

1 A bill to be entitled
2 An act relating to transportation; amending s. 20.23,
3 F.S., relating to the Department of Transportation;
4 authorizing district secretaries and executive
5 directors to be a professional engineer from any
6 state; removing obsolete language relating to
7 authority of district secretaries to appoint district
8 directors; amending s. 206.41, F.S., relating to
9 payment of a tax on fuel under specified provisions;
10 providing that a restriction on the use of
11 agricultural equipment to qualify for a refund of the
12 tax does not apply to citrus harvesting equipment or
13 citrus fruit loaders; revising the title of ch. 311,
14 F.S.; amending s. 311.07, F.S.; revising provisions
15 for the financing of port transportation or port
16 facilities projects; increasing funding for the
17 Florida Seaport Transportation and Economic
18 Development Program; directing the Florida Seaport
19 Transportation and Economic Development Council to
20 develop guidelines for project funding; directing
21 council staff, the Department of Transportation, and
22 the Department of Economic Opportunity to work in
23 cooperation to review projects and allocate funds as
24 specified; revising certain authorized uses of program
25 funds; revising the list of projects eligible for
26 funding under the program; removing a cap on
27 distribution of program funds; removing a requirement
28 for a specified audit; authorizing the Department of

29 | Transportation to subject projects funded under the
30 | program to a specified audit; amending s. 311.09,
31 | F.S.; revising provisions for rules of the council for
32 | evaluating certain projects; removing provisions for
33 | review by the Department of Community Affairs of the
34 | list of projects approved by the council; revising
35 | provisions for review and evaluation of such projects
36 | by the Department of Transportation and the Department
37 | of Economic Opportunity; increasing the amount of
38 | funding the Department of Transportation is required
39 | to include in its annual legislative budget request
40 | for the Florida Seaport Transportation and Economic
41 | Development Program; revising provisions relating to
42 | funding to be included in the budget; creating s.
43 | 311.10, F.S.; establishing the Strategic Port
44 | Investment Initiative within the Department of
45 | Transportation; providing for a minimum annual amount
46 | from the State Transportation Trust Fund to fund the
47 | initiative; directing the department to work with
48 | deepwater ports to develop and maintain a priority
49 | list of strategic investment projects; providing
50 | project selection criteria; requiring the department
51 | to schedule a publicly noticed workshop with the
52 | Department of Economic Opportunity and the deepwater
53 | ports to review the proposed projects; directing the
54 | department to finalize a prioritized list of potential
55 | projects after considering comments received in the
56 | workshop; directing the department to include the

57 | proposed seaport projects in the tentative work
58 | program; creating s. 311.101, F.S.; creating the
59 | Intermodal Logistics Center Infrastructure Support
60 | Program within the Department of Transportation;
61 | providing purpose of the program; defining the term
62 | "intermodal logistics center"; providing criteria for
63 | consideration by the department when evaluating
64 | projects for program assistance; directing the
65 | department to coordinate and consult with the
66 | Department of Economic Opportunity in the selection of
67 | projects to be funded; authorizing the department to
68 | administer contracts on behalf of the entity selected
69 | to receive funding; providing for the department's
70 | share of project costs; providing for a certain amount
71 | of funds in the State Transportation Trust Fund to be
72 | made available for eligible projects; directing the
73 | department to include the proposed projects in the
74 | tentative work program; authorizing the department to
75 | adopt rules; creating s. 311.106, F.S., relating to
76 | seaport stormwater permitting and mitigation;
77 | authorizing a seaport to provide for onsite and
78 | offsite stormwater treatment to mitigate the impact of
79 | port activities; requiring offsite treatment to be
80 | within the same drainage basin and constructed and
81 | maintained by the seaport or in conjunction with a
82 | local government; authorizing the port to provide a
83 | regional treatment facility constructed and maintained
84 | by the seaport or in conjunction with a local

85 | government; amending s. 311.14, F.S., relating to
86 | seaport planning; directing the department to develop,
87 | in coordination with certain partners, a Statewide
88 | Seaport and Waterways System Plan consistent with the
89 | goals of the Florida Transportation Plan; providing
90 | requirements for the plan; removing provisions for the
91 | Florida Seaport Transportation and Economic
92 | Development Council to develop freight-mobility and
93 | trade-corridor plans; removing provisions that require
94 | the Office of the State Public Transportation
95 | Administrator to integrate the Florida Transportation
96 | Plan with certain other plans and programs; removing
97 | provisions relating to the construction of seaport
98 | freight-mobility projects; amending s. 316.003, F.S.;
99 | revising the definition of the term "motor vehicle"
100 | for purposes of the payment and collection of tolls on
101 | toll facilities under specified provisions; amending
102 | s. 316.091, F.S.; permitting the use of shoulders for
103 | vehicular traffic under certain circumstances;
104 | requiring notice of where vehicular traffic is
105 | allowed; providing what may not be deemed as
106 | authorization; requiring the department to establish a
107 | pilot program to open certain limited access highways
108 | and bridges to bicycles and other human-powered
109 | vehicles; providing requirements for the pilot
110 | program; providing a timeframe for implementation of
111 | the program; authorizing the department to continue or
112 | expand the program; requiring the department to report

113 findings and recommendations to the Governor and
114 Legislature by a certain date; amending s. 316.1001,
115 F.S.; revising requirements for mailing of citations
116 for failure to pay a toll; authorizing mailing by
117 certified mail in addition to first class mail;
118 providing that mailing of the citation to the address
119 of the registered motor vehicle owner constitutes
120 notification; removing a requirement for a return
121 receipt; amending s. 316.2068, F.S.; authorizing a
122 county or municipality to regulate the operation of
123 electric personal assistive mobility devices on any
124 road, street, sidewalk, or bicycle path under its
125 jurisdiction if the governing body of the county or
126 municipality determines that such regulation is
127 necessary in the interest of safety; amending s.
128 316.515, F.S.; revising provisions for the maximum
129 allowed length of straight truck-trailer combinations;
130 revising provisions for operation of implements of
131 husbandry and farm equipment on state roads;
132 authorizing the operation of citrus harvesting
133 equipment and citrus fruit loaders for certain
134 purposes; conforming a cross-reference; amending s.
135 320.01, F.S.; revising the definition of the term
136 "low-speed vehicle" to include vehicles that are not
137 electric powered; amending s. 332.08, F.S.;
138 authorizing a municipality participating in a federal
139 airport privatization pilot program to sell an airport
140 or other air navigation facility or certain real

141 property, improvements, and equipment; requiring
142 department approval of the agreement under certain
143 circumstances; providing criteria for department
144 approval; amending s. 334.03, F.S.; removing the
145 definition of the term "Florida Intrastate Highway
146 System" and revising the definitions of the terms
147 "functional classification" and "State Highway System"
148 for purposes of the Florida Transportation Code;
149 amending s. 334.044, F.S.; revising the powers and
150 duties of the department relating to jurisdictional
151 responsibility, designating facilities, and highway
152 landscaping; adding the duty to develop a Freight
153 Mobility and Trade Plan; requiring the plan to include
154 certain proposed policies and investments; requiring
155 the plan to be submitted to the Governor and
156 Legislature; requiring freight issues to be emphasized
157 in transportation plans; amending s. 334.047, F.S.;
158 removing a provision that prohibits the department
159 from establishing a maximum number of miles of urban
160 principal arterial roads; amending s. 335.074, F.S.,
161 relating to bridge safety inspection reports;
162 requiring the governmental entity having maintenance
163 responsibility for a bridge to reduce the maximum
164 weight, size, or speed limit for the bridge or to
165 close the bridge upon receipt of a report recommending
166 the reduction or closure; requiring the entity to post
167 the reduced limits and notify the department;
168 requiring the department to post the reduced limits or

169 to close the bridge under certain circumstances;
170 requiring costs associated with the department posting
171 the revised limits or closure of the bridge to be
172 assessed against and collected from the governmental
173 entity; amending s. 335.17, F.S.; revising provisions
174 relating to highway construction noise abatement;
175 amending s. 336.021, F.S.; revising the date when
176 imposition of the ninth-cent fuel tax will be levied;
177 amending s. 336.025, F.S.; revising the date when
178 impositions and rate changes of the local option fuel
179 tax shall be levied; revising the definition of the
180 term "transportation expenditures" for purposes of
181 specified provisions that restrict the use of local
182 option fuel tax funds by counties and municipalities;
183 amending s. 337.111, F.S.; providing additional forms
184 of security for the cost of removal of monuments or
185 memorials or modifications to an installation site at
186 highway rest areas; removing a provision requiring
187 renewal of a bond; amending s. 337.125, F.S.; revising
188 provisions relating to a prime contractor's submission
189 of a disadvantaged business enterprise utilization
190 form; repealing s. 337.137, F.S., relating to
191 subcontracting by socially and economically
192 disadvantaged business enterprises; amending s.
193 337.139, F.S.; providing an updated reference to
194 federal law as it relates to socially and economically
195 disadvantaged business enterprises; amending s.
196 337.14, F.S.; revising provisions for applications for

197 qualification to bid on department contracts; amending
198 s. 337.29, F.S.; authorizing transfers of right-of-way
199 between local governments by deed; amending ss.
200 337.403 and 337.404, F.S.; revising provisions for
201 alleviation of interference with a public road or
202 publicly owned rail corridor caused by a utility
203 facility; amending s. 337.408, F.S.; revising
204 provisions for certain facilities installed within the
205 right-of-way limits of roads on the State Highway
206 System; requiring counties and municipalities that
207 have authorized a bench or transit shelter to be
208 responsible for determining if the facility is
209 compliant with applicable laws and rules or remove the
210 bench or transit shelter; limiting liability of the
211 department; requiring a municipality or county that
212 authorizes a bench or transit shelter to be installed
213 to require the supplier or installer to indemnify the
214 department and annually certify that the requirement
215 has been met; requiring the removal of such facilities
216 under certain circumstances; authorizing the
217 department to direct a county or municipality to
218 remove or relocate a bus stop, bench, transit shelter,
219 waste disposal receptacle, public pay telephone, or
220 modular news rack that is not in compliance with
221 applicable laws or rules; removing a provision for the
222 replacement of an unusable transit bus bench that was
223 in service before a certain date; prohibiting
224 installation of a bus stop that conflicts with certain

225 laws and regulations resulting in a loss of federal
 226 funds; authorizing the appropriate local government
 227 entity to regulate or deny competition to provide a
 228 bus stop; revising the title of ch. 338, F.S.;
 229 repealing s. 338.001, F.S., relating to provisions for
 230 the Florida Intrastate Highway System Plan; amending
 231 s. 338.01, F.S.; clarifying provisions governing the
 232 designation and function of limited access facilities;
 233 authorizing the department or other governmental
 234 entities collecting tolls to pursue collection of
 235 unpaid tolls by contracting with a private attorney or
 236 collection agency; authorizing a collection fee;
 237 providing an exception to statutory requirements
 238 related to private attorney services; creating s.
 239 338.151, F.S.; authorizing the department to establish
 240 tolls on certain transportation facilities to pay for
 241 the cost of such project; prohibiting the department
 242 from establishing tolls on certain lanes of limited
 243 access facilities; providing an exception; providing
 244 for application; amending s. 338.155, F.S.;
 245 authorizing the department adopt rules to allow public
 246 transit vehicles and certain military-service-related
 247 funeral processions to use certain toll facilities
 248 without payment of tolls; amending s. 338.161, F.S.;
 249 authorizing the department to enter into agreements
 250 for the use of its electronic toll collection and
 251 video billing system; authorizing modification of its
 252 rules regarding toll collection and an administrative

253 charge; providing for construction; amending s.
 254 338.166, F.S.; revising a provision for issuance of
 255 bonds secured by toll revenues collected on high-
 256 occupancy toll lanes or express lanes; revising
 257 authorized uses of such toll revenues; providing
 258 restrictions on such use; amending s. 338.221, F.S.;
 259 revising the definition of the term "economically
 260 feasible" for purposes of proposed turnpike projects;
 261 amending s. 338.223, F.S.; revising provisions for
 262 department requests for legislative approval of
 263 proposed turnpike projects; conforming a cross-
 264 reference; amending s. 338.227, F.S.; conforming
 265 provisions to changes made by the act; directing the
 266 department and the Department of Management Services
 267 to create and implement a program designed to enhance
 268 participation of minority businesses in certain
 269 contracts related to the Strategic Intermodal System
 270 Plan; amending ss. 338.2275 and 338.228, F.S.,
 271 relating to turnpike projects; revising cross-
 272 references; amending s. 338.231, F.S.; providing that
 273 inactive prepaid toll accounts are unclaimed property;
 274 providing for disposition by the Department of
 275 Financial Services and closing of the account;
 276 amending s. 338.234, F.S.; revising provisions that
 277 exempt certain lessees from payment of commercial
 278 rental tax; replacing a reference to the Florida
 279 Intrastate Highway System with a reference to the
 280 Strategic Intermodal System; amending s. 339.0805,

281 F.S.; revising requirements for expenditure of certain
282 funds with small business concerns owned and
283 controlled by socially and economically disadvantaged
284 individuals; revising a definition of the term "small
285 business concern"; removing provisions for a periodic
286 disparity study; deleting obsolete language; revising
287 provisions for certification as a socially and
288 economically disadvantaged business enterprise;
289 revising requirements that a disadvantaged business
290 enterprise notify the department of certain changes in
291 ownership; revising criteria for such a business
292 enterprise to participate in a construction management
293 development program; revising references to federal
294 law; amending s. 339.135, F.S.; revising provisions
295 for developing the department's tentative work
296 program; revising provisions for a list of project
297 priorities submitted by a metropolitan planning
298 organization; revising criteria for proposed amendment
299 to the department's adopted work program which
300 deletes, advances, or defers a project or project
301 phase; revising threshold amounts; directing the
302 department to index the budget amendment threshold
303 amounts to the rate of inflation; prohibiting such
304 adjustments more frequently than once a year;
305 subjecting such adjustments to specified notice and
306 review procedures; amending s. 339.155, F.S.; revising
307 provisions for the Florida Transportation Plan;
308 requiring the planning process to conform to specified

309 federal provisions; removing provisions for a long-
310 range component, short-range component, and a report;
311 amending s. 339.175, F.S.; providing that to the
312 extent possible only one metropolitan planning
313 organization be designated in a urbanized area;
314 providing that representatives of the department shall
315 serve as nonvoting advisers to a metropolitan planning
316 organization; authorizing the appointment of
317 additional nonvoting advisers; requiring M.P.O.'s to
318 coordinate in the development of regionally
319 significant project priorities; amending s. 339.2819,
320 F.S.; revising the state matching funds requirement
321 for the Transportation Regional Incentive Program;
322 conforming cross-references; requiring funded projects
323 to be in the department's work program; requiring a
324 project to meet the program's requirements prior to
325 being funded; amending s. 339.62, F.S.; removing the
326 Florida Intrastate Highway System from and adding
327 highway corridors to the list of components of the
328 Strategic Intermodal System; providing for other
329 corridors to be included in the system; amending s.
330 339.63, F.S.; adding military access facilities to the
331 types of facilities included in the Strategic
332 Intermodal System and the Emerging Strategic
333 Intermodal System which form components of an
334 interconnected transportation system; providing that
335 an intermodal logistics center meeting certain
336 criteria shall be designated as part of the Strategic

337 Intermodal System; providing for a waiver of
338 transportation concurrency for such facility if it is
339 located within a described area; amending s. 339.64,
340 F.S.; deleting provisions creating the Statewide
341 Intermodal Transportation Advisory Council; creating
342 s. 339.65, F.S.; requiring the department to plan and
343 develop for Strategic Intermodal System highway
344 corridors to aid traffic movement around the state;
345 providing for components of the corridors; requiring
346 the department to follow specified policy guidelines
347 when developing the corridors; directing the
348 department to establish standards and criteria for
349 functional design; providing for appropriations;
350 requiring such highway corridor projects to be a part
351 of the department's adopted work program; amending s.
352 341.301, F.S.; revising the definition of "limited
353 coverage accident"; amending s. 341.302, F.S.;

354 providing parameters within which the department may
355 by contract indemnify against loss by National
356 Railroad Passenger Corporation; authorizing the
357 department to purchase liability insurance including
358 coverage for the department, National Railroad
359 Passenger Corporation, commuter rail service
360 providers, governmental entities, or any ancillary
361 development and establish a self-insurance retention
362 fund; limiting the amount of the insurance and self-
363 insurance retention fund; providing that the insureds
364 must make payments for the coverage; providing that

365 | the insurance may provide coverage for all damages and
366 | be maintained to provide a fund to cover liabilities
367 | arising from rail corridor ownership and operations;
368 | amending 341.840, F.S.; relating to the Florida Rail
369 | Enterprise Act; revising obsolete references to the
370 | Florida High-Speed Rail Authority; providing that
371 | certain transactions made by or on behalf of the
372 | enterprise are exempt from specified taxes; providing
373 | for certain contractors to act as agents on behalf of
374 | the enterprise for purposes of the tax exemption;
375 | authorizing the department to adopt rules; amending s.
376 | 343.52, F.S.; revising the definition of the term
377 | "area served" for purposes of provisions for the South
378 | Florida Regional Transportation Authority; revising a
379 | provision for expansion of the area; amending s.
380 | 343.53, F.S.; revising membership of and criteria for
381 | appointment to the board of the South Florida Regional
382 | Transportation Authority; amending s. 343.54, F.S.;
383 | requiring a two-thirds vote of such board to privatize
384 | certain functions; revising a provision authorizing
385 | such authority to expand its service area; amending s.
386 | 343.56, F.S., relating to bonds of the authority;
387 | removing a provision for the use of certain funds for
388 | payment of principal and interest on bonds; amending
389 | s. 343.57, F.S., relating to a state pledge to
390 | bondholders; providing for construction; providing
391 | that a bondholder shall have no right to require the
392 | Legislature to make any appropriation of state funds;

