

1 A bill to be entitled
2 An act relating to the Department of Transportation;
3 amending s. 316.302, F.S.; exempting operators of farm
4 labor vehicles from certain safety regulations under
5 certain circumstances; amending s. 316.3025, F.S.;
6 providing a civil penalty for violation of specified
7 federal requirements relating to a driver's physical
8 qualification to drive a commercial motor vehicle;
9 amending s. 334.03, F.S.; revising definitions for
10 purposes of the Florida Transportation Code; amending s.
11 334.044, F.S.; revising the powers and duties of the
12 department relating to jurisdictional responsibility and
13 designating facilities; amending s. 334.047, F.S.;
14 repealing a provision prohibiting the department from
15 establishing a maximum number of miles of urban principal
16 arterial roads within a district or county; amending s.
17 336.021, F.S.; revising the date when imposition of the
18 ninth-cent fuel tax is to be levied; amending s. 336.025,
19 F.S.; revising the dates when impositions or rate changes
20 of the local option fuel tax are to be levied and when
21 counties must notify the Department of Revenue of such
22 rates or rate changes; revising the definition of
23 "transportation expenditures"; amending s. 337.111, F.S.;
24 providing additional forms of security for the cost of
25 removal of monuments or memorials or modifications to an
26 installation site at highway rest areas; removing a
27 provision requiring renewal of a bond; amending ss.
28 337.403 and 337.404, F.S.; revising provisions for

29 | alleviation of interference with a public road or
30 | publically owned rail corridor caused by a utility
31 | facility; requiring the utility owner to initiate and
32 | complete the work necessary within a certain time period;
33 | providing for notice to the utility; revising provisions
34 | for payment of costs; revising provisions for completion
35 | of work when the utility owner does not perform the work;
36 | amending s. 337.408, F.S.; revising provisions for certain
37 | facilities installed within the right-of-way limits of
38 | roads; requiring counties and municipalities to indemnify
39 | the department from certain claims relating to the
40 | installation, removal, or relocation of a noncompliant
41 | bench or shelter; authorizing the department to direct a
42 | county or municipality to remove or relocate a bus stop,
43 | bench, transit shelter, waste disposal receptacle, public
44 | pay telephone, or modular news rack that is not in
45 | compliance with applicable laws or rules; directing the
46 | department to remove or relocate such installation and
47 | charge the cost to the county or municipality; authorizing
48 | the department to deduct the cost from funding available
49 | to the municipality or county from the department;
50 | removing a provision for the replacement of an unusable
51 | transit bus bench that was in service before a certain
52 | date; revising the title of chapter 338, F.S.; repealing
53 | s. 338.001, F.S., relating to provisions for the Florida
54 | Intrastate Highway System Plan; amending s. 338.01, F.S.;
55 | including authority of the department in provisions for
56 | the establishment limited access facilities; amending s.

57 | 339.155, F.S.; revising provisions for statewide
58 | transportation planning by the department; providing for
59 | federally required transportation planning factors;
60 | revising provisions for the Florida Transportation Plan;
61 | removing certain reporting requirements; revising
62 | requirements for public participation in the planning
63 | process; amending s. 339.63, F.S.; providing for inclusion
64 | of certain access facilities in the Strategic Intermodal
65 | System and the Emerging Strategic Intermodal System;
66 | amending s. 339.64, F.S.; revising provisions for
67 | development of the Strategic Intermodal System Plan;
68 | removing the Statewide Intermodal Transportation Advisory
69 | Council; creating s. 339.65, F.S.; providing for the
70 | department to plan and develop Strategic Intermodal System
71 | highway corridors; providing for allocations of funds on a
72 | specified basis; providing for corridor projects to be
73 | included in the department's adopted work program and
74 | changes to be a separate part of the tentative work
75 | program; creating s. 479.075, F.S.; defining the terms
76 | "sign" and "sign permit fee"; establishing limitations on
77 | fees charged for sign permits; requiring a fee schedule to
78 | be based on actual costs; designating Edna S. Hargrett-
79 | Thrower Avenue in Orange County; designating SP4 Thomas
80 | Berry Corbin Memorial Highway and U.S. Navy BMC Samuel
81 | Calhoun Chavous, Jr. Memorial Highway in Dixie County;
82 | designating Marine Lance Corporal Brian R. Buesing
83 | Memorial Highway, United States Army Sergeant Karl A.
84 | Campbell Memorial Highway, and U.S. Army SPC James A. Page

85 Memorial Highway in Levy County; designating Veterans
 86 Memorial Highway in Putnam County; designating Ben G.
 87 Watts Highway in Washington County; designating Mardi Gras
 88 Way, West Park Boulevard, and Pembroke Park Boulevard in
 89 Broward County; designating Stark Memorial Drive and Duval
 90 County Law Enforcement Memorial Overpass in Duval County;
 91 designating Verna Bell Way in Nassau County; designating
 92 Deputy Hal P. Croft and Deputy Ronald Jackson Memorial
 93 Highway in Union County; designating Dr. Oscar Elias
 94 Biscet Boulevard in Miami-Dade County; designating Alma
 95 Lee Loy Bridge in Indian River County; amending ss. 24 and
 96 45, ch. 2010-230, Laws of Florida; revising the
 97 designation for Miss Lillie Williams Boulevard and Father
 98 Gerard Jean-Juste Street in Miami-Dade County; directing
 99 the Department of Transportation to erect suitable
 100 markers; amending ss. 163.3180, 288.063, 311.07, 311.09,
 101 316.2122, 336.01, 338.222, 338.223, 338.2275, 338.228,
 102 339.2819, 339.285, 341.8225, 479.01, 479.07, and 479.261,
 103 F.S., relating to transportation concurrency, contracts,
 104 port facilities, Florida Seaport Transportation and
 105 Economic Development Council, low-speed vehicles and mini
 106 trucks, the county road system, turnpike projects, revenue
 107 bonds, Transportation Regional Incentive Program, Enhanced
 108 Bridge Program for Sustainable Transportation, high-speed
 109 rail projects, outdoor advertising, sign permits, and the
 110 Logo sign program, respectively; revising cross-
 111 references; amending ss. 163.3187, 318.12, 335.02,
 112 338.227, 338.234, 339.62, 341.053, and 403.7211, F.S.,

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113 relating to comprehensive plans, traffic infractions,
 114 standards for lanes, services related to the financing of
 115 projects, concessions along the turnpike, components of
 116 the Strategic Intermodal System, Intermodal Development
 117 Program, and hazardous waste facilities, respectively;
 118 revising references to conform to the incorporation of the
 119 Florida Intrastate Highway System into the Strategic
 120 Intermodal System and to changes made by the act;
 121 providing an effective date.
 122

123 Be It Enacted by the Legislature of the State of Florida:
 124

125 Section 1. Paragraph (b) of subsection (2) of section
 126 316.302, Florida Statutes, is amended to read:

127 316.302 Commercial motor vehicles; safety regulations;
 128 transporters and shippers of hazardous materials; enforcement.-

129 (2)

130 (b) Except as provided in 49 C.F.R. s. 395.1, a person who
 131 operates a commercial motor vehicle solely in intrastate
 132 commerce not transporting any hazardous material in amounts that
 133 require placarding pursuant to 49 C.F.R. part 172 may not drive:

134 1. More than 12 hours following 10 consecutive hours off
 135 duty; or

136 2. For any period after the end of the 16th hour after
 137 coming on duty following 10 consecutive hours off duty.
 138

139 ~~The provisions of~~ This paragraph does ~~de~~ not apply to operators
 140 of farm labor vehicles during a state of emergency declared by

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141 the Governor or under s. 570.07(21) or to drivers of utility
 142 service vehicles as defined in 49 C.F.R. s. 395.2.

143 Section 2. Paragraph (b) of subsection (3) of section
 144 316.3025, Florida Statutes, is amended to read:

145 316.3025 Penalties.—

146 (3)

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

148 1. Each violation of the North American Uniform Driver
 149 Out-of-Service Criteria;

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

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

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

153 5.4. A violation of the North American Standard Vehicle
 154 Out-of-Service Criteria resulting from an inspection of a
 155 commercial motor vehicle involved in a crash.

156 Section 3. Section 334.03, Florida Statutes, is amended to
 157 read:

158 334.03 Definitions.—When used in the Florida
 159 Transportation Code, the term:

160 (1)(37) "511" or "511 services" means three-digit
 161 telecommunications dialing to access interactive voice response
 162 telephone traveler information services provided in the state as
 163 defined by the Federal Communications Commission in FCC Order
 164 No. 00-256, July 31, 2000.

165 ~~(1) "Arterial road" means a route providing service which~~
 166 ~~is relatively continuous and of relatively high traffic volume,~~
 167 ~~long average trip length, high operating speed, and high~~
 168 ~~mobility importance. In addition, every United States numbered~~

169 ~~highway is an arterial road.~~

170 (2)~~(2)~~ "Bridge" means a structure, including supports,
 171 erected over a depression or an obstruction, such as water or a
 172 highway or railway, and having a track or passageway for
 173 carrying traffic as defined in chapter 316 or other moving
 174 loads.

175 (3) "City street system" means all ~~local~~ roads within a
 176 municipality that were under the jurisdiction of that
 177 municipality on June 10, 1995; roads constructed by a
 178 municipality for that municipality's street system; roads
 179 completely within an area annexed by the municipality, unless
 180 otherwise provided by mutual consent; and roads transferred to
 181 the municipality's jurisdiction after June 10, 1995, by mutual
 182 consent with another governmental entity, but not roads so
 183 transferred from the municipality's jurisdiction, and all
 184 ~~collector roads inside that municipality, which are not in the~~
 185 ~~county road system.~~

186 ~~(4) "Collector road" means a route providing service which~~
 187 ~~is of relatively moderate average traffic volume, moderately~~
 188 ~~average trip length, and moderately average operating speed.~~
 189 ~~Such a route also collects and distributes traffic between local~~
 190 ~~roads or arterial roads and serves as a linkage between land~~
 191 ~~access and mobility needs.~~

192 (4)~~(5)~~ "Commissioners" means the governing body of a
 193 county.

194 (5)~~(6)~~ "Consolidated metropolitan statistical area" means
 195 two or more metropolitan statistical areas that are socially and
 196 economically interrelated as defined by the United States Bureau

197 of the Census.

198 ~~(6)-(7)~~ "Controlled access facility" means a street or
 199 highway to which the right of access is highly regulated by the
 200 governmental entity having jurisdiction over the facility in
 201 order to maximize the operational efficiency and safety of the
 202 high-volume through traffic utilizing the facility. Owners or
 203 occupants of abutting lands and other persons have a right of
 204 access to or from such facility at such points only and in such
 205 manner as may be determined by the governmental entity.

206 ~~(7)-(8)~~ "County road system" means all roads within a
 207 county that were under the jurisdiction of that county on June
 208 10, 1995; roads constructed by a county for that county's road
 209 system; and roads transferred to the county's jurisdiction after
 210 June 10, 1995, by mutual consent with another governmental
 211 entity, but, except as otherwise provided by mutual consent, not
 212 roads transferred from the county's jurisdiction by mutual
 213 consent or roads that are completely within an area annexed by a
 214 municipality ~~collector roads in the unincorporated areas of a~~
 215 ~~county and all extensions of such collector roads into and~~
 216 ~~through any incorporated areas, all local roads in the~~
 217 ~~unincorporated areas, and all urban minor arterial roads not in~~
 218 ~~the State Highway System.~~

219 ~~(8)-(9)~~ "Department" means the Department of
 220 Transportation.

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

225 (9)~~(11)~~ "Functional classification" means the assignment
 226 of roads into systems according to the character of service they
 227 provide in relation to the total road network using procedures
 228 developed by the Federal Highway Administration. ~~Basic~~
 229 ~~functional categories include arterial roads, collector roads,~~
 230 ~~and local roads which may be subdivided into principal, major,~~
 231 ~~or minor levels. Those levels may be additionally divided into~~
 232 ~~rural and urban categories.~~

233 (10)~~(12)~~ "Governmental entity" means a unit of government,
 234 or any officially designated public agency or authority of a
 235 unit of government, that has the responsibility for planning,
 236 construction, operation, or maintenance or jurisdiction over
 237 transportation facilities; the term includes the Federal
 238 Government, the state government, a county, an incorporated
 239 municipality, a metropolitan planning organization, an
 240 expressway or transportation authority, a road and bridge
 241 district, a special road and bridge district, and a regional
 242 governmental unit.

