

1 A bill to be entitled
2 An act relating to the Department of Transportation;
3 amending s. 316.3025, F.S.; providing a civil penalty for
4 violation of specified federal requirements relating to a
5 driver's physical qualification to drive a commercial
6 motor vehicle; amending s. 334.03, F.S.; revising
7 definitions for purposes of the Florida Transportation
8 Code; amending s. 334.044, F.S.; revising the powers and
9 duties of the department relating to jurisdictional
10 responsibility and designating facilities; amending s.
11 334.047, F.S.; repealing a provision prohibiting the
12 department from establishing a maximum number of miles of
13 urban principal arterial roads within a district or
14 county; amending s. 337.111, F.S.; providing additional
15 forms of security for the cost of removal of monuments or
16 memorials or modifications to an installation site at
17 highway rest areas; removing a provision requiring renewal
18 of a bond; amending s. 337.408, F.S.; revising provisions
19 for certain facilities installed within the right-of-way
20 limits of roads; requiring counties and municipalities to
21 review installations of benches and transit shelters;
22 providing for removal or relocation of a bench or transit
23 shelter that is not in compliance with applicable
24 regulations; requiring counties and municipalities to
25 indemnify the department from certain claims relating to
26 the installation, removal, or relocation of a noncompliant
27 bench or shelter; authorizing the department to direct a
28 county or municipality to remove or relocate a bus stop,

29 | bench, transit shelter, waste disposal receptacle, public
30 | pay telephone, or modular news rack that is not in
31 | compliance with applicable laws or rules; directing the
32 | department to remove or relocate such installation and
33 | charge the cost to the county or municipality; authorizing
34 | the department to deduct the cost from funding available
35 | to the municipality or county from the department;
36 | removing a provision for the replacement of an unusable
37 | transit bus bench that was in service before a certain
38 | date; revising the title of chapter 338, F.S.; repealing
39 | s. 338.001, F.S., relating to provisions for the Florida
40 | Intrastate Highway System Plan; amending s. 338.01, F.S.;
41 | including authority of the department in provisions for
42 | the establishment limited access facilities; amending s.
43 | 339.155, F.S.; revising provisions for statewide
44 | transportation planning by the department; providing for
45 | federally required transportation planning factors;
46 | revising provisions for the Florida Transportation Plan;
47 | removing certain reporting requirements; revising
48 | requirements for public participation in the planning
49 | process; amending s. 339.63, F.S.; providing for inclusion
50 | of certain access facilities in the Strategic Intermodal
51 | System and the Emerging Strategic Intermodal System;
52 | amending s. 339.64, F.S.; revising provisions for
53 | development of the Strategic Intermodal System Plan;
54 | removing the Statewide Intermodal Transportation Advisory
55 | Council; creating s. 339.65, F.S.; providing for the
56 | department to plan and develop Strategic Intermodal System

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57 highway corridors; providing for allocations of funds on a
58 specified basis; providing for corridor projects to be
59 included in the department's adopted work program and
60 changes to be a separate part of the tentative work
61 program; amending ss. 163.3180, 288.063, 311.07, 311.09,
62 316.2122, 336.01, 338.222, 338.223, 338.2275, 338.228,
63 339.2819, 339.285, 341.8225, 479.01, 479.07, and 479.261,
64 F.S., relating to transportation concurrency, contracts,
65 port facilities, Florida Seaport Transportation and
66 Economic Development Council, low-speed vehicles and mini
67 trucks, the county road system, turnpike projects, revenue
68 bonds, Transportation Regional Incentive Program, Enhanced
69 Bridge Program for Sustainable Transportation, high-speed
70 rail projects, outdoor advertising, sign permits, and the
71 Logo sign program, respectively; revising cross-
72 references; amending ss. 163.3187, 318.12, 335.02,
73 338.227, 338.234, 339.62, 341.053, and 403.7211, F.S.,
74 relating to comprehensive plans, traffic infractions,
75 standards for lanes, services related to the financing of
76 projects, concessions along the turnpike, components of
77 the Strategic Intermodal System, Intermodal Development
78 Program, and hazardous waste facilities, respectively;
79 revising references to conform to the incorporation of the
80 Florida Intrastate Highway System into the Strategic
81 Intermodal System and to changes made by the act;
82 providing an effective date.

83
84 Be It Enacted by the Legislature of the State of Florida:

85
 86 Section 1. Paragraph (b) of subsection (3) of section
 87 316.3025, Florida Statutes, is amended to read:

88 316.3025 Penalties.—

89 (3)

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

91 1. Each violation of the North American Uniform Driver
 92 Out-of-Service Criteria;

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

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

95 4. A violation of 49 C.F.R. ss. 391.41 or 391.43; or

96 5.4. A violation of the North American Standard Vehicle
 97 Out-of-Service Criteria resulting from an inspection of a
 98 commercial motor vehicle involved in a crash.

99 Section 2. Section 334.03, Florida Statutes, is amended to
 100 read:

101 334.03 Definitions.—When used in the Florida
 102 Transportation Code, the term:

103 (1)(37) "511" or "511 services" means three-digit
 104 telecommunications dialing to access interactive voice response
 105 telephone traveler information services provided in the state as
 106 defined by the Federal Communications Commission in FCC Order
 107 No. 00-256, July 31, 2000.

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

113 (2)~~(2)~~ "Bridge" means a structure, including supports,
 114 erected over a depression or an obstruction, such as water or a
 115 highway or railway, and having a track or passageway for
 116 carrying traffic as defined in chapter 316 or other moving
 117 loads.

118 (3) "City street system" means all ~~local~~ roads within a
 119 municipality that were under the jurisdiction of that
 120 municipality on June 10, 1995; roads constructed by a
 121 municipality for that municipality's street system; roads
 122 completely within an area annexed by the municipality, unless
 123 otherwise provided by mutual consent; and roads transferred to
 124 the municipality's jurisdiction after June 10, 1995, by mutual
 125 consent with another governmental entity, but not roads so
 126 transferred from the municipality's jurisdiction, and all
 127 ~~collector roads inside that municipality, which are not in the~~
 128 ~~county road system.~~

129 ~~(4) "Collector road" means a route providing service which~~
 130 ~~is of relatively moderate average traffic volume, moderately~~
 131 ~~average trip length, and moderately average operating speed.~~
 132 ~~Such a route also collects and distributes traffic between local~~
 133 ~~roads or arterial roads and serves as a linkage between land~~
 134 ~~access and mobility needs.~~

135 (4)~~(5)~~ "Commissioners" means the governing body of a
 136 county.

137 (5)~~(6)~~ "Consolidated metropolitan statistical area" means
 138 two or more metropolitan statistical areas that are socially and
 139 economically interrelated as defined by the United States Bureau
 140 of the Census.

141 ~~(6)-(7)~~ "Controlled access facility" means a street or
 142 highway to which the right of access is highly regulated by the
 143 governmental entity having jurisdiction over the facility in
 144 order to maximize the operational efficiency and safety of the
 145 high-volume through traffic utilizing the facility. Owners or
 146 occupants of abutting lands and other persons have a right of
 147 access to or from such facility at such points only and in such
 148 manner as may be determined by the governmental entity.

149 ~~(7)-(8)~~ "County road system" means all roads within a
 150 county that were under the jurisdiction of that county on June
 151 10, 1995; roads constructed by a county for that county's road
 152 system; and roads transferred to the county's jurisdiction after
 153 June 10, 1995, by mutual consent with another governmental
 154 entity, but, except as otherwise provided by mutual consent, not
 155 roads transferred from the county's jurisdiction by mutual
 156 consent or roads that are completely within an area annexed by a
 157 municipality collector roads in the unincorporated areas of a
 158 county and all extensions of such collector roads into and
 159 through any incorporated areas, all local roads in the
 160 unincorporated areas, and all urban minor arterial roads not in
 161 the State Highway System.

162 ~~(8)-(9)~~ "Department" means the Department of
 163 Transportation.

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

168 ~~(9)-(11)~~ "Functional classification" means the assignment

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169 of roads into systems according to the character of service they
170 provide in relation to the total road network using procedures
171 developed by the Federal Highway Administration. ~~Basic~~
172 ~~functional categories include arterial roads, collector roads,~~
173 ~~and local roads which may be subdivided into principal, major,~~
174 ~~or minor levels. Those levels may be additionally divided into~~
175 ~~rural and urban categories.~~

176 (10) ~~(12)~~ "Governmental entity" means a unit of government,
177 or any officially designated public agency or authority of a
178 unit of government, that has the responsibility for planning,
179 construction, operation, or maintenance or jurisdiction over
180 transportation facilities; the term includes the Federal
181 Government, the state government, a county, an incorporated
182 municipality, a metropolitan planning organization, an
183 expressway or transportation authority, a road and bridge
184 district, a special road and bridge district, and a regional
185 governmental unit.