393 | amending s. 343.58, F.S.; providing conditions for
394 | funds provided to such authority by the department;
395 | providing for certain funding to cease upon
396 | commencement of an alternate dedicated local funding
397 | source; creating s. 347.215, F.S.; providing for the
398 | operation of ferries by joint agreement between public
399 | and private entities; amending s. 348.0003, F.S.;
400 | revising financial disclosure requirements for certain
401 | transportation authorities; creating s. 348.7645,
402 | F.S.; requiring the Orlando-Orange County Expressway
403 | Authority to erect a sign under certain circumstances;
404 | providing for payment for the cost of the sign;
405 | amending s. 349.03, F.S.; providing for financial
406 | disclosure requirements for the Jacksonville
407 | Transportation Authority; amending s. 349.04, F.S.;
408 | providing that the Jacksonville Transportation
409 | Authority may conduct meetings and workshops using
410 | communications media technology; providing that
411 | certain actions may not be taken unless a quorum is
412 | present in person; providing that members must be
413 | physically present to vote on any item; amending s.
414 | 373.118, F.S.; requiring that the Department of
415 | Environmental Protection initiate rulemaking to adopt
416 | a general permit for stormwater management systems
417 | serving airside activities at airports; providing for
418 | statewide application of the general permit; providing
419 | for any water management district or delegated local
420 | government to administer the general permit; providing

421 that the rules are not subject to any special
422 rulemaking requirements relating to small business;
423 amending s. 373.413, F.S.; providing legislative
424 intent regarding flexibility in the permitting of
425 stormwater management systems; requiring the cost of
426 stormwater treatment for a transportation project to
427 be balanced with benefits to the public; requiring
428 that alternatives to onsite treatment be allowed;
429 specifying responsibilities of the department relating
430 to abatement of pollutants and permits for adjacent
431 lands impacted by right-of-way acquisition;
432 authorizing water management districts and the
433 Department of Environmental Protection to adopt rules;
434 amending s. 373.4136, F.S.; providing that specified
435 seaports are eligible to use mitigation banks;
436 amending s. 373.4137, F.S., relating to the mitigation
437 of environmental impact of transportation projects
438 proposed by the department or a transportation
439 authority; revising legislative intent; revising
440 provisions for development of environmental impact
441 inventories; providing for the release of escrowed
442 mitigation funds under certain circumstances;
443 specifying continuing responsibility for mitigation
444 projects; revising provisions for exclusion of
445 projects from a mitigation plan; repealing s. 479.28,
446 F.S., relating to the rest area information panel or
447 device program; authorizing the department to seek
448 Federal Highway Administration approval of a tourist-

449 | oriented commerce sign pilot program; directing the
450 | department to submit the approved pilot program for
451 | legislative approval; establishing a pilot program for
452 | the Palm Beach County school district to recognize its
453 | business partners; providing for expiration of the
454 | program; providing for the transfer of administrative
455 | rules of the former Pilotage Rate Review Board to the
456 | Pilotage Rate Review Committee of the Board of Pilot
457 | Commissioners; providing for retroactive application
458 | of such rules; requiring the Florida Transportation
459 | Commission to study the potential costs savings of the
460 | department being the operating agent for certain
461 | expressway authorities; providing for certain related
462 | expenses to be paid by the department; requiring a
463 | report to the Governor and Legislature; providing that
464 | a challenge to a consolidated environmental resource
465 | permit or associated variance or any sovereign
466 | submerged lands authorization proposed or issued by
467 | the Department of Environmental Protection in
468 | connection with specified deepwater ports is subject
469 | to specified summary hearing provisions; requiring
470 | such proceedings to be conducted within a certain
471 | timeframe; providing that the administrative law
472 | judge's decision is a recommended order and does not
473 | constitute final agency action of the Department of
474 | Environmental Protection; requiring the Department of
475 | Environmental Protection to issue the final order
476 | within a certain timeframe; providing applicability of

477 specified provisions; providing for a review by the
478 Pinellas Suncoast Transit Authority and the
479 Hillsborough Area Regional Transit Authority to
480 consider and identify opportunities and greater
481 efficiency and service improvements for increasing
482 connectivity between each authority; requiring a
483 report to the Legislature; requiring the Tampa Bay
484 Area Regional Transportation Authority to provide
485 assistance; authorizing governmental units that
486 regulate the operation of vehicles for public hire or
487 other for-hire transportation to request and receive
488 criminal history record information for the purpose of
489 screening applicants; amending ss. 215.616, 288.063,
490 311.22, 316.2122, 318.12, 320.20, 335.02, 338.222,
491 339.285, 341.053, 341.8225, 403.7211, 479.01, 479.07,
492 and 479.261, F.S., relating to bonds for federal aid
493 highway construction, contracts for transportation
494 projects, dredging projects, operation of low-speed
495 vehicles or mini-trucks, traffic infractions, license
496 tax distribution, standards for lanes, turnpike
497 projects, the Enhanced Bridge Program for Sustainable
498 Transportation, the Intermodal Development Program,
499 high-speed rail projects, hazardous waste facilities,
500 outdoor advertising, and the logo sign program,
501 respectively; deleting obsolete language; revising
502 references to conform to the incorporation of the
503 Florida Intrastate Highway System into the Strategic
504 Intermodal System and to changes made by the act;

505 providing honorary designation of certain
506 transportation facilities in specified counties;
507 directing the Department of Transportation to erect
508 suitable markers; amending s. 316.0083, F.S.,
509 providing an additional defense for certain red-light
510 traffic infractions; providing for the dismissal of a
511 uniform traffic citation for a red-light violation
512 when the motor vehicle owner is deceased and an
513 affidavit with specified supporting documents is filed
514 with the issuing agency; amending s. 348.753, F.S.;
515 revising the membership criteria for the governing
516 body of the Orlando-Orange County Expressway
517 Authority; amending s. 320.089, F.S.; providing for
518 the issuance of a Combat Infantry Badge license plate
519 and a Combat Action Badge license plate; providing
520 qualifications and requirements for the plate;
521 providing for the use of proceeds from the sale of the
522 plate; amending s. 338.165, F.S.; authorizing the
523 department to transfer certain transportation
524 facilities to the turnpike system; providing for use
525 of funds received from Florida Turnpike Enterprise for
526 acquisition of such facilities; defining the term
527 "Wekiva Parkway"; amending s. 348.7546, F.S.; revising
528 provisions for the Orlando-Orange County Expressway
529 Authority to construct and maintain the Wekiva
530 Parkway; providing for construction of specified
531 provisions; directing the authority to make certain
532 payments to the department; providing for use of funds

533 received by the department; providing that the
534 department's obligation to construct its portions of
535 the Wekiva Parkway is contingent upon certain events;
536 amending s. 348.755, F.S.; prohibiting the Orlando-
537 Orange County Expressway Authority from issuing bonds
538 except under specified circumstances; amending s.
539 348.757, F.S.; revising provisions for the Orlando-
540 Orange County Expressway Authority to enter into
541 lease-purchase agreements with the department;
542 amending s. 369.317, F.S.; revising provisions for the
543 Wekiva Parkway; providing that the Department of
544 Environmental Protection is the exclusive permitting
545 authority for certain activities; revising provisions
546 for location of the parkway; defining the term
547 "autonomous technology"; providing legislative intent
548 and findings; amending s. 316.003, F.S.; defining the
549 terms "autonomous vehicle" and "autonomous technology"
550 when used in provisions for traffic control; creating
551 s. 316.85, F.S.; authorizing a person who possesses a
552 valid driver license to operate an autonomous vehicle;
553 specifying that the person who causes the vehicle's
554 autonomous technology to engage is the operator;
555 creating s. 319.145, F.S.; requiring an autonomous
556 vehicle registered in this state to meet federal
557 standards and regulations for a motor vehicle;
558 specifying certain requirements for such vehicle;
559 providing for the application of certain federal
560 regulations; authorizing the operation of vehicles

561 equipped with autonomous technology by certain persons
 562 for testing purposes under certain conditions;
 563 requiring an instrument of insurance, surety bond, or
 564 self-insurance prior to the testing of a vehicle;
 565 limiting liability of the original manufacturer of a
 566 vehicle converted to an autonomous vehicle; directing
 567 the department to prepare a report on the safe testing
 568 and operation of vehicles equipped with autonomous
 569 technology and submit the report to the Legislature by
 570 a certain date; providing an honorary designation of a
 571 transportation facility in a specified county;
 572 directing the department to erect suitable markers;
 573 providing effective dates.

574

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

576

577 Section 1. Paragraphs (a) and (b) of subsection (5) of
 578 section 20.23, Florida Statutes, are amended to read:

579 20.23 Department of Transportation.—There is created a
 580 Department of Transportation which shall be a decentralized
 581 agency.

582 (5) (a) The operations of the department shall be organized
 583 into seven districts, each headed by a district secretary, and a
 584 turnpike enterprise and a rail enterprise, each enterprise
 585 headed by an executive director. The district secretaries and
 586 the executive directors shall be registered professional
 587 engineers in accordance with the provisions of chapter 471 or
 588 the laws of another state, or, in lieu of professional engineer

589 registration, a district secretary or executive director may
 590 hold an advanced degree in an appropriate related discipline,
 591 such as a Master of Business Administration. The headquarters of
 592 the districts shall be located in Polk, Columbia, Washington,
 593 Broward, Volusia, Miami-Dade, and Hillsborough Counties. The
 594 headquarters of the turnpike enterprise shall be located in
 595 Orange County. The headquarters of the rail enterprise shall be
 596 located in Leon County. In order to provide for efficient
 597 operations and to expedite the decisionmaking process, the
 598 department shall provide for maximum decentralization to the
 599 districts.

600 (b) Each district secretary may appoint up to three
 601 district directors ~~or, until July 1, 2005, each district~~
 602 ~~secretary may appoint up to four district directors.~~ These
 603 positions are exempt from part II of chapter 110.

604 Section 2. Paragraph (c) of subsection (4) of section
 605 206.41, Florida Statutes, is amended to read:

606 206.41 State taxes imposed on motor fuel.—

607 (4)

608 (c)1. Any person who uses any motor fuel for agricultural,
 609 aquacultural, commercial fishing, or commercial aviation
 610 purposes on which fuel the tax imposed by paragraph (1)(e),
 611 paragraph (1)(f), or paragraph (1)(g) has been paid is entitled
 612 to a refund of such tax.

613 2. For the purposes of this paragraph, "agricultural and
 614 aquacultural purposes" means motor fuel used in any tractor,
 615 vehicle, or other farm equipment which is used exclusively on a
 616 farm or for processing farm products on the farm, and no part of

617 | which fuel is used in any vehicle or equipment driven or
 618 | operated upon the public highways of this state. This
 619 | restriction does not apply to the movement of a farm vehicle, ~~or~~
 620 | farm equipment, citrus harvesting equipment, or citrus fruit
 621 | loaders between farms. The transporting of bees by water and the
 622 | operating of equipment used in the apiary of a beekeeper shall
 623 | be also deemed an agricultural purpose.

624 | 3. For the purposes of this paragraph, "commercial fishing
 625 | and aquacultural purposes" means motor fuel used in the
 626 | operation of boats, vessels, or equipment used exclusively for
 627 | the taking of fish, crayfish, oysters, shrimp, or sponges from
 628 | salt or fresh waters under the jurisdiction of the state for
 629 | resale to the public, and no part of which fuel is used in any
 630 | vehicle or equipment driven or operated upon the highways of
 631 | this state; however, the term may in no way be construed to
 632 | include fuel used for sport or pleasure fishing.

633 | 4. For the purposes of this paragraph, "commercial
 634 | aviation purposes" means motor fuel used in the operation of
 635 | aviation ground support vehicles or equipment, no part of which
 636 | fuel is used in any vehicle or equipment driven or operated upon
 637 | the public highways of this state.

638 | Section 3. Chapter 311, Florida Statutes, is retitled
 639 | "SEAPORT PROGRAMS AND FACILITIES."

640 | Section 4. Section 311.07, Florida Statutes, is amended to
 641 | read:

642 | 311.07 Florida seaport transportation and economic
 643 | development funding.—

644 | (1) There is created the Florida Seaport Transportation

645 and Economic Development Program within the Department of
646 Transportation to finance port transportation or port facilities
647 projects that will improve the movement and intermodal
648 transportation of cargo or passengers in commerce and trade and
649 ~~that will support the interests, purposes, and requirements of~~
650 all ports listed in s. 311.09 located in this state.

651 (2) A minimum of \$15 ~~\$8~~ million per year shall be made
652 available from the State Transportation Trust Fund to fund the
653 Florida Seaport Transportation and Economic Development Program.
654 The Florida Seaport Transportation and Economic Development
655 Council created in s. 311.09 shall develop guidelines for
656 project funding. Council staff, the Department of
657 Transportation, and the Department of Economic Opportunity shall
658 work in cooperation to review projects and allocate funds in
659 accordance with the schedule required for the Department of
660 Transportation to include these projects in the tentative work
661 program developed pursuant to s. 339.135(4).

662 (3) (a) Florida Seaport Transportation and Economic
663 Development Program funds shall be used to fund approved
664 projects on a 50-50 matching basis with any of the deepwater
665 ports, as listed in s. 311.09 ~~s. 403.021(9)(b)~~, which is
666 governed by a public body or any other deepwater port which is
667 governed by a public body and which complies with the water
668 quality provisions of s. 403.061, the comprehensive master plan
669 requirements of s. 163.3178(2)(k), and the local financial
670 management and reporting provisions of part III of chapter 218.
671 However, program funds used to fund projects that involve the
672 rehabilitation of wharves, docks, berths, bulkheads, or similar

673 structures shall require a 25-percent match of funds. Program
674 funds also may be used by the Seaport Transportation and
675 Economic Development Council for data and analysis that ~~to~~
676 ~~develop trade data information products which~~ will assist
677 Florida's seaports and international trade.

678 (b) Projects eligible for funding by grants under the
679 program are limited to the following port facilities or port
680 transportation projects:

681 1. Transportation facilities within the jurisdiction of
682 the port.

683 2. The dredging or deepening of channels, turning basins,
684 or harbors.

685 3. The construction or rehabilitation of wharves, docks,
686 structures, jetties, piers, storage facilities, cruise
687 terminals, automated people mover systems, or any facilities
688 necessary or useful in connection with any of the foregoing.

689 4. The acquisition of vessel tracking systems, container
690 cranes, or other mechanized equipment used in the movement of
691 cargo or passengers in international commerce.

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

693 6. The acquisition, improvement, enlargement, or extension
694 of existing port facilities.

695 7. Environmental protection projects which are necessary
696 because of requirements imposed by a state agency as a condition
697 of a permit or other form of state approval; which are necessary
698 for environmental mitigation required as a condition of a state,
699 federal, or local environmental permit; which are necessary for
700 the acquisition of spoil disposal sites and improvements to

701 existing and future spoil sites; or which result from the
702 funding of eligible projects listed in this paragraph.

703 8. Transportation facilities as defined in s. 334.03(30)
704 ~~s. 334.03(31)~~ which are not otherwise part of the Department of
705 Transportation's adopted work program.

706 9. ~~Seaport~~ Intermodal access projects ~~identified in the 5-~~
707 ~~year Florida Seaport Mission Plan as provided in s. 311.09(3).~~

708 10. Construction or rehabilitation of port facilities as
709 defined in s. 315.02, excluding any park or recreational
710 facilities, in ports listed in s. 311.09(1) with operating
711 revenues of \$5 million or less, provided that such projects
712 create economic development opportunities, capital improvements,
713 and positive financial returns to such ports.

714 11. Seaport master plan or strategic plan development or
715 updates, including the purchase of data to support such plans.

716 (c) To be eligible for consideration by the council
717 pursuant to this section, a project must be consistent with the
718 port comprehensive master plan which is incorporated as part of
719 the approved local government comprehensive plan as required by
720 s. 163.3178(2)(k) or other provisions of the Community Planning
721 Act, part II of chapter 163.

722 ~~(4) A port eligible for matching funds under the program~~
723 ~~may receive a distribution of not more than \$7 million during~~
724 ~~any 1 calendar year and a distribution of not more than \$30~~
725 ~~million during any 5 calendar year period.~~

726 (4)(5) Any port which receives funding under the program
727 shall institute procedures to ensure that jobs created as a
728 result of the state funding shall be subject to equal

729 opportunity hiring practices in the manner provided in s.
730 110.112.

731 ~~(5)-(6)~~ The Department of Transportation may ~~shall~~ subject
732 any project that receives funds pursuant to this section and s.
733 320.20 to a final audit. The department may adopt rules and
734 perform such other acts as are necessary or convenient to ensure
735 that the final audits are conducted and that any deficiency or
736 questioned costs noted by the audit are resolved.

737 Section 5. Subsections (4) through (13) of section 311.09,
738 Florida Statutes, are amended to read:

739 311.09 Florida Seaport Transportation and Economic
740 Development Council.—

741 (4) The council shall adopt rules for evaluating projects
742 which may be funded under ss. 311.07 and 320.20. The rules shall
743 provide criteria for evaluating the potential project,
744 including, but not limited to, such factors as consistency with
745 appropriate plans, economic benefit, readiness for construction,
746 noncompetition with other Florida ports, and capacity within the
747 seaport system ~~economic benefit of the project, measured by the~~
748 ~~potential for the proposed project to maintain or increase cargo~~
749 ~~flow, cruise passenger movement, international commerce, port~~
750 ~~revenues, and the number of jobs for the port's local community.~~

751 (5) The council shall review and approve or disapprove
752 each project eligible to be funded pursuant to the Florida
753 Seaport Transportation and Economic Development Program. The
754 council shall annually submit to the Secretary of Transportation
755 and the executive director of the Department of Economic
756 Opportunity, or his or her designee, a list of projects which

757 have been approved by the council. The list shall specify the
 758 recommended funding level for each project; and, if staged
 759 implementation of the project is appropriate, the funding
 760 requirements for each stage shall be specified.

