chapter 343, chapter 349, or chapter 163 if the authority  
93 receives public funds for providing ~~the provision of~~ passenger  
94 rail service. The commission shall advise each monitored  
95 authority of its findings and recommendations. The commission  
96 shall also conduct periodic reviews of each monitored  
97 authority's passenger rail and associated transit operations and  
98 budget, acquisition of property, management of revenue and bond  
99 proceeds, and compliance with applicable laws and generally  
100 accepted accounting principles. The commission may seek the  
101 assistance of the Auditor General in conducting such reviews and  
102 shall report the findings of such reviews to the Legislature.  
103 ~~This paragraph does not preclude the Florida Transportation~~  
104 ~~Commission from conducting its performance and work program~~  
105 ~~monitoring responsibilities.~~

106 2. Advising the department on policies and strategies used  
107 in planning, designing, building, operating, financing, and  
108 maintaining a coordinated statewide system of passenger rail  
109 services.

110 3. Evaluating passenger rail policies and providing advice  
111 and recommendations to the Legislature on passenger rail  
112 operations in the state.

113 Section 2. Paragraph (b) of subsection (3) of section  
114 316.3025, Florida Statutes, is amended to read:

115 316.3025 Penalties.—

116 (3)

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117 (b) A civil penalty of \$100 may be assessed for:

118 1. Each violation of the North American Uniform Driver Out-  
119 of-Service Criteria;

120 2. A violation of s. 316.302(2)(b) or (c);

121 3. A violation of 49 C.F.R. s. 392.60; ~~or~~

122 4. A violation of 49 C.F.R. s. 391.41 or s. 391.43; or

123 5.4. A violation of the North American Standard Vehicle  
124 Out-of-Service Criteria resulting from an inspection of a  
125 commercial motor vehicle involved in a crash.

126 Section 3. Section 334.03, Florida Statutes, is amended to  
127 read:

128 334.03 Definitions.—When used in the Florida Transportation  
129 Code, the term:

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

135 (1)(2) "Bridge" means a structure, including supports,  
136 erected over a depression or an obstruction, such as water or a  
137 highway or railway, and having a track or passageway for  
138 carrying traffic as defined in chapter 316 or other moving  
139 loads.

140 (2)(3) "City street system" means all ~~local~~ roads within a  
141 municipality which were under the jurisdiction of the  
142 municipality on June 10, 1995; roads constructed by a  
143 municipality for the municipality's street system; roads  
144 completely within an area annexed by a municipality, unless  
145 otherwise provided by mutual consent; and roads transferred to

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146 the municipality's jurisdiction after June 10, 1995, by mutual  
147 consent with another governmental entity, but not including  
148 roads transferred from the municipality's jurisdiction, and all  
149 collector roads inside that municipality, which are not in the  
150 county road system.

151 ~~(4) "Collector road" means a route providing service which~~  
152 ~~is of relatively moderate average traffic volume, moderately~~  
153 ~~average trip length, and moderately average operating speed.~~  
154 ~~Such a route also collects and distributes traffic between local~~  
155 ~~roads or arterial roads and serves as a linkage between land~~  
156 ~~access and mobility needs.~~

157 ~~(3)(5) "Commissioners" means the governing body of a~~  
158 ~~county.~~

159 ~~(4)(6) "Consolidated metropolitan statistical area" means~~  
160 ~~two or more metropolitan statistical areas that are socially and~~  
161 ~~economically interrelated as defined by the United States Bureau~~  
162 ~~of the Census.~~

163 ~~(5)(7) "Controlled access facility" means a street or~~  
164 ~~highway to which the right of access is highly regulated by the~~  
165 ~~governmental entity having jurisdiction over the facility in~~  
166 ~~order to maximize the operational efficiency and safety of the~~  
167 ~~high-volume through traffic utilizing the facility. Owners or~~  
168 ~~occupants of abutting lands and other persons have a right of~~  
169 ~~access to or from such facility at such points only and in such~~  
170 ~~manner as may be determined by the governmental entity.~~

171 ~~(6)(8) "County road system" means all~~ roads within a county  
172 which were under the jurisdiction of that county on June 10,  
173 1995; roads constructed by a county for the county's road  
174 system; and roads transferred to the county's jurisdiction after

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175 June 10, 1995, by mutual consent with another governmental  
176 entity. The term does not include roads transferred from the  
177 county's jurisdiction by mutual consent or roads that are  
178 completely within an area annexed by a municipality, except as  
179 otherwise provided by mutual consent ~~collector roads in the~~  
180 ~~unincorporated areas of a county and all extensions of such~~  
181 ~~collector roads into and through any incorporated areas, all~~  
182 ~~local roads in the unincorporated areas, and all urban minor~~  
183 ~~arterial roads not in the State Highway System.~~

184 (7) ~~(9)~~ "Department" means the Department of Transportation.

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

189 (8) ~~(11)~~ "Functional classification" means the assignment of  
190 roads into systems according to the character of service they  
191 provide in relation to the total road network, using procedures  
192 developed by the Federal Highway Administration. Basic  
193 ~~functional categories include arterial roads, collector roads,~~  
194 ~~and local roads which may be subdivided into principal, major,~~  
195 ~~or minor levels. Those levels may be additionally divided into~~  
196 ~~rural and urban categories.~~

197 (9) ~~(12)~~ "Governmental entity" means a unit of government,  
198 or any officially designated public agency or authority of a  
199 unit of government, that has the responsibility for planning,  
200 construction, operation, or maintenance or jurisdiction over  
201 transportation facilities; the term includes the Federal  
202 Government, the state government, a county, an incorporated  
203 municipality, a metropolitan planning organization, an

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204 expressway or transportation authority, a road and bridge  
205 district, a special road and bridge district, and a regional  
206 governmental unit.

207 (10)~~(13)~~ "Limited access facility" means a street or  
208 highway especially designed for through traffic, and over, from,  
209 or to which owners or occupants of abutting land or other  
210 persons have no right or easement of access, light, air, or view  
211 by reason of the fact that their property abuts upon such  
212 limited access facility or for any other reason. Such highways  
213 or streets may be facilities from which trucks, buses, and other  
214 commercial vehicles are excluded; or they may be facilities open  
215 to use by all customary forms of street and highway traffic.

216 (11)~~(14)~~ "Local governmental entity" means a unit of  
217 government with less than statewide jurisdiction, or any  
218 officially designated public agency or authority of such a unit  
219 of government, that has the responsibility for planning,  
220 construction, operation, or maintenance of, or jurisdiction  
221 over, a transportation facility; the term includes, but is not  
222 limited to, a county, an incorporated municipality, a  
223 metropolitan planning organization, an expressway or  
224 transportation authority, a road and bridge district, a special  
225 road and bridge district, and a regional governmental unit.

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

230 (12)~~(16)~~ "Metropolitan area" means a geographic region  
231 comprising as a minimum the existing urbanized area and the  
232 contiguous area projected to become urbanized within a 20-year

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233 forecast period. The boundaries of a metropolitan area may be  
234 designated so as to encompass a metropolitan statistical area or  
235 a consolidated metropolitan statistical area. If a metropolitan  
236 area, or any part thereof, is located within a nonattainment  
237 area, the boundaries of the metropolitan area must be designated  
238 so as to include the boundaries of the entire nonattainment  
239 area, unless otherwise provided by agreement between the  
240 applicable metropolitan planning organization and the Governor.

241 (13)~~(17)~~ "Metropolitan statistical area" means an area that  
242 includes a municipality of 50,000 persons or more, or an  
243 urbanized area of at least 50,000 persons as defined by the  
244 United States Bureau of the Census, provided that the component  
245 county or counties have a total population of at least 100,000.

246 (14)~~(18)~~ "Nonattainment area" means an area designated by  
247 the United States Environmental Protection Agency, pursuant to  
248 federal law, as exceeding national primary or secondary ambient  
249 air quality standards for the pollutants carbon monoxide or  
250 ozone.

251 (15)~~(19)~~ "Periodic maintenance" means activities that are  
252 large in scope and require a major work effort to restore  
253 deteriorated components of the transportation system to a safe  
254 and serviceable condition, including, but not limited to, the  
255 repair of large bridge structures, major repairs to bridges and  
256 bridge systems, and the mineral sealing of lengthy sections of  
257 roadway.

258 (16)~~(20)~~ "Person" means any person described in s. 1.01 or  
259 any unit of government in or outside the state.

260 (17)~~(21)~~ "Right of access" means the right of ingress to a  
261 highway from abutting land and egress from a highway to abutting

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262 land.

263 (18)~~(22)~~ "Right-of-way" means land in which the state, the  
264 department, a county, or a municipality owns the fee or has an  
265 easement devoted to or required for use as a transportation  
266 facility.

267 (19)~~(23)~~ "Road" means a way open to travel by the public,  
268 including, but not limited to, a street, highway, or alley. The  
269 term includes associated sidewalks, the roadbed, the right-of-  
270 way, and all culverts, drains, sluices, ditches, water storage  
271 areas, waterways, embankments, slopes, retaining walls, bridges,  
272 tunnels, and viaducts necessary for the maintenance of travel  
273 and all ferries used in connection therewith.