186 (11) ~~(38)~~ "Interactive voice response" means a software
187 application that accepts a combination of voice telephone input
188 and touch-tone keypad selection and provides appropriate
189 responses in the form of voice, fax, callback, e-mail, and other
190 media.

191 (12) ~~(13)~~ "Limited access facility" means a street or
192 highway especially designed for through traffic, and over, from,
193 or to which owners or occupants of abutting land or other
194 persons have no right or easement of access, light, air, or view
195 by reason of the fact that their property abuts upon such
196 limited access facility or for any other reason. Such highways

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197 or streets may be facilities from which trucks, buses, and other
198 commercial vehicles are excluded; or they may be facilities open
199 to use by all customary forms of street and highway traffic.

200 (13)~~(14)~~ "Local governmental entity" means a unit of
201 government with less than statewide jurisdiction, or any
202 officially designated public agency or authority of such a unit
203 of government, that has the responsibility for planning,
204 construction, operation, or maintenance of, or jurisdiction
205 over, a transportation facility; the term includes, but is not
206 limited to, a county, an incorporated municipality, a
207 metropolitan planning organization, an expressway or
208 transportation authority, a road and bridge district, a special
209 road and bridge district, and a regional governmental unit.

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

214 (14)~~(16)~~ "Metropolitan area" means a geographic region
215 comprising as a minimum the existing urbanized area and the
216 contiguous area projected to become urbanized within a 20-year
217 forecast period. The boundaries of a metropolitan area may be
218 designated so as to encompass a metropolitan statistical area or
219 a consolidated metropolitan statistical area. If a metropolitan
220 area, or any part thereof, is located within a nonattainment
221 area, the boundaries of the metropolitan area must be designated
222 so as to include the boundaries of the entire nonattainment
223 area, unless otherwise provided by agreement between the
224 applicable metropolitan planning organization and the Governor.

225 (15)~~(17)~~ "Metropolitan statistical area" means an area
 226 that includes a municipality of 50,000 persons or more, or an
 227 urbanized area of at least 50,000 persons as defined by the
 228 United States Bureau of the Census, provided that the component
 229 county or counties have a total population of at least 100,000.

230 (16)~~(18)~~ "Nonattainment area" means an area designated by
 231 the United States Environmental Protection Agency, pursuant to
 232 federal law, as exceeding national primary or secondary ambient
 233 air quality standards for the pollutants carbon monoxide or
 234 ozone.

235 (17)~~(19)~~ "Periodic maintenance" means activities that are
 236 large in scope and require a major work effort to restore
 237 deteriorated components of the transportation system to a safe
 238 and serviceable condition, including, but not limited to, the
 239 repair of large bridge structures, major repairs to bridges and
 240 bridge systems, and the mineral sealing of lengthy sections of
 241 roadway.

242 (18)~~(20)~~ "Person" means any person described in s. 1.01 or
 243 any unit of government in or outside the state.

244 (19)~~(21)~~ "Right of access" means the right of ingress to a
 245 highway from abutting land and egress from a highway to abutting
 246 land.

247 (20)~~(22)~~ "Right-of-way" means land in which the state, the
 248 department, a county, or a municipality owns the fee or has an
 249 easement devoted to or required for use as a transportation
 250 facility.

251 (21)~~(23)~~ "Road" means a way open to travel by the public,
 252 including, but not limited to, a street, highway, or alley. The

253 term includes associated sidewalks, the roadbed, the right-of-
 254 way, and all culverts, drains, sluices, ditches, water storage
 255 areas, waterways, embankments, slopes, retaining walls, bridges,
 256 tunnels, and viaducts necessary for the maintenance of travel
 257 and all ferries used in connection therewith.

258 ~~(22)-(24)~~ "Routine maintenance" means minor repairs and
 259 associated tasks necessary to maintain a safe and efficient
 260 transportation system. The term includes: pavement patching;
 261 shoulder repair; cleaning and repair of drainage ditches,
 262 traffic signs, and structures; mowing; bridge inspection and
 263 maintenance; pavement striping; litter cleanup; and other
 264 similar activities.

265 ~~(23)-(25)~~ "State Highway System" means ~~the following, which~~
 266 ~~shall be facilities to which access is regulated:~~

267 ~~(a)~~ the interstate system and all other roads within the
 268 state which were under the jurisdiction of the state on June 10,
 269 1995, and roads constructed by an agency of the state for the
 270 State Highway System, and roads transferred to the state's
 271 jurisdiction after that date by mutual consent with another
 272 governmental entity, but not roads so transferred from the
 273 state's jurisdiction. Such facilities shall be facilities to
 274 which access is regulated.

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

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

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

281
 282 ~~However, not less than 2 percent of the public road mileage of~~
 283 ~~each urbanized area on record as of June 30, 1986, shall be~~
 284 ~~included as minor arterials in the State Highway System.~~
 285 ~~Urbanized areas not meeting the foregoing minimum requirement~~
 286 ~~shall have transferred to the State Highway System additional~~
 287 ~~minor arterials of the highest significance in which case the~~
 288 ~~total minor arterials in the State Highway System from any~~
 289 ~~urbanized area shall not exceed 2.5 percent of that area's total~~
 290 ~~public urban road mileage.~~

291 (24)~~(26)~~ "State Park Road System" means roads embraced
 292 within the boundaries of state parks and state roads leading to
 293 state parks, other than roads of the State Highway System, the
 294 county road systems, or the city street systems.

295 (25)~~(27)~~ "State road" means a street, road, highway, or
 296 other way open to travel by the public generally and dedicated
 297 to the public use according to law or by prescription and
 298 designated by the department, as provided by law, as part of the
 299 State Highway System.

300 (26)~~(28)~~ "Structure" means a bridge, viaduct, tunnel,
 301 causeway, approach, ferry slip, culvert, toll plaza, gate, or
 302 other similar facility used in connection with a transportation
 303 facility.

304 (27)~~(29)~~ "Sufficiency rating" means the objective rating
 305 of a road or section of a road for the purpose of determining
 306 its capability to serve properly the actual or anticipated
 307 volume of traffic using the road.

308 (28)~~(30)~~ "Transportation corridor" means any land area

309 designated by the state, a county, or a municipality which is
 310 between two geographic points and which area is used or suitable
 311 for the movement of people and goods by one or more modes of
 312 transportation, including areas necessary for management of
 313 access and securing applicable approvals and permits.

314 Transportation corridors shall contain, but are not limited to,
 315 the following:

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

317 (b) All property or property interests necessary for
 318 future transportation facilities, including rights of access,
 319 air, view, and light, whether public or private, for the purpose
 320 of securing and utilizing future transportation rights-of-way,
 321 including, but not limited to, any lands reasonably necessary
 322 now or in the future for securing applicable approvals and
 323 permits, borrow pits, drainage ditches, water retention areas,
 324 rest areas, replacement access for landowners whose access could
 325 be impaired due to the construction of a future facility, and
 326 replacement rights-of-way for relocation of rail and utility
 327 facilities.

328 (29)~~(31)~~ "Transportation facility" means any means for the
 329 transportation of people or property from place to place which
 330 is constructed, operated, or maintained in whole or in part from
 331 public funds. The term includes the property or property rights,
 332 both real and personal, which have been or may be established by
 333 public bodies for the transportation of people or property from
 334 place to place.

335 (30)~~(32)~~ "Urban area" means a geographic region comprising
 336 as a minimum the area inside the United States Bureau of the

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337 Census boundary of an urban place with a population of 5,000 or
338 more persons, expanded to include adjacent developed areas as
339 provided for by Federal Highway Administration regulations.

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

346 (31)~~(34)~~ "Urban place" means a geographic region composed
347 of one or more contiguous census tracts that have been found by
348 the United States Bureau of the Census to contain a population
349 density of at least 1,000 persons per square mile.

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

356 (32)~~(36)~~ "Urbanized area" means a geographic region
357 comprising as a minimum the area inside an urban place of 50,000
358 or more persons, as designated by the United States Bureau of
359 the Census, expanded to include adjacent developed areas as
360 provided for by Federal Highway Administration regulations.
361 Urban areas with a population of fewer than 50,000 persons which
362 are located within the expanded boundary of an urbanized area
363 are not separately recognized.

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364 Section 3. Subsections (11) and (13) of section 334.044,
 365 Florida Statutes, are amended to read:

366 334.044 Department; powers and duties.—The department
 367 shall have the following general powers and duties:

368 (11) To establish a numbering system for public roads, and
 369 to functionally classify such roads, ~~and to assign~~
 370 ~~jurisdictional responsibility.~~

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

374 Section 4. Section 334.047, Florida Statutes, is amended
 375 to read:

376 334.047 Prohibition.—Notwithstanding any other provision
 377 of law to the contrary, the Department of Transportation may not
 378 establish a cap on the number of miles in the State Highway
 379 System ~~or a maximum number of miles of urban principal arterial~~
 380 ~~roads, as defined in s. 334.03, within a district or county.~~

381 Section 5. Subsection (4) of section 337.111, Florida
 382 Statutes, is amended to read:

383 337.111 Contracting for monuments and memorials to
 384 military veterans at rest areas.—The Department of
 385 Transportation is authorized to enter into contract with any
 386 not-for-profit group or organization that has been operating for
 387 not less than 2 years for the installation of monuments and
 388 memorials honoring Florida's military veterans at highway rest
 389 areas around the state pursuant to the provisions of this
 390 section.