761 ~~(6) The Department of Community Affairs shall review the~~
 762 ~~list of projects approved by the council to determine~~
 763 ~~consistency with approved local government comprehensive plans~~
 764 ~~of the units of local government in which the port is located~~
 765 ~~and consistency with the port master plan. The Department of~~
 766 ~~Community Affairs shall identify and notify the council of those~~
 767 ~~projects which are not consistent, to the maximum extent~~
 768 ~~feasible, with such comprehensive plans and port master plans.~~

769 (6)(7) The Department of Transportation shall review the
 770 list of project applications ~~projects~~ approved by the council
 771 for consistency with the Florida Transportation Plan, the
 772 Statewide Seaport and Waterways System Plan, and the
 773 department's adopted work program. In evaluating the consistency
 774 of a project, the department shall assess the transportation
 775 impacts and economic benefits for each project ~~determine whether~~
 776 ~~the transportation impact of the proposed project is adequately~~
 777 ~~handled by existing state-owned transportation facilities or by~~
 778 ~~the construction of additional state-owned transportation~~
 779 ~~facilities as identified in the Florida Transportation Plan and~~
 780 ~~the department's adopted work program. In reviewing for~~
 781 ~~consistency a transportation facility project as defined in s.~~
 782 ~~334.03(31) which is not otherwise part of the department's work~~
 783 ~~program, the department shall evaluate whether the project is~~
 784 ~~needed to provide for projected movement of cargo or passengers~~

785 ~~from the port to a state transportation facility or local road.~~
 786 ~~If the project is needed to provide for projected movement of~~
 787 ~~cargo or passengers, the project shall be approved for~~
 788 ~~consistency as a consideration to facilitate the economic~~
 789 ~~development and growth of the state in a timely manner. The~~
 790 Department of Transportation shall identify those projects which
 791 are inconsistent with the Florida Transportation Plan, the
 792 Statewide Seaport and Waterways System Plan, or ~~and~~ the adopted
 793 work program and shall notify the council of projects found to
 794 be inconsistent.

795 ~~(7)-(8)~~ The Department of Economic Opportunity shall review
 796 the list of project applications ~~projects~~ approved by the
 797 council to evaluate the economic benefit of the project and to
 798 determine whether the project is consistent with the Florida
 799 Seaport Mission Plan and with state economic development goals
 800 and policies. The Department of Economic Opportunity shall
 801 review the proposed project's consistency with state, regional,
 802 and local plans, as appropriate, and the economic benefits of
 803 each project based upon the rules adopted pursuant to subsection
 804 (4). The Department of Economic Opportunity shall identify those
 805 projects which it has determined do not offer an economic
 806 benefit to the state, are not consistent with an appropriate
 807 plan, or are not consistent with the Florida Seaport Mission
 808 Plan or state economic development goals and policies and shall
 809 notify the council of its findings.

810 ~~(8)-(9)~~ The council shall review the findings of the
 811 Department of Economic Opportunity and the Department of
 812 Transportation. Projects found to be inconsistent pursuant to

813 subsections (6) ~~or~~ (7) ~~and~~ ~~(8)~~ ~~or~~ ~~and~~ projects which have been
814 determined not to offer an economic benefit to the state
815 pursuant to subsection (7) ~~(8)~~ may ~~shall~~ not be included in the
816 list of projects to be funded.

817 ~~(9)~~ ~~(10)~~ The Department of Transportation shall include no
818 less than \$15 million per year in its annual legislative budget
819 request for the a Florida Seaport Transportation and Economic
820 Development ~~grant~~ Program funded under s. 311.07 ~~for expenditure~~
821 ~~of funds of not less than \$8 million per year~~. Such budget shall
822 include funding for projects approved by the council which have
823 been determined by each agency to be consistent ~~and which have~~
824 ~~been determined by the Department of Economic Opportunity to be~~
825 ~~economically beneficial~~. The department shall include the
826 specific approved Florida Seaport Transportation and Economic
827 Development Program ~~seaport~~ projects to be funded under s.
828 311.07 ~~this section~~ during the ensuing fiscal year in the
829 tentative work program developed pursuant to s. 339.135(4). The
830 total amount of funding to be allocated to Florida Seaport
831 Transportation and Economic Development Program ~~seaport~~ projects
832 under s. 311.07 during the successive 4 fiscal years shall also
833 be included in the tentative work program developed pursuant to
834 s. 339.135(4). The council may submit to the department a list
835 of approved projects that could be made production-ready within
836 the next 2 years. The list shall be submitted by the department
837 as part of the needs and project list prepared pursuant to s.
838 339.135(2) (b). However, the department shall, upon written
839 request of the Florida Seaport Transportation and Economic
840 Development Council, submit work program amendments pursuant to

841 s. 339.135(7) to the Governor within 10 days after the later of
842 the date the request is received by the department or the
843 effective date of the amendment, termination, or closure of the
844 applicable funding agreement between the department and the
845 affected seaport, as required to release the funds from the
846 existing commitment. Notwithstanding s. 339.135(7)(c), any work
847 program amendment to transfer prior year funds from one approved
848 seaport project to another seaport project is subject to the
849 procedures in s. 339.135(7)(d). Notwithstanding any provision of
850 law to the contrary, the department may transfer unexpended
851 budget between the seaport projects as identified in the
852 approved work program amendments.

853 (10)~~(11)~~ The council shall meet at the call of its
854 chairperson, at the request of a majority of its membership, or
855 at such times as may be prescribed in its bylaws. However, the
856 council must meet at least semiannually. A majority of voting
857 members of the council constitutes a quorum for the purpose of
858 transacting the business of the council. All members of the
859 council are voting members. A vote of the majority of the voting
860 members present is sufficient for any action of the council,
861 except that a member representing the Department of
862 Transportation or the Department of Economic Opportunity may
863 vote to overrule any action of the council approving a project
864 pursuant to subsection (5). The bylaws of the council may
865 require a greater vote for a particular action.

866 (11)~~(12)~~ Members of the council shall serve without
867 compensation but are entitled to receive reimbursement for per
868 diem and travel expenses as provided in s. 112.061. The council

869 | may elect to provide an administrative staff to provide services
 870 | to the council on matters relating to the Florida Seaport
 871 | Transportation and Economic Development Program and the council.
 872 | The cost for such administrative services shall be paid by all
 873 | ports that receive funding from the Florida Seaport
 874 | Transportation and Economic Development Program, based upon a
 875 | pro rata formula measured by each recipient's share of the funds
 876 | as compared to the total funds disbursed to all recipients
 877 | during the year. The share of costs for administrative services
 878 | shall be paid in its total amount by the recipient port upon
 879 | execution by the port and the Department of Transportation of a
 880 | joint participation agreement for each council-approved project,
 881 | and such payment is in addition to the matching funds required
 882 | to be paid by the recipient port. Except as otherwise exempted
 883 | by law, all moneys derived from the Florida Seaport
 884 | Transportation and Economic Development Program shall be
 885 | expended in accordance with the provisions of s. 287.057.
 886 | Seaports subject to competitive negotiation requirements of a
 887 | local governing body shall abide by the provisions of s.
 888 | 287.055.

889 | (12)~~(13)~~ Until July 1, 2014, Citrus County may apply for a
 890 | grant through the Florida Seaport Transportation and Economic
 891 | Development Council to perform a feasibility study regarding the
 892 | establishment of a port in Citrus County. The council shall
 893 | evaluate such application pursuant to subsections (5)-(8) ~~(5)-~~
 894 | ~~(9)~~ and, if approved, the Department of Transportation shall
 895 | include the feasibility study in its budget request pursuant to
 896 | subsection (9) ~~(10)~~. If the study determines that a port in

897 Citrus County is not feasible, the membership of Port Citrus on
 898 the council shall terminate.

899 Section 6. Section 311.10, Florida Statutes, is created to
 900 read:

901 311.10 Strategic Port Investment Initiative.—

902 (1) There is created the Strategic Port Investment
 903 Initiative within the Department of Transportation. Beginning in
 904 fiscal year 2012-2013, a minimum of \$35 million annually shall
 905 be made available from the State Transportation Trust Fund to
 906 fund the Strategic Port Investment Initiative. The Department of
 907 Transportation shall work with the deepwater ports listed in s.
 908 311.09 to develop and maintain a priority list of strategic
 909 investment projects. Project selection shall be based on
 910 projects that meet the state's economic development goal of
 911 becoming a hub for trade, logistics, and export-oriented
 912 activities by:

913 (a) Providing important access and major on-port capacity
 914 improvements;

915 (b) Providing capital improvements to strategically
 916 position the state to maximize opportunities in international
 917 trade, logistics, or the cruise industry;

918 (c) Achieving state goals of an integrated intermodal
 919 transportation system; and

920 (d) Demonstrating the feasibility and availability of
 921 matching funds through local or private partners.

922 (2) Prior to making final project allocations, the
 923 Department of Transportation shall schedule a publicly noticed
 924 workshop with the Department of Economic Opportunity and the

925 deepwater ports listed in s. 311.09 to review the proposed
 926 projects. After considering the comments received, the
 927 Department of Transportation shall finalize a prioritized list
 928 of potential projects.

929 (3) The Department of Transportation shall, to the maximum
 930 extent feasible, include the seaport projects proposed to be
 931 funded under this section in the tentative work program
 932 developed under s. 339.135(4).

933 Section 7. Section 311.101, Florida Statutes, is created
 934 to read:

935 311.101 Intermodal Logistics Center Infrastructure Support
 936 Program.—

937 (1) There is created within the Department of
 938 Transportation the Intermodal Logistics Center Infrastructure
 939 Support Program. The purpose of the program is to provide funds
 940 for roads, rail facilities, or other means for the conveyance or
 941 shipment of goods through a seaport, thereby enabling the state
 942 to respond to private sector market demands and meet the state's
 943 economic development goal of becoming a hub for trade,
 944 logistics, and export-oriented activities. The department may
 945 provide funds to assist with local government projects or
 946 projects performed by private entities that meet the public
 947 purpose of enhancing transportation facilities for the
 948 conveyance or shipment of goods through a seaport to or from an
 949 intermodal logistics center.

950 (2) For the purposes of this section, "intermodal
 951 logistics center," including, but not limited to, an "inland
 952 port," means a facility or group of facilities serving as a

953 point of intermodal transfer of freight in a specific area
954 physically separated from a seaport where activities relating to
955 transport, logistics, goods distribution, consolidation, or
956 value-added activities are carried out and whose activities and
957 services are designed to support or be supported by conveyance
958 or shipping through one or more seaports listed in s. 311.09.

959 (3) The department must consider, but is not limited to,
960 the following criteria when evaluating projects for Intermodal
961 Logistics Center Infrastructure Support Program assistance:

962 (a) The ability of the project to serve a strategic state
963 interest.

964 (b) The ability of the project to facilitate the cost-
965 effective and efficient movement of goods.

966 (c) The extent to which the project contributes to
967 economic activity, including job creation, increased wages, and
968 revenues.

969 (d) The extent to which the project efficiently interacts
970 with and supports the transportation network.

971 (e) A commitment of a funding match.

972 (f) The amount of investment or commitments made by the
973 owner or developer of the existing or proposed facility.

974 (g) The extent to which the owner has commitments,
975 including memorandums of understanding or memorandums of
976 agreements, with private sector businesses planning to locate
977 operations at the intermodal logistics center.

978 (h) Demonstrated local financial support and commitment to
979 the project.

980 (4) The department shall coordinate and consult with the

981 Department of Economic Opportunity in the selection of projects
982 to be funded by this program.

983 (5) The department is authorized to administer contracts
984 on behalf of the entity selected to receive funding for a
985 project under this section.

986 (6) The department shall provide up to 50 percent of
987 project costs for eligible projects.

988 (7) Beginning in fiscal year 2012-2013, up to \$5 million
989 per year shall be made available from the State Transportation
990 Trust Fund for the program. The Department of Transportation
991 shall include projects proposed to be funded under this section
992 in the tentative work program developed pursuant so s.
993 339.135(4).

994 (8) The Department of Transportation is authorized to
995 adopt rules to implement this section.

996 Section 8. Section 311.106, Florida Statutes, is created
997 to read:

998 311.106 Seaport stormwater permitting and mitigation.—A
999 seaport listed in s. 403.021(9)(b) is authorized to provide for
1000 onsite or offsite stormwater treatment for water quality impacts
1001 caused by a proposed port activity that requires a permit and
1002 that causes or contributes to pollution from stormwater runoff.
1003 Offsite stormwater treatment may occur outside of the
1004 established boundaries of the port, but must be within the same
1005 drainage basin in which the port activity occurs. A port offsite
1006 stormwater treatment project must be constructed and maintained
1007 by the seaport or by the seaport in conjunction with an adjacent
1008 local government. In order to limit stormwater treatment from

1009 individual parcels within a port, a seaport may provide for a
 1010 regional stormwater treatment facility that must be constructed
 1011 and maintained by the seaport or by the seaport in conjunction
 1012 with an adjacent local government.

1013 Section 9. Section 311.14, Florida Statutes, is amended to
 1014 read:

1015 311.14 Seaport planning.—

1016 (1) The Department of Transportation shall develop, in
 1017 coordination with the ports listed in s. 311.09(1) and other
 1018 partners, a Statewide Seaport and Waterways System Plan. This
 1019 plan shall be consistent with the goals of the Florida
 1020 Transportation Plan developed pursuant to s. 339.155 and shall
 1021 consider needs identified in individual port master plans and
 1022 those from the seaport strategic plans required under this
 1023 section. The plan will identify 5-year, 10-year, and 20-year
 1024 needs for the seaport system and will include seaport, waterway,
 1025 road, and rail projects that are needed to ensure the success of
 1026 the transportation system as a whole in supporting state
 1027 economic development goals ~~The Florida Seaport Transportation~~
 1028 ~~and Economic Development Council, in cooperation with the Office~~
 1029 ~~of the State Public Transportation Administrator within the~~
 1030 ~~Department of Transportation, shall develop freight-mobility and~~
 1031 ~~trade-corridor plans to assist in making freight-mobility~~
 1032 ~~investments that contribute to the economic growth of the state.~~
 1033 ~~Such plans should enhance the integration and connectivity of~~
 1034 ~~the transportation system across and between transportation~~
 1035 ~~modes throughout Florida for people and freight.~~

1036 ~~(2) The Office of the State Public Transportation~~

1037 ~~Administrator shall act to integrate freight mobility and trade~~
 1038 ~~corridor plans into the Florida Transportation Plan developed~~
 1039 ~~pursuant to s. 339.155 and into the plans and programs of~~
 1040 ~~metropolitan planning organizations as provided in s. 339.175.~~
 1041 ~~The office may also provide assistance in expediting the~~
 1042 ~~transportation permitting process relating to the construction~~
 1043 ~~of seaport freight mobility projects located outside the~~
 1044 ~~physical borders of seaports. The Department of Transportation~~
 1045 ~~may contract, as provided in s. 334.044, with any port listed in~~
 1046 ~~s. 311.09(1) or any such other statutorily authorized seaport~~
 1047 ~~entity to act as an agent in the construction of seaport~~
 1048 ~~freight mobility projects.~~

1049 (2)~~(3)~~ Each port shall develop a strategic plan with a 10-
 1050 year horizon. Each plan must include the following:

1051 (a) An economic development component that identifies
 1052 targeted business opportunities for increasing business and
 1053 attracting new business for which a particular facility has a
 1054 strategic advantage over its competitors, identifies financial
 1055 resources and other inducements to encourage growth of existing
 1056 business and acquisition of new business, and provides a
 1057 projected schedule for attainment of the plan's goals.

1058 (b) An infrastructure development and improvement
 1059 component that identifies all projected infrastructure
 1060 improvements within the plan area which require improvement,
 1061 expansion, or development in order for a port to attain a
 1062 strategic advantage for competition with national and
 1063 international competitors.

1064 (c) A component that identifies all intermodal

1065 transportation facilities, including sea, air, rail, or road
 1066 facilities, which are available or have potential, with
 1067 improvements, to be available for necessary national and
 1068 international commercial linkages and provides a plan for the
 1069 integration of port, airport, and railroad activities with
 1070 existing and planned transportation infrastructure.

1071 (d) A component that identifies physical, environmental,
 1072 and regulatory barriers to achievement of the plan's goals and
 1073 provides recommendations for overcoming those barriers.

1074 (e) An intergovernmental coordination component that
 1075 specifies modes and methods to coordinate plan goals and
 1076 missions with the missions of the Department of Transportation,
 1077 other state agencies, and affected local, general-purpose
 1078 governments.

1079
 1080 To the extent feasible, the port strategic plan must be
 1081 consistent with the local government comprehensive plans of the
 1082 units of local government in which the port is located. Upon
 1083 approval of a plan by the port's board, the plan shall be
 1084 submitted to the Florida Seaport Transportation and Economic
 1085 Development Council.

1086 ~~(3)~~⁽⁴⁾ The Florida Seaport Transportation and Economic
 1087 Development Council shall review the strategic plans submitted
 1088 by each port and prioritize strategic needs for inclusion in the
 1089 Florida Seaport Mission Plan prepared pursuant to s. 311.09(3).