274 (20)~~(24)~~ "Routine maintenance" means minor repairs and  
275 associated tasks necessary to maintain a safe and efficient  
276 transportation system. The term includes: pavement patching;  
277 shoulder repair; cleaning and repair of drainage ditches,  
278 traffic signs, and structures; mowing; bridge inspection and  
279 maintenance; pavement striping; litter cleanup; and other  
280 similar activities.

281 (21)~~(25)~~ "State Highway System" means ~~the following, which~~  
282 ~~shall be facilities to which access is regulated:~~

283 ~~(a)~~ the interstate system and all other roads within the  
284 state which were under the jurisdiction of the state on June 10,  
285 1995, and roads constructed by an agency of the state for the  
286 State Highway System, plus roads transferred to the state's  
287 jurisdiction after that date by mutual consent with another  
288 governmental entity, but not including roads so transferred from  
289 the state's jurisdiction. These facilities shall be facilities  
290 to which access is regulated.†

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

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

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

297  
298 ~~However, not less than 2 percent of the public road mileage of~~  
299 ~~each urbanized area on record as of June 30, 1986, shall be~~  
300 ~~included as minor arterials in the State Highway System.~~  
301 ~~Urbanized areas not meeting the foregoing minimum requirement~~  
302 ~~shall have transferred to the State Highway System additional~~  
303 ~~minor arterials of the highest significance in which case the~~  
304 ~~total minor arterials in the State Highway System from any~~  
305 ~~urbanized area shall not exceed 2.5 percent of that area's total~~  
306 ~~public urban road mileage.~~

307 (22) ~~(26)~~ "State Park Road System" means roads embraced  
308 within the boundaries of state parks and state roads leading to  
309 state parks, other than roads of the State Highway System, the  
310 county road systems, or the city street systems.

311 (23) ~~(27)~~ "State road" means a street, road, highway, or  
312 other way open to travel by the public generally and dedicated  
313 to the public use according to law or by prescription and  
314 designated by the department, as provided by law, as part of the  
315 State Highway System.

316 (24) ~~(28)~~ "Structure" means a bridge, viaduct, tunnel,  
317 causeway, approach, ferry slip, culvert, toll plaza, gate, or  
318 other similar facility used in connection with a transportation  
319 facility.

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320        (25)~~(29)~~ "Sufficiency rating" means the objective rating of  
321 a road or section of a road for the purpose of determining its  
322 capability to serve properly the actual or anticipated volume of  
323 traffic using the road.

324        (26)~~(30)~~ "Transportation corridor" means any land area  
325 designated by the state, a county, or a municipality which is  
326 between two geographic points and which area is used or suitable  
327 for the movement of people and goods by one or more modes of  
328 transportation, including areas necessary for management of  
329 access and securing applicable approvals and permits.

330 Transportation corridors shall contain, but are not limited to,  
331 the following:

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

333        (b) All property or property interests necessary for future  
334 transportation facilities, including rights of access, air,  
335 view, and light, whether public or private, for the purpose of  
336 securing and utilizing future transportation rights-of-way,  
337 including, but not limited to, any lands reasonably necessary  
338 now or in the future for securing applicable approvals and  
339 permits, borrow pits, drainage ditches, water retention areas,  
340 rest areas, replacement access for landowners whose access could  
341 be impaired due to the construction of a future facility, and  
342 replacement rights-of-way for relocation of rail and utility  
343 facilities.

344        (27)~~(31)~~ "Transportation facility" means any means for the  
345 transportation of people or property from place to place which  
346 is constructed, operated, or maintained in whole or in part from  
347 public funds. The term includes the property or property rights,  
348 both real and personal, which have been or may be established by

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349 public bodies for the transportation of people or property from  
350 place to place.

351 (28)~~(32)~~ "Urban area" means a geographic region comprising  
352 as a minimum the area inside the United States Bureau of the  
353 Census boundary of an urban place with a population of 5,000 or  
354 more persons, expanded to include adjacent developed areas as  
355 provided for by Federal Highway Administration regulations.

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

362 (29)~~(34)~~ "Urban place" means a geographic region composed  
363 of one or more contiguous census tracts that have been found by  
364 the United States Bureau of the Census to contain a population  
365 density of at least 1,000 persons per square mile.

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

372 (30)~~(36)~~ "Urbanized area" means a geographic region  
373 comprising as a minimum the area inside an urban place of 50,000  
374 or more persons, as designated by the United States Bureau of  
375 the Census, expanded to include adjacent developed areas as  
376 provided for by Federal Highway Administration regulations.  
377 Urban areas with a population of fewer than 50,000 persons which

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378 are located within the expanded boundary of an urbanized area  
379 are not separately recognized.

380 (31)~~(37)~~ "511" or "511 services" means three-digit  
381 telecommunications dialing to access interactive voice response  
382 telephone traveler information services provided in the state as  
383 defined by the Federal Communications Commission in FCC Order  
384 No. 00-256, July 31, 2000.

385 (32)~~(38)~~ "Interactive voice response" means a software  
386 application that accepts a combination of voice telephone input  
387 and touch-tone keypad selection and provides appropriate  
388 responses in the form of voice, fax, callback, e-mail, and other  
389 media.

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

392 334.044 Department; powers and duties.—The department shall  
393 have the following general powers and duties:

394 (11) To establish a numbering system for public roads, and  
395 to functionally classify such roads, ~~and to assign~~  
396 ~~jurisdictional responsibility.~~

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

400 Section 5. Section 334.047, Florida Statutes, is amended to  
401 read:

402 334.047 Prohibition.—Notwithstanding any other provision of  
403 law to the contrary, the Department of Transportation may not  
404 establish a cap on the number of miles in the State Highway  
405 System ~~or a maximum number of miles of urban principal arterial~~  
406 ~~roads, as defined in s. 334.03, within a district or county.~~

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407 Section 6. Subsection (5) of section 336.021, Florida  
408 Statutes, is amended to read:

409 336.021 County transportation system; levy of ninth-cent  
410 fuel tax on motor fuel and diesel fuel.—

411 (5) All impositions of the tax shall be levied before  
412 October 1 ~~July 1~~ of each year to be effective January 1 of the  
413 following year. However, levies of the tax which were in effect  
414 on July 1, 2002, and which expire on August 31 of any year may  
415 be reimposed at the current authorized rate to be effective  
416 September 1 of the year of expiration. All impositions shall be  
417 required to end on December 31 of a year. A decision to rescind  
418 the tax shall not take effect on any date other than December 31  
419 and shall require a minimum of 60 days' notice to the department  
420 of such decision.

421 Section 7. Paragraphs (a) and (b) of subsection (1) of  
422 section 336.025, Florida Statutes, are amended to read:

423 336.025 County transportation system; levy of local option  
424 fuel tax on motor fuel and diesel fuel.—

425 (1)(a) In addition to other taxes allowed by law, there may  
426 be levied as provided in ss. 206.41(1)(e) and 206.87(1)(c) a 1-  
427 cent, 2-cent, 3-cent, 4-cent, 5-cent, or 6-cent local option  
428 fuel tax upon every gallon of motor fuel and diesel fuel sold in  
429 a county and taxed under the provisions of part I or part II of  
430 chapter 206.

431 1. All impositions and rate changes of the tax shall be  
432 levied before October 1 ~~July 1~~ to be effective January 1 of the  
433 following year for a period not to exceed 30 years, and the  
434 applicable method of distribution shall be established pursuant  
435 to subsection (3) or subsection (4). However, levies of the tax

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436 which were in effect on July 1, 2002, and which expire on August  
437 31 of any year may be reimposed at the current authorized rate  
438 effective September 1 of the year of expiration. Upon  
439 expiration, the tax may be relieved provided that a  
440 redetermination of the method of distribution is made as  
441 provided in this section.

442 2. County and municipal governments shall utilize moneys  
443 received pursuant to this paragraph only for transportation  
444 expenditures.

445 3. Any tax levied pursuant to this paragraph may be  
446 extended on a majority vote of the governing body of the county.  
447 A redetermination of the method of distribution shall be  
448 established pursuant to subsection (3) or subsection (4), if,  
449 after July 1, 1986, the tax is extended or the tax rate changed,  
450 for the period of extension or for the additional tax.

451 (b) In addition to other taxes allowed by law, there may be  
452 levied as provided in s. 206.41(1)(e) a 1-cent, 2-cent, 3-cent,  
453 4-cent, or 5-cent local option fuel tax upon every gallon of  
454 motor fuel sold in a county and taxed under the provisions of  
455 part I of chapter 206. The tax shall be levied by an ordinance  
456 adopted by a majority plus one vote of the membership of the  
457 governing body of the county or by referendum.

458 1. All impositions and rate changes of the tax shall be  
459 levied before October 1 ~~July 1~~, to be effective January 1 of the  
460 following year. However, levies of the tax which were in effect  
461 on July 1, 2002, and which expire on August 31 of any year may  
462 be reimposed at the current authorized rate effective September  
463 1 of the year of expiration.

