

1 A bill to be entitled
 2 An act relating to local option fuel taxes; providing a
 3 short title; providing legislative findings; amending s.
 4 336.025, F.S.; revising the definition of "transportation
 5 expenditures" for purposes of specified provisions that
 6 restrict the use of local option fuel tax funds by
 7 counties and municipalities; providing for severability;
 8 providing an effective date.

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 10 Be It Enacted by the Legislature of the State of Florida:

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 12 Section 1. This act may be cited as the "Local Option Fuel
 13 Tax Act of 2011."

14 Section 2. Legislative findings.—

15 (1) The Legislature finds that to ensure an integrated and
 16 balanced transportation system that is economically competitive,
 17 ensures mobility, and provides for the public safety and general
 18 welfare of the people of the state, local governments need to
 19 build, operate, maintain, and repair comprehensive roadway
 20 networks.

21 (2) The Legislature finds that the need for local
 22 governments to operate and maintain the enumerated
 23 transportation programs funded by the local option fuel tax is
 24 critical for comprehensive roadway networks.

25 (3) The Legislature finds that expressly providing for the
 26 use of local option fuel tax funds for the operation and
 27 maintenance of the enumerated transportation programs under s.
 28 336.025(7), Florida Statutes, is important to provide the

29 counties and municipalities stability in their financial
 30 planning and management.

31 Section 3. Subsection (7) of section 336.025, Florida
 32 Statutes, is amended to read:

33 336.025 County transportation system; levy of local option
 34 fuel tax on motor fuel and diesel fuel.—

35 (7) For the purposes of this section, "transportation
 36 expenditures" means expenditures by the local government from
 37 local or state shared revenue sources, excluding expenditures of
 38 bond proceeds, for the following programs:

39 (a) Public transportation operations and maintenance.

40 (b) Roadway and right-of-way maintenance and equipment and
 41 structures used primarily for the storage and maintenance of
 42 such equipment.

43 (c) Roadway and right-of-way drainage, installation,
 44 operation maintenance, and repair.

45 (d) Street lighting, installation, operation maintenance,
 46 and repair.

47 (e) Traffic signs, traffic engineering, signalization, and
 48 pavement markings, installation, operation maintenance, and
 49 repair.

50 (f) Bridge maintenance and operation.

51 (g) Debt service and current expenditures for
 52 transportation capital projects in the foregoing program areas,
 53 including construction or reconstruction of roads and sidewalks.

54 Section 4. If any provision of this act or its application
 55 to any person or circumstance is held invalid, the invalidity
 56 does not affect other provisions or applications of the act

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57 which can be given effect without the invalid provision or
58 application, and to this end the provisions of this act are
59 severable.

60 Section 5. This act shall take effect July 1, 2011.