1090 Section 10. Subsection (21) of section 316.003, Florida
 1091 Statutes, is amended to read:

1092 316.003 Definitions.—The following words and phrases, when

1093 used in this chapter, shall have the meanings respectively
 1094 ascribed to them in this section, except where the context
 1095 otherwise requires:

1096 (21) MOTOR VEHICLE.—Except when used in s. 316.1001, any
 1097 self-propelled vehicle not operated upon rails or guideway, but
 1098 not including any bicycle, motorized scooter, electric personal
 1099 assistive mobility device, or moped. For purposes of s.
 1100 316.1001, "motor vehicle" has the same meaning as in s.
 1101 320.01(1)(a).

1102 Section 11. Subsection (4) of section 316.091, Florida
 1103 Statutes, is amended, subsection (5) is renumbered as subsection
 1104 (7), and new subsections (5) and (6) are added to that section,
 1105 to read:

1106 316.091 Limited access facilities; interstate highways;
 1107 use restricted.—

1108 (4) No person shall operate a bicycle or other human-
 1109 powered vehicle on the roadway or along the shoulder of a
 1110 limited access highway, including bridges, unless official signs
 1111 and a designated, marked bicycle lane are present at the
 1112 entrance of the section of highway indicating that such use is
 1113 permitted pursuant to a pilot program of the Department of
 1114 Transportation ~~an interstate highway.~~

1115 (5) The Department of Transportation and expressway
 1116 authorities are authorized to designate use of shoulders of
 1117 limited access facilities and interstate highways under their
 1118 jurisdiction for such vehicular traffic determined to improve
 1119 safety, reliability, and transportation system efficiency.
 1120 Appropriate traffic signs or dynamic lane control signals shall

1121 be erected along those portions of the facility affected to give
1122 notice to the public of the action to be taken, clearly
1123 indicating when the shoulder is open to designated vehicular
1124 traffic. This section may not be deemed to authorize such
1125 designation in violation of any federal law or any covenant
1126 established in a resolution or trust indenture relating to the
1127 issuance of turnpike bonds, expressway authority bonds, or other
1128 bonds.

1129 (6) The Department of Transportation shall establish a 2-
1130 year pilot program, in three separate urban areas, in which it
1131 shall erect signs and designate marked bicycle lanes indicating
1132 highway approaches and bridge segments of limited access
1133 highways as open to use by operators of bicycles and other
1134 human-powered vehicles, under the following conditions:

1135 (a) The limited access highway approaches and bridge
1136 segments chosen must cross a river, lake, bay, inlet, or surface
1137 water where no street or highway crossing the water body is
1138 available for use within 2 miles of the entrance to the limited
1139 access facility measured along the shortest public right-of-way.

1140 (b) The Department of Transportation, with the concurrence
1141 of the Federal Highway Administration on the interstate
1142 facilities, shall establish the three highway approaches and
1143 bridge segments for the pilot project by October 1, 2012. In
1144 selecting the highway approaches and bridge segments, the
1145 Department of Transportation shall consider, without limitation,
1146 a minimum size of population in the urban area within 5 miles of
1147 the highway approach and bridge segment, the lack of bicycle
1148 access by other means, cost, safety, and operational impacts.

1149 (c) The Department of Transportation shall begin the pilot
 1150 program by erecting signs and designating marked bicycle lanes
 1151 indicating highway approaches and bridge segments of limited
 1152 access highways, as qualified by the conditions described in
 1153 this subsection, as open to use by operators of bicycles and
 1154 other human-powered vehicles no later than March 1, 2013.

1155 (d) The Department of Transportation shall conduct the
 1156 pilot program for a minimum of 2 years following the
 1157 implementation date.

1158 (e) The Department of Transportation shall submit a report
 1159 of its findings and recommendations from the pilot program to
 1160 the Governor, the President of the Senate, and the Speaker of
 1161 the House of Representatives by September 1, 2015. The report
 1162 shall include, at a minimum, bicycle crash data occurring in the
 1163 designated segments of the pilot program, usage by operators of
 1164 bicycles and other human-powered vehicles, enforcement issues,
 1165 operational impacts, and the cost of the pilot program.

1166 Section 12. Paragraph (b) of subsection (2) of section
 1167 316.1001, Florida Statutes, is amended to read:

1168 316.1001 Payment of toll on toll facilities required;
 1169 penalties.—

1170 (2)

1171 (b) A citation issued under this subsection may be issued
 1172 by mailing the citation by first-class mail or by certified
 1173 mail, return receipt requested, to the address of the registered
 1174 owner of the motor vehicle involved in the violation. Mailing
 1175 Receipt of the citation to such address constitutes
 1176 notification. In the case of joint ownership of a motor vehicle,

1177 the traffic citation must be mailed to the first name appearing
 1178 on the registration, unless the first name appearing on the
 1179 registration is a business organization, in which case the
 1180 second name appearing on the registration may be used. A
 1181 citation issued under this paragraph must be mailed to the
 1182 registered owner of the motor vehicle involved in the violation
 1183 within 14 days after the date of issuance of the citation. In
 1184 addition to the citation, notification must be sent to the
 1185 registered owner of the motor vehicle involved in the violation
 1186 specifying remedies available under ss. 318.14(12) and
 1187 318.18(7).

1188 Section 13. Subsection (5) of section 316.2068, Florida
 1189 Statutes, is amended to read:

1190 316.2068 Electric personal assistive mobility devices;
 1191 regulations.—

1192 (5) A county or municipality may regulate ~~prohibit~~ the
 1193 operation of electric personal assistive mobility devices on any
 1194 road, street, sidewalk, or bicycle path under its jurisdiction
 1195 if the governing body of the county or municipality determines
 1196 that regulation ~~such a prohibition~~ is necessary in the interest
 1197 of safety.

1198 Section 14. Paragraph (a) of subsection (3) and paragraphs
 1199 (a) and (c) of subsection (5) of section 316.515, Florida
 1200 Statutes, are amended to read:

1201 316.515 Maximum width, height, length.—

1202 (3) LENGTH LIMITATION.—Except as otherwise provided in
 1203 this section, length limitations apply solely to a semitrailer
 1204 or trailer, and not to a truck tractor or to the overall length

1205 of a combination of vehicles. No combination of commercial motor
1206 vehicles coupled together and operating on the public roads may
1207 consist of more than one truck tractor and two trailing units.
1208 Unless otherwise specifically provided for in this section, a
1209 combination of vehicles not qualifying as commercial motor
1210 vehicles may consist of no more than two units coupled together;
1211 such nonqualifying combination of vehicles may not exceed a
1212 total length of 65 feet, inclusive of the load carried thereon,
1213 but exclusive of safety and energy conservation devices approved
1214 by the department for use on vehicles using public roads.
1215 Notwithstanding any other provision of this section, a truck
1216 tractor-semitrailer combination engaged in the transportation of
1217 automobiles or boats may transport motor vehicles or boats on
1218 part of the power unit; and, except as may otherwise be mandated
1219 under federal law, an automobile or boat transporter semitrailer
1220 may not exceed 50 feet in length, exclusive of the load;
1221 however, the load may extend up to an additional 6 feet beyond
1222 the rear of the trailer. The 50-foot length limitation does not
1223 apply to non-stinger-steered automobile or boat transporters
1224 that are 65 feet or less in overall length, exclusive of the
1225 load carried thereon, or to stinger-steered automobile or boat
1226 transporters that are 75 feet or less in overall length,
1227 exclusive of the load carried thereon. For purposes of this
1228 subsection, a "stinger-steered automobile or boat transporter"
1229 is an automobile or boat transporter configured as a semitrailer
1230 combination wherein the fifth wheel is located on a drop frame
1231 located behind and below the rearmost axle of the power unit.
1232 Notwithstanding paragraphs (a) and (b), any straight truck or

1233 truck tractor-semitrailer combination engaged in the
 1234 transportation of horticultural trees may allow the load to
 1235 extend up to an additional 10 feet beyond the rear of the
 1236 vehicle, provided said trees are resting against a retaining bar
 1237 mounted above the truck bed so that the root balls of the trees
 1238 rest on the floor and to the front of the truck bed and the tops
 1239 of the trees extend up over and to the rear of the truck bed,
 1240 and provided the overhanging portion of the load is covered with
 1241 protective fabric.

1242 (a) Straight trucks.—~~A No~~ straight truck may not exceed a
 1243 length of 40 feet in extreme overall dimension, exclusive of
 1244 safety and energy conservation devices approved by the
 1245 department for use on vehicles using public roads. A straight
 1246 truck may tow no more than one trailer, and the overall length
 1247 of the truck-trailer combination may not exceed 68 feet ~~such~~
 1248 ~~trailer may not exceed a length of 28 feet. However, such~~
 1249 ~~trailer limitation does not apply if the overall length of the~~
 1250 ~~truck-trailer combination is 65 feet or less, including the load~~
 1251 thereon. Notwithstanding any other provisions of this section, a
 1252 truck-trailer combination engaged in the transportation of
 1253 boats, or boat trailers whose design dictates a front-to-rear
 1254 stacking method may ~~shall~~ not exceed the length limitations of
 1255 this paragraph exclusive of the load; however, the load may
 1256 extend up to an additional 6 feet beyond the rear of the
 1257 trailer.

1258 (5) IMPLEMENTS OF HUSBANDRY AND FARM EQUIPMENT;
 1259 AGRICULTURAL TRAILERS; FORESTRY EQUIPMENT; SAFETY REQUIREMENTS.—

1260 (a) Notwithstanding any other provisions of law, straight

1261 trucks, agricultural tractors, citrus harvesting equipment,
 1262 citrus fruit loaders, and cotton module movers, not exceeding 50
 1263 feet in length, or any combination of up to and including three
 1264 implements of husbandry, including the towing power unit, and
 1265 any single agricultural trailer with a load thereon or any
 1266 agricultural implements attached to a towing power unit, or a
 1267 self-propelled agricultural implement or an agricultural
 1268 tractor, is authorized for the purpose of transporting peanuts,
 1269 grains, soybeans, citrus, cotton, hay, straw, or other
 1270 perishable farm products from their point of production to the
 1271 first point of change of custody or of long-term storage, and
 1272 for the purpose of returning to such point of production, or for
 1273 the purpose of moving such tractors, movers, and implements from
 1274 one point of agricultural production to another, by a person
 1275 engaged in the production of any such product or custom hauler,
 1276 if such vehicle or combination of vehicles otherwise complies
 1277 with this section. The Department of Transportation may issue
 1278 overlength permits for cotton module movers greater than 50 feet
 1279 but not more than 55 feet in overall length. Such vehicles shall
 1280 be operated in accordance with all safety requirements
 1281 prescribed by law and rules of the Department of Transportation.

1282 (c) The width and height limitations of this section do
 1283 not apply to farming or agricultural equipment, whether self-
 1284 propelled, pulled, or hauled, when temporarily operated during
 1285 daylight hours upon a public road that is not a limited access
 1286 facility as defined in s. 334.03(12) ~~s. 334.03(13)~~, and the
 1287 width and height limitations may be exceeded by such equipment
 1288 without a permit. To be eligible for this exemption, the

1289 equipment shall be operated within a radius of 50 miles of the
 1290 real property owned, rented, or leased by the equipment owner.
 1291 However, equipment being delivered by a dealer to a purchaser is
 1292 not subject to the 50-mile limitation. Farming or agricultural
 1293 equipment greater than 174 inches in width must have one warning
 1294 lamp mounted on each side of the equipment to denote the width
 1295 and must have a slow-moving vehicle sign. Warning lamps required
 1296 by this paragraph must be visible from the front and rear of the
 1297 vehicle and must be visible from a distance of at least 1,000
 1298 feet.

1299 Section 15. Subsection (42) of section 320.01, Florida
 1300 Statutes, is amended to read:

1301 320.01 Definitions, general.—As used in the Florida
 1302 Statutes, except as otherwise provided, the term:

1303 (42) "Low-speed vehicle" means any four-wheeled ~~electric~~
 1304 vehicle whose top speed is greater than 20 miles per hour but
 1305 not greater than 25 miles per hour, including, but not limited
 1306 to, neighborhood electric vehicles. Low-speed vehicles must
 1307 comply with the safety standards in 49 C.F.R. s. 571.500 and s.
 1308 316.2122.

1309 Section 16. Section 332.08, Florida Statutes, is amended
 1310 to read:

1311 332.08 Additional powers.—

1312 (1) In addition to the general powers in ss. 332.01-332.12
 1313 conferred and without limitation thereof, a municipality which
 1314 has established or may hereafter establish airports, restricted
 1315 landing areas, or other air navigation facilities, or which has
 1316 acquired or set apart or may hereafter acquire or set apart real

1317 property for such purposes, is hereby authorized:

1318 (a)~~(1)~~ To vest authority for the construction,
 1319 enlargement, improvement, maintenance, equipment, operation, and
 1320 regulation thereof in an officer, a board or body of such
 1321 municipality by ordinance or resolution which shall prescribe
 1322 the powers and duties of such officer, board or body. The
 1323 expense of such construction, enlargement, improvement,
 1324 maintenance, equipment, operation, and regulation shall be a
 1325 responsibility of the municipality.

1326 (b) 1.~~(2)~~~~(a)~~ To adopt and amend all needful rules,
 1327 regulations, and ordinances for the management, government, and
 1328 use of any properties under its control, whether within or
 1329 without the territorial limits of the municipality; to appoint
 1330 airport guards or police, with full police powers; to fix by
 1331 ordinance or resolution, as may be appropriate, penalties for
 1332 the violation of such ~~said~~ rules, regulations, and ordinances,
 1333 and enforce such ~~said~~ penalties in the same manner in which
 1334 penalties prescribed by other rules, regulations, and ordinances
 1335 of the municipality are enforced.

1336 2.~~(b)~~~~—~~ ~~Provided,~~ Where a county operates one or more
 1337 airports, its regulations for the government thereof shall be by
 1338 resolution of the board of county commissioners, ~~shall be~~
 1339 recorded in the minutes of the board, and promulgated by posting
 1340 a copy at the courthouse and at every such airport for 4
 1341 consecutive weeks or by publication once a week in a newspaper
 1342 published in the county for the same period. Such regulations
 1343 shall be enforced as are the criminal laws. Violation thereof
 1344 shall be a misdemeanor of the second degree, punishable as

1345 provided in s. 775.082 or s. 775.083.

1346 (c)~~(3)~~ To lease for a term not exceeding 30 years such
 1347 airports or other air navigation facilities, or real property
 1348 acquired or set apart for airport purposes, to private parties,
 1349 any municipal or state government or the national government, or
 1350 any department of either thereof, for operation; to lease or
 1351 assign for a term not exceeding 30 years to private parties, any
 1352 municipal or state government or the national government, or any
 1353 department of either thereof, for operation or use consistent
 1354 with the purposes of ss. 332.01-332.12, space, area,
 1355 improvements, or equipment on such airports; to sell any part of
 1356 such airports, other air navigation facilities, or real property
 1357 to any municipal or state government, or the United States or
 1358 any department or instrumentality thereof, for aeronautical
 1359 purposes or purposes incidental thereto, and to confer the
 1360 privileges of concessions of supplying upon its airports goods,
 1361 commodities, things, services, and facilities; provided, that in
 1362 each case in so doing the public is not deprived of its rightful
 1363 equal and uniform use thereof.

1364 (d)~~(4)~~ To sell or lease any property, real or personal,
 1365 acquired for airport purposes and belonging to the municipality,
 1366 which, in the judgment of its governing body, may not be
 1367 required for aeronautic purposes, in accordance with the laws of
 1368 this state, or the provisions of the charter of the
 1369 municipality, governing the sale or leasing of similar
 1370 municipally owned property.

1371 (e)~~(5)~~ To exercise all powers necessarily incidental to
 1372 the exercise of the general and special powers herein granted,

1373 and is specifically authorized to assess and shall assess
 1374 against and collect from the owner or operator of each and every
 1375 airplane using such airports a sufficient fee or service charge
 1376 to cover the cost of the service furnished airplanes using such
 1377 airports, including the liquidation of bonds or other
 1378 indebtedness for construction and improvements.

1379 (2) Notwithstanding any other provision of this section, a
 1380 municipality participating in the Federal Aviation
 1381 Administration's Airport Privatization Pilot Program pursuant to
 1382 49 U.S.C. s. 47134 may lease or sell an airport or other air
 1383 navigation facility or real property, together with improvements
 1384 and equipment, acquired or set apart for airport purposes to a
 1385 private party under such terms and conditions as negotiated by
 1386 the municipality. If state funds were provided to the
 1387 municipality pursuant to s. 332.007, the municipality must
 1388 obtain approval of the agreement from the Department of
 1389 Transportation, which is authorized to approve the agreement if
 1390 it determines the state's investment has been adequately
 1391 considered and protected consistent with the applicable
 1392 conditions specified in 49 U.S.C. s. 47134.