464 2. The county may, prior to levy of the tax, establish by

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465 interlocal agreement with one or more municipalities located  
466 therein, representing a majority of the population of the  
467 incorporated area within the county, a distribution formula for  
468 dividing the entire proceeds of the tax among county government  
469 and all eligible municipalities within the county. If no  
470 interlocal agreement is adopted before the effective date of the  
471 tax, tax revenues shall be distributed pursuant to the  
472 provisions of subsection (4). If no interlocal agreement exists,  
473 a new interlocal agreement may be established prior to June 1 of  
474 any year pursuant to this subparagraph. However, any interlocal  
475 agreement agreed to under this subparagraph after the initial  
476 levy of the tax or change in the tax rate authorized in this  
477 section shall under no circumstances materially or adversely  
478 affect the rights of holders of outstanding bonds which are  
479 backed by taxes authorized by this paragraph, and the amounts  
480 distributed to the county government and each municipality shall  
481 not be reduced below the amount necessary for the payment of  
482 principal and interest and reserves for principal and interest  
483 as required under the covenants of any bond resolution  
484 outstanding on the date of establishment of the new interlocal  
485 agreement.

486 3. County and municipal governments shall use moneys  
487 received pursuant to this paragraph for transportation  
488 expenditures needed to meet the requirements of the capital  
489 improvements element of an adopted comprehensive plan or for  
490 expenditures needed to meet immediate local transportation  
491 problems and for other transportation-related expenditures that  
492 are critical for building comprehensive roadway networks by  
493 local governments. For purposes of this paragraph, expenditures

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494 for the construction of new roads, the reconstruction or  
495 resurfacing of existing paved roads, or the paving of existing  
496 graded roads shall be deemed to increase capacity and such  
497 projects shall be included in the capital improvements element  
498 of an adopted comprehensive plan. Expenditures for purposes of  
499 this paragraph shall not include routine maintenance of roads.

500 Section 8. Subsection (4) of section 337.111, Florida  
501 Statutes, is amended to read:

502 337.111 Contracting for monuments and memorials to military  
503 veterans at rest areas.—The Department of Transportation is  
504 authorized to enter into contract with any not-for-profit group  
505 or organization that has been operating for not less than 2  
506 years for the installation of monuments and memorials honoring  
507 Florida's military veterans at highway rest areas around the  
508 state pursuant to the provisions of this section.

509 (4) The group or organization making the proposal shall  
510 provide a 10-year bond, an annual renewable bond, an irrevocable  
511 letter of credit, or other form of security as approved by the  
512 department's comptroller, for the purpose of securing the cost  
513 of removal of the monument and any modifications made to the  
514 site as part of the placement of the monument should the  
515 Department of Transportation determine it necessary to remove or  
516 relocate the monument. Such removal or relocation shall be  
517 approved by the committee described in subsection (1). ~~Prior to~~  
518 ~~expiration, the bond shall be renewed for another 10-year period~~  
519 ~~if the memorial is to remain in place.~~

520 Section 9. Section 338.001, Florida Statutes, is repealed.

521 Section 10. Present subsections (1) through (6) of section  
522 338.01, Florida Statutes, are renumbered as subsections (2)

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523 through (7), respectively, and new subsection (1) is added to  
 524 that section, to read:

525 338.01 Authority to establish and regulate limited access  
 526 facilities.—

527 (1) The department is authorized to establish limited  
 528 access facilities as provided in s. 335.02. The primary function  
 529 of these limited access facilities is to allow high-speed and  
 530 high-volume traffic movements within the state. Access to  
 531 abutting land is subordinate to this function, and such access  
 532 must be prohibited or highly regulated.

533 Section 11. Subsection (4) of section 338.227, Florida  
 534 Statutes, is amended to read:

535 338.227 Turnpike revenue bonds.—

536 (4) The Department of Transportation and the Department of  
 537 Management Services shall create and implement an outreach  
 538 program designed to enhance the participation of minority  
 539 persons and minority business enterprises in all contracts  
 540 entered into by their respective departments for services  
 541 related to the financing of department projects for the  
 542 Strategic Intermodal System Plan developed pursuant to s. 339.64  
 543 ~~Florida Intrastate Highway System Plan~~. These services shall  
 544 include, but not be limited to, bond counsel and bond  
 545 underwriters.

546 Section 12. Subsection (2) of section 338.2275, Florida  
 547 Statutes, is amended to read:

548 338.2275 Approved turnpike projects.—

549 (2) The department is authorized to use turnpike revenues,  
 550 the State Transportation Trust Fund moneys allocated for  
 551 turnpike projects pursuant to s. 339.65 ~~s. 338.001~~, federal

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552 funds, and bond proceeds, and shall use the most cost-efficient  
553 combination of such funds, in developing a financial plan for  
554 funding turnpike projects. The department must submit a report  
555 of the estimated cost for each ongoing turnpike project and for  
556 each planned project to the Legislature 14 days before the  
557 convening of the regular legislative session. Verification of  
558 economic feasibility and statements of environmental feasibility  
559 for individual turnpike projects must be based on the entire  
560 project as approved. Statements of environmental feasibility are  
561 not required for those projects listed in s. 12, chapter 90-136,  
562 Laws of Florida, for which the Project Development and  
563 Environmental Reports were completed by July 1, 1990. All  
564 required environmental permits must be obtained before the  
565 department may advertise for bids for contracts for the  
566 construction of any turnpike project.

567 Section 13. Section 338.228, Florida Statutes, is amended  
568 to read:

569 338.228 Bonds not debts or pledges of credit of state.—  
570 Turnpike revenue bonds issued under the provisions of ss.  
571 338.22-338.241 are not debts of the state or pledges of the  
572 faith and credit of the state. Such bonds are payable  
573 exclusively from revenues pledged for their payment. All such  
574 bonds shall contain a statement on their face that the state is  
575 not obligated to pay the same or the interest thereon, except  
576 from the revenues pledged for their payment, and that the faith  
577 and credit of the state is not pledged to the payment of the  
578 principal or interest of such bonds. The issuance of turnpike  
579 revenue bonds under the provisions of ss. 338.22-338.241 does  
580 not directly, indirectly, or contingently obligate the state to

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581 levy or to pledge any form of taxation whatsoever, or to make  
582 any appropriation for their payment. Except as provided in ss.  
583 ~~338.001, 338.223, and 338.2275,~~ and 339.65, ~~no~~ state funds may  
584 not shall be used on any turnpike project or to pay the  
585 principal or interest of any bonds issued to finance or  
586 refinance any portion of the turnpike system, and all such bonds  
587 shall contain a statement on their face to this effect.

588 Section 14. Subsection (2) of section 338.234, Florida  
589 Statutes, is amended to read:

590 338.234 Granting concessions or selling along the turnpike  
591 system; immunity from taxation.—

592 (2) The effectuation of the authorized purposes of the  
593 Strategic Intermodal System, created under ss. 339.61-339.65,  
594 ~~Florida Intrastate Highway System~~ and Florida Turnpike  
595 Enterprise, created under this chapter, is for the benefit of  
596 the people of the state, for the increase of their commerce and  
597 prosperity, and for the improvement of their health and living  
598 conditions; and, because the system and enterprise perform  
599 essential government functions in effectuating such purposes,  
600 neither the turnpike enterprise nor any nongovernment lessee or  
601 licensee renting, leasing, or licensing real property from the  
602 turnpike enterprise, pursuant to an agreement authorized by this  
603 section, are required to pay any commercial rental tax imposed  
604 under s. 212.031 on any capital improvements constructed,  
605 improved, acquired, installed, or used for such purposes.

606 Section 15. Section 339.62, Florida Statutes, is amended to  
607 read:

608 339.62 System components.—The Strategic Intermodal System  
609 shall consist of appropriate components of:

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610 (1) Highway corridors ~~The Florida Intrastate Highway System~~  
 611 established under s. 339.65 ~~s. 338.001~~.

612 (2) The National Highway System.

613 (3) Airport, seaport, and spaceport facilities.

614 (4) Rail lines and rail facilities.

615 (5) Selected intermodal facilities; passenger and freight  
 616 terminals; and appropriate components of the State Highway  
 617 System, county road system, city street system, inland  
 618 waterways, and local public transit systems that serve as  
 619 existing or planned connectors between the components listed in  
 620 subsections (1)-(4).

621 (6) Other existing or planned corridors that serve a  
 622 statewide or interregional purpose.

623 Section 16. Subsection (2) of section 339.63, Florida  
 624 Statutes, is amended to read:

625 339.63 System facilities designated; additions and  
 626 deletions.—

627 (2) The Strategic Intermodal System and the Emerging  
 628 Strategic Intermodal System include four ~~three~~ different types  
 629 of facilities that each form one component of an interconnected  
 630 transportation system which types include:

631 (a) Existing or planned hubs that are ports and terminals  
 632 including airports, seaports, spaceports, passenger terminals,  
 633 and rail terminals serving to move goods or people between  
 634 Florida regions or between Florida and other markets in the  
 635 United States and the rest of the world;

636 (b) Existing or planned corridors that are highways, rail  
 637 lines, waterways, and other exclusive-use facilities connecting  
 638 major markets within Florida or between Florida and other states

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639 or nations; ~~and~~

640 (c) Existing or planned intermodal connectors that are  
641 highways, rail lines, waterways or local public transit systems  
642 serving as connectors between the components listed in  
643 paragraphs (a) and (b); and

644 (d) Existing or planned military access facilities that are  
645 highways or rail lines linking Strategic Intermodal System  
646 corridors to the state's strategic military installations.