243 (11)~~(38)~~ "Interactive voice response" means a software
 244 application that accepts a combination of voice telephone input
 245 and touch-tone keypad selection and provides appropriate
 246 responses in the form of voice, fax, callback, e-mail, and other
 247 media.

248 (12)~~(13)~~ "Limited access facility" means a street or
 249 highway especially designed for through traffic, and over, from,
 250 or to which owners or occupants of abutting land or other
 251 persons have no right or easement of access, light, air, or view
 252 by reason of the fact that their property abuts upon such

253 | limited access facility or for any other reason. Such highways
 254 | or streets may be facilities from which trucks, buses, and other
 255 | commercial vehicles are excluded; or they may be facilities open
 256 | to use by all customary forms of street and highway traffic.

257 | (13)~~(14)~~ "Local governmental entity" means a unit of
 258 | government with less than statewide jurisdiction, or any
 259 | officially designated public agency or authority of such a unit
 260 | of government, that has the responsibility for planning,
 261 | construction, operation, or maintenance of, or jurisdiction
 262 | over, a transportation facility; the term includes, but is not
 263 | limited to, a county, an incorporated municipality, a
 264 | metropolitan planning organization, an expressway or
 265 | transportation authority, a road and bridge district, a special
 266 | road and bridge district, and a regional governmental unit.

267 | ~~(15) "Local road" means a route providing service which is~~
 268 | ~~of relatively low average traffic volume, short average trip~~
 269 | ~~length or minimal through traffic movements, and high land~~
 270 | ~~access for abutting property.~~

271 | (14)~~(16)~~ "Metropolitan area" means a geographic region
 272 | comprising as a minimum the existing urbanized area and the
 273 | contiguous area projected to become urbanized within a 20-year
 274 | forecast period. The boundaries of a metropolitan area may be
 275 | designated so as to encompass a metropolitan statistical area or
 276 | a consolidated metropolitan statistical area. If a metropolitan
 277 | area, or any part thereof, is located within a nonattainment
 278 | area, the boundaries of the metropolitan area must be designated
 279 | so as to include the boundaries of the entire nonattainment
 280 | area, unless otherwise provided by agreement between the

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281 applicable metropolitan planning organization and the Governor.

282 (15)~~(17)~~ "Metropolitan statistical area" means an area
283 that includes a municipality of 50,000 persons or more, or an
284 urbanized area of at least 50,000 persons as defined by the
285 United States Bureau of the Census, provided that the component
286 county or counties have a total population of at least 100,000.

287 (16)~~(18)~~ "Nonattainment area" means an area designated by
288 the United States Environmental Protection Agency, pursuant to
289 federal law, as exceeding national primary or secondary ambient
290 air quality standards for the pollutants carbon monoxide or
291 ozone.

292 (17)~~(19)~~ "Periodic maintenance" means activities that are
293 large in scope and require a major work effort to restore
294 deteriorated components of the transportation system to a safe
295 and serviceable condition, including, but not limited to, the
296 repair of large bridge structures, major repairs to bridges and
297 bridge systems, and the mineral sealing of lengthy sections of
298 roadway.

299 (18)~~(20)~~ "Person" means any person described in s. 1.01 or
300 any unit of government in or outside the state.

301 (19)~~(21)~~ "Right of access" means the right of ingress to a
302 highway from abutting land and egress from a highway to abutting
303 land.

304 (20)~~(22)~~ "Right-of-way" means land in which the state, the
305 department, a county, or a municipality owns the fee or has an
306 easement devoted to or required for use as a transportation
307 facility.

308 (21)~~(23)~~ "Road" means a way open to travel by the public,

309 including, but not limited to, a street, highway, or alley. The
 310 term includes associated sidewalks, the roadbed, the right-of-
 311 way, and all culverts, drains, sluices, ditches, water storage
 312 areas, waterways, embankments, slopes, retaining walls, bridges,
 313 tunnels, and viaducts necessary for the maintenance of travel
 314 and all ferries used in connection therewith.

315 ~~(22)~~~~(24)~~ "Routine maintenance" means minor repairs and
 316 associated tasks necessary to maintain a safe and efficient
 317 transportation system. The term includes: pavement patching;
 318 shoulder repair; cleaning and repair of drainage ditches,
 319 traffic signs, and structures; mowing; bridge inspection and
 320 maintenance; pavement striping; litter cleanup; and other
 321 similar activities.

322 ~~(23)~~~~(25)~~ "State Highway System" means ~~the following, which~~
 323 ~~shall be facilities to which access is regulated:~~

324 ~~(a)~~ the interstate system and all other roads within the
 325 state which were under the jurisdiction of the state on June 10,
 326 1995, and roads constructed by an agency of the state for the
 327 State Highway System, and roads transferred to the state's
 328 jurisdiction after that date by mutual consent with another
 329 governmental entity, but not roads so transferred from the
 330 state's jurisdiction. Such facilities shall be facilities to
 331 which access is regulated.

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

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

335 ~~(d)~~ ~~The urban minor arterial mileage on the existing State~~
 336 ~~Highway System as of July 1, 1987, plus additional mileage to~~

337 ~~comply with the 2 percent requirement as described below.~~

338

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

342 ~~Urbanized areas not meeting the foregoing minimum requirement~~
343 ~~shall have transferred to the State Highway System additional~~
344 ~~minor arterials of the highest significance in which case the~~
345 ~~total minor arterials in the State Highway System from any~~
346 ~~urbanized area shall not exceed 2.5 percent of that area's total~~
347 ~~public urban road mileage.~~

348 (24)~~(26)~~ "State Park Road System" means roads embraced
349 within the boundaries of state parks and state roads leading to
350 state parks, other than roads of the State Highway System, the
351 county road systems, or the city street systems.

352 (25)~~(27)~~ "State road" means a street, road, highway, or
353 other way open to travel by the public generally and dedicated
354 to the public use according to law or by prescription and
355 designated by the department, as provided by law, as part of the
356 State Highway System.

357 (26)~~(28)~~ "Structure" means a bridge, viaduct, tunnel,
358 causeway, approach, ferry slip, culvert, toll plaza, gate, or
359 other similar facility used in connection with a transportation
360 facility.

361 (27)~~(29)~~ "Sufficiency rating" means the objective rating
362 of a road or section of a road for the purpose of determining
363 its capability to serve properly the actual or anticipated
364 volume of traffic using the road.

365 (28)~~(30)~~ "Transportation corridor" means any land area
 366 designated by the state, a county, or a municipality which is
 367 between two geographic points and which area is used or suitable
 368 for the movement of people and goods by one or more modes of
 369 transportation, including areas necessary for management of
 370 access and securing applicable approvals and permits.

371 Transportation corridors shall contain, but are not limited to,
 372 the following:

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

374 (b) All property or property interests necessary for
 375 future transportation facilities, including rights of access,
 376 air, view, and light, whether public or private, for the purpose
 377 of securing and utilizing future transportation rights-of-way,
 378 including, but not limited to, any lands reasonably necessary
 379 now or in the future for securing applicable approvals and
 380 permits, borrow pits, drainage ditches, water retention areas,
 381 rest areas, replacement access for landowners whose access could
 382 be impaired due to the construction of a future facility, and
 383 replacement rights-of-way for relocation of rail and utility
 384 facilities.

385 (29)~~(31)~~ "Transportation facility" means any means for the
 386 transportation of people or property from place to place which
 387 is constructed, operated, or maintained in whole or in part from
 388 public funds. The term includes the property or property rights,
 389 both real and personal, which have been or may be established by
 390 public bodies for the transportation of people or property from
 391 place to place.

392 (30)~~(32)~~ "Urban area" means a geographic region comprising

393 as a minimum the area inside the United States Bureau of the
 394 Census boundary of an urban place with a population of 5,000 or
 395 more persons, expanded to include adjacent developed areas as
 396 provided for by Federal Highway Administration regulations.

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

403 (31) ~~(34)~~ "Urban place" means a geographic region composed
 404 of one or more contiguous census tracts that have been found by
 405 the United States Bureau of the Census to contain a population
 406 density of at least 1,000 persons per square mile.

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

413 (32) ~~(36)~~ "Urbanized area" means a geographic region
 414 comprising as a minimum the area inside an urban place of 50,000
 415 or more persons, as designated by the United States Bureau of
 416 the Census, expanded to include adjacent developed areas as
 417 provided for by Federal Highway Administration regulations.
 418 Urban areas with a population of fewer than 50,000 persons which
 419 are located within the expanded boundary of an urbanized area
 420 are not separately recognized.

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

423 334.044 Department; powers and duties.—The department
 424 shall have the following general powers and duties:

425 (11) To establish a numbering system for public roads, and
 426 to functionally classify such roads, ~~and to assign~~
 427 ~~jurisdictional responsibility.~~

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

431 Section 5. Section 334.047, Florida Statutes, is amended
 432 to read:

433 334.047 Prohibition.—Notwithstanding any other provision
 434 of law to the contrary, the Department of Transportation may not
 435 establish a cap on the number of miles in the State Highway
 436 System ~~or a maximum number of miles of urban principal arterial~~
 437 ~~roads, as defined in s. 334.03, within a district or county.~~

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

440 336.021 County transportation system; levy of ninth-cent
 441 fuel tax on motor fuel and diesel fuel.—

442 (5) All impositions of the tax shall be levied before
 443 October 1 ~~July 1~~ of each year to be effective January 1 of the
 444 following year. However, levies of the tax which were in effect
 445 on July 1, 2002, and which expire on August 31 of any year may
 446 be reimposed at the current authorized rate to be effective
 447 September 1 of the year of expiration. All impositions shall be
 448 required to end on December 31 of a year. A decision to rescind

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449 the tax shall not take effect on any date other than December 31
450 and shall require a minimum of 60 days' notice to the department
451 of such decision.

452 Section 7. Paragraphs (a) and (b) of subsection (1),
453 paragraph (a) of subsection (5), and paragraphs (d) and (e) of
454 subsection (7) of section 336.025, Florida Statutes, are amended
455 to read:

456 336.025 County transportation system; levy of local option
457 fuel tax on motor fuel and diesel fuel.—

458 (1)(a) In addition to other taxes allowed by law, there
459 may be levied as provided in ss. 206.41(1)(e) and 206.87(1)(c) a
460 1-cent, 2-cent, 3-cent, 4-cent, 5-cent, or 6-cent local option
461 fuel tax upon every gallon of motor fuel and diesel fuel sold in
462 a county and taxed under the provisions of part I or part II of
463 chapter 206.

464 1. All impositions and rate changes of the tax shall be
465 levied before October 1 ~~July 1~~ to be effective January 1 of the
466 following year for a period not to exceed 30 years, and the
467 applicable method of distribution shall be established pursuant
468 to subsection (3) or subsection (4). However, levies of the tax
469 which were in effect on July 1, 2002, and which expire on August
470 31 of any year may be reimposed at the current authorized rate
471 effective September 1 of the year of expiration. Upon
472 expiration, the tax may be relieved provided that a
473 redetermination of the method of distribution is made as
474 provided in this section.

475 2. County and municipal governments shall utilize moneys
476 received pursuant to this paragraph only for transportation

477 expenditures.

478 3. Any tax levied pursuant to this paragraph may be
 479 extended on a majority vote of the governing body of the county.
 480 A redetermination of the method of distribution shall be
 481 established pursuant to subsection (3) or subsection (4), if,
 482 after July 1, 1986, the tax is extended or the tax rate changed,
 483 for the period of extension or for the additional tax.

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

491 1. All impositions and rate changes of the tax shall be
 492 levied before October 1 ~~July 1~~, to be effective January 1 of the
 493 following year. However, levies of the tax which were in effect
 494 on July 1, 2002, and which expire on August 31 of any year may
 495 be reimposed at the current authorized rate effective September
 496 1 of the year of expiration.