1393 Section 17. Subsections (11) through (37) of section
 1394 334.03, Florida Statutes, are renumbered as subsections (10)
 1395 through (36), respectively, and present subsections (10), (11),
 1396 and (25) of that section are amended to read:

1397 334.03 Definitions.—When used in the Florida
 1398 Transportation Code, the term:

1399 ~~(10) "Florida Intrastate Highway System" means a system of~~
 1400 ~~limited access and controlled access facilities on the State~~

1401 ~~Highway System which have the capacity to provide high speed and~~
 1402 ~~high volume traffic movements in an efficient and safe manner.~~

1403 ~~(10)-(11)~~ "Functional classification" means the assignment
 1404 of roads into systems according to the character of service they
 1405 provide in relation to the total road network using procedures
 1406 developed by the Federal Highway Administration. ~~Basic~~
 1407 ~~functional categories include arterial roads, collector roads,~~
 1408 ~~and local roads which may be subdivided into principal, major,~~
 1409 ~~or minor levels. These levels may be additionally divided into~~
 1410 ~~rural and urban categories.~~

1411 ~~(24)-(25)~~ "State Highway System" means ~~the following, which~~
 1412 ~~shall be facilities to which access is regulated:~~

1413 ~~(a)~~ the interstate system and all other roads within the
 1414 state which were under the jurisdiction of the state on June 10,
 1415 1995, and roads constructed by an agency of the state for the
 1416 State Highway System, plus roads transferred to the state's
 1417 jurisdiction after that date by mutual consent with another
 1418 governmental entity, but not including roads so transferred from
 1419 the state's jurisdiction. These facilities shall be facilities
 1420 to which access is regulated. ~~†~~

1421 ~~(b)~~ ~~All rural arterial routes and their extensions into~~
 1422 ~~and through urban areas;~~

1423 ~~(c)~~ ~~All urban principal arterial routes; and~~

1424 ~~(d)~~ ~~The urban minor arterial mileage on the existing State~~
 1425 ~~Highway System as of July 1, 1987, plus additional mileage to~~
 1426 ~~comply with the 2-percent requirement as described below.~~

1427
 1428 ~~However, not less than 2 percent of the public road mileage of~~

1429 ~~each urbanized area on record as of June 30, 1986, shall be~~
 1430 ~~included as minor arterials in the State Highway System.~~
 1431 ~~Urbanized areas not meeting the foregoing minimum requirement~~
 1432 ~~shall have transferred to the State Highway System additional~~
 1433 ~~minor arterials of the highest significance in which case the~~
 1434 ~~total minor arterials in the State Highway System from any~~
 1435 ~~urbanized area shall not exceed 2.5 percent of that area's total~~
 1436 ~~public urban road mileage.~~

1437 Section 18. Subsections (11), (13), and (26) of section
 1438 334.044, Florida Statutes, are amended, and subsection (33) is
 1439 added to that section, to read:

1440 334.044 Department; powers and duties.—The department
 1441 shall have the following general powers and duties:

1442 (11) To establish a numbering system for public roads, and
 1443 to functionally classify such roads, ~~and to assign~~
 1444 ~~jurisdictional responsibility.~~

1445 (13) To ~~designate existing and to plan proposed~~
 1446 transportation facilities as part of the State Highway System,
 1447 and to construct, maintain, and operate such facilities.

1448 (26) To provide for the enhancement of environmental
 1449 benefits, including air and water quality; to prevent roadside
 1450 erosion; to conserve the natural roadside growth and scenery;
 1451 and to provide for the implementation and maintenance of
 1452 roadside conservation, enhancement, and stabilization programs.
 1453 No less than 1.5 percent of the amount contracted for
 1454 construction projects that add capacity or provide significant
 1455 enhancements to the existing system shall be allocated by the
 1456 department for the purchase of plant materials. Department

1457 districts may not expend funds for landscaping in connection
1458 with any project that is limited to resurfacing existing lanes
1459 unless the expenditure has been approved by the department's
1460 secretary or the secretary's designee.~~with~~ To the greatest
1461 extent practical, a minimum of 50 percent of these funds shall
1462 be allocated for large plant materials and the remaining funds
1463 for other plant materials. All such plant materials shall be
1464 purchased from Florida commercial nursery stock in this state on
1465 a uniform competitive bid basis. The department will develop
1466 grades and standards for landscaping materials purchased through
1467 this process. To accomplish these activities, the department may
1468 contract with nonprofit organizations having the primary purpose
1469 of developing youth employment opportunities.

1470 (33) To develop, in coordination with its partners and
1471 stakeholders, a Freight Mobility and Trade Plan to assist in
1472 making freight mobility investments that contribute to the
1473 economic growth of the state. Such plan should enhance the
1474 integration and connectivity of the transportation system across
1475 and between transportation modes throughout the state. The
1476 department shall deliver the Freight Mobility and Trade Plan to
1477 the Governor, the President of the Senate, and the Speaker of
1478 the House of Representatives by July 1, 2013.

1479 (a) The Freight Mobility and Trade Plan shall include, but
1480 need not be limited to, proposed policies and investments that
1481 promote the following:

1482 1. Increasing the flow of domestic and international trade
1483 through the state's seaports and airports, including specific

1484 policies and investments that will recapture cargo currently
 1485 shipped through seaports and airports located outside the state.

1486 2. Increasing the development of intermodal logistic
 1487 centers in the state, including specific strategies, policies,
 1488 and investments that capitalize on the empty backhaul trucking
 1489 and rail market in the state.

1490 3. Increasing the development of manufacturing industries
 1491 in the state, including specific policies and investments in
 1492 transportation facilities that will promote the successful
 1493 development and expansion of manufacturing facilities.

1494 4. Increasing the implementation of compressed natural gas
 1495 (CNG), liquefied natural gas (LNG), and propane energy policies
 1496 that reduce transportation costs for businesses and residents
 1497 located in the state.

1498 (b) Freight issues and needs shall also be given emphasis
 1499 in all appropriate transportation plans, including the Florida
 1500 Transportation Plan and the Strategic Intermodal System Plan.

1501 Section 19. Section 334.047, Florida Statutes, is amended
 1502 to read:

1503 334.047 Prohibition.—Notwithstanding any other provision
 1504 of law to the contrary, the Department of Transportation may not
 1505 establish a cap on the number of miles in the State Highway
 1506 System ~~or a maximum number of miles of urban principal arterial~~
 1507 ~~roads, as defined in s. 334.03, within a district or county.~~

1508 Section 20. Subsection (5) is added to section 335.074,
 1509 Florida Statutes, to read:

1510 335.074 Safety inspection of bridges.—

1511 (5) Upon receipt of an inspection report that recommends

1512 reducing the weight, size, or speed limit on a bridge, the
1513 governmental entity having maintenance responsibility for the
1514 bridge must reduce the maximum limits for the bridge in
1515 accordance with the inspection report and post the limits in
1516 accordance with s. 316.555. The governmental entity must, within
1517 30 days after receipt of an inspection report recommending lower
1518 limits, notify the department that the limitations have been
1519 implemented and the bridge has been posted accordingly. If the
1520 required actions are not taken within 30 days after receipt of
1521 an inspection report, the department shall post the bridge in
1522 accordance with the recommendations in the inspection report.
1523 All costs incurred by the department in connection with
1524 providing notice of the bridge's limitations or restrictions
1525 shall be assessed against and collected from the governmental
1526 entity having maintenance responsibility for the bridge. If an
1527 inspection report recommends closure of a bridge, the bridge
1528 shall be immediately closed. If the governmental entity does not
1529 close the bridge immediately upon receipt of an inspection
1530 report recommending closure, the department shall close the
1531 bridge. All costs incurred by the department in connection with
1532 the bridge closure shall be assessed against and collected from
1533 the governmental entity having maintenance responsibility for
1534 the bridge. Nothing in this subsection alters existing
1535 jurisdictional responsibilities for the operation and
1536 maintenance of bridges.

1537 Section 21. Subsections (1) and (2) of section 335.17,
1538 Florida Statutes, are amended to read:

1539 335.17 State highway construction; means of noise

1540 abatement.—

1541 (1) The department shall make use of noise-control methods
 1542 as part of highway construction projects involving new location
 1543 or capacity expansion ~~in the construction of all new state~~
 1544 ~~highways~~, with particular emphasis on those highways located in
 1545 or near urban-residential developments which abut such highway
 1546 rights-of-way.

1547 (2) All highway projects by the department, regardless of
 1548 funding source, shall be developed in conformity with federal
 1549 standards for noise abatement as contained in 23 C.F.R. 772 as
 1550 such regulations existed on July 13, 2011 ~~March 1, 1989~~. The
 1551 department shall, at a minimum, comply with federal requirements
 1552 in the following areas:

- 1553 (a) Analysis of traffic noise impacts and abatement
- 1554 measures;
- 1555 (b) Noise abatement;
- 1556 (c) Information for local officials;
- 1557 (d) Traffic noise prediction; and
- 1558 (e) Construction noise.

1559 Section 22. Subsection (5) of section 336.021, Florida
 1560 Statutes, is amended to read:

1561 336.021 County transportation system; levy of ninth-cent
 1562 fuel tax on motor fuel and diesel fuel.—

1563 (5) All impositions of the tax shall be levied before
 1564 October ~~July~~ 1 of each year to be effective January 1 of the
 1565 following year. However, levies of the tax which were in effect
 1566 on July 1, 2002, and which expire on August 31 of any year may
 1567 be reimposed at the current authorized rate to be effective

1568 September 1 of the year of expiration. All impositions shall be
 1569 required to end on December 31 of a year. A decision to rescind
 1570 the tax shall not take effect on any date other than December 31
 1571 and shall require a minimum of 60 days' notice to the department
 1572 of such decision.

1573 Section 23. Paragraphs (a) and (b) of subsection (1),
 1574 paragraph (a) of subsection (5), and subsection (7) of section
 1575 336.025, Florida Statutes, are amended to read:

1576 336.025 County transportation system; levy of local option
 1577 fuel tax on motor fuel and diesel fuel.—

1578 (1) (a) In addition to other taxes allowed by law, there
 1579 may be levied as provided in ss. 206.41(1) (e) and 206.87(1) (c) a
 1580 1-cent, 2-cent, 3-cent, 4-cent, 5-cent, or 6-cent local option
 1581 fuel tax upon every gallon of motor fuel and diesel fuel sold in
 1582 a county and taxed under the provisions of part I or part II of
 1583 chapter 206.

1584 1. All impositions and rate changes of the tax shall be
 1585 levied before October ~~July~~ 1 to be effective January 1 of the
 1586 following year for a period not to exceed 30 years, and the
 1587 applicable method of distribution shall be established pursuant
 1588 to subsection (3) or subsection (4). However, levies of the tax
 1589 which were in effect on July 1, 2002, and which expire on August
 1590 31 of any year may be reimposed at the current authorized rate
 1591 effective September 1 of the year of expiration. Upon
 1592 expiration, the tax may be relieved provided that a
 1593 redetermination of the method of distribution is made as
 1594 provided in this section.

1595 2. County and municipal governments shall utilize moneys

1596 received pursuant to this paragraph only for transportation
 1597 expenditures.

1598 3. Any tax levied pursuant to this paragraph may be
 1599 extended on a majority vote of the governing body of the county.
 1600 A redetermination of the method of distribution shall be
 1601 established pursuant to subsection (3) or subsection (4), if,
 1602 after July 1, 1986, the tax is extended or the tax rate changed,
 1603 for the period of extension or for the additional tax.

1604 (b) In addition to other taxes allowed by law, there may
 1605 be levied as provided in s. 206.41(1)(e) a 1-cent, 2-cent, 3-
 1606 cent, 4-cent, or 5-cent local option fuel tax upon every gallon
 1607 of motor fuel sold in a county and taxed under the provisions of
 1608 part I of chapter 206. The tax shall be levied by an ordinance
 1609 adopted by a majority plus one vote of the membership of the
 1610 governing body of the county or by referendum.

1611 1. All impositions and rate changes of the tax shall be
 1612 levied before October ~~July~~ 1, to be effective January 1 of the
 1613 following year. However, levies of the tax which were in effect
 1614 on July 1, 2002, and which expire on August 31 of any year may
 1615 be reimposed at the current authorized rate effective September
 1616 1 of the year of expiration.

1617 2. The county may, prior to levy of the tax, establish by
 1618 interlocal agreement with one or more municipalities located
 1619 therein, representing a majority of the population of the
 1620 incorporated area within the county, a distribution formula for
 1621 dividing the entire proceeds of the tax among county government
 1622 and all eligible municipalities within the county. If no
 1623 interlocal agreement is adopted before the effective date of the

1624 tax, tax revenues shall be distributed pursuant to the
1625 provisions of subsection (4). If no interlocal agreement exists,
1626 a new interlocal agreement may be established prior to June 1 of
1627 any year pursuant to this subparagraph. However, any interlocal
1628 agreement agreed to under this subparagraph after the initial
1629 levy of the tax or change in the tax rate authorized in this
1630 section shall under no circumstances materially or adversely
1631 affect the rights of holders of outstanding bonds which are
1632 backed by taxes authorized by this paragraph, and the amounts
1633 distributed to the county government and each municipality shall
1634 not be reduced below the amount necessary for the payment of
1635 principal and interest and reserves for principal and interest
1636 as required under the covenants of any bond resolution
1637 outstanding on the date of establishment of the new interlocal
1638 agreement.

1639 3. County and municipal governments shall use moneys
1640 received pursuant to this paragraph for transportation
1641 expenditures needed to meet the requirements of the capital
1642 improvements element of an adopted comprehensive plan or for
1643 expenditures needed to meet immediate local transportation
1644 problems and for other transportation-related expenditures that
1645 are critical for building comprehensive roadway networks by
1646 local governments. For purposes of this paragraph, expenditures
1647 for the construction of new roads, the reconstruction or
1648 resurfacing of existing paved roads, or the paving of existing
1649 graded roads shall be deemed to increase capacity and such
1650 projects shall be included in the capital improvements element
1651 of an adopted comprehensive plan. Expenditures for purposes of

1652 | this paragraph shall not include routine maintenance of roads.

1653 | (5) (a) By October ~~July~~ 1 of each year, the county shall
 1654 | notify the Department of Revenue of the rate of the taxes levied
 1655 | pursuant to paragraphs (1) (a) and (b), and of its decision to
 1656 | rescind or change the rate of a tax, if applicable, and shall
 1657 | provide the department with a certified copy of the interlocal
 1658 | agreement established under subparagraph (1) (b)2. or
 1659 | subparagraph (3) (a)1. with distribution proportions established
 1660 | by such agreement or pursuant to subsection (4), if applicable.
 1661 | A decision to rescind a tax may ~~shall~~ not take effect on any
 1662 | date other than December 31 and requires ~~shall require~~ a minimum
 1663 | of 60 days' notice to the Department of Revenue of such
 1664 | decision.

1665 | (7) For the purposes of this section, "transportation
 1666 | expenditures" means expenditures by the local government from
 1667 | local or state shared revenue sources, excluding expenditures of
 1668 | bond proceeds, for the following programs:

1669 | (a) Public transportation operations and maintenance.

1670 | (b) Roadway and right-of-way maintenance and equipment and
 1671 | structures used primarily for the storage and maintenance of
 1672 | such equipment.

1673 | (c) Roadway and right-of-way drainage.

1674 | (d) Street lighting installation, operation, maintenance,
 1675 | and repair.

1676 | (e) Traffic signs, traffic engineering, signalization, and
 1677 | pavement markings, installation, operation, maintenance, and
 1678 | repair.

1679 | (f) Bridge maintenance and operation.

1680 (g) Debt service and current expenditures for
 1681 transportation capital projects in the foregoing program areas,
 1682 including construction or reconstruction of roads and sidewalks.

1683 Section 24. Subsection (4) of section 337.111, Florida
 1684 Statutes, is amended to read:

1685 337.111 Contracting for monuments and memorials to
 1686 military veterans at rest areas.—The Department of
 1687 Transportation is authorized to enter into contract with any
 1688 not-for-profit group or organization that has been operating for
 1689 not less than 2 years for the installation of monuments and
 1690 memorials honoring Florida's military veterans at highway rest
 1691 areas around the state pursuant to the provisions of this
 1692 section.

1693 (4) The group or organization making the proposal shall
 1694 provide an annual renewable ~~a 10-year~~ bond, an irrevocable
 1695 letter of credit, or another form of security as approved by the
 1696 department's comptroller, for the purpose of securing the cost
 1697 of removal of the monument and any modifications made to the
 1698 site as part of the placement of the monument should the
 1699 Department of Transportation determine it necessary to remove or
 1700 relocate the monument. Such removal or relocation shall be
 1701 approved by the committee described in subsection (1). ~~Prior to~~
 1702 ~~expiration, the bond shall be renewed for another 10-year period~~
 1703 ~~if the memorial is to remain in place.~~

1704 Section 25. Subsection (1) of section 337.125, Florida
 1705 Statutes, is amended to read:

1706 337.125 Socially and economically disadvantaged business
 1707 enterprises; notice requirements.—

1708 (1) When contract goals are established, in order to
 1709 document that a subcontract is with a certified socially and
 1710 economically disadvantaged business enterprise, the prime
 1711 contractor must either submit a disadvantaged business
 1712 enterprise utilization form which has been signed by the
 1713 socially and economically disadvantaged business enterprise and
 1714 the prime contractor, or submit the written or oral quotation of
 1715 the socially and economically disadvantaged business enterprise,
 1716 and information contained in the quotation must be confirmed as
 1717 determined by the department by rule.

1718 Section 26. Section 337.137, Florida Statutes, is
 1719 repealed.

1720 Section 27. Section 337.139, Florida Statutes, is amended
 1721 to read:

1722 337.139 Efforts to encourage awarding contracts to
 1723 disadvantaged business enterprises.—In implementing chapter 90-
 1724 136, Laws of Florida, the Department of Transportation shall
 1725 institute procedures to encourage the awarding of contracts for
 1726 professional services and construction to disadvantaged business
 1727 enterprises. For the purposes of this section, the term
 1728 "disadvantaged business enterprise" means a small business
 1729 concern certified by the Department of Transportation to be
 1730 owned and controlled by socially and economically disadvantaged
 1731 individuals as defined by the Safe, Accountable, Flexible,
 1732 Efficient Transportation Equity Act: A Legacy for Users
 1733 (SAFETEA-LU) ~~Surface Transportation and Uniform Relocation Act~~
 1734 ~~of 1987~~. The Department of Transportation shall develop and
 1735 implement activities to encourage the participation of

1736 | disadvantaged business enterprises in the contracting process.