647 Section 17. Section 339.64, Florida Statutes, is amended to  
648 read:

649 339.64 Strategic Intermodal System Plan.—

650 (1) The department shall develop, in cooperation with  
651 metropolitan planning organizations, regional planning councils,  
652 local governments, ~~the Statewide Intermodal Transportation~~  
653 ~~Advisory Council~~ and other transportation providers, a Strategic  
654 Intermodal System Plan. The plan shall be consistent with the  
655 Florida Transportation Plan developed pursuant to s. 339.155 and  
656 shall be updated at least once every 5 years, subsequent to  
657 updates of the Florida Transportation Plan.

658 (2) In association with the continued development of the  
659 Strategic Intermodal System Plan, the Florida Transportation  
660 Commission, as part of its work program review process, shall  
661 conduct an annual assessment of the progress that the department  
662 and its transportation partners have made in realizing the goals  
663 of economic development, improved mobility, and increased  
664 intermodal connectivity of the Strategic Intermodal System. The  
665 Florida Transportation Commission shall coordinate with the  
666 department, ~~the Statewide Intermodal Transportation Advisory~~  
667 ~~Council~~, and other appropriate entities when developing this

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668 assessment. The Florida Transportation Commission shall deliver  
669 a report to the Governor and Legislature no later than 14 days  
670 after the regular session begins, with recommendations as  
671 necessary to fully implement the Strategic Intermodal System.

672 (3) (a) During the development of updates to the Strategic  
673 Intermodal System Plan, the department shall provide  
674 metropolitan planning organizations, regional planning councils,  
675 local governments, transportation providers, affected public  
676 agencies, and citizens with an opportunity to participate in and  
677 comment on the development of the update.

678 (b) The department also shall coordinate with federal,  
679 regional, and local partners the planning for the Strategic  
680 Highway Network and the Strategic Rail Corridor Network  
681 transportation facilities that either are included in the  
682 Strategic Intermodal System or that provide a direct connection  
683 between military installations and the Strategic Intermodal  
684 System. In addition, the department shall coordinate with  
685 regional and local partners to determine whether the road and  
686 other transportation infrastructure that connect military  
687 installations to the Strategic Intermodal System, the Strategic  
688 Highway Network, or the Strategic Rail Corridor is regionally  
689 significant and should be included in the Strategic Intermodal  
690 System Plan.

691 (4) The Strategic Intermodal System Plan shall include the  
692 following:

693 (a) A needs assessment.

694 (b) A project prioritization process.

695 (c) A map of facilities designated as Strategic Intermodal  
696 System facilities; facilities that are emerging in importance

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697 and that are likely to become part of the system in the future;  
698 and planned facilities that will meet the established criteria.

699 (d) A finance plan based on reasonable projections of  
700 anticipated revenues, including both 10-year and at least 20-  
701 year cost-feasible components.

702 (e) An assessment of the impacts of proposed improvements  
703 to Strategic Intermodal System corridors on military  
704 installations that are either located directly on the Strategic  
705 Intermodal System or located on the Strategic Highway Network or  
706 Strategic Rail Corridor Network.

707 ~~(5) STATEWIDE INTERMODAL TRANSPORTATION ADVISORY COUNCIL.~~

708 ~~(a) The Statewide Intermodal Transportation Advisory  
709 Council is created to advise and make recommendations to the  
710 Legislature and the department on policies, planning, and  
711 funding of intermodal transportation projects. The council's  
712 responsibilities shall include:~~

713 ~~1. Advising the department on the policies, planning, and  
714 implementation of strategies related to intermodal  
715 transportation.~~

716 ~~2. Providing advice and recommendations to the Legislature  
717 on funding for projects to move goods and people in the most  
718 efficient and effective manner for the State of Florida.~~

719 ~~(b) MEMBERSHIP. Members of the Statewide Intermodal  
720 Transportation Advisory Council shall consist of the following:~~

721 ~~1. Six intermodal industry representatives selected by the  
722 Governor as follows:~~

723 ~~a. One representative from an airport involved in the  
724 movement of freight and people from their airport facility to  
725 another transportation mode.~~

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- 726 ~~b. One individual representing a fixed route, local-~~  
727 ~~government transit system.~~
- 728 ~~e. One representative from an intercity bus company~~  
729 ~~providing regularly scheduled bus travel as determined by~~  
730 ~~federal regulations.~~
- 731 ~~d. One representative from a spaceport.~~
- 732 ~~e. One representative from intermodal trucking companies.~~
- 733 ~~f. One representative having command responsibilities of a~~  
734 ~~major military installation.~~
- 735 ~~2. Three intermodal industry representatives selected by~~  
736 ~~the President of the Senate as follows:~~
- 737 ~~a. One representative from major-line railroads.~~
- 738 ~~b. One representative from seaports listed in s. 311.09(1)~~  
739 ~~from the Atlantic Coast.~~
- 740 ~~e. One representative from an airport involved in the~~  
741 ~~movement of freight and people from their airport facility to~~  
742 ~~another transportation mode.~~
- 743 ~~3. Three intermodal industry representatives selected by~~  
744 ~~the Speaker of the House of Representatives as follows:~~
- 745 ~~a. One representative from short-line railroads.~~
- 746 ~~b. One representative from seaports listed in s. 311.09(1)~~  
747 ~~from the Gulf Coast.~~
- 748 ~~e. One representative from intermodal trucking companies.~~  
749 ~~In no event may this representative be employed by the same~~  
750 ~~company that employs the intermodal trucking company~~  
751 ~~representative selected by the Governor.~~
- 752 ~~(c) Initial appointments to the council must be made no~~  
753 ~~later than 30 days after the effective date of this section.~~
- 754 ~~1. The initial appointments made by the President of the~~

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755 ~~Senate and the Speaker of the House of Representatives shall~~  
756 ~~serve terms concurrent with those of the respective appointing~~  
757 ~~officer. Beginning January 15, 2005, and for all subsequent~~  
758 ~~appointments, council members appointed by the President of the~~  
759 ~~Senate and the Speaker of the House of Representatives shall~~  
760 ~~serve 2-year terms, concurrent with the term of the respective~~  
761 ~~appointing officer.~~

762 ~~2. The initial appointees, and all subsequent appointees,~~  
763 ~~made by the Governor shall serve 2-year terms.~~

764 ~~3. Vacancies on the council shall be filled in the same~~  
765 ~~manner as the initial appointments.~~

766 ~~(d) Each member of the council shall be allowed one vote.~~  
767 ~~The council shall select a chair from among its membership.~~  
768 ~~Meetings shall be held at the call of the chair, but not less~~  
769 ~~frequently than quarterly. The members of the council shall be~~  
770 ~~reimbursed for per diem and travel expenses as provided in s.~~  
771 ~~112.061.~~

772 ~~(e) The department shall provide administrative staff~~  
773 ~~support and shall ensure that council meetings are~~  
774 ~~electronically recorded. Such recordings and all documents~~  
775 ~~received, prepared for, or used by the council in conducting its~~  
776 ~~business shall be preserved pursuant to chapters 119 and 257.~~

777 Section 18. Section 339.65, Florida Statutes, is created to  
778 read:

779 339.65 Strategic Intermodal System highway corridors.-

780 (1) The department shall plan and develop Strategic  
781 Intermodal System highway corridors, including limited and  
782 controlled access facilities, allowing for high-speed and high-  
783 volume traffic movements within the state. The primary function

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784 of these corridors is to provide for such traffic movements.  
785 Access to abutting land is subordinate to this function, and  
786 such access must be prohibited or highly regulated.

787 (2) Strategic Intermodal System highway corridors shall  
788 include facilities from the following components of the State  
789 Highway System which meet the criteria adopted by the department  
790 pursuant to s. 339.63:

791 (a) Interstate highways.

792 (b) The Florida Turnpike System.

793 (c) Interregional and intercity limited access facilities.

794 (d) Existing interregional and intercity arterial highways  
795 previously upgraded or upgraded in the future to limited access  
796 or controlled access facility standards.

797 (e) New limited access facilities necessary to complete a  
798 balanced statewide system.

799 (3) The department shall adhere to the following policy  
800 guidelines in the development of Strategic Intermodal System  
801 highway corridors:

802 (a) Make capacity improvements to existing facilities where  
803 feasible to minimize costs and environmental impacts.

804 (b) Identify appropriate arterial highways in major  
805 transportation corridors for inclusion in a program to bring  
806 these facilities up to limited access or controlled access  
807 facility standards.

808 (c) Coordinate proposed projects with appropriate limited  
809 access projects undertaken by expressway authorities and local  
810 governmental entities.

811 (d) Maximize the use of limited access facility standards  
812 when constructing new arterial highways.

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813 (e) Identify appropriate new limited access highways for  
814 inclusion as a part of the Florida Turnpike System.

815 (f) To the maximum extent feasible, ensure that proposed  
816 projects are consistent with approved local government  
817 comprehensive plans of the local jurisdictions in which such  
818 facilities are to be located and with the transportation  
819 improvement program of any metropolitan planning organization in  
820 which such facilities are to be located.