497 2. The county may, prior to levy of the tax, establish by
 498 interlocal agreement with one or more municipalities located
 499 therein, representing a majority of the population of the
 500 incorporated area within the county, a distribution formula for
 501 dividing the entire proceeds of the tax among county government
 502 and all eligible municipalities within the county. If no
 503 interlocal agreement is adopted before the effective date of the
 504 tax, tax revenues shall be distributed pursuant to the

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505 provisions of subsection (4). If no interlocal agreement exists,
506 a new interlocal agreement may be established prior to June 1 of
507 any year pursuant to this subparagraph. However, any interlocal
508 agreement agreed to under this subparagraph after the initial
509 levy of the tax or change in the tax rate authorized in this
510 section shall under no circumstances materially or adversely
511 affect the rights of holders of outstanding bonds which are
512 backed by taxes authorized by this paragraph, and the amounts
513 distributed to the county government and each municipality shall
514 not be reduced below the amount necessary for the payment of
515 principal and interest and reserves for principal and interest
516 as required under the covenants of any bond resolution
517 outstanding on the date of establishment of the new interlocal
518 agreement.

519 3. County and municipal governments shall use moneys
520 received pursuant to this paragraph for transportation
521 expenditures needed to meet the requirements of the capital
522 improvements element of an adopted comprehensive plan or for
523 expenditures needed to meet immediate local transportation
524 problems and for other transportation-related expenditures that
525 are critical for building comprehensive roadway networks by
526 local governments. For purposes of this paragraph, expenditures
527 for the construction of new roads, the reconstruction or
528 resurfacing of existing paved roads, or the paving of existing
529 graded roads shall be deemed to increase capacity and such
530 projects shall be included in the capital improvements element
531 of an adopted comprehensive plan. Expenditures for purposes of
532 this paragraph shall not include routine maintenance of roads.

533 (5) (a) By October 1 ~~July 1~~ of each year, the county shall
 534 notify the Department of Revenue of the rate of the taxes levied
 535 pursuant to paragraphs (1) (a) and (b), and of its decision to
 536 rescind or change the rate of a tax, if applicable, and shall
 537 provide the department with a certified copy of the interlocal
 538 agreement established under subparagraph (1) (b)2. or
 539 subparagraph (3) (a)1. with distribution proportions established
 540 by such agreement or pursuant to subsection (4), if applicable.
 541 A decision to rescind a tax shall not take effect on any date
 542 other than December 31 and shall require a minimum of 60 days'
 543 notice to the Department of Revenue of such decision.

544 (7) For the purposes of this section, "transportation
 545 expenditures" means expenditures by the local government from
 546 local or state shared revenue sources, excluding expenditures of
 547 bond proceeds, for the following programs:

548 (d) Street lighting installation, operation, and
 549 maintenance.

550 (e) Traffic signs;~~;~~ traffic engineering;~~;~~ signalization
 551 installation, operation, and maintenance; and pavement markings.

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

554 337.111 Contracting for monuments and memorials to
 555 military veterans at rest areas.—The Department of
 556 Transportation is authorized to enter into contract with any
 557 not-for-profit group or organization that has been operating for
 558 not less than 2 years for the installation of monuments and
 559 memorials honoring Florida's military veterans at highway rest
 560 areas around the state pursuant to the provisions of this

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561 section.

562 (4) The group or organization making the proposal shall
 563 provide a 10-year bond, an annual renewable bond, an irrevocable
 564 letter of credit, or other form of security as approved by the
 565 department's comptroller, for the purpose of securing the cost
 566 of removal of the monument and any modifications made to the
 567 site as part of the placement of the monument should the
 568 Department of Transportation determine it necessary to remove or
 569 relocate the monument. Such removal or relocation shall be
 570 approved by the committee described in subsection (1). ~~Prior to~~
 571 ~~expiration, the bond shall be renewed for another 10-year period~~
 572 ~~if the memorial is to remain in place.~~

573 Section 9. Section 337.403, Florida Statutes, is amended
 574 to read:

575 337.403 Interference caused by Relocation of utility;
 576 expenses.—

577 (1) When a ~~Any~~ utility ~~heretofore or hereafter~~ placed
 578 upon, under, over, or along any public road or publicly owned
 579 rail corridor ~~that~~ is found by the authority to be unreasonably
 580 interfering in any way with the convenient, safe, or continuous
 581 use, or the maintenance, improvement, extension, or expansion,
 582 of such public road or publicly owned rail corridor, the utility
 583 owner shall, upon 30 days' written notice to the utility or its
 584 agent by the authority, initiate the work necessary to alleviate
 585 the interference ~~be removed or relocated by such utility at its~~
 586 own expense except as provided in paragraphs (a)-(f). The work
 587 shall be completed within such time as stated in the notice or
 588 such time as agreed to by the authority and the utility owner.

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589 (a) If the relocation of utility facilities, as referred
590 to in s. 111 of the Federal-Aid Highway Act of 1956, Pub. L. No.
591 627 of the 84th Congress, is necessitated by the construction of
592 a project on the federal-aid interstate system, including
593 extensions thereof within urban areas, and the cost of the
594 project is eligible and approved for reimbursement by the
595 Federal Government to the extent of 90 percent or more under the
596 Federal Aid Highway Act, or any amendment thereof, then in that
597 event the utility owning or operating such facilities shall
598 perform any necessary work ~~relocate the facilities~~ upon notice
599 from order of the department, and the state shall pay the entire
600 expense properly attributable to such work ~~relocation~~ after
601 deducting therefrom any increase in the value of any ~~the~~ new
602 facility and any salvage value derived from any ~~the~~ old
603 facility.

604 (b) When a joint agreement between the department and the
605 utility is executed for utility ~~improvement, relocation, or~~
606 ~~removal~~ work to be accomplished as part of a contract for
607 construction of a transportation facility, the department may
608 participate in those utility work ~~improvement, relocation, or~~
609 ~~removal~~ costs that exceed the department's official estimate of
610 the cost of the work by more than 10 percent. The amount of such
611 participation shall be limited to the difference between the
612 official estimate of all the work in the joint agreement plus 10
613 percent and the amount awarded for this work in the construction
614 contract for such work. The department may not participate in
615 any utility work ~~improvement, relocation, or removal~~ costs that

616 occur as a result of changes or additions during the course of
617 the contract.

618 (c) When an agreement between the department and utility
619 is executed for utility ~~improvement, relocation, or removal~~ work
620 to be accomplished in advance of a contract for construction of
621 a transportation facility, the department may participate in the
622 cost of clearing and grubbing necessary to perform such work.

623 (d) If the utility facility involved ~~being removed or~~
624 ~~relocated~~ was initially installed to exclusively serve the
625 department, its tenants, or both, the department shall bear the
626 costs of the utility work ~~removing or relocating that utility~~
627 ~~facility~~. However, the department is not responsible for bearing
628 the cost of utility work related to ~~removing or relocating~~ any
629 subsequent additions to that facility for the purpose of serving
630 others.

631 (e) If, under an agreement between a utility and the
632 authority entered into after July 1, 2009, the utility conveys,
633 subordinates, or relinquishes a compensable property right to
634 the authority for the purpose of accommodating the acquisition
635 or use of the right-of-way by the authority, without the
636 agreement expressly addressing future responsibility for the
637 cost of necessary utility work ~~removing or relocating the~~
638 ~~utility~~, the authority shall bear the cost of removal or
639 relocation. This paragraph does not impair or restrict, and may
640 not be used to interpret, the terms of any such agreement
641 entered into before July 1, 2009.

642 (f) If the utility is an electric facility being relocated
643 underground in order to enhance vehicular, bicycle, and

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644 pedestrian safety and in which ownership of the electric
645 facility to be placed underground has been transferred from a
646 private to a public utility within the past 5 years, the
647 department shall incur all costs of the necessary utility work
648 relocation.

649 (2) If such utility work ~~removal or relocation~~ is
650 incidental to work to be done on such road or publicly owned
651 rail corridor, the notice shall be given at the same time the
652 contract for the work is advertised for bids, or no less than 30
653 days prior to the commencement of such work by the authority,
654 whichever is greater.

655 (3) Whenever the notice from ~~an order of~~ the authority
656 requires such utility work ~~removal or change in the location of~~
657 ~~any utility from the right-of-way of a public road or publicly~~
658 ~~owned rail corridor,~~ and the owner thereof fails perform the
659 work to remove or change the same at his or her own expense ~~to~~
660 ~~conform to the order~~ within the time stated in the notice or
661 such other time as agreed to by the authority and the utility
662 owner, the authority shall proceed to cause the utility work to
663 be performed ~~to be removed~~. The expense thereby incurred shall
664 be paid out of any money available therefor, and such expense
665 shall, except as provided in subsection (1), be charged against
666 the owner and levied and collected and paid into the fund from
667 which the expense of such relocation was paid.

668 Section 10. Subsection (1) of section 337.404, Florida
669 Statutes, is amended to read:

670 337.404 Removal or relocation of utility facilities;
671 notice and order; court review.-

672 (1) Whenever it shall become necessary for the authority
 673 to perform utility work ~~remove or relocate any utility~~ as
 674 provided in s. 337.403 ~~the preceding section~~, the owner of the
 675 utility, or the owner's chief agent, shall be given notice that
 676 the authority will perform ~~of such work removal or relocation~~
 677 and, after the work is complete, shall be given an order
 678 requiring the payment of the cost thereof, and a ~~shall be given~~
 679 reasonable time, which shall not be less than 20 nor more than
 680 30 days, in which to appear before the authority to contest the
 681 reasonableness of the order. Should the owner or the owner's
 682 representative not appear, the determination of the cost to the
 683 owner shall be final. Authorities considered agencies for the
 684 purposes of chapter 120 shall adjudicate removal or relocation
 685 of utilities pursuant to chapter 120.

686 Section 11. Subsections (1) and (4) of section 337.408,
 687 Florida Statutes, are amended to read:

688 337.408 Regulation of bus stops, benches, transit
 689 shelters, street light poles, waste disposal receptacles, and
 690 modular news racks within rights-of-way.-

691 (1) Benches or transit shelters, including advertising
 692 displayed on benches or transit shelters, may be installed
 693 within the right-of-way limits of any municipal, county, or
 694 state road, except a limited access highway, provided that such
 695 benches or transit shelters are for the comfort or convenience
 696 of the general public or are at designated stops on official bus
 697 routes and provided that written authorization has been given to
 698 a qualified private supplier of such service by the municipal
 699 government within whose incorporated limits such benches or

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700 transit shelters are installed or by the county government
701 within whose unincorporated limits such benches or transit
702 shelters are installed. A municipality or county may authorize
703 the installation, without public bid, of benches and transit
704 shelters together with advertising displayed thereon within the
705 right-of-way limits of such roads. All installations shall be in
706 compliance with all applicable laws and rules, including,
707 without limitation, the Americans with Disabilities Act.
708 Municipalities or counties shall indemnify, defend, and hold
709 harmless the department from any suits, actions, proceedings,
710 claims, losses, costs, charges, expenses, damages, liabilities,
711 attorney fees, and court costs relating to the installation,
712 removal, or relocation of such installations. Any contract for
713 the installation of benches or transit shelters or advertising
714 on benches or transit shelters which was entered into before
715 April 8, 1992, without public bidding is ratified and affirmed.
716 Such benches or transit shelters may not interfere with right-
717 of-way preservation and maintenance. Any bench or transit
718 shelter located on a sidewalk within the right-of-way limits of
719 any road on the State Highway System or the county road system
720 shall be located so as to leave at least 36 inches of clearance
721 for pedestrians and persons in wheelchairs. Such clearance shall
722 be measured in a direction perpendicular to the centerline of
723 the road.

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

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728 otherwise not in compliance with applicable laws and rules,
729 except that transit bus benches that were placed in service
730 before April 1, 1992, are not required to comply with bench size
731 and advertising display size requirements established by the
732 department before March 1, 1992. If a municipality or county
733 fails to comply with the department's direction, the department
734 shall remove the noncompliant installation, charge the cost of
735 the removal to the municipality or county, and may deduct or
736 offset such cost from any other funding available to the
737 municipality or county from the department. Any transit bus
738 ~~bench that was in service before April 1, 1992, may be replaced~~
739 ~~with a bus bench of the same size or smaller, if the bench is~~
740 ~~damaged or destroyed or otherwise becomes unusable.~~ The
741 department may adopt rules relating to the regulation of bench
742 size and advertising display size requirements. If a
743 municipality or county within which a bench is to be located has
744 adopted an ordinance or other applicable regulation that
745 establishes bench size or advertising display sign requirements
746 different from requirements specified in department rule, the
747 local government requirement applies within the respective
748 municipality or county. Placement of any bench or advertising
749 display on the National Highway System under a local ordinance
750 or regulation adopted under this subsection is subject to
751 approval of the Federal Highway Administration.