391 (4) The group or organization making the proposal shall

392 provide a 10-year bond, an annual renewable bond, an irrevocable
 393 letter of credit, or other form of security as approved by the
 394 department's comptroller, for the purpose of securing the cost
 395 of removal of the monument and any modifications made to the
 396 site as part of the placement of the monument should the
 397 Department of Transportation determine it necessary to remove or
 398 relocate the monument. Such removal or relocation shall be
 399 approved by the committee described in subsection (1). ~~Prior to~~
 400 ~~expiration, the bond shall be renewed for another 10-year period~~
 401 ~~if the memorial is to remain in place.~~

402 Section 6. Subsections (1) and (4) of section 337.408,
 403 Florida Statutes, are amended to read:

404 337.408 Regulation of bus stops, benches, transit
 405 shelters, street light poles, waste disposal receptacles, and
 406 modular news racks within rights-of-way.—

407 (1) Benches or transit shelters, including advertising
 408 displayed on benches or transit shelters, may be installed
 409 within the right-of-way limits of any municipal, county, or
 410 state road, except a limited access highway, provided that such
 411 benches or transit shelters are for the comfort or convenience
 412 of the general public or are at designated stops on official bus
 413 routes and provided that written authorization has been given to
 414 a qualified private supplier of such service by the municipal
 415 government within whose incorporated limits such benches or
 416 transit shelters are installed or by the county government
 417 within whose unincorporated limits such benches or transit
 418 shelters are installed. A municipality or county may authorize
 419 the installation, without public bid, of benches and transit

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420 shelters together with advertising displayed thereon within the
421 right-of-way limits of such roads. Such installations shall be
422 in compliance with all applicable laws and rules including,
423 without limitation, the Americans with Disabilities Act. By July
424 1, 2012, municipalities and counties shall conduct a review of
425 all installations within their respective jurisdictions and
426 relocate or remove, cause to be relocated or removed, or bring
427 into compliance any installation not in compliance with all
428 applicable laws and rules. Municipalities or counties shall
429 indemnify, defend, and hold harmless the department from any
430 suits, actions, proceedings, claims, losses, costs, charges,
431 expenses, damages, liabilities, attorney fees, and court costs
432 relating to the installation, removal, or relocation. Any
433 contract for the installation of benches or transit shelters or
434 advertising on benches or transit shelters which was entered
435 into before April 8, 1992, without public bidding is ratified
436 and affirmed. Such benches or transit shelters may not interfere
437 with right-of-way preservation and maintenance. Any bench or
438 transit shelter located on a sidewalk within the right-of-way
439 limits of any road on the State Highway System or the county
440 road system shall be located so as to leave at least 36 inches
441 of clearance for pedestrians and persons in wheelchairs. Such
442 clearance shall be measured in a direction perpendicular to the
443 centerline of the road.

444 (4) The department has the authority to direct the
445 immediate relocation or removal of any bus stop, bench, transit
446 shelter, waste disposal receptacle, public pay telephone, or
447 modular news rack that endangers life or property, ~~or that is~~

448 otherwise not in compliance with applicable laws and rules,
 449 except that transit bus benches that were placed in service
 450 before April 1, 1992, are not required to comply with bench size
 451 and advertising display size requirements established by the
 452 department before March 1, 1992. If a municipality or county
 453 fails to comply with the department's direction, the department
 454 shall remove the noncompliant installation, charge the cost of
 455 the removal to the municipality or county, and may deduct or
 456 offset such cost from any other funding available to the
 457 municipality or county from the department. Any transit bus
 458 ~~bench that was in service before April 1, 1992, may be replaced~~
 459 ~~with a bus bench of the same size or smaller, if the bench is~~
 460 ~~damaged or destroyed or otherwise becomes unusable.~~ The
 461 department may adopt rules relating to the regulation of bench
 462 size and advertising display size requirements. If a
 463 municipality or county within which a bench is to be located has
 464 adopted an ordinance or other applicable regulation that
 465 establishes bench size or advertising display sign requirements
 466 different from requirements specified in department rule, the
 467 local government requirement applies within the respective
 468 municipality or county. Placement of any bench or advertising
 469 display on the National Highway System under a local ordinance
 470 or regulation adopted under this subsection is subject to
 471 approval of the Federal Highway Administration.

472 Section 7. Chapter 338, Florida Statutes, is retitled
 473 "LIMITED ACCESS AND TOLL FACILITIES."

474 Section 8. Section 338.001, Florida Statutes, is repealed.

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475 Section 9. Subsections (1) through (6) of section 338.01,
 476 Florida Statutes, are renumbered as subsections (2) through (7),
 477 respectively, and a new subsection (1) is added to that section
 478 to read:

479 338.01 Authority to establish and regulate limited access
 480 facilities.—

481 (1) The department is authorized to establish limited
 482 access facilities as provided in s. 335.02. The primary function
 483 of such limited access facilities is to allow high-speed and
 484 high-volume traffic movements within the state. Access to
 485 abutting land is subordinate to this function, and such access
 486 must be prohibited or highly regulated.

487 Section 10. Section 339.155, Florida Statutes, is amended
 488 to read:

489 339.155 Transportation planning.—

490 (1) THE FLORIDA TRANSPORTATION PLAN.—The department shall
 491 develop ~~and annually update~~ a statewide transportation plan, to
 492 be known as the Florida Transportation Plan. The plan shall be
 493 designed so as to be easily read and understood by the general
 494 public. The purpose of the Florida Transportation Plan is to
 495 establish and define the state's long-range transportation goals
 496 and objectives to be accomplished over a period of at least 20
 497 years within the context of the State Comprehensive Plan, and
 498 any other statutory mandates and authorizations and based upon
 499 the prevailing principles of: preserving the existing
 500 transportation infrastructure; enhancing Florida's economic
 501 competitiveness; and improving travel choices to ensure
 502 mobility. The Florida Transportation Plan shall consider the

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503 needs of the entire state transportation system and examine the
504 use of all modes of transportation to effectively and
505 efficiently meet such needs.

506 (2) SCOPE OF PLANNING PROCESS.—The department shall carry
507 out a transportation planning process in conformance with s.
508 334.046(1) and 23 U.S.C. s. 135. ~~which provides for~~
509 ~~consideration of projects and strategies that will:~~

510 ~~(a) Support the economic vitality of the United States,~~
511 ~~Florida, and the metropolitan areas, especially by enabling~~
512 ~~global competitiveness, productivity, and efficiency;~~

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

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

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

519 ~~(e) Enhance the integration and connectivity of the~~
520 ~~transportation system, across and between modes throughout~~
521 ~~Florida, for people and freight;~~

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

523 ~~(g) Emphasize the preservation of the existing~~
524 ~~transportation system.~~

525 (3) FORMAT, SCHEDULE, AND REVIEW.—The Florida
526 Transportation Plan shall be a unified, concise planning
527 document that clearly defines the state's long-range
528 transportation goals and objectives ~~and documents the~~
529 ~~department's short-range objectives developed to further such~~
530 ~~goals and objectives.~~ The plan shall:

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

535 (b) ~~(a)~~ Document ~~A long-range component~~ documenting the
536 goals and long-term objectives ~~necessary to implement the~~
537 ~~results of the~~ department consistent with department's findings
538 ~~from its examination of the criteria listed in subsection (2)~~
539 ~~and s. 334.046(1) and 23 U.S.C. s. 135. The long-range component~~
540 ~~must~~

541 (c) Be developed in cooperation with the metropolitan
542 planning organizations and reconciled, to the maximum extent
543 feasible, with the long-range plans developed by metropolitan
544 planning organizations pursuant to s. 339.175. ~~The plan must~~
545 ~~also~~

546 (d) Be developed in consultation with affected local
547 officials in nonmetropolitan areas and with any affected Indian
548 tribal governments. ~~The plan must~~

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

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

555 ~~(b)~~ ~~A short-range component~~ documenting the short-term
556 ~~objectives and strategies necessary to implement the goals and~~
557 ~~long-term objectives contained in the long-range component. The~~
558 ~~short-range component must define the relationship between the~~

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559 ~~long range goals and the short range objectives, specify those~~
560 ~~objectives against which the department's achievement of such~~
561 ~~goals will be measured, and identify transportation strategies~~
562 ~~necessary to efficiently achieve the goals and objectives in the~~
563 ~~plan. It must provide a policy framework within which the~~
564 ~~department's legislative budget request, the strategic~~
565 ~~information resource management plan, and the work program are~~
566 ~~developed. The short range component shall serve as the~~
567 ~~department's annual agency strategic plan pursuant to s.~~
568 ~~186.021. The short range component shall be developed consistent~~
569 ~~with available and forecasted state and federal funds. The~~
570 ~~short range component shall also be submitted to the Florida~~
571 ~~Transportation Commission.~~

572 ~~(4) ANNUAL PERFORMANCE REPORT. The department shall~~
573 ~~develop an annual performance report evaluating the operation of~~
574 ~~the department for the preceding fiscal year. The report shall~~
575 ~~also include a summary of the financial operations of the~~
576 ~~department and shall annually evaluate how well the adopted work~~
577 ~~program meets the short term objectives contained in the short~~
578 ~~range component of the Florida Transportation Plan. This~~
579 ~~performance report shall be submitted to the Florida~~
580 ~~Transportation Commission and the legislative appropriations and~~
581 ~~transportation committees.~~

582 (4) ~~(5)~~ ADDITIONAL TRANSPORTATION PLANS.