1737 | Such efforts may include:

1738 | (1) Presolicitation or prebid meetings for the purpose of
1739 | informing disadvantaged business enterprises of contracting
1740 | opportunities.

1741 | (2) Written notice to disadvantaged business enterprises
1742 | of contract opportunities for commodities or contractual and
1743 | construction services which the disadvantaged business provides.

1744 | (3) Provision of adequate information to disadvantaged
1745 | business enterprises about the plans, specifications, and
1746 | requirements of contracts or the availability of jobs.

1747 | (4) Breaking large contracts into several single-purpose
1748 | contracts of a size which may be obtained by certified
1749 | disadvantaged business enterprises.

1750 | Section 28. Subsection (1) of section 337.14, Florida
1751 | Statutes, is amended to read:

1752 | 337.14 Application for qualification; certificate of
1753 | qualification; restrictions; request for hearing.—

1754 | (1) Any person desiring to bid for the performance of any
1755 | construction contract in excess of \$250,000 which the department
1756 | proposes to let must first be certified by the department as
1757 | qualified pursuant to this section and rules of the department.
1758 | The rules of the department shall address the qualification of
1759 | persons to bid on construction contracts in excess of \$250,000
1760 | and shall include requirements with respect to the equipment,
1761 | past record, experience, financial resources, and organizational
1762 | personnel of the applicant necessary to perform the specific
1763 | class of work for which the person seeks certification. The

1764 department may ~~is authorized to~~ limit the dollar amount of any
 1765 contract upon which a person is qualified to bid or the
 1766 aggregate total dollar volume of contracts such person is
 1767 allowed to have under contract at any one time. Each applicant
 1768 seeking qualification to bid on construction contracts in excess
 1769 of \$250,000 shall furnish the department a statement under oath,
 1770 on such forms as the department may prescribe, setting forth
 1771 detailed information as required on the application. Each
 1772 application for certification shall be accompanied by the latest
 1773 annual financial statement of the applicant completed within the
 1774 last 12 months. If the application or the annual financial
 1775 statement shows the financial condition of the applicant more
 1776 than 4 months prior to the date on which the application is
 1777 received by the department, then an interim financial statement
 1778 must be submitted and be accompanied by an updated application.
 1779 The interim financial statement must cover the period from the
 1780 end date of the annual statement and must show the financial
 1781 condition of the applicant no more than 4 months prior to the
 1782 date the interim financial statement is received by the
 1783 department. However, upon request by the applicant, an
 1784 application and accompanying annual or interim financial
 1785 statement received by the department within 15 days after either
 1786 4-month period under this subsection shall be considered timely.
 1787 Each required annual or interim financial statement must be
 1788 audited and accompanied by the opinion of a certified public
 1789 accountant ~~or a public accountant approved by the department.~~ An
 1790 applicant desiring to bid exclusively for the performance of
 1791 construction contracts with proposed budget estimates of less

1792 than \$1 million may submit reviewed annual or reviewed interim
 1793 financial statements prepared by a certified public accountant.
 1794 The information required by this subsection is confidential and
 1795 exempt from the provisions of s. 119.07(1). The department shall
 1796 act upon the application for qualification within 30 days after
 1797 the department determines that the application is complete. The
 1798 department may waive the requirements of this subsection for
 1799 projects having a contract price of \$500,000 or less if the
 1800 department determines that the project is of a noncritical
 1801 nature and the waiver will not endanger public health, safety,
 1802 or property.

1803 Section 29. Subsection (3) of section 337.29, Florida
 1804 Statutes, is amended to read:

1805 337.29 Vesting of title to roads; liability for torts.—

1806 (3) Title to all roads transferred in accordance with ~~the~~
 1807 ~~provisions of~~ s. 335.0415 shall be in the governmental entity to
 1808 which such roads have been transferred, upon the recording of a
 1809 deed or a right-of-way map by the appropriate governmental
 1810 entity in the public land records of the county or counties in
 1811 which such rights-of-way are located. To the extent that
 1812 sovereign immunity has been waived, liability for torts shall be
 1813 in the governmental entity having operation and maintenance
 1814 responsibility as provided in s. 335.0415. Except as otherwise
 1815 provided by law, a municipality shall have the same
 1816 governmental, corporate, and proprietary powers with relation to
 1817 any public road or right-of-way within the municipality which
 1818 has been transferred to another governmental entity pursuant to
 1819 s. 335.0415 that the municipality has with relation to other

1820 public roads and rights-of-way within the municipality.

1821 Section 30. Section 337.403, Florida Statutes, is amended
 1822 to read:

1823 337.403 Interference caused by ~~relocation of~~ utility;
 1824 expenses.—

1825 (1) When a ~~Any~~ utility ~~heretofore or hereafter~~ placed
 1826 upon, under, over, or along any public road or publicly owned
 1827 rail corridor ~~that~~ is found by the authority to be unreasonably
 1828 interfering in any way with the convenient, safe, or continuous
 1829 use, or the maintenance, improvement, extension, or expansion,
 1830 of such public road or publicly owned rail corridor, the utility
 1831 owner shall, upon 30 days' written notice to the utility or its
 1832 agent by the authority, initiate the work necessary to alleviate
 1833 the interference ~~be removed or relocated by such utility~~ at its
 1834 own expense except as provided in paragraphs (a)-(f). The work
 1835 shall be completed within such reasonable time as stated in the
 1836 notice or such time as agreed to by the authority and the
 1837 utility owner.

1838 (a) If the relocation of utility facilities, as referred
 1839 to in s. 111 of the Federal-Aid Highway Act of 1956, Pub. L. No.
 1840 627 of the 84th Congress, is necessitated by the construction of
 1841 a project on the federal-aid interstate system, including
 1842 extensions thereof within urban areas, and the cost of the
 1843 project is eligible and approved for reimbursement by the
 1844 Federal Government to the extent of 90 percent or more under the
 1845 Federal Aid Highway Act, or any amendment thereof, then in that
 1846 event the utility owning or operating such facilities shall
 1847 perform any necessary work ~~relocate the facilities~~ upon notice

1848 from ~~order~~ of the department, and the state shall pay the entire
 1849 expense properly attributable to such work ~~relocation~~ after
 1850 deducting therefrom any increase in the value of any ~~the~~ new
 1851 facility and any salvage value derived from any ~~the~~ old
 1852 facility.

1853 (b) When a joint agreement between the department and the
 1854 utility is executed for utility ~~improvement, relocation, or~~
 1855 ~~removal~~ work to be accomplished as part of a contract for
 1856 construction of a transportation facility, the department may
 1857 participate in those utility work ~~improvement, relocation, or~~
 1858 ~~removal~~ costs that exceed the department's official estimate of
 1859 the cost of the work by more than 10 percent. The amount of such
 1860 participation shall be limited to the difference between the
 1861 official estimate of all the work in the joint agreement plus 10
 1862 percent and the amount awarded for this work in the construction
 1863 contract for such work. The department may not participate in
 1864 any utility work ~~improvement, relocation, or removal~~ costs that
 1865 occur as a result of changes or additions during the course of
 1866 the contract.

1867 (c) When an agreement between the department and utility
 1868 is executed for utility ~~improvement, relocation, or removal~~ work
 1869 to be accomplished in advance of a contract for construction of
 1870 a transportation facility, the department may participate in the
 1871 cost of clearing and grubbing necessary to perform such work.

1872 (d) If the utility facility involved ~~being removed or~~
 1873 ~~relocated~~ was initially installed to exclusively serve the
 1874 department, its tenants, or both, the department shall bear the
 1875 costs of the utility work ~~removing or relocating that utility~~

1876 ~~facility~~. However, the department is not responsible for bearing
 1877 the cost of utility work related to ~~removing or relocating~~ any
 1878 subsequent additions to that facility for the purpose of serving
 1879 others.

1880 (e) If, under an agreement between a utility and the
 1881 authority entered into after July 1, 2009, the utility conveys,
 1882 subordinates, or relinquishes a compensable property right to
 1883 the authority for the purpose of accommodating the acquisition
 1884 or use of the right-of-way by the authority, without the
 1885 agreement expressly addressing future responsibility for the
 1886 cost of necessary utility work ~~removing or relocating the~~
 1887 ~~utility~~, the authority shall bear the cost of ~~removal or~~
 1888 ~~relocation~~. This paragraph does not impair or restrict, and may
 1889 not be used to interpret, the terms of any such agreement
 1890 entered into before July 1, 2009.

1891 (f) If the utility is an electric facility being relocated
 1892 underground in order to enhance vehicular, bicycle, and
 1893 pedestrian safety and in which ownership of the electric
 1894 facility to be placed underground has been transferred from a
 1895 private to a public utility within the past 5 years, the
 1896 department shall incur all costs of the necessary utility work
 1897 ~~relocation~~.

1898 (g) An authority is authorized to bear the costs of
 1899 utility work required to eliminate an unreasonable interference
 1900 when the utility is not able to establish that it has a
 1901 compensable property right in the particular property where the
 1902 utility is located if:

1903 1. The utility was physically located on the particular
 1904 property before the authority acquired rights in the property;

1905 2. The utility demonstrates that it has a compensable
 1906 property right in all adjacent properties along the alignment of
 1907 the utility; and

1908 3. The information available to the authority does not
 1909 establish the relative priorities of the authority's and the
 1910 utility's interests in the particular property.

1911 (2) If such utility work ~~removal or relocation~~ is
 1912 incidental to work to be done on such road or publicly owned
 1913 rail corridor, the notice shall be given at the same time the
 1914 contract for the work is advertised for bids, or no less than 30
 1915 days prior to the commencement of such work by the authority,
 1916 whichever is greater.

1917 (3) Whenever the notice from ~~an order of~~ the authority
 1918 requires such utility work ~~removal or change in the location of~~
 1919 ~~any utility from the right of way of a public road or publicly~~
 1920 ~~owned rail corridor,~~ and the owner thereof fails to perform the
 1921 work ~~remove or change the same~~ at his or her own expense ~~to~~
 1922 ~~conform to the order~~ within the time stated in the notice or
 1923 such other time as agreed to by the authority and the utility
 1924 owner, the authority shall proceed to cause the utility work to
 1925 be performed ~~to be removed~~. The expense thereby incurred shall
 1926 be paid out of any money available therefor, and such expense
 1927 shall, except as provided in subsection (1), be charged against
 1928 the owner and levied and collected and paid into the fund from
 1929 which the expense of such relocation was paid.

1930 Section 31. Subsection (1) of section 337.404, Florida

1931 Statutes, is amended to read:

1932 337.404 Removal or relocation of utility facilities;
 1933 notice and order; court review.—

1934 (1) Whenever it becomes ~~shall become~~ necessary for the
 1935 authority to perform utility work ~~remove or relocate any utility~~
 1936 as provided in s. 337.403 ~~the preceding section~~, the owner of
 1937 the utility, or the owner's chief agent, shall be given notice
 1938 that the authority will perform ~~of such work removal or~~
 1939 ~~relocation~~ and, after the work is complete, given an order
 1940 requiring the payment of the cost thereof, and a ~~shall be given~~
 1941 reasonable time, which may ~~shall~~ not be less than 20 or ~~not~~ more
 1942 than 30 days, in which to appear before the authority to contest
 1943 the reasonableness of the order. Should the owner or the owner's
 1944 representative not appear, the determination of the cost to the
 1945 owner shall be final. Authorities considered agencies for the
 1946 purposes of chapter 120 shall adjudicate removal or relocation
 1947 of utilities pursuant to chapter 120.

1948 Section 32. Subsections (1), (4), and (5) of section
 1949 337.408, Florida Statutes, are amended to read:

1950 337.408 Regulation of bus stops, benches, transit
 1951 shelters, street light poles, waste disposal receptacles, and
 1952 modular news racks within rights-of-way.—

1953 (1) Benches or transit shelters, including advertising
 1954 displayed on benches or transit shelters, may be installed
 1955 within the right-of-way limits of any municipal, county, or
 1956 state road, except a limited access highway, provided that such
 1957 benches or transit shelters are for the comfort or convenience
 1958 of the general public or are at designated stops on official bus

1959 routes and provided that written authorization has been given to
 1960 a qualified private supplier of such service by the municipal
 1961 government within whose incorporated limits such benches or
 1962 transit shelters are installed or by the county government
 1963 within whose unincorporated limits such benches or transit
 1964 shelters are installed. A municipality or county may authorize
 1965 the installation, without public bid, of benches and transit
 1966 shelters together with advertising displayed thereon within the
 1967 right-of-way limits of such roads. All installations shall be in
 1968 compliance with all applicable laws and rules, including,
 1969 without limitation, the Americans with Disabilities Act.
 1970 Municipalities and counties that authorize or have authorized a
 1971 bench or transit shelter to be installed within the right-of-way
 1972 limits of any road on the State Highway System shall be
 1973 responsible for ensuring that the bench or transit shelter
 1974 complies with all applicable laws and rules, including, without
 1975 limitation, the Americans with Disabilities Act, or shall remove
 1976 the bench or transit shelter. The department shall have no
 1977 liability for any claims, losses, costs, charges, expenses,
 1978 damages, liabilities, attorney fees, or court costs relating to
 1979 the installation, removal, or relocation of any benches or
 1980 transit shelters authorized by a municipality or county. On and
 1981 after July 1, 2012, a municipality or county that authorizes a
 1982 bench or transit shelter to be installed within the right-of-way
 1983 limits of any road on the State Highway System must require the
 1984 qualified private supplier, or any other person under contract
 1985 to install the bench or transit shelter, to indemnify, defend,
 1986 and hold harmless the department from any suits, actions,

1987 proceedings, claims, losses, costs, charges, expenses, damages,
 1988 liabilities, attorney fees, and court costs relating to the
 1989 installation, removal, or relocation of such installations, and
 1990 shall annually certify to the department in a notarized signed
 1991 statement that this requirement has been met. The certification
 1992 shall include the name and address of each person responsible
 1993 for indemnifying the department for an authorized installation.
 1994 Municipalities and counties that have authorized the
 1995 installation of benches or transit shelters within the right-of-
 1996 way limits of any road on the State Highway System must remove
 1997 or relocate, or cause the removal or relocation of, the
 1998 installation at no cost to the department within 60 days after
 1999 written notice by the department that the installation is
 2000 unreasonably interfering in any way with the convenient, safe,
 2001 or continuous use of or the maintenance, improvement, extension,
 2002 or expansion of the State Highway System road. Any contract for
 2003 the installation of benches or transit shelters or advertising
 2004 on benches or transit shelters which was entered into before
 2005 April 8, 1992, without public bidding is ratified and affirmed.
 2006 Such benches or transit shelters may not interfere with right-
 2007 of-way preservation and maintenance. Any bench or transit
 2008 shelter located on a sidewalk within the right-of-way limits of
 2009 any road on the State Highway System or the county road system
 2010 shall be located so as to leave at least 36 inches of clearance
 2011 for pedestrians and persons in wheelchairs. Such clearance shall
 2012 be measured in a direction perpendicular to the centerline of
 2013 the road.

2014 (4) The department has the authority to direct the

2015 immediate relocation or removal of any bus stop, bench, transit
2016 shelter, waste disposal receptacle, public pay telephone, or
2017 modular news rack that endangers life or property or that is
2018 otherwise not in compliance with applicable laws and rules,
2019 except that transit bus benches that were placed in service
2020 before April 1, 1992, are not required to comply with bench size
2021 and advertising display size requirements established by the
2022 department before March 1, 1992. ~~Any transit bus bench that was~~
2023 ~~in service before April 1, 1992, may be replaced with a bus~~
2024 ~~bench of the same size or smaller, if the bench is damaged or~~
2025 ~~destroyed or otherwise becomes unusable.~~ The department may
2026 adopt rules relating to the regulation of bench size and
2027 advertising display size requirements. If a municipality or
2028 county within which a bench is to be located has adopted an
2029 ordinance or other applicable regulation that establishes bench
2030 size or advertising display sign requirements different from
2031 requirements specified in department rule, the local government
2032 requirement applies within the respective municipality or
2033 county. Placement of any bench or advertising display on the
2034 National Highway System under a local ordinance or regulation
2035 adopted under this subsection is subject to approval of the
2036 Federal Highway Administration.

2037 (5) A bus stop, bench, transit shelter, waste disposal
2038 receptacle, public pay telephone, or modular news rack, or
2039 advertising thereon, may not be erected or placed on the right-
2040 of-way of any road in a manner that conflicts with the
2041 requirements of federal law, regulations, or safety standards,
2042 thereby causing the state or any political subdivision the loss

2043 of federal funds. Competition among persons seeking to provide
 2044 bus stop, bench, transit shelter, waste disposal receptacle,
 2045 public pay telephone, or modular news rack services or
 2046 advertising on such benches, shelters, receptacles, public pay
 2047 telephone, or news racks may be regulated, restricted, or denied
 2048 by the appropriate local government entity consistent with this
 2049 section.

2050 Section 33. Chapter 338, Florida Statutes, is retitled
 2051 "LIMITED ACCESS AND TOLL FACILITIES."

2052 Section 34. Section 338.001, Florida Statutes, is
 2053 repealed.

2054 Section 35. Present subsections (1) through (6) of section
 2055 338.01, Florida Statutes, are renumbered as subsections (2)
 2056 through (7), respectively, and new subsections (1) and (8) are
 2057 added to that section to read:

2058 338.01 Authority to establish and regulate limited access
 2059 facilities.—

2060 (1) The department may establish limited access facilities
 2061 as provided in s. 335.02. The primary function of such limited
 2062 access facilities shall be to allow high-speed and high-volume
 2063 traffic movements within the state. Access to abutting land is
 2064 subordinate to this function, and such access must be prohibited
 2065 or highly regulated.