752 Section 12. Chapter 338, Florida Statutes, is retitled
753 "LIMITED ACCESS AND TOLL FACILITIES."

754 Section 13. Section 338.001, Florida Statutes, is
755 repealed.

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756 Section 14. Subsections (1) through (6) of section 338.01,
757 Florida Statutes, are renumbered as subsections (2) through (7),
758 respectively, and a new subsection (1) is added to that section
759 to read:

760 338.01 Authority to establish and regulate limited access
761 facilities.—

762 (1) The department is authorized to establish limited
763 access facilities as provided in s. 335.02. The primary function
764 of such limited access facilities is to allow high-speed and
765 high-volume traffic movements within the state. Access to
766 abutting land is subordinate to this function, and such access
767 must be prohibited or highly regulated.

768 Section 15. Section 339.155, Florida Statutes, is amended
769 to read:

770 339.155 Transportation planning.—

771 (1) THE FLORIDA TRANSPORTATION PLAN.—The department shall
772 develop ~~and annually update~~ a statewide transportation plan, to
773 be known as the Florida Transportation Plan. The plan shall be
774 designed so as to be easily read and understood by the general
775 public. The purpose of the Florida Transportation Plan is to
776 establish and define the state's long-range transportation goals
777 and objectives to be accomplished over a period of at least 20
778 years within the context of the State Comprehensive Plan, and
779 any other statutory mandates and authorizations and based upon
780 the prevailing principles of: preserving the existing
781 transportation infrastructure; enhancing Florida's economic
782 competitiveness; and improving travel choices to ensure
783 mobility. The Florida Transportation Plan shall consider the

784 needs of the entire state transportation system and examine the
 785 use of all modes of transportation to effectively and
 786 efficiently meet such needs.

787 (2) SCOPE OF PLANNING PROCESS.—The department shall carry
 788 out a transportation planning process in conformance with s.
 789 334.046(1) and 23 U.S.C. s. 135. ~~which provides for~~
 790 ~~consideration of projects and strategies that will:~~

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

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

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

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

800 ~~(e) Enhance the integration and connectivity of the~~
 801 ~~transportation system, across and between modes throughout~~
 802 ~~Florida, for people and freight;~~

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

804 ~~(g) Emphasize the preservation of the existing~~
 805 ~~transportation system.~~

806 (3) FORMAT, SCHEDULE, AND REVIEW.—The Florida
 807 Transportation Plan shall be a unified, concise planning
 808 document that clearly defines the state's long-range
 809 transportation goals and objectives ~~and documents the~~
 810 ~~department's short-range objectives developed to further such~~
 811 ~~goals and objectives.~~ The plan shall:

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

816 (b) ~~(a)~~ Document ~~A long-range component~~ documenting the
 817 goals and long-term objectives ~~necessary to implement the~~
 818 ~~results of the~~ department consistent with department's findings
 819 ~~from its examination of the criteria listed in subsection (2)~~
 820 ~~and s. 334.046(1) and 23 U.S.C. s. 135. The long-range component~~
 821 ~~must~~

822 (c) Be developed in cooperation with the metropolitan
 823 planning organizations and reconciled, to the maximum extent
 824 feasible, with the long-range plans developed by metropolitan
 825 planning organizations pursuant to s. 339.175. ~~The plan must~~
 826 ~~also~~

827 (d) Be developed in consultation with affected local
 828 officials in nonmetropolitan areas and with any affected Indian
 829 tribal governments. ~~The plan must~~

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

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

836 ~~(b)~~ ~~A short-range component~~ documenting the short-term
 837 ~~objectives and strategies necessary to implement the goals and~~
 838 ~~long-term objectives contained in the long-range component. The~~
 839 ~~short-range component must define the relationship between the~~

840 ~~long range goals and the short range objectives, specify those~~
841 ~~objectives against which the department's achievement of such~~
842 ~~goals will be measured, and identify transportation strategies~~
843 ~~necessary to efficiently achieve the goals and objectives in the~~
844 ~~plan. It must provide a policy framework within which the~~
845 ~~department's legislative budget request, the strategic~~
846 ~~information resource management plan, and the work program are~~
847 ~~developed. The short range component shall serve as the~~
848 ~~department's annual agency strategic plan pursuant to s.~~
849 ~~186.021. The short range component shall be developed consistent~~
850 ~~with available and forecasted state and federal funds. The~~
851 ~~short range component shall also be submitted to the Florida~~
852 ~~Transportation Commission.~~

853 ~~(4) ANNUAL PERFORMANCE REPORT. The department shall~~
854 ~~develop an annual performance report evaluating the operation of~~
855 ~~the department for the preceding fiscal year. The report shall~~
856 ~~also include a summary of the financial operations of the~~
857 ~~department and shall annually evaluate how well the adopted work~~
858 ~~program meets the short term objectives contained in the short~~
859 ~~range component of the Florida Transportation Plan. This~~
860 ~~performance report shall be submitted to the Florida~~
861 ~~Transportation Commission and the legislative appropriations and~~
862 ~~transportation committees.~~

863 ~~(4)~~ (5) ~~ADDITIONAL TRANSPORTATION PLANS.—~~

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

868 consistent with the plans of the department for major
869 transportation facilities. The department may render to local
870 governmental entities or their planning agencies such technical
871 assistance and services as are necessary so that local plans and
872 facilities are coordinated with the plans and facilities of the
873 department.

874 (b) Each regional planning council, as provided for in s.
875 186.504, or any successor agency thereto, shall develop, as an
876 element of its strategic regional policy plan, transportation
877 goals and policies. The transportation goals and policies must
878 be prioritized to comply with the prevailing principles provided
879 in subsection (2) and s. 334.046(1). The transportation goals
880 and policies shall be consistent, to the maximum extent
881 feasible, with the goals and policies of the metropolitan
882 planning organization and the Florida Transportation Plan. The
883 transportation goals and policies of the regional planning
884 council will be advisory only and shall be submitted to the
885 department and any affected metropolitan planning organization
886 for their consideration and comments. Metropolitan planning
887 organization plans and other local transportation plans shall be
888 developed consistent, to the maximum extent feasible, with the
889 regional transportation goals and policies. The regional
890 planning council shall review urbanized area transportation
891 plans and any other planning products stipulated in s. 339.175
892 and provide the department and respective metropolitan planning
893 organizations with written recommendations which the department
894 and the metropolitan planning organizations shall take under
895 advisement. Further, the regional planning councils shall

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896 directly assist local governments which are not part of a
897 metropolitan area transportation planning process in the
898 development of the transportation element of their comprehensive
899 plans as required by s. 163.3177.

900 (c) Regional transportation plans may be developed in
901 regional transportation areas in accordance with an interlocal
902 agreement entered into pursuant to s. 163.01 by two or more
903 contiguous metropolitan planning organizations; one or more
904 metropolitan planning organizations and one or more contiguous
905 counties, none of which is a member of a metropolitan planning
906 organization; a multicounty regional transportation authority
907 created by or pursuant to law; two or more contiguous counties
908 that are not members of a metropolitan planning organization; or
909 metropolitan planning organizations comprised of three or more
910 counties.

911 (d) The interlocal agreement must, at a minimum, identify
912 the entity that will coordinate the development of the regional
913 transportation plan; delineate the boundaries of the regional
914 transportation area; provide the duration of the agreement and
915 specify how the agreement may be terminated, modified, or
916 rescinded; describe the process by which the regional
917 transportation plan will be developed; and provide how members
918 of the entity will resolve disagreements regarding
919 interpretation of the interlocal agreement or disputes relating
920 to the development or content of the regional transportation
921 plan. Such interlocal agreement shall become effective upon its
922 recordation in the official public records of each county in the
923 regional transportation area.

924 (e) The regional transportation plan developed pursuant to
 925 this section must, at a minimum, identify regionally significant
 926 transportation facilities located within a regional
 927 transportation area and contain a prioritized list of regionally
 928 significant projects. The level-of-service standards for
 929 facilities to be funded under this subsection shall be adopted
 930 by the appropriate local government in accordance with s.
 931 163.3180(10). The projects shall be adopted into the capital
 932 improvements schedule of the local government comprehensive plan
 933 pursuant to s. 163.3177(3).

934 (5) ~~(6)~~ PROCEDURES FOR PUBLIC PARTICIPATION IN
 935 TRANSPORTATION PLANNING.—

936 (a) During the development of the ~~long-range component of~~
 937 ~~the~~ Florida Transportation Plan and prior to substantive
 938 revisions, the department shall provide citizens, affected
 939 public agencies, representatives of transportation agency
 940 employees, other affected employee representatives, private
 941 providers of transportation, and other known interested parties
 942 with an opportunity to comment on the proposed plan or
 943 revisions. These opportunities shall include, at a minimum,
 944 publishing a notice in the Florida Administrative Weekly and
 945 within a newspaper of general circulation within the area of
 946 each department district office.

947 (b) During development of major transportation
 948 improvements, such as those increasing the capacity of a
 949 facility through the addition of new lanes or providing new
 950 access to a limited or controlled access facility or
 951 construction of a facility in a new location, the department

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952 shall hold one or more hearings prior to the selection of the
953 facility to be provided; prior to the selection of the site or
954 corridor of the proposed facility; and prior to the selection of
955 and commitment to a specific design proposal for the proposed
956 facility. Such public hearings shall be conducted so as to
957 provide an opportunity for effective participation by interested
958 persons in the process of transportation planning and site and
959 route selection and in the specific location and design of
960 transportation facilities. The various factors involved in the
961 decision or decisions and any alternative proposals shall be
962 clearly presented so that the persons attending the hearing may
963 present their views relating to the decision or decisions which
964 will be made.

965 (c) Opportunity for design hearings:

966 1. The department, prior to holding a design hearing,
967 shall duly notify all affected property owners of record, as
968 recorded in the property appraiser's office, by mail at least 20
969 days prior to the date set for the hearing. The affected
970 property owners shall be:

971 a. Those whose property lies in whole or in part within
972 300 feet on either side of the centerline of the proposed
973 facility.

974 b. Those whom the department determines will be
975 substantially affected environmentally, economically, socially,
976 or safetywise.

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

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

982 3. A copy of the notice of opportunity for the hearing
 983 must be furnished to the United States Department of
 984 Transportation and to the appropriate departments of the state
 985 government at the time of publication.

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

991 5. The opportunity for a hearing shall be afforded in each
 992 case in which the department is in doubt as to whether a hearing
 993 is required.

994 Section 16. Section 339.62, Florida Statutes, is amended
 995 to read:

996 339.62 System components.—The Strategic Intermodal System
 997 shall consist of appropriate components of:

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

1000 (2) The National Highway System.

1001 (3) Airport, seaport, and spaceport facilities.

1002 (4) Rail lines and rail facilities.

1003 (5) Selected intermodal facilities; passenger and freight
 1004 terminals; and appropriate components of the State Highway
 1005 System, county road system, city street system, inland
 1006 waterways, and local public transit systems that serve as
 1007 existing or planned connectors between the components listed in

1008 subsections (1)-(4).

1009 (6) Other existing or planned corridors that serve a
 1010 statewide or interregional purpose.

1011 Section 17. Subsection (2) of section 339.63, Florida
 1012 Statutes, is amended to read:

1013 339.63 System facilities designated; additions and
 1014 deletions.—

1015 (2) The Strategic Intermodal System and the Emerging
 1016 Strategic Intermodal System include four ~~three~~ different types
 1017 of facilities that each form one component of an interconnected
 1018 transportation system which types include:

1019 (a) Existing or planned hubs that are ports and terminals
 1020 including airports, seaports, spaceports, passenger terminals,
 1021 and rail terminals serving to move goods or people between
 1022 Florida regions or between Florida and other markets in the
 1023 United States and the rest of the world;

1024 (b) Existing or planned corridors that are highways, rail
 1025 lines, waterways, and other exclusive-use facilities connecting
 1026 major markets within Florida or between Florida and other states
 1027 or nations; and

1028 (c) Existing or planned intermodal connectors that are
 1029 highways, rail lines, waterways or local public transit systems
 1030 serving as connectors between the components listed in
 1031 paragraphs (a) and (b).

1032 (d) Existing or planned military access facilities that
 1033 are highways or rail lines linking Strategic Intermodal System
 1034 corridors to the state's strategic military installations.