583 (a) Upon request by local governmental entities, the
584 department may in its discretion develop and design
585 transportation corridors, arterial and collector streets,
586 vehicular parking areas, and other support facilities which are

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587 consistent with the plans of the department for major
588 transportation facilities. The department may render to local
589 governmental entities or their planning agencies such technical
590 assistance and services as are necessary so that local plans and
591 facilities are coordinated with the plans and facilities of the
592 department.

593 (b) Each regional planning council, as provided for in s.
594 186.504, or any successor agency thereto, shall develop, as an
595 element of its strategic regional policy plan, transportation
596 goals and policies. The transportation goals and policies must
597 be prioritized to comply with the prevailing principles provided
598 in subsection (2) and s. 334.046(1). The transportation goals
599 and policies shall be consistent, to the maximum extent
600 feasible, with the goals and policies of the metropolitan
601 planning organization and the Florida Transportation Plan. The
602 transportation goals and policies of the regional planning
603 council will be advisory only and shall be submitted to the
604 department and any affected metropolitan planning organization
605 for their consideration and comments. Metropolitan planning
606 organization plans and other local transportation plans shall be
607 developed consistent, to the maximum extent feasible, with the
608 regional transportation goals and policies. The regional
609 planning council shall review urbanized area transportation
610 plans and any other planning products stipulated in s. 339.175
611 and provide the department and respective metropolitan planning
612 organizations with written recommendations which the department
613 and the metropolitan planning organizations shall take under
614 advisement. Further, the regional planning councils shall

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615 directly assist local governments which are not part of a
616 metropolitan area transportation planning process in the
617 development of the transportation element of their comprehensive
618 plans as required by s. 163.3177.

619 (c) Regional transportation plans may be developed in
620 regional transportation areas in accordance with an interlocal
621 agreement entered into pursuant to s. 163.01 by two or more
622 contiguous metropolitan planning organizations; one or more
623 metropolitan planning organizations and one or more contiguous
624 counties, none of which is a member of a metropolitan planning
625 organization; a multicounty regional transportation authority
626 created by or pursuant to law; two or more contiguous counties
627 that are not members of a metropolitan planning organization; or
628 metropolitan planning organizations comprised of three or more
629 counties.

630 (d) The interlocal agreement must, at a minimum, identify
631 the entity that will coordinate the development of the regional
632 transportation plan; delineate the boundaries of the regional
633 transportation area; provide the duration of the agreement and
634 specify how the agreement may be terminated, modified, or
635 rescinded; describe the process by which the regional
636 transportation plan will be developed; and provide how members
637 of the entity will resolve disagreements regarding
638 interpretation of the interlocal agreement or disputes relating
639 to the development or content of the regional transportation
640 plan. Such interlocal agreement shall become effective upon its
641 recordation in the official public records of each county in the
642 regional transportation area.

643 (e) The regional transportation plan developed pursuant to
 644 this section must, at a minimum, identify regionally significant
 645 transportation facilities located within a regional
 646 transportation area and contain a prioritized list of regionally
 647 significant projects. The level-of-service standards for
 648 facilities to be funded under this subsection shall be adopted
 649 by the appropriate local government in accordance with s.
 650 163.3180(10). The projects shall be adopted into the capital
 651 improvements schedule of the local government comprehensive plan
 652 pursuant to s. 163.3177(3).

653 (5) ~~(6)~~ PROCEDURES FOR PUBLIC PARTICIPATION IN
 654 TRANSPORTATION PLANNING.—

655 (a) During the development of the ~~long-range component of~~
 656 ~~the~~ Florida Transportation Plan and prior to substantive
 657 revisions, the department shall provide citizens, affected
 658 public agencies, representatives of transportation agency
 659 employees, other affected employee representatives, private
 660 providers of transportation, and other known interested parties
 661 with an opportunity to comment on the proposed plan or
 662 revisions. These opportunities shall include, at a minimum,
 663 publishing a notice in the Florida Administrative Weekly and
 664 within a newspaper of general circulation within the area of
 665 each department district office.

666 (b) During development of major transportation
 667 improvements, such as those increasing the capacity of a
 668 facility through the addition of new lanes or providing new
 669 access to a limited or controlled access facility or
 670 construction of a facility in a new location, the department

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671 shall hold one or more hearings prior to the selection of the
672 facility to be provided; prior to the selection of the site or
673 corridor of the proposed facility; and prior to the selection of
674 and commitment to a specific design proposal for the proposed
675 facility. Such public hearings shall be conducted so as to
676 provide an opportunity for effective participation by interested
677 persons in the process of transportation planning and site and
678 route selection and in the specific location and design of
679 transportation facilities. The various factors involved in the
680 decision or decisions and any alternative proposals shall be
681 clearly presented so that the persons attending the hearing may
682 present their views relating to the decision or decisions which
683 will be made.

684 (c) Opportunity for design hearings:

685 1. The department, prior to holding a design hearing,
686 shall duly notify all affected property owners of record, as
687 recorded in the property appraiser's office, by mail at least 20
688 days prior to the date set for the hearing. The affected
689 property owners shall be:

690 a. Those whose property lies in whole or in part within
691 300 feet on either side of the centerline of the proposed
692 facility.

693 b. Those whom the department determines will be
694 substantially affected environmentally, economically, socially,
695 or safetywise.

696 2. For each subsequent hearing, the department shall
697 publish notice prior to the hearing date in a newspaper of
698 general circulation for the area affected. These notices must be

699 published twice, with the first notice appearing at least 15
 700 days, but no later than 30 days, before the hearing.

701 3. A copy of the notice of opportunity for the hearing
 702 must be furnished to the United States Department of
 703 Transportation and to the appropriate departments of the state
 704 government at the time of publication.

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

710 5. The opportunity for a hearing shall be afforded in each
 711 case in which the department is in doubt as to whether a hearing
 712 is required.

713 Section 11. Section 339.62, Florida Statutes, is amended
 714 to read:

715 339.62 System components.—The Strategic Intermodal System
 716 shall consist of appropriate components of:

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

719 (2) The National Highway System.

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

721 (4) Rail lines and rail facilities.

722 (5) Selected intermodal facilities; passenger and freight
 723 terminals; and appropriate components of the State Highway
 724 System, county road system, city street system, inland
 725 waterways, and local public transit systems that serve as
 726 existing or planned connectors between the components listed in

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727 subsections (1)-(4).

728 (6) Other existing or planned corridors that serve a
729 statewide or interregional purpose.

730 Section 12. Subsection (2) of section 339.63, Florida
731 Statutes, is amended to read:

732 339.63 System facilities designated; additions and
733 deletions.—

734 (2) The Strategic Intermodal System and the Emerging
735 Strategic Intermodal System include four ~~three~~ different types
736 of facilities that each form one component of an interconnected
737 transportation system which types include:

738 (a) Existing or planned hubs that are ports and terminals
739 including airports, seaports, spaceports, passenger terminals,
740 and rail terminals serving to move goods or people between
741 Florida regions or between Florida and other markets in the
742 United States and the rest of the world;

743 (b) Existing or planned corridors that are highways, rail
744 lines, waterways, and other exclusive-use facilities connecting
745 major markets within Florida or between Florida and other states
746 or nations; and

747 (c) Existing or planned intermodal connectors that are
748 highways, rail lines, waterways or local public transit systems
749 serving as connectors between the components listed in
750 paragraphs (a) and (b).

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

754 Section 13. Section 339.64, Florida Statutes, is amended
 755 to read:

756 339.64 Strategic Intermodal System Plan.—

757 (1) The department shall develop, in cooperation with
 758 metropolitan planning organizations, regional planning councils,
 759 local governments, ~~the Statewide Intermodal Transportation~~
 760 ~~Advisory Council~~ and other transportation providers, a Strategic
 761 Intermodal System Plan. The plan shall be consistent with the
 762 Florida Transportation Plan developed pursuant to s. 339.155 and
 763 shall be updated at least once every 5 years, subsequent to
 764 updates of the Florida Transportation Plan.