821 (4) The department shall develop and maintain a plan of  
822 Strategic Intermodal System highway corridor projects that are  
823 anticipated to be let to contract for construction within a time  
824 period of at least 20 years. The plan shall also identify when  
825 segments of the corridor will meet the standards and criteria  
826 developed pursuant to subsection (5).

827 (5) The department shall establish the standards and  
828 criteria for the functional characteristics and design of  
829 facilities proposed as part of Strategic Intermodal System  
830 highway corridors.

831 (6) For the purposes of developing the proposed Strategic  
832 Intermodal System highway corridors, the minimum amount  
833 allocated each fiscal year shall be based on the 2003-2004  
834 fiscal year allocation of \$450 million, adjusted annually by the  
835 change in the Consumer Price Index for the prior fiscal year  
836 compared to the Consumer Price Index for the 2003-2004 fiscal  
837 year.

838 (7) Any project to be constructed as part of a Strategic  
839 Intermodal System highway corridor shall be included in the  
840 department's adopted work program. Any Strategic Intermodal  
841 System highway corridor projects that are added to or deleted

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842 from the previous adopted work program, or any modification to  
843 Strategic Intermodal System highway corridor projects contained  
844 in the previous adopted work program, shall be specifically  
845 identified and submitted as a separate part of the tentative  
846 work program.

847 Section 19. Section 339.155, Florida Statutes, is amended  
848 to read:

849 339.155 Transportation planning.—

850 (1) THE FLORIDA TRANSPORTATION PLAN.—The department shall  
851 develop ~~and annually update~~ a statewide transportation plan, to  
852 be known as the Florida Transportation Plan. The plan shall be  
853 designed so as to be easily read and understood by the general  
854 public. The purpose of the Florida Transportation Plan is to  
855 establish and define the state's long-range transportation goals  
856 and objectives to be accomplished over a period of at least 20  
857 years within the context of the State Comprehensive Plan, and  
858 any other statutory mandates and authorizations and based upon  
859 the prevailing principles of: preserving the existing  
860 transportation infrastructure; enhancing Florida's economic  
861 competitiveness; and improving travel choices to ensure  
862 mobility. The Florida Transportation Plan shall consider the  
863 needs of the entire state transportation system and examine the  
864 use of all modes of transportation to effectively and  
865 efficiently meet such needs.

866 (2) SCOPE OF PLANNING PROCESS.—The department shall carry  
867 out a transportation planning process in conformance with s.  
868 334.046(1) and 23 U.S.C. s. 135 ~~which provides for consideration~~  
869 ~~of projects and strategies that will:~~

870 ~~(a) Support the economic vitality of the United States,~~

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871 Florida, and the metropolitan areas, especially by enabling  
872 global competitiveness, productivity, and efficiency;

873 ~~(b) Increase the safety and security of the transportation~~  
874 ~~system for motorized and nonmotorized users;~~

875 ~~(c) Increase the accessibility and mobility options~~  
876 ~~available to people and for freight;~~

877 ~~(d) Protect and enhance the environment, promote energy~~  
878 ~~conservation, and improve quality of life;~~

879 ~~(e) Enhance the integration and connectivity of the~~  
880 ~~transportation system, across and between modes throughout~~  
881 ~~Florida, for people and freight;~~

882 ~~(f) Promote efficient system management and operation; and~~

883 ~~(g) Emphasize the preservation of the existing~~  
884 ~~transportation system.~~

885 (3) FORMAT, SCHEDULE, AND REVIEW.—The Florida  
886 Transportation Plan shall be a unified, concise planning  
887 document that clearly defines the state's long-range  
888 transportation goals and objectives ~~and documents the~~  
889 ~~department's short-range objectives developed to further such~~  
890 ~~goals and objectives.~~ The plan shall:

891 (a) Include a glossary that clearly and succinctly defines  
892 any and all phrases, words, or terms of art included in the  
893 plan, with which the general public may be unfamiliar, and shall  
894 ~~consist of, at a minimum, the following components:~~

895 (b)-(a) Document A long-range component documenting the  
896 goals and long-term objectives necessary to implement the  
897 results of the department consistent with department's findings  
898 from its examination of the criteria listed in subsection (2)  
899 and s. 334.046(1) and s. 23 U.S.C. s. 135. The long-range

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900 ~~component must~~

901 (c) Be developed in cooperation with the metropolitan  
902 planning organizations and reconciled, to the maximum extent  
903 feasible, with the long-range plans developed by metropolitan  
904 planning organizations pursuant to s. 339.175. ~~The plan must~~  
905 ~~also~~

906 (d) Be developed in consultation with affected local  
907 officials in nonmetropolitan areas and with any affected Indian  
908 tribal governments. ~~The plan must provide~~

909 (e) Provide an examination of transportation issues likely  
910 to arise during at least a 20-year period. ~~The long-range~~  
911 ~~component shall~~

912 (f) Be updated at least once every 5 years, or more often  
913 as necessary, to reflect substantive changes to federal or state  
914 law.

915 ~~(b) A short-range component documenting the short-term~~  
916 ~~objectives and strategies necessary to implement the goals and~~  
917 ~~long-term objectives contained in the long-range component. The~~  
918 ~~short-range component must define the relationship between the~~  
919 ~~long-range goals and the short-range objectives, specify those~~  
920 ~~objectives against which the department's achievement of such~~  
921 ~~goals will be measured, and identify transportation strategies~~  
922 ~~necessary to efficiently achieve the goals and objectives in the~~  
923 ~~plan. It must provide a policy framework within which the~~  
924 ~~department's legislative budget request, the strategic~~  
925 ~~information resource management plan, and the work program are~~  
926 ~~developed. The short-range component shall serve as the~~  
927 ~~department's annual agency strategic plan pursuant to s.~~  
928 ~~186.021. The short-range component shall be developed consistent~~

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929 ~~with available and forecasted state and federal funds. The~~  
930 ~~short-range component shall also be submitted to the Florida~~  
931 ~~Transportation Commission.~~

932 ~~(4) ANNUAL PERFORMANCE REPORT. The department shall develop~~  
933 ~~an annual performance report evaluating the operation of the~~  
934 ~~department for the preceding fiscal year. The report shall also~~  
935 ~~include a summary of the financial operations of the department~~  
936 ~~and shall annually evaluate how well the adopted work program~~  
937 ~~meets the short-term objectives contained in the short-range~~  
938 ~~component of the Florida Transportation Plan. This performance~~  
939 ~~report shall be submitted to the Florida Transportation~~  
940 ~~Commission and the legislative appropriations and transportation~~  
941 ~~committees.~~

942 ~~(4)~~(5) ~~ADDITIONAL TRANSPORTATION PLANS.-~~

943 (a) Upon request by local governmental entities, the  
944 department may in its discretion develop and design  
945 transportation corridors, arterial and collector streets,  
946 vehicular parking areas, and other support facilities which are  
947 consistent with the plans of the department for major  
948 transportation facilities. The department may render to local  
949 governmental entities or their planning agencies such technical  
950 assistance and services as are necessary so that local plans and  
951 facilities are coordinated with the plans and facilities of the  
952 department.

953 (b) Each regional planning council, as provided for in s.  
954 186.504, or any successor agency thereto, shall develop, as an  
955 element of its strategic regional policy plan, transportation  
956 goals and policies. The transportation goals and policies must  
957 be prioritized to comply with the prevailing principles provided

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958 in subsection (2) and s. 334.046(1). The transportation goals  
959 and policies shall be consistent, to the maximum extent  
960 feasible, with the goals and policies of the metropolitan  
961 planning organization and the Florida Transportation Plan. The  
962 transportation goals and policies of the regional planning  
963 council will be advisory only and shall be submitted to the  
964 department and any affected metropolitan planning organization  
965 for their consideration and comments. Metropolitan planning  
966 organization plans and other local transportation plans shall be  
967 developed consistent, to the maximum extent feasible, with the  
968 regional transportation goals and policies. The regional  
969 planning council shall review urbanized area transportation  
970 plans and any other planning products stipulated in s. 339.175  
971 and provide the department and respective metropolitan planning  
972 organizations with written recommendations which the department  
973 and the metropolitan planning organizations shall take under  
974 advisement. Further, the regional planning councils shall  
975 directly assist local governments which are not part of a  
976 metropolitan area transportation planning process in the  
977 development of the transportation element of their comprehensive  
978 plans as required by s. 163.3177.

979 (c) Regional transportation plans may be developed in  
980 regional transportation areas in accordance with an interlocal  
981 agreement entered into pursuant to s. 163.01 by two or more  
982 contiguous metropolitan planning organizations; one or more  
983 metropolitan planning organizations and one or more contiguous  
984 counties, none of which is a member of a metropolitan planning  
985 organization; a multicounty regional transportation authority  
986 created by or pursuant to law; two or more contiguous counties

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987 that are not members of a metropolitan planning organization; or  
988 metropolitan planning organizations comprised of three or more  
989 counties.