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1035 Section 18. Section 339.64, Florida Statutes, is amended
 1036 to read:

1037 339.64 Strategic Intermodal System Plan.—

1038 (1) The department shall develop, in cooperation with
 1039 metropolitan planning organizations, regional planning councils,
 1040 local governments, ~~the Statewide Intermodal Transportation~~
 1041 ~~Advisory Council~~ and other transportation providers, a Strategic
 1042 Intermodal System Plan. The plan shall be consistent with the
 1043 Florida Transportation Plan developed pursuant to s. 339.155 and
 1044 shall be updated at least once every 5 years, subsequent to
 1045 updates of the Florida Transportation Plan.

1046 (2) In association with the continued development of the
 1047 Strategic Intermodal System Plan, the Florida Transportation
 1048 Commission, as part of its work program review process, shall
 1049 conduct an annual assessment of the progress that the department
 1050 and its transportation partners have made in realizing the goals
 1051 of economic development, improved mobility, and increased
 1052 intermodal connectivity of the Strategic Intermodal System. The
 1053 Florida Transportation Commission shall coordinate with the
 1054 department, ~~the Statewide Intermodal Transportation Advisory~~
 1055 ~~Council~~, and other appropriate entities when developing this
 1056 assessment. The Florida Transportation Commission shall deliver
 1057 a report to the Governor and Legislature no later than 14 days
 1058 after the regular session begins, with recommendations as
 1059 necessary to fully implement the Strategic Intermodal System.

1060 (3) (a) During the development of updates to the Strategic
 1061 Intermodal System Plan, the department shall provide
 1062 metropolitan planning organizations, regional planning councils,

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1063 local governments, transportation providers, affected public
1064 agencies, and citizens with an opportunity to participate in and
1065 comment on the development of the update.

1066 (b) The department also shall coordinate with federal,
1067 regional, and local partners the planning for the Strategic
1068 Highway Network and the Strategic Rail Corridor Network
1069 transportation facilities that either are included in the
1070 Strategic Intermodal System or that provide a direct connection
1071 between military installations and the Strategic Intermodal
1072 System. In addition, the department shall coordinate with
1073 regional and local partners to determine whether the road and
1074 other transportation infrastructure that connect military
1075 installations to the Strategic Intermodal System, the Strategic
1076 Highway Network, or the Strategic Rail Corridor is regionally
1077 significant and should be included in the Strategic Intermodal
1078 System Plan.

1079 (4) The Strategic Intermodal System Plan shall include the
1080 following:

1081 (a) A needs assessment.

1082 (b) A project prioritization process.

1083 (c) A map of facilities designated as Strategic Intermodal
1084 System facilities; facilities that are emerging in importance
1085 and that are likely to become part of the system in the future;
1086 and planned facilities that will meet the established criteria.

1087 (d) A finance plan based on reasonable projections of
1088 anticipated revenues, including both 10-year and at least 20-
1089 year cost-feasible components.

1090 (e) An assessment of the impacts of proposed improvements

1091 to Strategic Intermodal System corridors on military
 1092 installations that are either located directly on the Strategic
 1093 Intermodal System or located on the Strategic Highway Network or
 1094 Strategic Rail Corridor Network.

1095 ~~(5) STATEWIDE INTERMODAL TRANSPORTATION ADVISORY COUNCIL.—~~

1096 ~~(a) The Statewide Intermodal Transportation Advisory~~
 1097 ~~Council is created to advise and make recommendations to the~~
 1098 ~~Legislature and the department on policies, planning, and~~
 1099 ~~funding of intermodal transportation projects. The council's~~
 1100 ~~responsibilities shall include:~~

1101 ~~1. Advising the department on the policies, planning, and~~
 1102 ~~implementation of strategies related to intermodal~~
 1103 ~~transportation.~~

1104 ~~2. Providing advice and recommendations to the Legislature~~
 1105 ~~on funding for projects to move goods and people in the most~~
 1106 ~~efficient and effective manner for the State of Florida.~~

1107 ~~(b) MEMBERSHIP. Members of the Statewide Intermodal~~
 1108 ~~Transportation Advisory Council shall consist of the following:~~

1109 ~~1. Six intermodal industry representatives selected by the~~
 1110 ~~Governor as follows:~~

1111 ~~a. One representative from an airport involved in the~~
 1112 ~~movement of freight and people from their airport facility to~~
 1113 ~~another transportation mode.~~

1114 ~~b. One individual representing a fixed-route, local-~~
 1115 ~~government transit system.~~

1116 ~~c. One representative from an intercity bus company~~
 1117 ~~providing regularly scheduled bus travel as determined by~~
 1118 ~~federal regulations.~~

1119 ~~d. One representative from a spaceport.~~

1120 ~~e. One representative from intermodal trucking companies.~~

1121 ~~f. One representative having command responsibilities of a~~

1122 ~~major military installation.~~

1123 ~~2. Three intermodal industry representatives selected by~~

1124 ~~the President of the Senate as follows:~~

1125 ~~a. One representative from major-line railroads.~~

1126 ~~b. One representative from seaports listed in s. 311.09(1)~~

1127 ~~from the Atlantic Coast.~~

1128 ~~e. One representative from an airport involved in the~~

1129 ~~movement of freight and people from their airport facility to~~

1130 ~~another transportation mode.~~

1131 ~~3. Three intermodal industry representatives selected by~~

1132 ~~the Speaker of the House of Representatives as follows:~~

1133 ~~a. One representative from short-line railroads.~~

1134 ~~b. One representative from seaports listed in s. 311.09(1)~~

1135 ~~from the Gulf Coast.~~

1136 ~~e. One representative from intermodal trucking companies.~~

1137 ~~In no event may this representative be employed by the same~~

1138 ~~company that employs the intermodal trucking company~~

1139 ~~representative selected by the Governor.~~

1140 ~~(c) Initial appointments to the council must be made no~~

1141 ~~later than 30 days after the effective date of this section.~~

1142 ~~1. The initial appointments made by the President of the~~

1143 ~~Senate and the Speaker of the House of Representatives shall~~

1144 ~~serve terms concurrent with those of the respective appointing~~

1145 ~~officer. Beginning January 15, 2005, and for all subsequent~~

1146 ~~appointments, council members appointed by the President of the~~

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1147 ~~Senate and the Speaker of the House of Representatives shall~~
1148 ~~serve 2-year terms, concurrent with the term of the respective~~
1149 ~~appointing officer.~~

1150 ~~2. The initial appointees, and all subsequent appointees,~~
1151 ~~made by the Governor shall serve 2-year terms.~~

1152 ~~3. Vacancies on the council shall be filled in the same~~
1153 ~~manner as the initial appointments.~~

1154 ~~(d) Each member of the council shall be allowed one vote.~~
1155 ~~The council shall select a chair from among its membership.~~
1156 ~~Meetings shall be held at the call of the chair, but not less~~
1157 ~~frequently than quarterly. The members of the council shall be~~
1158 ~~reimbursed for per diem and travel expenses as provided in s.~~
1159 ~~112.061.~~

1160 ~~(e) The department shall provide administrative staff~~
1161 ~~support and shall ensure that council meetings are~~
1162 ~~electronically recorded. Such recordings and all documents~~
1163 ~~received, prepared for, or used by the council in conducting its~~
1164 ~~business shall be preserved pursuant to chapters 119 and 257.~~

1165 Section 19. Section 339.65, Florida Statutes, is created
1166 to read:

1167 339.65 Strategic Intermodal System highway corridors.—

1168 (1) The department shall plan and develop Strategic
1169 Intermodal System highway corridors, including limited and
1170 controlled access facilities, allowing for high-speed and high-
1171 volume traffic movements within the state. The primary function
1172 of these corridors is to provide such traffic movements. Access
1173 to abutting land is subordinate to this function, and such
1174 access must be prohibited or highly regulated.

1175 (2) Strategic Intermodal System highway corridors shall
 1176 include facilities from the following components of the State
 1177 Highway System that meet the criteria adopted by the department
 1178 pursuant to s. 339.63:

1179 (a) Interstate highways.

1180 (b) The Florida Turnpike System.

1181 (c) Interregional and intercity limited access facilities.

1182 (d) Existing interregional and intercity arterial highways
 1183 previously upgraded or upgraded in the future to limited access
 1184 or controlled access facility standards.

1185 (e) New limited access facilities necessary to complete a
 1186 balanced statewide system.

1187 (3) The department shall adhere to the following policy
 1188 guidelines in the development of Strategic Intermodal System
 1189 highway corridors:

1190 (a) Make capacity improvements to existing facilities
 1191 where feasible to minimize costs and environmental impacts.

1192 (b) Identify appropriate arterial highways in major
 1193 transportation corridors for inclusion in a program to bring
 1194 these facilities up to limited access or controlled access
 1195 facility standards.

1196 (c) Coordinate proposed projects with appropriate limited
 1197 access projects undertaken by expressway authorities and local
 1198 governmental entities.

1199 (d) Maximize the use of limited access facility standards
 1200 when constructing new arterial highways.

1201 (e) Identify appropriate new limited access highways for
 1202 inclusion as a part of the Florida Turnpike System.

1203 (f) To the maximum extent feasible, ensure that proposed
 1204 projects are consistent with approved local government
 1205 comprehensive plans of the local jurisdictions in which such
 1206 facilities are to be located and with the transportation
 1207 improvement program of any metropolitan planning organization in
 1208 which such facilities are to be located.

1209 (4) The department shall develop and maintain a plan of
 1210 Strategic Intermodal System highway corridor projects that are
 1211 anticipated to be let to contract for construction within a time
 1212 period of at least 20 years. The plan shall also identify when
 1213 segments of the corridor will meet the standards and criteria
 1214 developed pursuant to subsection (5).

1215 (5) The department shall establish the standards and
 1216 criteria for the functional characteristics and design of
 1217 facilities proposed as part of Strategic Intermodal System
 1218 highway corridors.

1219 (6) For the purposes of developing the proposed Strategic
 1220 Intermodal System highway corridors, beginning in fiscal year
 1221 2003-2004 and for each fiscal year thereafter, the minimum
 1222 amount allocated shall be based on the fiscal year 2003-2004
 1223 allocation of \$450 million adjusted annually by the change in
 1224 the Consumer Price Index for the prior fiscal year compared to
 1225 the Consumer Price Index for fiscal year 2003-2004.

1226 (7) Any project to be constructed as part of a Strategic
 1227 Intermodal System highway corridor shall be included in the
 1228 department's adopted work program. Any Strategic Intermodal
 1229 System highway corridor projects that are added to or deleted
 1230 from the previous adopted work program, or any modification to

1231 Strategic Intermodal System highway corridor projects contained
 1232 in the previous adopted work program, shall be specifically
 1233 identified and submitted as a separate part of the tentative
 1234 work program.

1235 Section 20. Section 479.075, Florida Statutes, is created
 1236 to read:

1237 479.075 Sign permit fee limitations.-

1238 (1) As used in this section, the term:

1239 (a) "Sign" means any sign, wall mural, or media tower as
 1240 defined in s. 479.01 or as defined by a local government
 1241 agreement, resolution, or ordinance.

1242 (b) "Sign permit fee" means any payment required as a
 1243 condition for building, erecting, inspecting, renewing,
 1244 maintaining, operating, relocating, or reconstructing a sign or
 1245 required pursuant to any agreement, ordinance, or resolution
 1246 that includes any provision relating to the issuance of a sign
 1247 permit or otherwise authorizing the building, erection,
 1248 inspection, renewal, maintenance, operation, relocation, or
 1249 reconstruction of a sign.

1250 (2) A local government may establish by agreement,
 1251 resolution, or ordinance a sign permit fee schedule and may
 1252 assess fees for sign permits. The fee schedule must be based on
 1253 the actual costs of administering its sign permitting program,
 1254 but may not exceed \$500 per sign per year.

1255 Section 21. Edna S. Hargrett-Thrower Avenue designated;
 1256 Department of Transportation to erect suitable markers.-

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1257 (1) That portion of Orange Blossom Trail between W. Gore
 1258 Street and W. Church Street in Orange County is designated as
 1259 "Edna S. Hargrett-Thrower Avenue."

1260 (2) The Department of Transportation is directed to erect
 1261 suitable markers designating Edna S. Hargrett-Thrower Avenue as
 1262 described in subsection (1).