765 (2) In association with the continued development of the
 766 Strategic Intermodal System Plan, the Florida Transportation
 767 Commission, as part of its work program review process, shall
 768 conduct an annual assessment of the progress that the department
 769 and its transportation partners have made in realizing the goals
 770 of economic development, improved mobility, and increased
 771 intermodal connectivity of the Strategic Intermodal System. The
 772 Florida Transportation Commission shall coordinate with the
 773 department, ~~the Statewide Intermodal Transportation Advisory~~
 774 ~~Council~~, and other appropriate entities when developing this
 775 assessment. The Florida Transportation Commission shall deliver
 776 a report to the Governor and Legislature no later than 14 days
 777 after the regular session begins, with recommendations as
 778 necessary to fully implement the Strategic Intermodal System.

779 (3) (a) During the development of updates to the Strategic
 780 Intermodal System Plan, the department shall provide
 781 metropolitan planning organizations, regional planning councils,

782 local governments, transportation providers, affected public
 783 agencies, and citizens with an opportunity to participate in and
 784 comment on the development of the update.

785 (b) The department also shall coordinate with federal,
 786 regional, and local partners the planning for the Strategic
 787 Highway Network and the Strategic Rail Corridor Network
 788 transportation facilities that either are included in the
 789 Strategic Intermodal System or that provide a direct connection
 790 between military installations and the Strategic Intermodal
 791 System. In addition, the department shall coordinate with
 792 regional and local partners to determine whether the road and
 793 other transportation infrastructure that connect military
 794 installations to the Strategic Intermodal System, the Strategic
 795 Highway Network, or the Strategic Rail Corridor is regionally
 796 significant and should be included in the Strategic Intermodal
 797 System Plan.

798 (4) The Strategic Intermodal System Plan shall include the
 799 following:

800 (a) A needs assessment.

801 (b) A project prioritization process.

802 (c) A map of facilities designated as Strategic Intermodal
 803 System facilities; facilities that are emerging in importance
 804 and that are likely to become part of the system in the future;
 805 and planned facilities that will meet the established criteria.

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

809 (e) An assessment of the impacts of proposed improvements

810 to Strategic Intermodal System corridors on military
 811 installations that are either located directly on the Strategic
 812 Intermodal System or located on the Strategic Highway Network or
 813 Strategic Rail Corridor Network.

814 ~~(5) STATEWIDE INTERMODAL TRANSPORTATION ADVISORY COUNCIL.—~~

815 ~~(a) The Statewide Intermodal Transportation Advisory~~
 816 ~~Council is created to advise and make recommendations to the~~
 817 ~~Legislature and the department on policies, planning, and~~
 818 ~~funding of intermodal transportation projects. The council's~~
 819 ~~responsibilities shall include:~~

820 ~~1. Advising the department on the policies, planning, and~~
 821 ~~implementation of strategies related to intermodal~~
 822 ~~transportation.~~

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

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

828 ~~1. Six intermodal industry representatives selected by the~~
 829 ~~Governor as follows:~~

830 ~~a. One representative from an airport involved in the~~
 831 ~~movement of freight and people from their airport facility to~~
 832 ~~another transportation mode.~~

833 ~~b. One individual representing a fixed-route, local-~~
 834 ~~government transit system.~~

835 ~~c. One representative from an intercity bus company~~
 836 ~~providing regularly scheduled bus travel as determined by~~
 837 ~~federal regulations.~~

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- 838 ~~d. One representative from a spaceport.~~
- 839 ~~e. One representative from intermodal trucking companies.~~
- 840 ~~f. One representative having command responsibilities of a~~
- 841 ~~major military installation.~~
- 842 ~~2. Three intermodal industry representatives selected by~~
- 843 ~~the President of the Senate as follows:~~
- 844 ~~a. One representative from major-line railroads.~~
- 845 ~~b. One representative from seaports listed in s. 311.09(1)~~
- 846 ~~from the Atlantic Coast.~~
- 847 ~~e. One representative from an airport involved in the~~
- 848 ~~movement of freight and people from their airport facility to~~
- 849 ~~another transportation mode.~~
- 850 ~~3. Three intermodal industry representatives selected by~~
- 851 ~~the Speaker of the House of Representatives as follows:~~
- 852 ~~a. One representative from short-line railroads.~~
- 853 ~~b. One representative from seaports listed in s. 311.09(1)~~
- 854 ~~from the Gulf Coast.~~
- 855 ~~e. One representative from intermodal trucking companies.~~
- 856 ~~In no event may this representative be employed by the same~~
- 857 ~~company that employs the intermodal trucking company~~
- 858 ~~representative selected by the Governor.~~
- 859 ~~(c) Initial appointments to the council must be made no~~
- 860 ~~later than 30 days after the effective date of this section.~~
- 861 ~~1. The initial appointments made by the President of the~~
- 862 ~~Senate and the Speaker of the House of Representatives shall~~
- 863 ~~serve terms concurrent with those of the respective appointing~~
- 864 ~~officer. Beginning January 15, 2005, and for all subsequent~~
- 865 ~~appointments, council members appointed by the President of the~~

866 ~~Senate and the Speaker of the House of Representatives shall~~
 867 ~~serve 2-year terms, concurrent with the term of the respective~~
 868 ~~appointing officer.~~

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

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

873 ~~(d) Each member of the council shall be allowed one vote.~~
 874 ~~The council shall select a chair from among its membership.~~
 875 ~~Meetings shall be held at the call of the chair, but not less~~
 876 ~~frequently than quarterly. The members of the council shall be~~
 877 ~~reimbursed for per diem and travel expenses as provided in s.~~
 878 ~~112.061.~~

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

884 Section 14. Section 339.65, Florida Statutes, is created
 885 to read:

886 339.65 Strategic Intermodal System highway corridors.—

887 (1) The department shall plan and develop Strategic
 888 Intermodal System highway corridors, including limited and
 889 controlled access facilities, allowing for high-speed and high-
 890 volume traffic movements within the state. The primary function
 891 of these corridors is to provide such traffic movements. Access
 892 to abutting land is subordinate to this function, and such
 893 access must be prohibited or highly regulated.

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894 (2) Strategic Intermodal System highway corridors shall
895 include facilities from the following components of the State
896 Highway System that meet the criteria adopted by the department
897 pursuant to s. 339.63:

898 (a) Interstate highways.

899 (b) The Florida Turnpike System.

900 (c) Interregional and intercity limited access facilities.

901 (d) Existing interregional and intercity arterial highways
902 previously upgraded or upgraded in the future to limited access
903 or controlled access facility standards.

904 (e) New limited access facilities necessary to complete a
905 balanced statewide system.

906 (3) The department shall adhere to the following policy
907 guidelines in the development of Strategic Intermodal System
908 highway corridors:

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

911 (b) Identify appropriate arterial highways in major
912 transportation corridors for inclusion in a program to bring
913 these facilities up to limited access or controlled access
914 facility standards.

915 (c) Coordinate proposed projects with appropriate limited
916 access projects undertaken by expressway authorities and local
917 governmental entities.

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

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

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922 (f) To the maximum extent feasible, ensure that proposed
923 projects are consistent with approved local government
924 comprehensive plans of the local jurisdictions in which such
925 facilities are to be located and with the transportation
926 improvement program of any metropolitan planning organization in
927 which such facilities are to be located.

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

934 (5) The department shall establish the standards and
935 criteria for the functional characteristics and design of
936 facilities proposed as part of Strategic Intermodal System
937 highway corridors.

938 (6) For the purposes of developing the proposed Strategic
939 Intermodal System highway corridors, beginning in fiscal year
940 2003-2004 and for each fiscal year thereafter, the minimum
941 amount allocated shall be based on the fiscal year 2003-2004
942 allocation of \$450 million adjusted annually by the change in
943 the Consumer Price Index for the prior fiscal year compared to
944 the Consumer Price Index for fiscal year 2003-2004.

945 (7) Any project to be constructed as part of a Strategic
946 Intermodal System highway corridor shall be included in the
947 department's adopted work program. Any Strategic Intermodal
948 System highway corridor projects that are added to or deleted
949 from the previous adopted work program, or any modification to

950 Strategic Intermodal System highway corridor projects contained
 951 in the previous adopted work program, shall be specifically
 952 identified and submitted as a separate part of the tentative
 953 work program.

954 Section 15. Paragraph (a) of subsection (12) of section
 955 163.3180, Florida Statutes, is amended to read:

956 163.3180 Concurrency.—

957 (12) (a) A development of regional impact may satisfy the
 958 transportation concurrency requirements of the local
 959 comprehensive plan, the local government's concurrency
 960 management system, and s. 380.06 by payment of a proportionate-
 961 share contribution for local and regionally significant traffic
 962 impacts, if:

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

966 2. The proportionate-share contribution for local and
 967 regionally significant traffic impacts is sufficient to pay for
 968 one or more required mobility improvements that will benefit a
 969 regionally significant transportation facility;

970 3. The owner and developer of the development of regional
 971 impact pays or assures payment of the proportionate-share
 972 contribution; and

973 4. If the regionally significant transportation facility
 974 to be constructed or improved is under the maintenance authority
 975 of a governmental entity, as defined by s. 334.03~~(12)~~, other
 976 than the local government with jurisdiction over the development
 977 of regional impact, the developer is required to enter into a

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978 binding and legally enforceable commitment to transfer funds to
 979 the governmental entity having maintenance authority or to
 980 otherwise assure construction or improvement of the facility.