990 (d) The interlocal agreement must, at a minimum, identify  
991 the entity that will coordinate the development of the regional  
992 transportation plan; delineate the boundaries of the regional  
993 transportation area; provide the duration of the agreement and  
994 specify how the agreement may be terminated, modified, or  
995 rescinded; describe the process by which the regional  
996 transportation plan will be developed; and provide how members  
997 of the entity will resolve disagreements regarding  
998 interpretation of the interlocal agreement or disputes relating  
999 to the development or content of the regional transportation  
1000 plan. Such interlocal agreement shall become effective upon its  
1001 recordation in the official public records of each county in the  
1002 regional transportation area.

1003 (e) The regional transportation plan developed pursuant to  
1004 this section must, at a minimum, identify regionally significant  
1005 transportation facilities located within a regional  
1006 transportation area and contain a prioritized list of regionally  
1007 significant projects. The level-of-service standards for  
1008 facilities to be funded under this subsection shall be adopted  
1009 by the appropriate local government in accordance with s.  
1010 163.3180(10). The projects shall be adopted into the capital  
1011 improvements schedule of the local government comprehensive plan  
1012 pursuant to s. 163.3177(3).

1013 (5) ~~(6)~~ PROCEDURES FOR PUBLIC PARTICIPATION IN  
1014 TRANSPORTATION PLANNING.—

1015 (a) During the development of the ~~long-range component of~~

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1016 ~~the~~ Florida Transportation Plan and prior to substantive  
1017 revisions, the department shall provide citizens, affected  
1018 public agencies, representatives of transportation agency  
1019 employees, other affected employee representatives, private  
1020 providers of transportation, and other known interested parties  
1021 with an opportunity to comment on the proposed plan or  
1022 revisions. These opportunities shall include, at a minimum,  
1023 publishing a notice in the Florida Administrative Weekly and  
1024 within a newspaper of general circulation within the area of  
1025 each department district office.

1026 (b) During development of major transportation  
1027 improvements, such as those increasing the capacity of a  
1028 facility through the addition of new lanes or providing new  
1029 access to a limited or controlled access facility or  
1030 construction of a facility in a new location, the department  
1031 shall hold one or more hearings prior to the selection of the  
1032 facility to be provided; prior to the selection of the site or  
1033 corridor of the proposed facility; and prior to the selection of  
1034 and commitment to a specific design proposal for the proposed  
1035 facility. Such public hearings shall be conducted so as to  
1036 provide an opportunity for effective participation by interested  
1037 persons in the process of transportation planning and site and  
1038 route selection and in the specific location and design of  
1039 transportation facilities. The various factors involved in the  
1040 decision or decisions and any alternative proposals shall be  
1041 clearly presented so that the persons attending the hearing may  
1042 present their views relating to the decision or decisions which  
1043 will be made.

1044 (c) Opportunity for design hearings:

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1045 1. The department, prior to holding a design hearing, shall  
1046 duly notify all affected property owners of record, as recorded  
1047 in the property appraiser's office, by mail at least 20 days  
1048 prior to the date set for the hearing. The affected property  
1049 owners shall be:

1050 a. Those whose property lies in whole or in part within 300  
1051 feet on either side of the centerline of the proposed facility.

1052 b. Those whom the department determines will be  
1053 substantially affected environmentally, economically, socially,  
1054 or safetywise.

1055 2. For each subsequent hearing, the department shall  
1056 publish notice prior to the hearing date in a newspaper of  
1057 general circulation for the area affected. These notices must be  
1058 published twice, with the first notice appearing at least 15  
1059 days, but no later than 30 days, before the hearing.

1060 3. A copy of the notice of opportunity for the hearing must  
1061 be furnished to the United States Department of Transportation  
1062 and to the appropriate departments of the state government at  
1063 the time of publication.

1064 4. The opportunity for another hearing shall be afforded in  
1065 any case when proposed locations or designs are so changed from  
1066 those presented in the notices specified above or at a hearing  
1067 as to have a substantially different social, economic, or  
1068 environmental effect.

1069 5. The opportunity for a hearing shall be afforded in each  
1070 case in which the department is in doubt as to whether a hearing  
1071 is required.

1072 Section 20. Section 341.840, Florida Statutes, is amended  
1073 to read:

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1074 341.840 Tax exemption.—

1075 (1) The exercise of the powers granted by this act will be  
1076 in all respects for the benefit of the people of this state, for  
1077 the increase of their commerce, welfare, and prosperity, and for  
1078 the improvement of their health and living conditions. The  
1079 design, construction, operation, maintenance, and financing of a  
1080 high-speed rail system by the enterprise authority, its agent,  
1081 or the owner or lessee thereof, as herein authorized,  
1082 constitutes the performance of an essential public function.

1083 (2) (a) For the purposes of this section, the term  
1084 "enterprise" ~~"authority"~~ does not include agents of the  
1085 enterprise authority other than contractors who qualify as such  
1086 pursuant to subsection (7).

1087 (b) For the purposes of this section, any item or property  
1088 that is within the definition of "associated development" in s.  
1089 341.8203(1) is ~~shall~~ not ~~be~~ considered to be part of the high-  
1090 speed rail system as defined in s. 341.8203(6).

1091 (3) (a) Purchases or leases of tangible personal property or  
1092 real property by the enterprise authority, excluding agents of  
1093 the enterprise authority, are exempt from taxes imposed by  
1094 chapter 212 as provided in s. 212.08(6). Purchases or leases of  
1095 tangible personal property that is incorporated into the high-  
1096 speed rail system as a component part thereof, as determined by  
1097 the enterprise authority, by agents of the enterprise authority  
1098 or the owner of the high-speed rail system are exempt from sales  
1099 or use taxes imposed by chapter 212. Leases, rentals, or  
1100 licenses to use real property granted to agents of the  
1101 enterprise authority or the owner of the high-speed rail system  
1102 are exempt from taxes imposed by s. 212.031 if the real property

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1103 becomes part of such system. The exemptions granted in this  
1104 subsection do not apply to sales, leases, or licenses by the  
1105 enterprise authority, agents of the enterprise authority, or the  
1106 owner of the high-speed rail system.

1107 (b) The exemption granted in paragraph (a) to purchases or  
1108 leases of tangible personal property by agents of the enterprise  
1109 authority or by the owner of the high-speed rail system applies  
1110 only to property that becomes a component part of such system.  
1111 It does not apply to items, including, but not limited to,  
1112 cranes, bulldozers, forklifts, other machinery and equipment,  
1113 tools and supplies, or other items of tangible personal property  
1114 used in the construction, operation, or maintenance of the high-  
1115 speed rail system when such items are not incorporated into the  
1116 high-speed rail system as a component part thereof.

1117 (4) Any bonds or other security, and all notes, mortgages,  
1118 security agreements, letters of credit, or other instruments  
1119 that arise out of or are given to secure the repayment of bonds  
1120 or other security, issued by the enterprise authority, or on  
1121 behalf of the enterprise authority, their transfer, and the  
1122 income therefrom, including any profit made on the sale thereof,  
1123 shall at all times be free from taxation of every kind by the  
1124 state, the counties, and the municipalities and other political  
1125 subdivisions in the state. This subsection, however, does not  
1126 exempt from taxation or assessment the leasehold interest of a  
1127 lessee in any project or any other property or interest owned by  
1128 the lessee. The exemption granted by this subsection is not  
1129 applicable to any tax imposed by chapter 220 on interest income  
1130 or profits on the sale of debt obligations owned by  
1131 corporations.

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1132 (5) When property of the enterprise authority is leased to  
1133 another person or entity, the property shall be exempt from ad  
1134 valorem taxation only if the use by the lessee qualifies the  
1135 property for exemption under s. 196.199.

1136 (6) A leasehold interest held by the enterprise authority  
1137 is not subject to intangible tax. However, if a leasehold  
1138 interest held by the enterprise authority is subleased to a  
1139 nongovernmental lessee, such subleasehold interest shall be  
1140 deemed to be an interest described in s. 199.023(1)(d), Florida  
1141 Statutes 2005, and is subject to the intangible tax.

1142 (7) (a) In order to be considered an agent of the enterprise  
1143 authority for purposes of the exemption from sales and use tax  
1144 granted by subsection (3) for tangible personal property  
1145 incorporated into the high-speed rail system, a contractor of  
1146 the enterprise authority that purchases or fabricates such  
1147 tangible personal property must be certified by the authority as  
1148 provided in this subsection.

1149 (b)1. A contractor must apply for a renewal of the  
1150 exemption not later than December 1 of each calendar year.

1151 2. A contractor must apply to the enterprise authority on  
1152 the application form adopted by the enterprise authority, which  
1153 shall develop the form in consultation with the Department of  
1154 Revenue.

1155 3. The enterprise authority shall review each submitted  
1156 application and determine whether it is complete. The enterprise  
1157 authority shall notify the applicant of any deficiencies in the  
1158 application within 30 days. Upon receipt of a completed  
1159 application, the enterprise authority shall evaluate the  
1160 application for exemption under this subsection and issue a

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1161 certification that the contractor is qualified to act as an  
1162 agent of the enterprise authority for purposes of this section  
1163 or a denial of such certification within 30 days. The enterprise  
1164 ~~authority~~ shall provide the Department of Revenue with a copy of  
1165 each certification issued upon approval of an application. Upon  
1166 receipt of a certification from the authority, the Department of  
1167 Revenue shall issue an exemption permit to the contractor.