1263 Section 22. SP4 Thomas Berry Corbin Memorial Highway
 1264 designated; Department of Transportation to erect suitable
 1265 markers.-

1266 (1) That portion of U.S. Highway 19/27A/98/State Road 55
 1267 between the Suwannee River Bridge and N.E. 592nd Street/Chavous
 1268 Road/Kate Green Road in Dixie County is designated as "SP4
 1269 Thomas Berry Corbin Memorial Highway."

1270 (2) The Department of Transportation is directed to erect
 1271 suitable markers designating SP4 Thomas Berry Corbin Memorial
 1272 Highway as described in subsection (1).

1273 Section 23. U.S. Navy BMC Samuel Calhoun Chavous, Jr.
 1274 Memorial Highway designated; Department of Transportation to
 1275 erect suitable markers.-

1276 (1) That portion of U.S. Highway 19/98/State Road 55
 1277 between N.E. 592nd Street/Chavous Road/Kate Green Road and N.E.
 1278 170th Street in Dixie County is designated as "U.S. Navy BMC
 1279 Samuel Calhoun Chavous, Jr. Memorial Highway."

1280 (2) The Department of Transportation is directed to erect
 1281 suitable markers designating U.S. Navy BMC Samuel Calhoun
 1282 Chavous, Jr. Memorial Highway as described in subsection (1).

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1283 Section 24. Marine Lance Corporal Brian R. Buesing
 1284 Memorial Highway designated; Department of Transportation to
 1285 erect suitable markers.—

1286 (1) That portion of State Road 24 between County Road 347
 1287 and Bridge Number 340053 in Levy County is designated as "Marine
 1288 Lance Corporal Brian R. Buesing Memorial Highway."

1289 (2) The Department of Transportation is directed to erect
 1290 suitable markers designating Marine Lance Corporal Brian R.
 1291 Buesing Memorial Highway as described in subsection (1).

1292 Section 25. United States Army Sergeant Karl A. Campbell
 1293 Memorial Highway designated; Department of Transportation to
 1294 erect suitable markers.—

1295 (1) That portion of U.S. Highway 19/98/State Road 55/S.
 1296 Main Street between N.W. 1st Avenue and S.E. 2nd Avenue in Levy
 1297 County is designated as "United States Army Sergeant Karl A.
 1298 Campbell Memorial Highway."

1299 (2) The Department of Transportation is directed to erect
 1300 suitable markers designating United States Army Sergeant Karl A.
 1301 Campbell Memorial Highway as described in subsection (1).

1302 Section 26. U.S. Army SPC James A. Page Memorial Highway
 1303 designated; Department of Transportation to erect suitable
 1304 markers.—

1305 (1) That portion of U.S. Highway 27A/State Road
 1306 500/Hathaway Avenue between State Road 24/Thrasher Drive and
 1307 Town Court in Levy County is designated as "U.S. Army SPC James
 1308 A. Page Memorial Highway."

1309 (2) The Department of Transportation is directed to erect
 1310 suitable markers designating U.S. Army SPC James A. Page
 1311 Memorial Highway as described in subsection (1).

1312 Section 27. Veterans Memorial Highway designated;
 1313 Department of Transportation to erect suitable markers.-

1314 (1) That portion of State Road 19 between U.S. Highway
 1315 17/State Road 15 and Carriage Drive in the City of Palatka in
 1316 Putnam County is designated as "Veterans Memorial Highway."

1317 (2) The Department of Transportation is directed to erect
 1318 suitable markers designating Veterans Memorial Highway as
 1319 described in subsection (1).

1320 Section 28. Ben G. Watts Highway designated; Department of
 1321 Transportation to erect suitable markers.-

1322 (1) That portion of U.S. Highway 90 in Washington County
 1323 between the Jackson County line and the Holmes County line at
 1324 the Holmes Creek Bridge is designated as "Ben G. Watts Highway."

1325 (2) The Department of Transportation is directed to erect
 1326 suitable markers designating Ben G. Watts Highway as described
 1327 in subsection (1).

1328 Section 29. Mardi Gras Way designated; Department of
 1329 Transportation to erect suitable markers.-

1330 (1) That portion of State Road 824 between Interstate 95
 1331 and U.S. Highway 1 in Broward County is designated as "Mardi
 1332 Gras Way."

1333 (2) The Department of Transportation is directed to erect
 1334 suitable markers designating Mardi Gras Way as described in
 1335 subsection (1).

1336 Section 30. West Park Boulevard designated; Department of
 1337 Transportation to erect suitable markers.-

1338 (1) That portion of State Road 7 between Pembroke Road and
 1339 County Line Road in Broward County is designated as "West Park
 1340 Boulevard."

1341 (2) The Department of Transportation is directed to erect
 1342 suitable markers designating West Park Boulevard as described in
 1343 subsection (1).

1344 Section 31. Pembroke Park Boulevard designated; Department
 1345 of Transportation to erect suitable markers.-

1346 (1) That portion of State Road 858/Hallandale Beach
 1347 Boulevard between Interstate 95 and U.S. Highway 441/State Road
 1348 7 in Broward County is designated as "Pembroke Park Boulevard."

1349 (2) The Department of Transportation is directed to erect
 1350 suitable markers designating Pembroke Park Boulevard as
 1351 described in subsection (1).

1352 Section 32. Stark Memorial Drive designated; Department of
 1353 Transportation to erect suitable markers.-

1354 (1) That portion of State Road 101/Mayport Road between
 1355 State Road A1A and Wonderwood Connector in Duval County is
 1356 designated as "Stark Memorial Drive."

1357 (2) The Department of Transportation is directed to erect
 1358 suitable markers designating Stark Memorial Drive as described
 1359 in subsection (1).

1360 Section 33. Duval County Law Enforcement Memorial Overpass
 1361 designated; Department of Transportation to erect suitable
 1362 markers.-

1363 (1) The Interstate 295/State Road 9A overpass (Bridge Nos.
 1364 720256 and 720347) over Interstate 10/State Road 8 in Duval
 1365 County is designated as "Duval County Law Enforcement Memorial
 1366 Overpass."

1367 (2) The Department of Transportation is directed to erect
 1368 suitable markers designating Duval County Law Enforcement
 1369 Memorial Overpass as described in subsection (1).

1370 Section 34. Verna Bell Way designated; Department of
 1371 Transportation to erect suitable markers.-

1372 (1) That portion of State Road 200 between Lime Street and
 1373 Beech Street in the City of Fernandina Beach in Nassau County is
 1374 designated as "Verna Bell Way."

1375 (2) The Department of Transportation is directed to erect
 1376 suitable markers designating Verna Bell Way as described in
 1377 subsection (1).

1378 Section 35. Deputy Hal P. Croft and Deputy Ronald Jackson
 1379 Memorial Highway designated; Department of Transportation to
 1380 erect suitable markers.-

1381 (1) That portion of State Road 100 East between the
 1382 Bradford County line and the Columbia County line in Union
 1383 County is designated as "Deputy Hal P. Croft and Deputy Ronald
 1384 Jackson Memorial Highway."

1385 (2) The Department of Transportation is directed to erect
 1386 suitable markers designating Deputy Hal P. Croft and Deputy
 1387 Ronald Jackson Memorial Highway as described in subsection (1).

1388 Section 36. Dr. Oscar Elias Biscet Boulevard designated;
 1389 Department of Transportation to erect suitable markers.-

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1390 (1) That portion of Coral Way between S.W. 32nd Avenue and
 1391 S.W. 37th Avenue in Miami-Dade County is designated as "Dr.
 1392 Oscar Elias Biscet Boulevard."

1393 (2) The Department of Transportation is directed to erect
 1394 suitable markers designating Dr. Oscar Elias Biscet Boulevard as
 1395 described in subsection (1).

1396 Section 37. Alma Lee Loy Bridge designated; Department of
 1397 Transportation to erect suitable markers.-

1398 (1) The bridge on State Road 656 in Indian River County
 1399 between State Road A1A and Indian River Boulevard in Vero Beach
 1400 is designated as "Alma Lee Loy Bridge."

1401 (2) The Department of Transportation is directed to erect
 1402 suitable markers designating Alma Lee Loy Bridge as described
 1403 subsection (1).

1404 Section 38. Section 24 of chapter 2010-230, Laws of
 1405 Florida, is amended to read:

1406 Section 24. Miss Lillie Williams Boulevard designated;
 1407 Department of Transportation to erect suitable markers.-

1408 (1) That portion of N.W. 79th Street between N.W. 6th
 1409 Avenue and N.W. 7th E. ~~12th~~ Avenue in Miami-Dade County is
 1410 designated as "Miss Lillie Williams Boulevard."

1411 (2) The Department of Transportation is directed to erect
 1412 suitable markers designating Miss Lillie Williams Boulevard as
 1413 described in subsection (1).

1414 Section 39. Section 45 of chapter 2010-230, Laws of
 1415 Florida, is amended to read:

1416 Section 45. Father Gerard Jean-Juste Street designated;
 1417 Department of Transportation to erect suitable markers.-

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1418 (1) That portion of N.W. 54th Street in Miami-Dade County
 1419 between N.W. 2nd Avenue and N.E. ~~N.W.~~ 3rd Avenue in Little Haiti
 1420 is designated "Father Gerard Jean-Juste Street."

1421 (2) The Department of Transportation is directed to erect
 1422 suitable markers designating Father Gerard Jean-Juste Street as
 1423 described in subsection (1).

1424 Section 40. Paragraph (a) of subsection (12) of section
 1425 163.3180, Florida Statutes, is amended to read:

1426 163.3180 Concurrency.—

1427 (12) (a) A development of regional impact may satisfy the
 1428 transportation concurrency requirements of the local
 1429 comprehensive plan, the local government's concurrency
 1430 management system, and s. 380.06 by payment of a proportionate-
 1431 share contribution for local and regionally significant traffic
 1432 impacts, if:

1433 1. The development of regional impact which, based on its
 1434 location or mix of land uses, is designed to encourage
 1435 pedestrian or other nonautomotive modes of transportation;

1436 2. The proportionate-share contribution for local and
 1437 regionally significant traffic impacts is sufficient to pay for
 1438 one or more required mobility improvements that will benefit a
 1439 regionally significant transportation facility;

1440 3. The owner and developer of the development of regional
 1441 impact pays or assures payment of the proportionate-share
 1442 contribution; and

1443 4. If the regionally significant transportation facility
 1444 to be constructed or improved is under the maintenance authority
 1445 of a governmental entity, as defined by s. 334.03~~(12)~~, other

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1446 than the local government with jurisdiction over the development
1447 of regional impact, the developer is required to enter into a
1448 binding and legally enforceable commitment to transfer funds to
1449 the governmental entity having maintenance authority or to
1450 otherwise assure construction or improvement of the facility.

1451
1452 The proportionate-share contribution may be applied to any
1453 transportation facility to satisfy the provisions of this
1454 subsection and the local comprehensive plan, but, for the
1455 purposes of this subsection, the amount of the proportionate-
1456 share contribution shall be calculated based upon the cumulative
1457 number of trips from the proposed development expected to reach
1458 roadways during the peak hour from the complete buildout of a
1459 stage or phase being approved, divided by the change in the peak
1460 hour maximum service volume of roadways resulting from
1461 construction of an improvement necessary to maintain the adopted
1462 level of service, multiplied by the construction cost, at the
1463 time of developer payment, of the improvement necessary to
1464 maintain the adopted level of service. For purposes of this
1465 subsection, "construction cost" includes all associated costs of
1466 the improvement. Proportionate-share mitigation shall be limited
1467 to ensure that a development of regional impact meeting the
1468 requirements of this subsection mitigates its impact on the
1469 transportation system but is not responsible for the additional
1470 cost of reducing or eliminating backlogs. This subsection also
1471 applies to Florida Quality Developments pursuant to s. 380.061
1472 and to detailed specific area plans implementing optional sector
1473 plans pursuant to s. 163.3245.

1474 Section 41. Paragraph (k) of subsection (1) of section
 1475 163.3187, Florida Statutes, is amended to read:

1476 163.3187 Amendment of adopted comprehensive plan.—

1477 (1) Amendments to comprehensive plans adopted pursuant to
 1478 this part may be made not more than two times during any
 1479 calendar year, except:

1480 (k) A local comprehensive plan amendment directly related
 1481 to providing transportation improvements to enhance life safety
 1482 on controlled access major arterial highways identified in the
 1483 Strategic Intermodal System ~~Florida Intrastate Highway System~~,
 1484 in counties as defined in s. 125.011, where such roadways have a
 1485 high incidence of traffic accidents resulting in serious injury
 1486 or death. Any such amendment shall not include any amendment
 1487 modifying the designation on a comprehensive development plan
 1488 land use map nor any amendment modifying the allowable densities
 1489 or intensities of any land.