981
 982 The proportionate-share contribution may be applied to any
 983 transportation facility to satisfy the provisions of this
 984 subsection and the local comprehensive plan, but, for the
 985 purposes of this subsection, the amount of the proportionate-
 986 share contribution shall be calculated based upon the cumulative
 987 number of trips from the proposed development expected to reach
 988 roadways during the peak hour from the complete buildout of a
 989 stage or phase being approved, divided by the change in the peak
 990 hour maximum service volume of roadways resulting from
 991 construction of an improvement necessary to maintain the adopted
 992 level of service, multiplied by the construction cost, at the
 993 time of developer payment, of the improvement necessary to
 994 maintain the adopted level of service. For purposes of this
 995 subsection, "construction cost" includes all associated costs of
 996 the improvement. Proportionate-share mitigation shall be limited
 997 to ensure that a development of regional impact meeting the
 998 requirements of this subsection mitigates its impact on the
 999 transportation system but is not responsible for the additional
 1000 cost of reducing or eliminating backlogs. This subsection also
 1001 applies to Florida Quality Developments pursuant to s. 380.061
 1002 and to detailed specific area plans implementing optional sector
 1003 plans pursuant to s. 163.3245.

1004 Section 16. Paragraph (k) of subsection (1) of section
 1005 163.3187, Florida Statutes, is amended to read:

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1006 163.3187 Amendment of adopted comprehensive plan.—

1007 (1) Amendments to comprehensive plans adopted pursuant to
 1008 this part may be made not more than two times during any
 1009 calendar year, except:

1010 (k) A local comprehensive plan amendment directly related
 1011 to providing transportation improvements to enhance life safety
 1012 on controlled access major arterial highways identified in the
 1013 Strategic Intermodal System ~~Florida Intrastate Highway System~~,
 1014 in counties as defined in s. 125.011, where such roadways have a
 1015 high incidence of traffic accidents resulting in serious injury
 1016 or death. Any such amendment shall not include any amendment
 1017 modifying the designation on a comprehensive development plan
 1018 land use map nor any amendment modifying the allowable densities
 1019 or intensities of any land.

1020 Section 17. Subsection (3) of section 288.063, Florida
 1021 Statutes, is amended to read:

1022 288.063 Contracts for transportation projects.—

1023 (3) With respect to any contract executed pursuant to this
 1024 section, the term "transportation project" means a
 1025 transportation facility as defined in s. 334.03~~(31)~~ which is
 1026 necessary in the judgment of the Office of Tourism, Trade, and
 1027 Economic Development to facilitate the economic development and
 1028 growth of the state. Except for applications received prior to
 1029 July 1, 1996, such transportation projects shall be approved
 1030 only as a consideration to attract new employment opportunities
 1031 to the state or expand or retain employment in existing
 1032 companies operating within the state, or to allow for the
 1033 construction or expansion of a state or federal correctional

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1034 facility in a county with a population of 75,000 or less that
1035 creates new employment opportunities or expands or retains
1036 employment in the county. The Office of Tourism, Trade, and
1037 Economic Development shall institute procedures to ensure that
1038 small and minority businesses have equal access to funding
1039 provided under this section. Funding for approved transportation
1040 projects may include any expenses, other than administrative
1041 costs and equipment purchases specified in the contract,
1042 necessary for new, or improvement to existing, transportation
1043 facilities. Funds made available pursuant to this section may
1044 not be expended in connection with the relocation of a business
1045 from one community to another community in this state unless the
1046 Office of Tourism, Trade, and Economic Development determines
1047 that without such relocation the business will move outside this
1048 state or determines that the business has a compelling economic
1049 rationale for the relocation which creates additional jobs.
1050 Subject to appropriation for projects under this section, any
1051 appropriation greater than \$10 million shall be allocated to
1052 each of the districts of the Department of Transportation to
1053 ensure equitable geographical distribution. Such allocated funds
1054 that remain uncommitted by the third quarter of the fiscal year
1055 shall be reallocated among the districts based on pending
1056 project requests.

1057 Section 18. Paragraph (b) of subsection (3) of section
1058 311.07, Florida Statutes, is amended to read:

1059 311.07 Florida seaport transportation and economic
1060 development funding.—

1061 (3)

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1062 (b) Projects eligible for funding by grants under the
 1063 program are limited to the following port facilities or port
 1064 transportation projects:

1065 1. Transportation facilities within the jurisdiction of
 1066 the port.

1067 2. The dredging or deepening of channels, turning basins,
 1068 or harbors.

1069 3. The construction or rehabilitation of wharves, docks,
 1070 structures, jetties, piers, storage facilities, cruise
 1071 terminals, automated people mover systems, or any facilities
 1072 necessary or useful in connection with any of the foregoing.

1073 4. The acquisition of vessel tracking systems, container
 1074 cranes, or other mechanized equipment used in the movement of
 1075 cargo or passengers in international commerce.

1076 5. The acquisition of land to be used for port purposes.

1077 6. The acquisition, improvement, enlargement, or extension
 1078 of existing port facilities.

1079 7. Environmental protection projects which are necessary
 1080 because of requirements imposed by a state agency as a condition
 1081 of a permit or other form of state approval; which are necessary
 1082 for environmental mitigation required as a condition of a state,
 1083 federal, or local environmental permit; which are necessary for
 1084 the acquisition of spoil disposal sites and improvements to
 1085 existing and future spoil sites; or which result from the
 1086 funding of eligible projects listed in this paragraph.

1087 8. Transportation facilities as defined in s. 334.03~~(31)~~
 1088 which are not otherwise part of the Department of
 1089 Transportation's adopted work program.

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1090 9. Seaport intermodal access projects identified in the 5-
 1091 year Florida Seaport Mission Plan as provided in s. 311.09(3).

1092 10. Construction or rehabilitation of port facilities as
 1093 defined in s. 315.02, excluding any park or recreational
 1094 facilities, in ports listed in s. 311.09(1) with operating
 1095 revenues of \$5 million or less, provided that such projects
 1096 create economic development opportunities, capital improvements,
 1097 and positive financial returns to such ports.

1098 Section 19. Subsection (7) of section 311.09, Florida
 1099 Statutes, is amended to read:

1100 311.09 Florida Seaport Transportation and Economic
 1101 Development Council.—

1102 (7) The Department of Transportation shall review the list
 1103 of projects approved by the council for consistency with the
 1104 Florida Transportation Plan and the department's adopted work
 1105 program. In evaluating the consistency of a project, the
 1106 department shall determine whether the transportation impact of
 1107 the proposed project is adequately handled by existing state-
 1108 owned transportation facilities or by the construction of
 1109 additional state-owned transportation facilities as identified
 1110 in the Florida Transportation Plan and the department's adopted
 1111 work program. In reviewing for consistency a transportation
 1112 facility project as defined in s. 334.03~~(31)~~ which is not
 1113 otherwise part of the department's work program, the department
 1114 shall evaluate whether the project is needed to provide for
 1115 projected movement of cargo or passengers from the port to a
 1116 state transportation facility or local road. If the project is
 1117 needed to provide for projected movement of cargo or passengers,

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1118 the project shall be approved for consistency as a consideration
 1119 to facilitate the economic development and growth of the state
 1120 in a timely manner. The Department of Transportation shall
 1121 identify those projects which are inconsistent with the Florida
 1122 Transportation Plan and the adopted work program and shall
 1123 notify the council of projects found to be inconsistent.

1124 Section 20. Section 316.2122, Florida Statutes, is amended
 1125 to read:

1126 316.2122 Operation of a low-speed vehicle or mini truck on
 1127 certain roadways.—The operation of a low-speed vehicle as
 1128 defined in s. 320.01(42) or a mini truck as defined in s.
 1129 320.01(45) on any road ~~as defined in s. 334.03(15) or (33)~~ is
 1130 authorized with the following restrictions:

1131 (1) A low-speed vehicle or mini truck may be operated only
 1132 on streets where the posted speed limit is 35 miles per hour or
 1133 less. This does not prohibit a low-speed vehicle or mini truck
 1134 from crossing a road or street at an intersection where the road
 1135 or street has a posted speed limit of more than 35 miles per
 1136 hour.

1137 (2) A low-speed vehicle must be equipped with headlamps,
 1138 stop lamps, turn signal lamps, taillamps, reflex reflectors,
 1139 parking brakes, rearview mirrors, windshields, seat belts, and
 1140 vehicle identification numbers.

1141 (3) A low-speed vehicle or mini truck must be registered
 1142 and insured in accordance with s. 320.02 and titled pursuant to
 1143 chapter 319.