2066 (8) The department, or other governmental entity
 2067 responsible for the collection of tolls, may pursue the
 2068 collection of unpaid tolls and associated fees and other amounts
 2069 to which it is entitled by contracting with a private attorney
 2070 who is a member in good standing with The Florida Bar or a

2071 collection agent who is registered and in good standing pursuant
 2072 to chapter 559. A collection fee in an amount that is reasonable
 2073 within the collection industry, including any reasonable
 2074 attorney fees, may be added to the delinquent amount collected
 2075 by any attorney or collection agent retained by the department
 2076 or other governmental entity. The requirements of s. 287.059 do
 2077 not apply to private attorney services procured under this
 2078 section.

2079 Section 36. Section 338.151, Florida Statutes, is created
 2080 to read:

2081 338.151 Authority of the department to establish tolls on
 2082 the State Highway System.—Notwithstanding s. 338.165(8), the
 2083 department may establish tolls on new limited access facilities
 2084 on the State Highway System, lanes added to existing limited
 2085 access facilities on the State Highway System, new major bridges
 2086 on the State Highway System over waterways, and replacements for
 2087 existing major bridges on the State Highway System over
 2088 waterways to pay, fully or partially, for the cost of such
 2089 projects. Except for high-occupancy vehicle lanes, express
 2090 lanes, the turnpike system, and as otherwise authorized by law,
 2091 the department may not establish tolls on lanes of limited
 2092 access facilities that exist on July 1, 2012, unless tolls were
 2093 in effect for the lanes prior to that date. The authority
 2094 provided in this section is in addition to the authority
 2095 provided under the Florida Turnpike Enterprise Law and s.
 2096 338.166.

2097 Section 37. Subsection (1) of section 338.155, Florida
 2098 Statutes, is amended to read:

2099 338.155 Payment of toll on toll facilities required;
 2100 exemptions.—

2101 (1) A person may not ~~No persons are permitted to~~ use any
 2102 toll facility without payment of tolls, except employees of the
 2103 agency operating the toll project when using the toll facility
 2104 on official state business, state military personnel while on
 2105 official military business, handicapped persons as provided in
 2106 this section, persons exempt from toll payment by the
 2107 authorizing resolution for bonds issued to finance the facility,
 2108 and persons exempt on a temporary basis where use of such toll
 2109 facility is required as a detour route. Any law enforcement
 2110 officer operating a marked official vehicle is exempt from toll
 2111 payment when on official law enforcement business. Any person
 2112 operating a fire vehicle when on official business or a rescue
 2113 vehicle when on official business is exempt from toll payment.
 2114 Any person participating in the funeral procession of a law
 2115 enforcement officer or firefighter killed in the line of duty is
 2116 exempt from toll payment. The secretary~~7~~ or the secretary's
 2117 designee~~7~~ may suspend the payment of tolls on a toll facility
 2118 when necessary to assist in emergency evacuation. The failure to
 2119 pay a prescribed toll constitutes a noncriminal traffic
 2120 infraction, punishable as a moving violation as provided in
 2121 ~~pursuant to~~ s. 318.18. The department may ~~is authorized to~~ adopt
 2122 rules relating to the payment, collection, and enforcement of
 2123 tolls, as authorized in chapters 316, 318, 320, 322, and 338,
 2124 including, but not limited to, rules for the implementation of
 2125 video or other image billing and variable pricing. With respect
 2126 to toll facilities managed by the department, the revenues of

2127 which are not pledged to repayment of bonds, the department may
 2128 by rule allow the use of such facilities by public transit
 2129 vehicles or by vehicles participating in a funeral procession
 2130 for an active-duty military service member without the payment
 2131 of tolls.

2132 Section 38. Paragraph (c) is added to subsection (3) of
 2133 section 338.161, Florida Statutes, to read:

2134 338.161 Authority of department or toll agencies to
 2135 advertise and promote electronic toll collection; expanded uses
 2136 of electronic toll collection system; studies authorized;
 2137 authority of department to collect tolls, fares, and fees for
 2138 private and public entities.-

2139 (3)

2140 (c) If the department finds that it can increase nontoll
 2141 revenues or add convenience or other value for its customers,
 2142 the department is authorized to enter into agreements with
 2143 private or public entities for the department's use of its
 2144 electronic toll collection and video billing systems to collect
 2145 tolls, fares, administrative fees, and other applicable charges
 2146 imposed in connection with transportation facilities of the
 2147 private or public entities that become interoperable with the
 2148 department's electronic toll collection system. The department
 2149 may modify its rules regarding toll collection procedures and
 2150 the imposition of administrative charges to be applicable to
 2151 toll facilities that are not part of the turnpike system or
 2152 otherwise owned by the department. This paragraph may not be
 2153 construed to limit the authority of the department under any
 2154 other provision of law or under any agreement entered into prior

2155 | to July 1, 2012.

2156 | Section 39. Section 338.166, Florida Statutes, is amended
2157 | to read:

2158 | 338.166 High-occupancy toll lanes or express lanes.—

2159 | (1) Under s. 11, Art. VII of the State Constitution, the
2160 | department may request the Division of Bond Finance to issue
2161 | bonds secured by toll revenues collected on high-occupancy toll
2162 | lanes or express lanes established on facilities owned by the
2163 | department located on Interstate 95 in Miami-Dade and Broward
2164 | Counties.

2165 | (2) The department may continue to collect the toll on the
2166 | high-occupancy toll lanes or express lanes after the discharge
2167 | of any bond indebtedness related to such project. All tolls so
2168 | collected shall first be used to pay the annual cost of the
2169 | operation, maintenance, and improvement of the high-occupancy
2170 | toll lanes or express lanes project or associated transportation
2171 | system.

2172 | (3) Any remaining toll revenue from the high-occupancy
2173 | toll lanes or express lanes shall be used by the department for
2174 | the construction, maintenance, or improvement of any road on the
2175 | State Highway System within the county or counties in which the
2176 | toll revenues were collected or to support express bus service
2177 | on the facility where the toll revenues were collected.

2178 | (4) The department may implement variable rate tolls on
2179 | high-occupancy toll lanes or express lanes.

2180 | (5) Except for high-occupancy toll lanes or express lanes,
2181 | tolls may not be charged for use of an interstate highway where
2182 | tolls were not charged as of July 1, 1997.

2183 (6) This section does not apply to the turnpike system as
 2184 defined under the Florida Turnpike Enterprise Law.

2185 Section 40. Paragraph (a) of subsection (8) of section
 2186 338.221, Florida Statutes, is amended to read:

2187 338.221 Definitions ~~of terms used in ss. 338.22-338.241.-~~

2188 As used in ss. 338.22-338.241, the following words and terms
 2189 have the following meanings, unless the context indicates
 2190 another or different meaning or intent:

2191 (8) "Economically feasible" means:

2192 (a) For a proposed turnpike project, that, as determined
 2193 by the department before the issuance of revenue bonds for the
 2194 project, the estimated net revenues of the proposed turnpike
 2195 project, excluding feeder roads and turnpike improvements, will
 2196 be sufficient to pay at least 50 percent of the annual debt
 2197 service on the bonds associated with the project by the end of
 2198 the 12th year of operation and to pay at least 100 percent of
 2199 the debt service on the bonds by the end of the 30th ~~22nd~~ year
 2200 of operation. In implementing this paragraph, up to 50 percent
 2201 of the adopted work program costs of the project may be funded
 2202 from turnpike revenues.

2203
 2204 This subsection does not prohibit the pledging of revenues from
 2205 the entire turnpike system to bonds issued to finance or
 2206 refinance a turnpike project or group of turnpike projects.

2207 Section 41. Paragraphs (a) and (b) of subsection (1) of
 2208 section 338.223, Florida Statutes, are amended to read:

2209 338.223 Proposed turnpike projects.-

2210 (1) (a) Any proposed project to be constructed or acquired

2211 as part of the turnpike system and any turnpike improvement
 2212 shall be included in the tentative work program. A ~~No~~ proposed
 2213 project or group of proposed projects may not ~~shall~~ be added to
 2214 the turnpike system unless such project or projects are
 2215 determined to be economically feasible and a statement of
 2216 environmental feasibility has been completed for such project or
 2217 projects and such projects are determined to be consistent, to
 2218 the maximum extent feasible, with approved local government
 2219 comprehensive plans of the local governments in which such
 2220 projects are located. The department may authorize engineering
 2221 studies, traffic studies, environmental studies, and other
 2222 expert studies of the location, costs, economic feasibility, and
 2223 practicality of proposed turnpike projects throughout the state
 2224 and may proceed with the design phase of such projects. The
 2225 department may ~~shall~~ not request legislative approval of a
 2226 proposed turnpike project until the design phase of that project
 2227 is at least 30 ~~60~~ percent complete. If a proposed project or
 2228 group of proposed projects is found to be economically feasible,
 2229 consistent, to the maximum extent feasible, with approved local
 2230 government comprehensive plans of the local governments in which
 2231 such projects are located, and a favorable statement of
 2232 environmental feasibility has been completed, the department,
 2233 with the approval of the Legislature, shall, after the receipt
 2234 of all necessary permits, construct, maintain, and operate such
 2235 turnpike projects.

2236 (b) Any proposed turnpike project or improvement shall be
 2237 developed in accordance with the Florida Transportation Plan and
 2238 the work program pursuant to s. 339.135. Turnpike projects that

2239 | add capacity, alter access, affect feeder roads, or affect the
 2240 | operation of the local transportation system shall be included
 2241 | in the transportation improvement plan of the affected
 2242 | metropolitan planning organization. If such turnpike project
 2243 | does not fall within the jurisdiction of a metropolitan planning
 2244 | organization, the department shall notify the affected county
 2245 | and provide for public hearings in accordance with s.
 2246 | 339.155(5)(c) ~~s. 339.155(6)(e)~~.

2247 | Section 42. Subsection (4) of section 338.227, Florida
 2248 | Statutes, is amended to read:

2249 | 338.227 Turnpike revenue bonds.—

2250 | (4) The Department of Transportation and the Department of
 2251 | Management Services shall create and implement an outreach
 2252 | program designed to enhance the participation of minority
 2253 | persons and minority business enterprises in all contracts
 2254 | entered into by their respective departments for services
 2255 | related to the financing of department projects for the
 2256 | Strategic Intermodal System Plan developed pursuant to s. 339.64
 2257 | ~~Florida Intrastate Highway System Plan~~. These services shall
 2258 | include, but are not ~~be~~ limited to, bond counsel and bond
 2259 | underwriters.

2260 | Section 43. Subsection (2) of section 338.2275, Florida
 2261 | Statutes, is amended to read:

2262 | 338.2275 Approved turnpike projects.—

2263 | (2) The department may ~~is authorized to~~ use turnpike
 2264 | revenues, the State Transportation Trust Fund moneys allocated
 2265 | for turnpike projects pursuant to s. 339.65 ~~s. 338.001~~, federal
 2266 | funds, and bond proceeds, and shall use the most cost-efficient

2267 combination of such funds, in developing a financial plan for
 2268 funding turnpike projects. The department must submit a report
 2269 of the estimated cost for each ongoing turnpike project and for
 2270 each planned project to the Legislature 14 days before the
 2271 convening of the regular legislative session. Verification of
 2272 economic feasibility and statements of environmental feasibility
 2273 for individual turnpike projects must be based on the entire
 2274 project as approved. Statements of environmental feasibility are
 2275 not required for those projects listed in s. 12, chapter 90-136,
 2276 Laws of Florida, for which the Project Development and
 2277 Environmental Reports were completed by July 1, 1990. All
 2278 required environmental permits must be obtained before the
 2279 department may advertise for bids for contracts for the
 2280 construction of any turnpike project.

2281 Section 44. Section 338.228, Florida Statutes, is amended
 2282 to read:

2283 338.228 Bonds not debts or pledges of credit of state.—
 2284 Turnpike revenue bonds issued under the provisions of ss.
 2285 338.22-338.241 are not debts of the state or pledges of the
 2286 faith and credit of the state. Such bonds are payable
 2287 exclusively from revenues pledged for their payment. All such
 2288 bonds shall contain a statement on their face that the state is
 2289 not obligated to pay the same or the interest thereon, except
 2290 from the revenues pledged for their payment, and that the faith
 2291 and credit of the state is not pledged to the payment of the
 2292 principal or interest of such bonds. The issuance of turnpike
 2293 revenue bonds under the provisions of ss. 338.22-338.241 does
 2294 not directly, indirectly, or contingently obligate the state to

2295 | levy or to pledge any form of taxation whatsoever, or to make
 2296 | any appropriation for their payment. Except as provided in ss.
 2297 | ~~338.001,~~ 338.223, ~~and~~ 338.2275, and 339.65, ~~no~~ state funds may
 2298 | not shall be used on any turnpike project or to pay the
 2299 | principal or interest of any bonds issued to finance or
 2300 | refinance any portion of the turnpike system, and all such bonds
 2301 | shall contain a statement on their face to this effect.

2302 | Section 45. Paragraph (c) is added to subsection (3) of
 2303 | section 338.231, Florida Statutes, to read:

2304 | 338.231 Turnpike tolls, fixing; pledge of tolls and other
 2305 | revenues.—The department shall at all times fix, adjust, charge,
 2306 | and collect such tolls and amounts for the use of the turnpike
 2307 | system as are required in order to provide a fund sufficient
 2308 | with other revenues of the turnpike system to pay the cost of
 2309 | maintaining, improving, repairing, and operating such turnpike
 2310 | system; to pay the principal of and interest on all bonds issued
 2311 | to finance or refinance any portion of the turnpike system as
 2312 | the same become due and payable; and to create reserves for all
 2313 | such purposes.

2314 | (3)

2315 | (c) Notwithstanding any other provision of law to the
 2316 | contrary, any prepaid toll account of any kind which has
 2317 | remained inactive for 3 years shall be presumed unclaimed and
 2318 | its disposition shall be handled by the Department of Financial
 2319 | Services in accordance with all applicable provisions of chapter
 2320 | 717 relating to the disposition of unclaimed property, and the
 2321 | prepaid toll account shall be closed by the department.

2322 | Section 46. Subsection (2) of section 338.234, Florida

2323 Statutes, is amended to read:

2324 338.234 Granting concessions or selling along the turnpike
2325 system; immunity from taxation.—

2326 (2) The effectuation of the authorized purposes of the
2327 Strategic Intermodal System, created under ss. 339.61-339.65,
2328 ~~Florida Intrastate Highway System~~ and Florida Turnpike
2329 Enterprise, created under this chapter, is for the benefit of
2330 the people of the state, for the increase of their commerce and
2331 prosperity, and for the improvement of their health and living
2332 conditions; and, because the system and enterprise perform
2333 essential government functions in effectuating such purposes,
2334 neither the turnpike enterprise nor any nongovernment lessee or
2335 licensee renting, leasing, or licensing real property from the
2336 turnpike enterprise, pursuant to an agreement authorized by this
2337 section, are required to pay any commercial rental tax imposed
2338 under s. 212.031 on any capital improvements constructed,
2339 improved, acquired, installed, or used for such purposes.

2340 Section 47. Subsections (1), (2), and (3) of section
2341 339.0805, Florida Statutes, are amended to read:

2342 339.0805 Funds to be expended with certified disadvantaged
2343 business enterprises; ~~specified percentage to be expended;~~
2344 construction management development program; bond guarantee
2345 program.—It is the policy of the state to meaningfully assist
2346 socially and economically disadvantaged business enterprises
2347 through a program that will provide for the development of
2348 skills through construction and business management training, as
2349 well as by providing contracting opportunities and financial
2350 assistance in the form of bond guarantees, to primarily remedy

2351 the effects of past economic disparity.

2352 (1) (a) ~~Except to the extent that the head of the~~
 2353 ~~department determines otherwise,~~ The department shall expend ~~not~~
 2354 ~~less than 10 percent of~~ federal-aid highway funds as defined in
 2355 49 C.F.R. part 26 s. 23.63(a) and state matching funds with
 2356 small business concerns owned and controlled by socially and
 2357 economically disadvantaged individuals as defined by the Safe,
 2358 Accountable, Flexible, Efficient Transportation Equity Act: A
 2359 Legacy for Users (SAFETEA-LU) ~~Surface Transportation and Uniform~~
 2360 ~~Relocation Assistance Act of 1987.~~

2361 (b) Upon a determination by the department of past and
 2362 continuing discrimination in nonfederally funded projects on the
 2363 basis of race, color, creed, national origin, or sex, the
 2364 department may implement a program tailored to address specific
 2365 findings of disparity. The program may include the establishment
 2366 of annual goals for expending a percentage of state-administered
 2367 highway funds with small business concerns. The department may
 2368 utilize set-asides for small business concerns to assist in
 2369 achieving goals established pursuant to this subsection. For the
 2370 purpose of this subsection, the term "small business concern"
 2371 means a business owned and controlled by socially and
 2372 economically disadvantaged individuals as defined by the Safe,
 2373 Accountable, Flexible, Efficient Transportation Equity Act: A
 2374 Legacy for Users (SAFETEA-LU) ~~Surface Transportation and Uniform~~
 2375 ~~Relocation Assistance Act of 1987.~~ The head of the department
 2376 may elect to set goals only when significant disparity is
 2377 documented. The findings of a disparity study shall be
 2378 considered in determining the program goals for each group

2379 | qualified to participate. ~~Such a study shall be conducted or~~
2380 | ~~updated by the department or its designee at a minimum of every~~
2381 | ~~5 years. The department shall adopt rules to implement this~~
2382 | ~~subsection on or before October 1, 1993.~~

2383 | (c) The department shall certify a socially and
2384 | economically disadvantaged business enterprise, ~~which~~
2385 | ~~certification shall be valid for 12 months, or as prescribed by~~
2386 | 49 C.F.R. part 26 ~~23~~. The department's initial application for
2387 | certification for a socially and economically disadvantaged
2388 | business enterprise shall require sufficient information to
2389 | determine eligibility as a small business concern owned and
2390 | controlled by a socially and economically disadvantaged
2391 | individual. For continuing eligibility ~~recertification~~ of a
2392 | disadvantaged business enterprise, the department may accept an
2393 | affidavit, which meets department criteria as to form and
2394 | content, certifying that the business remains qualified for
2395 | certification in accordance with program requirements. A firm
2396 | which does not fulfill all the department's criteria for
2397 | certification may ~~shall~~ not be considered a disadvantaged
2398 | business enterprise. An applicant who is denied certification
2399 | may not reapply within 12 ~~6~~ months after issuance of the denial
2400 | letter ~~or the final order, whichever is later~~. The application
2401 | and financial information required by this section are
2402 | confidential and exempt from s. 119.07(1).