1168 (c)1. The contractor may extend a copy of its exemption  
1169 permit to its vendors in lieu of paying sales tax on purchases  
1170 of tangible personal property qualifying for exemption under  
1171 this section. Possession of a copy of the exemption permit  
1172 relieves the seller of the responsibility of collecting tax on  
1173 the sale, and the Department of Revenue shall look solely to the  
1174 contractor for recovery of tax upon a determination that the  
1175 contractor was not entitled to the exemption.

1176 2. The contractor may extend a copy of its exemption permit  
1177 to real property subcontractors supplying and installing  
1178 tangible personal property that is exempt under subsection (3).  
1179 Any such subcontractor is authorized to extend a copy of the  
1180 permit to the subcontractor's vendors in order to purchase  
1181 qualifying tangible personal property tax-exempt. If the  
1182 subcontractor uses the exemption permit to purchase tangible  
1183 personal property that is determined not to qualify for  
1184 exemption under subsection (3), the Department of Revenue may  
1185 assess and collect any tax, penalties, and interest that are due  
1186 from either the contractor holding the exemption permit or the  
1187 subcontractor that extended the exemption permit to the seller.

1188 (d) Any contractor authorized to act as an agent of the  
1189 enterprise authority under this section shall maintain the

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1190 necessary books and records to document the exempt status of  
1191 purchases and fabrication costs made or incurred under the  
1192 permit. In addition, an authorized contractor extending its  
1193 exemption permit to its subcontractors shall maintain a copy of  
1194 the subcontractor's books, records, and invoices indicating all  
1195 purchases made by the subcontractor under the authorized  
1196 contractor's permit. If, in an audit conducted by the Department  
1197 of Revenue, it is determined that tangible personal property  
1198 purchased or fabricated claiming exemption under this section  
1199 does not meet the criteria for exemption, the amount of taxes  
1200 not paid at the time of purchase or fabrication shall be  
1201 immediately due and payable to the Department of Revenue,  
1202 together with the appropriate interest and penalty, computed  
1203 from the date of purchase, in the manner prescribed by chapter  
1204 212.

1205 (e) If a contractor fails to apply for a high-speed rail  
1206 system exemption permit, or if a contractor initially determined  
1207 by the enterprise authority to not qualify for exemption is  
1208 subsequently determined to be eligible, the contractor shall  
1209 receive the benefit of the exemption in this subsection through  
1210 a refund of previously paid taxes for transactions that  
1211 otherwise would have been exempt. A refund may not be made for  
1212 such taxes without the issuance of a certification by the  
1213 enterprise authority that the contractor was authorized to make  
1214 purchases tax-exempt and a determination by the Department of  
1215 Revenue that the purchases qualified for the exemption.

1216 (f) The enterprise authority may adopt rules governing the  
1217 application process for exemption of a contractor as an  
1218 authorized agent of the enterprise authority.

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1219 (g) The Department of Revenue may adopt rules governing the  
1220 issuance and form of high-speed rail system exemption permits,  
1221 the audit of contractors and subcontractors using such permits,  
1222 the recapture of taxes on nonqualified purchases, and the manner  
1223 and form of refund applications.

1224 Section 21. Paragraph (a) of subsection (12) of section  
1225 163.3180, Florida Statutes, is amended to read:

1226 163.3180 Concurrency.—

1227 (12) (a) A development of regional impact may satisfy the  
1228 transportation concurrency requirements of the local  
1229 comprehensive plan, the local government's concurrency  
1230 management system, and s. 380.06 by payment of a proportionate-  
1231 share contribution for local and regionally significant traffic  
1232 impacts, if:

1233 1. The development of regional impact which, based on its  
1234 location or mix of land uses, is designed to encourage  
1235 pedestrian or other nonautomotive modes of transportation;

1236 2. The proportionate-share contribution for local and  
1237 regionally significant traffic impacts is sufficient to pay for  
1238 one or more required mobility improvements that will benefit a  
1239 regionally significant transportation facility;

1240 3. The owner and developer of the development of regional  
1241 impact pays or assures payment of the proportionate-share  
1242 contribution; and

1243 4. If the regionally significant transportation facility to  
1244 be constructed or improved is under the maintenance authority of  
1245 a governmental entity, as defined by s. 334.03(9) ~~s. 334.03(12)~~,  
1246 other than the local government with jurisdiction over the  
1247 development of regional impact, the developer is required to

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1248 enter into a binding and legally enforceable commitment to  
1249 transfer funds to the governmental entity having maintenance  
1250 authority or to otherwise assure construction or improvement of  
1251 the facility.

1252

1253 The proportionate-share contribution may be applied to any  
1254 transportation facility to satisfy the provisions of this  
1255 subsection and the local comprehensive plan, but, for the  
1256 purposes of this subsection, the amount of the proportionate-  
1257 share contribution shall be calculated based upon the cumulative  
1258 number of trips from the proposed development expected to reach  
1259 roadways during the peak hour from the complete buildout of a  
1260 stage or phase being approved, divided by the change in the peak  
1261 hour maximum service volume of roadways resulting from  
1262 construction of an improvement necessary to maintain the adopted  
1263 level of service, multiplied by the construction cost, at the  
1264 time of developer payment, of the improvement necessary to  
1265 maintain the adopted level of service. For purposes of this  
1266 subsection, "construction cost" includes all associated costs of  
1267 the improvement. Proportionate-share mitigation shall be limited  
1268 to ensure that a development of regional impact meeting the  
1269 requirements of this subsection mitigates its impact on the  
1270 transportation system but is not responsible for the additional  
1271 cost of reducing or eliminating backlogs. This subsection also  
1272 applies to Florida Quality Developments pursuant to s. 380.061  
1273 and to detailed specific area plans implementing optional sector  
1274 plans pursuant to s. 163.3245.

1275 Section 22. Subsection (3) of section 288.063, Florida  
1276 Statutes, is amended to read:

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1277 288.063 Contracts for transportation projects.—

1278 (3) With respect to any contract executed pursuant to this

1279 section, the term "transportation project" means a

1280 transportation facility as defined in s. 334.03(27) ~~s.~~

1281 ~~334.03(31)~~ which is necessary in the judgment of the Office of

1282 Tourism, Trade, and Economic Development to facilitate the

1283 economic development and growth of the state. Except for

1284 applications received prior to July 1, 1996, such transportation

1285 projects shall be approved only as a consideration to attract

1286 new employment opportunities to the state or expand or retain

1287 employment in existing companies operating within the state, or

1288 to allow for the construction or expansion of a state or federal

1289 correctional facility in a county with a population of 75,000 or

1290 less that creates new employment opportunities or expands or

1291 retains employment in the county. The Office of Tourism, Trade,

1292 and Economic Development shall institute procedures to ensure

1293 that small and minority businesses have equal access to funding

1294 provided under this section. Funding for approved transportation

1295 projects may include any expenses, other than administrative

1296 costs and equipment purchases specified in the contract,

1297 necessary for new, or improvement to existing, transportation

1298 facilities. Funds made available pursuant to this section may

1299 not be expended in connection with the relocation of a business

1300 from one community to another community in this state unless the

1301 Office of Tourism, Trade, and Economic Development determines

1302 that without such relocation the business will move outside this

1303 state or determines that the business has a compelling economic

1304 rationale for the relocation which creates additional jobs.

1305 Subject to appropriation for projects under this section, any

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1306 appropriation greater than \$10 million shall be allocated to  
1307 each of the districts of the Department of Transportation to  
1308 ensure equitable geographical distribution. Such allocated funds  
1309 that remain uncommitted by the third quarter of the fiscal year  
1310 shall be reallocated among the districts based on pending  
1311 project requests.

1312 Section 23. Paragraph (b) of subsection (3) of section  
1313 311.07, Florida Statutes, is amended to read:

1314 311.07 Florida seaport transportation and economic  
1315 development funding.—

1316 (3)

1317 (b) Projects eligible for funding by grants under the  
1318 program are limited to the following port facilities or port  
1319 transportation projects:

1320 1. Transportation facilities within the jurisdiction of the  
1321 port.

1322 2. The dredging or deepening of channels, turning basins,  
1323 or harbors.

1324 3. The construction or rehabilitation of wharves, docks,  
1325 structures, jetties, piers, storage facilities, cruise  
1326 terminals, automated people mover systems, or any facilities  
1327 necessary or useful in connection with any of the foregoing.

1328 4. The acquisition of vessel tracking systems, container  
1329 cranes, or other mechanized equipment used in the movement of  
1330 cargo or passengers in international commerce.

1331 5. The acquisition of land to be used for port purposes.

1332 6. The acquisition, improvement, enlargement, or extension  
1333 of existing port facilities.

1334 7. Environmental protection projects which are necessary

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1335 because of requirements imposed by a state agency as a condition  
1336 of a permit or other form of state approval; which are necessary  
1337 for environmental mitigation required as a condition of a state,  
1338 federal, or local environmental permit; which are necessary for  
1339 the acquisition of spoil disposal sites and improvements to  
1340 existing and future spoil sites; or which result from the  
1341 funding of eligible projects listed in this paragraph.

1342 8. Transportation facilities as defined in s. 334.03(27) ~~s.~~  
1343 ~~334.03(31)~~ which are not otherwise part of the Department of  
1344 Transportation's adopted work program.