1490 Section 42. Subsection (3) of section 288.063, Florida
 1491 Statutes, is amended to read:

1492 288.063 Contracts for transportation projects.—

1493 (3) With respect to any contract executed pursuant to this
 1494 section, the term "transportation project" means a
 1495 transportation facility as defined in s. 334.03~~(31)~~ which is
 1496 necessary in the judgment of the Office of Tourism, Trade, and
 1497 Economic Development to facilitate the economic development and
 1498 growth of the state. Except for applications received prior to
 1499 July 1, 1996, such transportation projects shall be approved
 1500 only as a consideration to attract new employment opportunities
 1501 to the state or expand or retain employment in existing

1502 | companies operating within the state, or to allow for the
 1503 | construction or expansion of a state or federal correctional
 1504 | facility in a county with a population of 75,000 or less that
 1505 | creates new employment opportunities or expands or retains
 1506 | employment in the county. The Office of Tourism, Trade, and
 1507 | Economic Development shall institute procedures to ensure that
 1508 | small and minority businesses have equal access to funding
 1509 | provided under this section. Funding for approved transportation
 1510 | projects may include any expenses, other than administrative
 1511 | costs and equipment purchases specified in the contract,
 1512 | necessary for new, or improvement to existing, transportation
 1513 | facilities. Funds made available pursuant to this section may
 1514 | not be expended in connection with the relocation of a business
 1515 | from one community to another community in this state unless the
 1516 | Office of Tourism, Trade, and Economic Development determines
 1517 | that without such relocation the business will move outside this
 1518 | state or determines that the business has a compelling economic
 1519 | rationale for the relocation which creates additional jobs.
 1520 | Subject to appropriation for projects under this section, any
 1521 | appropriation greater than \$10 million shall be allocated to
 1522 | each of the districts of the Department of Transportation to
 1523 | ensure equitable geographical distribution. Such allocated funds
 1524 | that remain uncommitted by the third quarter of the fiscal year
 1525 | shall be reallocated among the districts based on pending
 1526 | project requests.

1527 | Section 43. Paragraph (b) of subsection (3) of section
 1528 | 311.07, Florida Statutes, is amended to read:

1529 | 311.07 Florida seaport transportation and economic

1530 development funding.—
 1531 (3)
 1532 (b) Projects eligible for funding by grants under the
 1533 program are limited to the following port facilities or port
 1534 transportation projects:
 1535 1. Transportation facilities within the jurisdiction of
 1536 the port.
 1537 2. The dredging or deepening of channels, turning basins,
 1538 or harbors.
 1539 3. The construction or rehabilitation of wharves, docks,
 1540 structures, jetties, piers, storage facilities, cruise
 1541 terminals, automated people mover systems, or any facilities
 1542 necessary or useful in connection with any of the foregoing.
 1543 4. The acquisition of vessel tracking systems, container
 1544 cranes, or other mechanized equipment used in the movement of
 1545 cargo or passengers in international commerce.
 1546 5. The acquisition of land to be used for port purposes.
 1547 6. The acquisition, improvement, enlargement, or extension
 1548 of existing port facilities.
 1549 7. Environmental protection projects which are necessary
 1550 because of requirements imposed by a state agency as a condition
 1551 of a permit or other form of state approval; which are necessary
 1552 for environmental mitigation required as a condition of a state,
 1553 federal, or local environmental permit; which are necessary for
 1554 the acquisition of spoil disposal sites and improvements to
 1555 existing and future spoil sites; or which result from the
 1556 funding of eligible projects listed in this paragraph.
 1557 8. Transportation facilities as defined in s. 334.03~~(31)~~

1558 | which are not otherwise part of the Department of
 1559 | Transportation's adopted work program.

1560 | 9. Seaport intermodal access projects identified in the 5-
 1561 | year Florida Seaport Mission Plan as provided in s. 311.09(3).

1562 | 10. Construction or rehabilitation of port facilities as
 1563 | defined in s. 315.02, excluding any park or recreational
 1564 | facilities, in ports listed in s. 311.09(1) with operating
 1565 | revenues of \$5 million or less, provided that such projects
 1566 | create economic development opportunities, capital improvements,
 1567 | and positive financial returns to such ports.

1568 | Section 44. Subsection (7) of section 311.09, Florida
 1569 | Statutes, is amended to read:

1570 | 311.09 Florida Seaport Transportation and Economic
 1571 | Development Council.—

1572 | (7) The Department of Transportation shall review the list
 1573 | of projects approved by the council for consistency with the
 1574 | Florida Transportation Plan and the department's adopted work
 1575 | program. In evaluating the consistency of a project, the
 1576 | department shall determine whether the transportation impact of
 1577 | the proposed project is adequately handled by existing state-
 1578 | owned transportation facilities or by the construction of
 1579 | additional state-owned transportation facilities as identified
 1580 | in the Florida Transportation Plan and the department's adopted
 1581 | work program. In reviewing for consistency a transportation
 1582 | facility project as defined in s. 334.03~~(31)~~ which is not
 1583 | otherwise part of the department's work program, the department
 1584 | shall evaluate whether the project is needed to provide for
 1585 | projected movement of cargo or passengers from the port to a

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1586 state transportation facility or local road. If the project is
 1587 needed to provide for projected movement of cargo or passengers,
 1588 the project shall be approved for consistency as a consideration
 1589 to facilitate the economic development and growth of the state
 1590 in a timely manner. The Department of Transportation shall
 1591 identify those projects which are inconsistent with the Florida
 1592 Transportation Plan and the adopted work program and shall
 1593 notify the council of projects found to be inconsistent.

1594 Section 45. Section 316.2122, Florida Statutes, is amended
 1595 to read:

1596 316.2122 Operation of a low-speed vehicle or mini truck on
 1597 certain roadways.—The operation of a low-speed vehicle as
 1598 defined in s. 320.01(42) or a mini truck as defined in s.
 1599 320.01(45) on any road ~~as defined in s. 334.03(15) or (33)~~ is
 1600 authorized with the following restrictions:

1601 (1) A low-speed vehicle or mini truck may be operated only
 1602 on streets where the posted speed limit is 35 miles per hour or
 1603 less. This does not prohibit a low-speed vehicle or mini truck
 1604 from crossing a road or street at an intersection where the road
 1605 or street has a posted speed limit of more than 35 miles per
 1606 hour.

1607 (2) A low-speed vehicle must be equipped with headlamps,
 1608 stop lamps, turn signal lamps, taillamps, reflex reflectors,
 1609 parking brakes, rearview mirrors, windshields, seat belts, and
 1610 vehicle identification numbers.

1611 (3) A low-speed vehicle or mini truck must be registered
 1612 and insured in accordance with s. 320.02 and titled pursuant to
 1613 chapter 319.

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1614 (4) Any person operating a low-speed vehicle or mini truck
 1615 must have in his or her possession a valid driver's license.

1616 (5) A county or municipality may prohibit the operation of
 1617 low-speed vehicles or mini trucks on any road under its
 1618 jurisdiction if the governing body of the county or municipality
 1619 determines that such prohibition is necessary in the interest of
 1620 safety.

1621 (6) The Department of Transportation may prohibit the
 1622 operation of low-speed vehicles or mini trucks on any road under
 1623 its jurisdiction if it determines that such prohibition is
 1624 necessary in the interest of safety.

1625 Section 46. Section 318.12, Florida Statutes, is amended
 1626 to read:

1627 318.12 Purpose.—It is the legislative intent in the
 1628 adoption of this chapter to decriminalize certain violations of
 1629 chapter 316, the Florida Uniform Traffic Control Law; chapter
 1630 320, Motor Vehicle Licenses; chapter 322, Drivers' Licenses;
 1631 chapter 338, Limited Access Florida Intrastate Highway System
 1632 and Toll Facilities; and chapter 1006, Support of Learning,
 1633 thereby facilitating the implementation of a more uniform and
 1634 expeditious system for the disposition of traffic infractions.

1635 Section 47. Subsection (3) of section 335.02, Florida
 1636 Statutes, is amended to read:

1637 335.02 Authority to designate transportation facilities
 1638 and rights-of-way and establish lanes; procedure for
 1639 redesignation and relocation; application of local regulations.—

1640 (3) The department may establish standards for lanes on
 1641 the State Highway System, including the Strategic Intermodal

1642 System highway corridors ~~Florida Intrastate Highway System~~
 1643 established pursuant to s. 339.65 ~~338.001~~. In determining the
 1644 number of lanes for any regional corridor or section of highway
 1645 on the State Highway System to be funded by the department with
 1646 state or federal funds, the department shall evaluate all
 1647 alternatives and seek to achieve the highest degree of efficient
 1648 mobility for corridor users. In conducting the analysis, the
 1649 department must give consideration to the following factors
 1650 consistent with sound engineering principles:

1651 (a) Overall economic importance of the corridor as a trade
 1652 or tourism corridor.

1653 (b) Safety of corridor users, including the importance of
 1654 the corridor for evacuation purposes.

1655 (c) Cost-effectiveness of alternative methods of
 1656 increasing the mobility of corridor users.

1657 (d) Current and projected traffic volumes on the corridor.

1658 (e) Multimodal alternatives.

1659 (f) Use of intelligent transportation technology in
 1660 increasing the efficiency of the corridor.

1661 (g) Compliance with state and federal policies related to
 1662 clean air, environmental impacts, growth management, livable
 1663 communities, and energy conservation.

1664 (h) Addition of special use lanes, such as exclusive truck
 1665 lanes, high-occupancy-vehicle toll lanes, and exclusive
 1666 interregional traffic lanes.

1667 (i) Availability and cost of rights-of-way, including
 1668 associated costs, and the most effective use of existing rights-
 1669 of-way.

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1670 (j) Regional economic and transportation objectives, where
1671 articulated.

1672 (k) The future land use plan element of local government
1673 comprehensive plans, as appropriate, including designated urban
1674 infill and redevelopment areas.

1675 (l) The traffic circulation element, if applicable, of
1676 local government comprehensive plans, including designated
1677 transportation corridors and public transportation corridors.

1678 (m) The approved metropolitan planning organization's
1679 long-range transportation plan, as appropriate.

1680

1681 This subsection does not preclude a number of lanes in excess of
1682 10 lanes, but an additional factor that must be considered
1683 before the department may determine that the number of lanes
1684 should be more than 10 is the capacity to accommodate in the
1685 future alternative forms of transportation within existing or
1686 potential rights-of-way.

1687 Section 48. Section 336.01, Florida Statutes, is amended
1688 to read:

1689 336.01 Designation of county road system.—The county road
1690 system shall be as defined in s. 334.03~~(8)~~.

1691 Section 49. Subsection (2) of section 338.222, Florida
1692 Statutes, is amended to read:

1693 338.222 Department of Transportation sole governmental
1694 entity to acquire, construct, or operate turnpike projects;
1695 exception.—

1696 (2) The department may contract with any local
1697 governmental entity as defined in s. 334.03(13)~~(14)~~ for the

1698 design, right-of-way acquisition, or construction of any
 1699 turnpike project which the Legislature has approved. Local
 1700 governmental entities may negotiate with the department for the
 1701 design, right-of-way acquisition, and construction of any
 1702 section of the turnpike project within areas of their respective
 1703 jurisdictions or within counties with which they have interlocal
 1704 agreements.

1705 Section 50. Paragraph (b) of subsection (1) of section
 1706 338.223, Florida Statutes, is amended to read:

1707 338.223 Proposed turnpike projects.—

1708 (1)

1709 (b) Any proposed turnpike project or improvement shall be
 1710 developed in accordance with the Florida Transportation Plan and
 1711 the work program pursuant to s. 339.135. Turnpike projects that
 1712 add capacity, alter access, affect feeder roads, or affect the
 1713 operation of the local transportation system shall be included
 1714 in the transportation improvement plan of the affected
 1715 metropolitan planning organization. If such turnpike project
 1716 does not fall within the jurisdiction of a metropolitan planning
 1717 organization, the department shall notify the affected county
 1718 and provide for public hearings in accordance with s.