1144 (4) Any person operating a low-speed vehicle or mini truck
 1145 must have in his or her possession a valid driver's license.

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1146 (5) A county or municipality may prohibit the operation of
 1147 low-speed vehicles or mini trucks on any road under its
 1148 jurisdiction if the governing body of the county or municipality
 1149 determines that such prohibition is necessary in the interest of
 1150 safety.

1151 (6) The Department of Transportation may prohibit the
 1152 operation of low-speed vehicles or mini trucks on any road under
 1153 its jurisdiction if it determines that such prohibition is
 1154 necessary in the interest of safety.

1155 Section 21. Section 318.12, Florida Statutes, is amended
 1156 to read:

1157 318.12 Purpose.—It is the legislative intent in the
 1158 adoption of this chapter to decriminalize certain violations of
 1159 chapter 316, the Florida Uniform Traffic Control Law; chapter
 1160 320, Motor Vehicle Licenses; chapter 322, Drivers' Licenses;
 1161 chapter 338, Limited Access Florida Intrastate Highway System
 1162 and Toll Facilities; and chapter 1006, Support of Learning,
 1163 thereby facilitating the implementation of a more uniform and
 1164 expeditious system for the disposition of traffic infractions.

1165 Section 22. Subsection (3) of section 335.02, Florida
 1166 Statutes, is amended to read:

1167 335.02 Authority to designate transportation facilities
 1168 and rights-of-way and establish lanes; procedure for
 1169 redesignation and relocation; application of local regulations.—

1170 (3) The department may establish standards for lanes on
 1171 the State Highway System, including the Strategic Intermodal
 1172 System highway corridors ~~Florida Intrastate Highway System~~
 1173 established pursuant to s. 339.65 ~~338.001~~. In determining the

1174 number of lanes for any regional corridor or section of highway
 1175 on the State Highway System to be funded by the department with
 1176 state or federal funds, the department shall evaluate all
 1177 alternatives and seek to achieve the highest degree of efficient
 1178 mobility for corridor users. In conducting the analysis, the
 1179 department must give consideration to the following factors
 1180 consistent with sound engineering principles:

1181 (a) Overall economic importance of the corridor as a trade
 1182 or tourism corridor.

1183 (b) Safety of corridor users, including the importance of
 1184 the corridor for evacuation purposes.

1185 (c) Cost-effectiveness of alternative methods of
 1186 increasing the mobility of corridor users.

1187 (d) Current and projected traffic volumes on the corridor.

1188 (e) Multimodal alternatives.

1189 (f) Use of intelligent transportation technology in
 1190 increasing the efficiency of the corridor.

1191 (g) Compliance with state and federal policies related to
 1192 clean air, environmental impacts, growth management, livable
 1193 communities, and energy conservation.

1194 (h) Addition of special use lanes, such as exclusive truck
 1195 lanes, high-occupancy-vehicle toll lanes, and exclusive
 1196 interregional traffic lanes.

1197 (i) Availability and cost of rights-of-way, including
 1198 associated costs, and the most effective use of existing rights-
 1199 of-way.

1200 (j) Regional economic and transportation objectives, where
 1201 articulated.

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1202 (k) The future land use plan element of local government
 1203 comprehensive plans, as appropriate, including designated urban
 1204 infill and redevelopment areas.

1205 (l) The traffic circulation element, if applicable, of
 1206 local government comprehensive plans, including designated
 1207 transportation corridors and public transportation corridors.

1208 (m) The approved metropolitan planning organization's
 1209 long-range transportation plan, as appropriate.

1210

1211 This subsection does not preclude a number of lanes in excess of
 1212 10 lanes, but an additional factor that must be considered
 1213 before the department may determine that the number of lanes
 1214 should be more than 10 is the capacity to accommodate in the
 1215 future alternative forms of transportation within existing or
 1216 potential rights-of-way.

1217 Section 23. Section 336.01, Florida Statutes, is amended
 1218 to read:

1219 336.01 Designation of county road system.—The county road
 1220 system shall be as defined in s. 334.03~~(8)~~.

1221 Section 24. Subsection (2) of section 338.222, Florida
 1222 Statutes, is amended to read:

1223 338.222 Department of Transportation sole governmental
 1224 entity to acquire, construct, or operate turnpike projects;
 1225 exception.—

1226 (2) The department may contract with any local
 1227 governmental entity as defined in s. 334.03(13)~~(14)~~ for the
 1228 design, right-of-way acquisition, or construction of any
 1229 turnpike project which the Legislature has approved. Local

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1230 governmental entities may negotiate with the department for the
 1231 design, right-of-way acquisition, and construction of any
 1232 section of the turnpike project within areas of their respective
 1233 jurisdictions or within counties with which they have interlocal
 1234 agreements.

1235 Section 25. Paragraph (b) of subsection (1) of section
 1236 338.223, Florida Statutes, is amended to read:

1237 338.223 Proposed turnpike projects.—

1238 (1)

1239 (b) Any proposed turnpike project or improvement shall be
 1240 developed in accordance with the Florida Transportation Plan and
 1241 the work program pursuant to s. 339.135. Turnpike projects that
 1242 add capacity, alter access, affect feeder roads, or affect the
 1243 operation of the local transportation system shall be included
 1244 in the transportation improvement plan of the affected
 1245 metropolitan planning organization. If such turnpike project
 1246 does not fall within the jurisdiction of a metropolitan planning
 1247 organization, the department shall notify the affected county
 1248 and provide for public hearings in accordance with s.
 1249 339.155(5)~~(6)~~(c).

1250 Section 26. Subsection (4) of section 338.227, Florida
 1251 Statutes, is amended to read:

1252 338.227 Turnpike revenue bonds.—

1253 (4) The Department of Transportation and the Department of
 1254 Management Services shall create and implement an outreach
 1255 program designed to enhance the participation of minority
 1256 persons and minority business enterprises in all contracts
 1257 entered into by their respective departments for services

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1258 related to the financing of department projects for the
 1259 Strategic Intermodal System Plan developed pursuant to s. 339.64
 1260 ~~Florida Intrastate Highway System Plan~~. These services shall
 1261 include, but not be limited to, bond counsel and bond
 1262 underwriters.

1263 Section 27. Subsection (2) of section 338.2275, Florida
 1264 Statutes, is amended to read:

1265 338.2275 Approved turnpike projects.-

1266 (2) The department is authorized to use turnpike revenues,
 1267 the State Transportation Trust Fund moneys allocated for
 1268 turnpike projects pursuant to s. 339.65 ~~s. 338.001~~, federal
 1269 funds, and bond proceeds, and shall use the most cost-efficient
 1270 combination of such funds, in developing a financial plan for
 1271 funding turnpike projects. The department must submit a report
 1272 of the estimated cost for each ongoing turnpike project and for
 1273 each planned project to the Legislature 14 days before the
 1274 convening of the regular legislative session. Verification of
 1275 economic feasibility and statements of environmental feasibility
 1276 for individual turnpike projects must be based on the entire
 1277 project as approved. Statements of environmental feasibility are
 1278 not required for those projects listed in s. 12, chapter 90-136,
 1279 Laws of Florida, for which the Project Development and
 1280 Environmental Reports were completed by July 1, 1990. All
 1281 required environmental permits must be obtained before the
 1282 department may advertise for bids for contracts for the
 1283 construction of any turnpike project.

1284 Section 28. Section 338.228, Florida Statutes, is amended
 1285 to read:

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1286 338.228 Bonds not debts or pledges of credit of state.—
 1287 Turnpike revenue bonds issued under the provisions of ss.
 1288 338.22-338.241 are not debts of the state or pledges of the
 1289 faith and credit of the state. Such bonds are payable
 1290 exclusively from revenues pledged for their payment. All such
 1291 bonds shall contain a statement on their face that the state is
 1292 not obligated to pay the same or the interest thereon, except
 1293 from the revenues pledged for their payment, and that the faith
 1294 and credit of the state is not pledged to the payment of the
 1295 principal or interest of such bonds. The issuance of turnpike
 1296 revenue bonds under the provisions of ss. 338.22-338.241 does
 1297 not directly, indirectly, or contingently obligate the state to
 1298 levy or to pledge any form of taxation whatsoever, or to make
 1299 any appropriation for their payment. Except as provided in ss.
 1300 ~~338.001~~, 338.223, ~~and~~ 338.2275, and 339.65, no state funds shall
 1301 be used on any turnpike project or to pay the principal or
 1302 interest of any bonds issued to finance or refinance any portion
 1303 of the turnpike system, and all such bonds shall contain a
 1304 statement on their face to this effect.