1345 9. Seaport intermodal access projects identified in the 5-  
1346 year Florida Seaport Mission Plan as provided in s. 311.09(3).

1347 10. Construction or rehabilitation of port facilities as  
1348 defined in s. 315.02, excluding any park or recreational  
1349 facilities, in ports listed in s. 311.09(1) with operating  
1350 revenues of \$5 million or less, provided that such projects  
1351 create economic development opportunities, capital improvements,  
1352 and positive financial returns to such ports.

1353 Section 24. Subsection (7) of section 311.09, Florida  
1354 Statutes, is amended to read:

1355 311.09 Florida Seaport Transportation and Economic  
1356 Development Council.—

1357 (7) The Department of Transportation shall review the list  
1358 of projects approved by the council for consistency with the  
1359 Florida Transportation Plan and the department's adopted work  
1360 program. In evaluating the consistency of a project, the  
1361 department shall determine whether the transportation impact of  
1362 the proposed project is adequately handled by existing state-  
1363 owned transportation facilities or by the construction of

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1364 additional state-owned transportation facilities as identified  
1365 in the Florida Transportation Plan and the department's adopted  
1366 work program. In reviewing for consistency a transportation  
1367 facility project as defined in s. 334.03(27) ~~s. 334.03(31)~~ which  
1368 is not otherwise part of the department's work program, the  
1369 department shall evaluate whether the project is needed to  
1370 provide for projected movement of cargo or passengers from the  
1371 port to a state transportation facility or local road. If the  
1372 project is needed to provide for projected movement of cargo or  
1373 passengers, the project shall be approved for consistency as a  
1374 consideration to facilitate the economic development and growth  
1375 of the state in a timely manner. The Department of  
1376 Transportation shall identify those projects which are  
1377 inconsistent with the Florida Transportation Plan and the  
1378 adopted work program and shall notify the council of projects  
1379 found to be inconsistent.

1380 Section 25. Section 316.2122, Florida Statutes, is amended  
1381 to read:

1382 316.2122 Operation of a low-speed vehicle or mini truck on  
1383 certain roadways.—The operation of a low-speed vehicle as  
1384 defined in s. 320.01(42) or a mini truck as defined in s.  
1385 320.01(45) on any road ~~as defined in s. 334.03(15) or (33)~~ is  
1386 authorized with the following restrictions:

1387 (1) A low-speed vehicle or mini truck may be operated only  
1388 on streets where the posted speed limit is 35 miles per hour or  
1389 less. This does not prohibit a low-speed vehicle or mini truck  
1390 from crossing a road or street at an intersection where the road  
1391 or street has a posted speed limit of more than 35 miles per  
1392 hour.

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1393 (2) A low-speed vehicle must be equipped with headlamps,  
 1394 stop lamps, turn signal lamps, taillamps, reflex reflectors,  
 1395 parking brakes, rearview mirrors, windshields, seat belts, and  
 1396 vehicle identification numbers.

1397 (3) A low-speed vehicle or mini truck must be registered  
 1398 and insured in accordance with s. 320.02 and titled pursuant to  
 1399 chapter 319.

1400 (4) Any person operating a low-speed vehicle or mini truck  
 1401 must have in his or her possession a valid driver's license.

1402 (5) A county or municipality may prohibit the operation of  
 1403 low-speed vehicles or mini trucks on any road under its  
 1404 jurisdiction if the governing body of the county or municipality  
 1405 determines that such prohibition is necessary in the interest of  
 1406 safety.

1407 (6) The Department of Transportation may prohibit the  
 1408 operation of low-speed vehicles or mini trucks on any road under  
 1409 its jurisdiction if it determines that such prohibition is  
 1410 necessary in the interest of safety.

1411 Section 26. Paragraph (c) of subsection (5) of section  
 1412 316.515, Florida Statutes, is amended to read:

1413 316.515 Maximum width, height, length.—

1414 (5) IMPLEMENTS OF HUSBANDRY AND FARM EQUIPMENT;  
 1415 AGRICULTURAL TRAILERS; FORESTRY EQUIPMENT; SAFETY REQUIREMENTS.—

1416 (c) The width and height limitations of this section do not  
 1417 apply to farming or agricultural equipment, whether self-  
 1418 propelled, pulled, or hauled, when temporarily operated during  
 1419 daylight hours upon a public road that is not a limited access  
 1420 facility as defined in s. 334.03(10) ~~s. 334.03(13)~~, and the  
 1421 width and height limitations may be exceeded by such equipment

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1422 without a permit. To be eligible for this exemption, the  
1423 equipment shall be operated within a radius of 50 miles of the  
1424 real property owned, rented, or leased by the equipment owner.  
1425 However, equipment being delivered by a dealer to a purchaser is  
1426 not subject to the 50-mile limitation. Farming or agricultural  
1427 equipment greater than 174 inches in width must have one warning  
1428 lamp mounted on each side of the equipment to denote the width  
1429 and must have a slow-moving vehicle sign. Warning lamps required  
1430 by this paragraph must be visible from the front and rear of the  
1431 vehicle and must be visible from a distance of at least 1,000  
1432 feet.

1433 Section 27. Section 336.01, Florida Statutes, is amended to  
1434 read:

1435 336.01 Designation of county road system.—The county road  
1436 system shall be as defined in s. 334.03(6) ~~s. 334.03(8)~~.

1437 Section 28. Section 338.222, Florida Statutes, is amended  
1438 to read:

1439 338.222 Department of Transportation sole governmental  
1440 entity to acquire, construct, or operate turnpike projects;  
1441 exception.—

1442 (1) No governmental entity other than the department may  
1443 acquire, construct, maintain, or operate the turnpike system  
1444 subsequent to the enactment of this law, except upon specific  
1445 authorization of the Legislature.

1446 (2) The department may contract with any local governmental  
1447 entity as defined in s. 334.03(11) ~~s. 334.03(14)~~ for the design,  
1448 right-of-way acquisition, or construction of any turnpike  
1449 project which the Legislature has approved. Local governmental  
1450 entities may negotiate with the department for the design,

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1451 right-of-way acquisition, and construction of any section of the  
1452 turnpike project within areas of their respective jurisdictions  
1453 or within counties with which they have interlocal agreements.

1454 Section 29. Section 341.8225, Florida Statutes, is amended  
1455 to read:

1456 341.8225 Department of Transportation sole governmental  
1457 entity to acquire, construct, or operate high-speed rail  
1458 projects; exception.—

1459 (1) No governmental entity other than the department may  
1460 acquire, construct, maintain, or operate the high-speed rail  
1461 system except upon specific authorization of the Legislature.

1462 (2) Local governmental entities, as defined in s.  
1463 334.03(11) ~~s. 334.03(14)~~, may negotiate with the department for  
1464 the design, right-of-way acquisition, and construction of any  
1465 component of the high-speed rail system within areas of their  
1466 respective jurisdictions or within counties with which they have  
1467 interlocal agreements.

1468 Section 30. Subsection (27) of section 479.01, Florida  
1469 Statutes, is amended to read:

1470 479.01 Definitions.—As used in this chapter, the term:

1471 (27) "Urban area" has the same meaning as defined in s.  
1472 334.03(28) ~~s. 334.03(29)~~.

1473 Section 31. Subsection (1) of section 479.07, Florida  
1474 Statutes, is amended to read:

1475 479.07 Sign permits.—

1476 (1) Except as provided in ss. 479.105(1)(e) and 479.16, a  
1477 person may not erect, operate, use, or maintain, or cause to be  
1478 erected, operated, used, or maintained, any sign on the State  
1479 Highway System outside an urban area, as defined in s.

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1480 334.03(28) ~~s. 334.03(32)~~, or on any portion of the interstate or  
1481 federal-aid primary highway system without first obtaining a  
1482 permit for the sign from the department and paying the annual  
1483 fee as provided in this section. As used in this section, the  
1484 term "on any portion of the State Highway System, interstate, or  
1485 federal-aid primary system" means a sign located within the  
1486 controlled area which is visible from any portion of the main-  
1487 traveled way of such system.

1488 Section 32. Subsection (5) of section 479.261, Florida  
1489 Statutes, is amended to read:

1490 479.261 Logo sign program.—

1491 (5) At a minimum, permit fees for businesses that  
1492 participate in the program must be established in an amount  
1493 sufficient to offset the total cost to the department for the  
1494 program, including contract costs. The department shall provide  
1495 the services in the most efficient and cost-effective manner  
1496 through department staff or by contracting for some or all of  
1497 the services. The department shall adopt rules that set  
1498 reasonable rates based upon factors such as population, traffic  
1499 volume, market demand, and costs for annual permit fees.  
1500 However, annual permit fees for sign locations inside an urban  
1501 area, as defined in s. 334.03(28) ~~s. 334.03(32)~~, may not exceed  
1502 \$3,500, and annual permit fees for sign locations outside an  
1503 urban area, as defined in s. 334.03(28) ~~s. 334.03(32)~~, may not  
1504 exceed \$2,000. After recovering program costs, the proceeds from  
1505 the annual permit fees shall be deposited into the State  
1506 Transportation Trust Fund and used for transportation purposes.

1507 Section 33. This act shall take effect July 1, 2011.