1719 339.155 (5) ~~(6)~~ (c).

1720 Section 51. Subsection (4) of section 338.227, Florida
 1721 Statutes, is amended to read:

1722 338.227 Turnpike revenue bonds.—

1723 (4) The Department of Transportation and the Department of
 1724 Management Services shall create and implement an outreach
 1725 program designed to enhance the participation of minority

1726 persons and minority business enterprises in all contracts
 1727 entered into by their respective departments for services
 1728 related to the financing of department projects for the
 1729 Strategic Intermodal System Plan developed pursuant to s. 339.64
 1730 ~~Florida Intrastate Highway System Plan~~. These services shall
 1731 include, but not be limited to, bond counsel and bond
 1732 underwriters.

1733 Section 52. Subsection (2) of section 338.2275, Florida
 1734 Statutes, is amended to read:

1735 338.2275 Approved turnpike projects.—

1736 (2) The department is authorized to use turnpike revenues,
 1737 the State Transportation Trust Fund moneys allocated for
 1738 turnpike projects pursuant to s. 339.65 ~~s. 338.001~~, federal
 1739 funds, and bond proceeds, and shall use the most cost-efficient
 1740 combination of such funds, in developing a financial plan for
 1741 funding turnpike projects. The department must submit a report
 1742 of the estimated cost for each ongoing turnpike project and for
 1743 each planned project to the Legislature 14 days before the
 1744 convening of the regular legislative session. Verification of
 1745 economic feasibility and statements of environmental feasibility
 1746 for individual turnpike projects must be based on the entire
 1747 project as approved. Statements of environmental feasibility are
 1748 not required for those projects listed in s. 12, chapter 90-136,
 1749 Laws of Florida, for which the Project Development and
 1750 Environmental Reports were completed by July 1, 1990. All
 1751 required environmental permits must be obtained before the
 1752 department may advertise for bids for contracts for the
 1753 construction of any turnpike project.

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1754 Section 53. Section 338.228, Florida Statutes, is amended
 1755 to read:

1756 338.228 Bonds not debts or pledges of credit of state.—
 1757 Turnpike revenue bonds issued under the provisions of ss.
 1758 338.22-338.241 are not debts of the state or pledges of the
 1759 faith and credit of the state. Such bonds are payable
 1760 exclusively from revenues pledged for their payment. All such
 1761 bonds shall contain a statement on their face that the state is
 1762 not obligated to pay the same or the interest thereon, except
 1763 from the revenues pledged for their payment, and that the faith
 1764 and credit of the state is not pledged to the payment of the
 1765 principal or interest of such bonds. The issuance of turnpike
 1766 revenue bonds under the provisions of ss. 338.22-338.241 does
 1767 not directly, indirectly, or contingently obligate the state to
 1768 levy or to pledge any form of taxation whatsoever, or to make
 1769 any appropriation for their payment. Except as provided in ss.
 1770 ~~338.001~~, 338.223, ~~and~~ 338.2275, and 339.65, no state funds shall
 1771 be used on any turnpike project or to pay the principal or
 1772 interest of any bonds issued to finance or refinance any portion
 1773 of the turnpike system, and all such bonds shall contain a
 1774 statement on their face to this effect.

1775 Section 54. Subsection (2) of section 338.234, Florida
 1776 Statutes, is amended to read:

1777 338.234 Granting concessions or selling along the turnpike
 1778 system; immunity from taxation.—

1779 (2) The effectuation of the authorized purposes of the
 1780 Strategic Intermodal System, created under ss. 339.61-339.65,
 1781 ~~Florida Intrastate Highway System~~ and Florida Turnpike

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1782 Enterprise, created under this chapter, is for the benefit of
 1783 the people of the state, for the increase of their commerce and
 1784 prosperity, and for the improvement of their health and living
 1785 conditions; and, because the system and enterprise perform
 1786 essential government functions in effectuating such purposes,
 1787 neither the turnpike enterprise nor any nongovernment lessee or
 1788 licensee renting, leasing, or licensing real property from the
 1789 turnpike enterprise, pursuant to an agreement authorized by this
 1790 section, are required to pay any commercial rental tax imposed
 1791 under s. 212.031 on any capital improvements constructed,
 1792 improved, acquired, installed, or used for such purposes.

1793 Section 55. Subsections (1) and (3) of section 339.2819,
 1794 Florida Statutes, are amended to read:

1795 339.2819 Transportation Regional Incentive Program.—

1796 (1) There is created within the Department of
 1797 Transportation a Transportation Regional Incentive Program for
 1798 the purpose of providing funds to improve regionally significant
 1799 transportation facilities in regional transportation areas
 1800 created pursuant to s. 339.155 (4) ~~(5)~~.

1801 (3) The department shall allocate funding available for
 1802 the Transportation Regional Incentive Program to the districts
 1803 based on a factor derived from equal parts of population and
 1804 motor fuel collections for eligible counties in regional
 1805 transportation areas created pursuant to s. 339.155 (4) ~~(5)~~.

1806 Section 56. Subsection (6) of section 339.285, Florida
 1807 Statutes, is amended to read:

1808 339.285 Enhanced Bridge Program for Sustainable
 1809 Transportation.—

1810 (6) Preference shall be given to bridge projects located
 1811 on corridors that connect to the Strategic Intermodal System,
 1812 created under s. 339.64, and that have been identified as
 1813 regionally significant in accordance with s. 339.155 (4) ~~(5)~~ (c),
 1814 (d), and (e).

1815 Section 57. Subsection (2) of section 341.053, Florida
 1816 Statutes, is amended to read:

1817 341.053 Intermodal Development Program; administration;
 1818 eligible projects; limitations.—

1819 (2) In recognition of the department's role in the
 1820 economic development of this state, the department shall develop
 1821 a proposed intermodal development plan to connect Florida's
 1822 airports, deepwater seaports, rail systems serving both
 1823 passenger and freight, and major intermodal connectors to the
 1824 Strategic Intermodal System highway corridors ~~Florida Intrastate~~
 1825 ~~Highway System facilities~~ as the primary system for the movement
 1826 of people and freight in this state in order to make the
 1827 intermodal development plan a fully integrated and
 1828 interconnected system. The intermodal development plan must:

1829 (a) Define and assess the state's freight intermodal
 1830 network, including airports, seaports, rail lines and terminals,
 1831 intercity bus lines and terminals, and connecting highways.

1832 (b) Prioritize statewide infrastructure investments,
 1833 including the acceleration of current projects, which are found
 1834 by the Freight Stakeholders Task Force to be priority projects
 1835 for the efficient movement of people and freight.

1836 (c) Be developed in a manner that will assure maximum use
 1837 of existing facilities and optimum integration and coordination

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1838 of the various modes of transportation, including both
 1839 government-owned and privately owned resources, in the most
 1840 cost-effective manner possible.

1841 Section 58. Subsection (2) of section 341.8225, Florida
 1842 Statutes, is amended to read:

1843 341.8225 Department of Transportation sole governmental
 1844 entity to acquire, construct, or operate high-speed rail
 1845 projects; exception.—

1846 (2) Local governmental entities, as defined in s.
 1847 334.03 (13) ~~(14)~~, may negotiate with the department for the
 1848 design, right-of-way acquisition, and construction of any
 1849 component of the high-speed rail system within areas of their
 1850 respective jurisdictions or within counties with which they have
 1851 interlocal agreements.

1852 Section 59. Paragraph (a) of subsection (2) of section
 1853 403.7211, Florida Statutes, is amended to read:

1854 403.7211 Hazardous waste facilities managing hazardous
 1855 wastes generated offsite; federal facilities managing hazardous
 1856 waste.—

1857 (2) The department shall not issue any permit under s.
 1858 403.722 for the construction, initial operation, or substantial
 1859 modification of a facility for the disposal, storage, or
 1860 treatment of hazardous waste generated offsite which is proposed
 1861 to be located in any of the following locations:

1862 (a) Any area where life-threatening concentrations of
 1863 hazardous substances could accumulate at any residence or
 1864 residential subdivision as the result of a catastrophic event at
 1865 the proposed facility, unless each such residence or residential

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1866 subdivision is served by at least one arterial road or urban
 1867 minor arterial road, as determined under the procedures
 1868 referenced in s. 334.03(9) ~~defined in s. 334.03~~, which provides
 1869 safe and direct egress by land to an area where such life-
 1870 threatening concentrations of hazardous substances could not
 1871 accumulate in a catastrophic event. Egress by any road leading
 1872 from any residence or residential subdivision to any point
 1873 located within 1,000 yards of the proposed facility is unsafe
 1874 for the purposes of this paragraph. In determining whether
 1875 egress proposed by the applicant is safe and direct, the
 1876 department shall also consider, at a minimum, the following
 1877 factors:

- 1878 1. Natural barriers such as water bodies, and whether any
 1879 road in the proposed evacuation route is impaired by a natural
 1880 barrier such as a water body;
- 1881 2. Potential exposure during egress and potential
 1882 increases in the duration of exposure;
- 1883 3. Whether any road in a proposed evacuation route passes
 1884 in close proximity to the facility; and
- 1885 4. Whether any portion of the evacuation route is
 1886 inherently directed toward the facility.

1887
 1888 For the purposes of this subsection, all distances shall be
 1889 measured from the outer limit of the active hazardous waste
 1890 management area. "Substantial modification" includes: any
 1891 physical change in, change in the operations of, or addition to
 1892 a facility which could increase the potential offsite impact, or
 1893 risk of impact, from a release at that facility; and any change

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1894 in permit conditions which is reasonably expected to lead to
 1895 greater potential impacts or risks of impacts, from a release at
 1896 that facility. "Substantial modification" does not include a
 1897 change in operations, structures, or permit conditions which
 1898 does not substantially increase either the potential impact
 1899 from, or the risk of, a release. Physical or operational changes
 1900 to a facility related solely to the management of nonhazardous
 1901 waste at the facility shall not be considered a substantial
 1902 modification. The department shall, by rule, adopt criteria to
 1903 determine whether a facility has been substantially modified.
 1904 "Initial operation" means the initial commencement of operations
 1905 at the facility.

1906 Section 60. Subsection (27) of section 479.01, Florida
 1907 Statutes, is amended to read:

1908 479.01 Definitions.—As used in this chapter, the term:
 1909 (27) "Urban area" has the same meaning as defined in s.
 1910 334.03~~(29)~~.

1911 Section 61. Subsection (1) of section 479.07, Florida
 1912 Statutes, is amended to read:

1913 479.07 Sign permits.—

1914 (1) Except as provided in ss. 479.105(1)(e) and 479.16, a
 1915 person may not erect, operate, use, or maintain, or cause to be
 1916 erected, operated, used, or maintained, any sign on the State
 1917 Highway System outside an urban area, as defined in s.
 1918 334.03~~(32)~~, or on any portion of the interstate or federal-aid
 1919 primary highway system without first obtaining a permit for the
 1920 sign from the department and paying the annual fee as provided
 1921 in this section. As used in this section, the term "on any

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1922 | portion of the State Highway System, interstate, or federal-aid
 1923 | primary system" means a sign located within the controlled area
 1924 | which is visible from any portion of the main-traveled way of
 1925 | such system.

1926 | Section 62. Subsection (5) of section 479.261, Florida
 1927 | Statutes, is amended to read:

1928 | 479.261 Logo sign program.—

1929 | (5) At a minimum, permit fees for businesses that
 1930 | participate in the program must be established in an amount
 1931 | sufficient to offset the total cost to the department for the
 1932 | program, including contract costs. The department shall provide
 1933 | the services in the most efficient and cost-effective manner
 1934 | through department staff or by contracting for some or all of
 1935 | the services. The department shall adopt rules that set
 1936 | reasonable rates based upon factors such as population, traffic
 1937 | volume, market demand, and costs for annual permit fees.
 1938 | However, annual permit fees for sign locations inside an urban
 1939 | area, as defined in s. 334.03~~(32)~~, may not exceed \$3,500, and
 1940 | annual permit fees for sign locations outside an urban area, as
 1941 | defined in s. 334.03~~(32)~~, may not exceed \$2,000. After
 1942 | recovering program costs, the proceeds from the annual permit
 1943 | fees shall be deposited into the State Transportation Trust Fund
 1944 | and used for transportation purposes.

1945 | Section 63. This act shall take effect July 1, 2011.