1305 Section 29. Subsection (2) of section 338.234, Florida
 1306 Statutes, is amended to read:

1307 338.234 Granting concessions or selling along the turnpike
 1308 system; immunity from taxation.—

1309 (2) The effectuation of the authorized purposes of the
 1310 Strategic Intermodal System, created under ss. 339.61-339.65,
 1311 ~~Florida Intrastate Highway System~~ and Florida Turnpike
 1312 Enterprise, created under this chapter, is for the benefit of
 1313 the people of the state, for the increase of their commerce and

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1314 prosperity, and for the improvement of their health and living
 1315 conditions; and, because the system and enterprise perform
 1316 essential government functions in effectuating such purposes,
 1317 neither the turnpike enterprise nor any nongovernment lessee or
 1318 licensee renting, leasing, or licensing real property from the
 1319 turnpike enterprise, pursuant to an agreement authorized by this
 1320 section, are required to pay any commercial rental tax imposed
 1321 under s. 212.031 on any capital improvements constructed,
 1322 improved, acquired, installed, or used for such purposes.

1323 Section 30. Subsections (1) and (3) of section 339.2819,
 1324 Florida Statutes, are amended to read:

1325 339.2819 Transportation Regional Incentive Program.—

1326 (1) There is created within the Department of
 1327 Transportation a Transportation Regional Incentive Program for
 1328 the purpose of providing funds to improve regionally significant
 1329 transportation facilities in regional transportation areas
 1330 created pursuant to s. 339.155(4)~~(5)~~.

1331 (3) The department shall allocate funding available for
 1332 the Transportation Regional Incentive Program to the districts
 1333 based on a factor derived from equal parts of population and
 1334 motor fuel collections for eligible counties in regional
 1335 transportation areas created pursuant to s. 339.155(4)~~(5)~~.

1336 Section 31. Subsection (6) of section 339.285, Florida
 1337 Statutes, is amended to read:

1338 339.285 Enhanced Bridge Program for Sustainable
 1339 Transportation.—

1340 (6) Preference shall be given to bridge projects located
 1341 on corridors that connect to the Strategic Intermodal System,

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1342 created under s. 339.64, and that have been identified as
 1343 regionally significant in accordance with s. 339.155 (4) ~~(5)~~ (c),
 1344 (d), and (e).

1345 Section 32. Subsection (2) of section 341.053, Florida
 1346 Statutes, is amended to read:

1347 341.053 Intermodal Development Program; administration;
 1348 eligible projects; limitations.—

1349 (2) In recognition of the department's role in the
 1350 economic development of this state, the department shall develop
 1351 a proposed intermodal development plan to connect Florida's
 1352 airports, deepwater seaports, rail systems serving both
 1353 passenger and freight, and major intermodal connectors to the
 1354 Strategic Intermodal System highway corridors ~~Florida Intrastate~~
 1355 ~~Highway System facilities~~ as the primary system for the movement
 1356 of people and freight in this state in order to make the
 1357 intermodal development plan a fully integrated and
 1358 interconnected system. The intermodal development plan must:

1359 (a) Define and assess the state's freight intermodal
 1360 network, including airports, seaports, rail lines and terminals,
 1361 intercity bus lines and terminals, and connecting highways.

1362 (b) Prioritize statewide infrastructure investments,
 1363 including the acceleration of current projects, which are found
 1364 by the Freight Stakeholders Task Force to be priority projects
 1365 for the efficient movement of people and freight.

1366 (c) Be developed in a manner that will assure maximum use
 1367 of existing facilities and optimum integration and coordination
 1368 of the various modes of transportation, including both
 1369 government-owned and privately owned resources, in the most

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1370 cost-effective manner possible.

1371 Section 33. Subsection (2) of section 341.8225, Florida
 1372 Statutes, is amended to read:

1373 341.8225 Department of Transportation sole governmental
 1374 entity to acquire, construct, or operate high-speed rail
 1375 projects; exception.—

1376 (2) Local governmental entities, as defined in s.
 1377 334.03 (13) ~~(14)~~, may negotiate with the department for the
 1378 design, right-of-way acquisition, and construction of any
 1379 component of the high-speed rail system within areas of their
 1380 respective jurisdictions or within counties with which they have
 1381 interlocal agreements.

1382 Section 34. Paragraph (a) of subsection (2) of section
 1383 403.7211, Florida Statutes, is amended to read:

1384 403.7211 Hazardous waste facilities managing hazardous
 1385 wastes generated offsite; federal facilities managing hazardous
 1386 waste.—

1387 (2) The department shall not issue any permit under s.
 1388 403.722 for the construction, initial operation, or substantial
 1389 modification of a facility for the disposal, storage, or
 1390 treatment of hazardous waste generated offsite which is proposed
 1391 to be located in any of the following locations:

1392 (a) Any area where life-threatening concentrations of
 1393 hazardous substances could accumulate at any residence or
 1394 residential subdivision as the result of a catastrophic event at
 1395 the proposed facility, unless each such residence or residential
 1396 subdivision is served by at least one arterial road or urban
 1397 minor arterial road, as determined under the procedures

1398 referenced in s. 334.03(9) ~~defined in s. 334.03~~, which provides
 1399 safe and direct egress by land to an area where such life-
 1400 threatening concentrations of hazardous substances could not
 1401 accumulate in a catastrophic event. Egress by any road leading
 1402 from any residence or residential subdivision to any point
 1403 located within 1,000 yards of the proposed facility is unsafe
 1404 for the purposes of this paragraph. In determining whether
 1405 egress proposed by the applicant is safe and direct, the
 1406 department shall also consider, at a minimum, the following
 1407 factors:

- 1408 1. Natural barriers such as water bodies, and whether any
- 1409 road in the proposed evacuation route is impaired by a natural
- 1410 barrier such as a water body;
- 1411 2. Potential exposure during egress and potential
- 1412 increases in the duration of exposure;
- 1413 3. Whether any road in a proposed evacuation route passes
- 1414 in close proximity to the facility; and
- 1415 4. Whether any portion of the evacuation route is
- 1416 inherently directed toward the facility.

1417
 1418 For the purposes of this subsection, all distances shall be
 1419 measured from the outer limit of the active hazardous waste
 1420 management area. "Substantial modification" includes: any
 1421 physical change in, change in the operations of, or addition to
 1422 a facility which could increase the potential offsite impact, or
 1423 risk of impact, from a release at that facility; and any change
 1424 in permit conditions which is reasonably expected to lead to
 1425 greater potential impacts or risks of impacts, from a release at

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1426 that facility. "Substantial modification" does not include a
 1427 change in operations, structures, or permit conditions which
 1428 does not substantially increase either the potential impact
 1429 from, or the risk of, a release. Physical or operational changes
 1430 to a facility related solely to the management of nonhazardous
 1431 waste at the facility shall not be considered a substantial
 1432 modification. The department shall, by rule, adopt criteria to
 1433 determine whether a facility has been substantially modified.
 1434 "Initial operation" means the initial commencement of operations
 1435 at the facility.

1436 Section 35. Subsection (27) of section 479.01, Florida
 1437 Statutes, is amended to read:

1438 479.01 Definitions.—As used in this chapter, the term:
 1439 (27) "Urban area" has the same meaning as defined in s.
 1440 334.03~~(29)~~.

1441 Section 36. Subsection (1) of section 479.07, Florida
 1442 Statutes, is amended to read:

1443 479.07 Sign permits.—

1444 (1) Except as provided in ss. 479.105(1)(e) and 479.16, a
 1445 person may not erect, operate, use, or maintain, or cause to be
 1446 erected, operated, used, or maintained, any sign on the State
 1447 Highway System outside an urban area, as defined in s.
 1448 334.03~~(32)~~, or on any portion of the interstate or federal-aid
 1449 primary highway system without first obtaining a permit for the
 1450 sign from the department and paying the annual fee as provided
 1451 in this section. As used in this section, the term "on any
 1452 portion of the State Highway System, interstate, or federal-aid
 1453 primary system" means a sign located within the controlled area

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1454 | which is visible from any portion of the main-traveled way of
 1455 | such system.

1456 | Section 37. Subsection (5) of section 479.261, Florida
 1457 | Statutes, is amended to read:

1458 | 479.261 Logo sign program.—

1459 | (5) At a minimum, permit fees for businesses that
 1460 | participate in the program must be established in an amount
 1461 | sufficient to offset the total cost to the department for the
 1462 | program, including contract costs. The department shall provide
 1463 | the services in the most efficient and cost-effective manner
 1464 | through department staff or by contracting for some or all of
 1465 | the services. The department shall adopt rules that set
 1466 | reasonable rates based upon factors such as population, traffic
 1467 | volume, market demand, and costs for annual permit fees.
 1468 | However, annual permit fees for sign locations inside an urban
 1469 | area, as defined in s. 334.03~~(32)~~, may not exceed \$3,500, and
 1470 | annual permit fees for sign locations outside an urban area, as
 1471 | defined in s. 334.03~~(32)~~, may not exceed \$2,000. After
 1472 | recovering program costs, the proceeds from the annual permit
 1473 | fees shall be deposited into the State Transportation Trust Fund
 1474 | and used for transportation purposes.

1475 | Section 38. This act shall take effect July 1, 2011.