2403 | (2) The department shall remove ~~revoke~~ the certification
2404 | of a disadvantaged business enterprise upon receipt of
2405 | notification of any change in ownership which results in the
2406 | disadvantaged individual or individuals used to qualify the

2407 business as a disadvantaged business enterprise, no longer
 2408 owning at least 51 percent of the business enterprise. Such
 2409 notification shall be made to the department by certified mail
 2410 within 30 ~~10~~ days after the change in ownership, ~~and such~~
 2411 ~~business shall be removed from the certified disadvantaged~~
 2412 ~~business list until a new application is submitted and approved~~
 2413 ~~by the department.~~ Failure to notify the department of the
 2414 change in the ownership which qualifies the business as a
 2415 disadvantaged business enterprise will also result in removal
 2416 ~~revocation~~ of certification and subject the business to the
 2417 provisions of s. 337.135. In addition, the department may, for
 2418 good cause, deny or remove ~~suspend~~ the certification of a
 2419 disadvantaged business enterprise. As used in this subsection,
 2420 the term "good cause" includes, but is not limited to, the
 2421 disadvantaged business enterprise:

- 2422 (a) No longer meeting the certification standards set
- 2423 forth in department rules;
- 2424 (b) Making a false, deceptive, or fraudulent statement in
- 2425 its application for certification or in any other information
- 2426 submitted to the department;
- 2427 (c) Failing to maintain the records required by department
- 2428 rules;
- 2429 (d) Failing to perform a commercially useful function on
- 2430 projects for which the enterprise was used to satisfy contract
- 2431 goals;
- 2432 (e) Failing to fulfill its contractual obligations with
- 2433 contractors;
- 2434 (f) Failing to respond with a statement of interest to

2435 requests for bid quotations from contractors for three
 2436 consecutive lettings;
 2437 ~~(g) Subcontracting to others more than 49 percent of the~~
 2438 ~~amount of any single subcontract that was used by the prime~~
 2439 ~~contractor to meet a contract goal;~~
 2440 (g) ~~(h)~~ Failing to provide notarized certification of
 2441 payments received on specific projects to the prime contractor
 2442 when required to do so by contract specifications;
 2443 (h) ~~(i)~~ Failing to schedule an onsite review upon request
 2444 of the department; or
 2445 (i) ~~(j)~~ Becoming insolvent or the subject of a bankruptcy
 2446 proceeding.
 2447 (3) The head of the department may ~~is authorized to~~ expend
 2448 up to 6 percent of the funds specified in subsection (1) which
 2449 are designated to be expended on small business firms owned and
 2450 controlled by socially and economically disadvantaged
 2451 individuals to conduct, by contract or otherwise, a construction
 2452 management development program. Participation in the program
 2453 will be limited to those firms which are certified under the
 2454 provisions of subsection (1) by the department or the federal
 2455 Small Business Administration or to any firm which meets the
 2456 definition of a small business in 49 C.F.R. s. 26.65 ~~has annual~~
 2457 ~~gross receipts not exceeding \$2 million averaged over a 3-year~~
 2458 ~~period.~~ The program shall ~~will~~ consist of classroom instruction
 2459 and on-the-job instruction. To the extent feasible, the
 2460 registration fee shall be set to cover the cost of instruction
 2461 and overhead. ~~No~~ Salary may not ~~will~~ be paid to any participant.
 2462 Section 48. Paragraph (c) of subsection (4) and paragraph

2463 (e) of subsection (7) of section 339.135, Florida Statutes, are
 2464 amended to read:

2465 339.135 Work program; legislative budget request;
 2466 definitions; preparation, adoption, execution, and amendment.—

2467 (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

2468 (c)1. For purposes of this section, the board of county
 2469 commissioners shall serve as the metropolitan planning
 2470 organization in those counties which are not located in a
 2471 metropolitan planning organization and shall be involved in the
 2472 development of the district work program to the same extent as a
 2473 metropolitan planning organization.

2474 2. The district work program shall be developed
 2475 cooperatively from the outset with the various metropolitan
 2476 planning organizations of the state and include, to the maximum
 2477 extent feasible, the project priorities of metropolitan planning
 2478 organizations which have been submitted to the district by
 2479 October 1 of each year pursuant to s. 339.175(8)(b); however,
 2480 the department and a metropolitan planning organization may, in
 2481 writing, cooperatively agree to vary this submittal date. To
 2482 assist the metropolitan planning organizations in developing
 2483 their lists of project priorities, the district shall disclose
 2484 to each metropolitan planning organization any anticipated
 2485 changes in the allocation or programming of state and federal
 2486 funds which may affect the inclusion of metropolitan planning
 2487 organization project priorities in the district work program.

2488 3. Prior to submittal of the district work program to the
 2489 central office, the district shall provide the affected
 2490 metropolitan planning organization with written justification

2491 for any project proposed to be rescheduled or deleted from the
 2492 district work program which project is part of the metropolitan
 2493 planning organization's transportation improvement program and
 2494 is contained in the last 4 years of the previous adopted work
 2495 program. By no later than 14 days after submittal of the
 2496 district work program to the central office, the affected
 2497 metropolitan planning organization may file an objection to such
 2498 rescheduling or deletion. When an objection is filed with the
 2499 secretary, the rescheduling or deletion may ~~shall~~ not be
 2500 included in the district work program unless the inclusion of
 2501 such rescheduling or deletion is specifically approved by the
 2502 secretary. The Florida Transportation Commission shall include
 2503 such objections in its evaluation of the tentative work program
 2504 only when the secretary has approved the rescheduling or
 2505 deletion.

2506 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

2507 (e) The department may amend the adopted work program to
 2508 transfer fixed capital outlay appropriations for projects within
 2509 the same appropriations category or between appropriations
 2510 categories, including the following amendments which shall be
 2511 subject to the procedures in paragraph (f):

2512 1. Any amendment which deletes any project or project
 2513 phase estimated to cost over \$150,000;

2514 2. Any amendment which adds a project estimated to cost
 2515 over \$500,000 ~~\$150,000~~ in funds appropriated by the Legislature;

2516 3. Any amendment which advances or defers to another
 2517 fiscal year, a right-of-way phase, a construction phase, or a
 2518 public transportation project phase estimated to cost over \$1.5

2519 million ~~\$500,000~~ in funds appropriated by the Legislature,
 2520 except an amendment advancing a phase by 1 year to the current
 2521 fiscal year or deferring a phase for a period of 90 days or
 2522 less; or

2523 4. Any amendment which advances or defers to another
 2524 fiscal year, any preliminary engineering phase or design phase
 2525 estimated to cost over \$500,000 ~~\$150,000~~ in funds appropriated
 2526 by the Legislature, except an amendment advancing a phase by 1
 2527 year to the current fiscal year or deferring a phase for a
 2528 period of 90 days or less.

2529
 2530 Beginning July 1, 2013, the department shall index the budget
 2531 amendment threshold amounts established in this paragraph to the
 2532 Consumer Price Index or similar inflation indicators. Threshold
 2533 adjustments for inflation under this paragraph may be made no
 2534 more frequently than once a year. Adjustments for inflation are
 2535 subject to the notice and review procedures contained in s.
 2536 216.177.

2537 Section 49. Section 339.155, Florida Statutes, is amended
 2538 to read:

2539 339.155 Transportation planning.—

2540 (1) THE FLORIDA TRANSPORTATION PLAN.—The department shall
 2541 develop ~~and annually update~~ a statewide transportation plan, to
 2542 be known as the Florida Transportation Plan. The plan shall be
 2543 designed so as to be easily read and understood by the general
 2544 public. The plan shall consider the needs of the entire state
 2545 transportation system and examine the use of all modes of
 2546 transportation to effectively and efficiently meet such needs.

2547 The purpose of the Florida Transportation Plan is to establish
 2548 and define the state's long-range transportation goals and
 2549 objectives to be accomplished over a period of at least 20 years
 2550 within the context of the State Comprehensive Plan, and any
 2551 other statutory mandates and authorizations and based upon the
 2552 prevailing principles of:

- 2553 (a) Preserving the existing transportation infrastructure.
- 2554 (b) Enhancing Florida's economic competitiveness.
- 2555 (c) Improving travel choices to ensure mobility.
- 2556 (d) Expanding the state's role as a hub for trade and
 2557 investment.

2558 (2) SCOPE OF PLANNING PROCESS.—The department shall carry
 2559 out a transportation planning process in conformance with s.
 2560 334.046(1) and 23 U.S.C. s. 135. ~~which provides for~~
 2561 ~~consideration of projects and strategies that will:~~

- 2562 ~~(a) Support the economic vitality of the United States,~~
 2563 ~~Florida, and the metropolitan areas, especially by enabling~~
 2564 ~~global competitiveness, productivity, and efficiency;~~
- 2565 ~~(b) Increase the safety and security of the transportation~~
 2566 ~~system for motorized and nonmotorized users;~~
- 2567 ~~(c) Increase the accessibility and mobility options~~
 2568 ~~available to people and for freight;~~
- 2569 ~~(d) Protect and enhance the environment, promote energy~~
 2570 ~~conservation, and improve quality of life;~~
- 2571 ~~(e) Enhance the integration and connectivity of the~~
 2572 ~~transportation system, across and between modes throughout~~
 2573 ~~Florida, for people and freight;~~
- 2574 ~~(f) Promote efficient system management and operation; and~~

2575 ~~(g) Emphasize the preservation of the existing~~
 2576 ~~transportation system.~~

2577 (3) FORMAT, SCHEDULE, AND REVIEW.—The Florida
 2578 Transportation Plan shall be a unified, concise planning
 2579 document that clearly defines the state's long-range
 2580 transportation goals and objectives ~~and documents the~~
 2581 ~~department's short-range objectives developed to further such~~
 2582 ~~goals and objectives.~~ The plan shall:

2583 (a) Include a glossary that clearly and succinctly defines
 2584 any and all phrases, words, or terms of art included in the
 2585 plan, with which the general public may be unfamiliar. ~~and shall~~
 2586 ~~consist of, at a minimum, the following components:~~

2587 ~~(b)-(a) Document A long-range component documenting the~~
 2588 ~~goals and long-term objectives necessary to implement the~~
 2589 ~~results of the department's findings from its examination of the~~
 2590 ~~criteria specified listed in subsection (2) and s. 334.046(1)~~
 2591 ~~and 23 U.S.C. s. 135. The long-range component must~~

2592 (c) Be developed in cooperation with the metropolitan
 2593 planning organizations and reconciled, to the maximum extent
 2594 feasible, with the long-range plans developed by metropolitan
 2595 planning organizations pursuant to s. 339.175. ~~The plan must~~
 2596 ~~also~~

2597 (d) Be developed in consultation with affected local
 2598 officials in nonmetropolitan areas and with any affected Indian
 2599 tribal governments. ~~The plan must~~

2600 (e) Provide an examination of transportation issues likely
 2601 to arise during at least a 20-year period. ~~The long-range~~
 2602 ~~component shall~~

2603 (f) Be updated at least once every 5 years, or more often
2604 as necessary, to reflect substantive changes to federal or state
2605 law.

2606 ~~(b) A short range component documenting the short term~~
2607 ~~objectives and strategies necessary to implement the goals and~~
2608 ~~long term objectives contained in the long range component. The~~
2609 ~~short range component must define the relationship between the~~
2610 ~~long range goals and the short range objectives, specify those~~
2611 ~~objectives against which the department's achievement of such~~
2612 ~~goals will be measured, and identify transportation strategies~~
2613 ~~necessary to efficiently achieve the goals and objectives in the~~
2614 ~~plan. It must provide a policy framework within which the~~
2615 ~~department's legislative budget request, the strategic~~
2616 ~~information resource management plan, and the work program are~~
2617 ~~developed. The short range component shall serve as the~~
2618 ~~department's annual agency strategic plan pursuant to s.~~
2619 ~~186.021. The short range component shall be developed consistent~~
2620 ~~with available and forecasted state and federal funds. The~~
2621 ~~short range component shall also be submitted to the Florida~~
2622 ~~Transportation Commission.~~

2623 ~~(4) ANNUAL PERFORMANCE REPORT. The department shall~~
2624 ~~develop an annual performance report evaluating the operation of~~
2625 ~~the department for the preceding fiscal year. The report shall~~
2626 ~~also include a summary of the financial operations of the~~
2627 ~~department and shall annually evaluate how well the adopted work~~
2628 ~~program meets the short term objectives contained in the short~~
2629 ~~range component of the Florida Transportation Plan. This~~
2630 ~~performance report shall be submitted to the Florida~~

2631 ~~Transportation Commission and the legislative appropriations and~~
 2632 ~~transportation committees.~~

2633 (4)~~(5)~~ ADDITIONAL TRANSPORTATION PLANS.—

2634 (a) Upon request by local governmental entities, the
 2635 department may in its discretion develop and design
 2636 transportation corridors, arterial and collector streets,
 2637 vehicular parking areas, and other support facilities which are
 2638 consistent with the plans of the department for major
 2639 transportation facilities. The department may render to local
 2640 governmental entities or their planning agencies such technical
 2641 assistance and services as are necessary so that local plans and
 2642 facilities are coordinated with the plans and facilities of the
 2643 department.

2644 (b) Each regional planning council, as provided for in s.
 2645 186.504, or any successor agency thereto, shall develop, as an
 2646 element of its strategic regional policy plan, transportation
 2647 goals and policies. The transportation goals and policies must
 2648 be prioritized to comply with the prevailing principles provided
 2649 in subsection (1)~~(2)~~ and s. 334.046(1). The transportation
 2650 goals and policies shall be consistent, to the maximum extent
 2651 feasible, with the goals and policies of the metropolitan
 2652 planning organization and the Florida Transportation Plan. The
 2653 transportation goals and policies of the regional planning
 2654 council will be advisory only and shall be submitted to the
 2655 department and any affected metropolitan planning organization
 2656 for their consideration and comments. Metropolitan planning
 2657 organization plans and other local transportation plans shall be
 2658 developed consistent, to the maximum extent feasible, with the

2659 regional transportation goals and policies. The regional
2660 planning council shall review urbanized area transportation
2661 plans and any other planning products stipulated in s. 339.175
2662 and provide the department and respective metropolitan planning
2663 organizations with written recommendations, which the department
2664 and the metropolitan planning organizations shall take under
2665 advisement. Further, the regional planning councils shall
2666 directly assist local governments that ~~which~~ are not part of a
2667 metropolitan area transportation planning process in the
2668 development of the transportation element of their comprehensive
2669 plans as required by s. 163.3177.

2670 (c) Regional transportation plans may be developed in
2671 regional transportation areas in accordance with an interlocal
2672 agreement entered into pursuant to s. 163.01 by two or more
2673 contiguous metropolitan planning organizations; one or more
2674 metropolitan planning organizations and one or more contiguous
2675 counties, none of which is a member of a metropolitan planning
2676 organization; a multicounty regional transportation authority
2677 created by or pursuant to law; two or more contiguous counties
2678 that are not members of a metropolitan planning organization; or
2679 metropolitan planning organizations comprised of three or more
2680 counties.

2681 (d) The interlocal agreement must, at a minimum, identify
2682 the entity that will coordinate the development of the regional
2683 transportation plan; delineate the boundaries of the regional
2684 transportation area; provide the duration of the agreement and
2685 specify how the agreement may be terminated, modified, or
2686 rescinded; describe the process by which the regional

2687 transportation plan will be developed; and provide how members
 2688 of the entity will resolve disagreements regarding
 2689 interpretation of the interlocal agreement or disputes relating
 2690 to the development or content of the regional transportation
 2691 plan. Such interlocal agreement shall become effective upon its
 2692 recordation in the official public records of each county in the
 2693 regional transportation area.

2694 (e) The regional transportation plan developed pursuant to
 2695 this section must, at a minimum, identify regionally significant
 2696 transportation facilities located within a regional
 2697 transportation area and contain a prioritized list of regionally
 2698 significant projects. The projects shall be adopted into the
 2699 capital improvements schedule of the local government
 2700 comprehensive plan pursuant to s. 163.3177(3).

2701 (5)~~(6)~~ PROCEDURES FOR PUBLIC PARTICIPATION IN
 2702 TRANSPORTATION PLANNING.—

2703 (a) During the development of the ~~long range component of~~
 2704 ~~the~~ Florida Transportation Plan and prior to substantive
 2705 revisions, the department shall provide citizens, affected
 2706 public agencies, representatives of transportation agency
 2707 employees, other affected employee representatives, private
 2708 providers of transportation, and other known interested parties
 2709 with an opportunity to comment on the proposed plan or
 2710 revisions. These opportunities shall include, at a minimum,
 2711 publishing a notice in the Florida Administrative Weekly and
 2712 within a newspaper of general circulation within the area of
 2713 each department district office.

2714 (b) During development of major transportation

2715 improvements, such as those increasing the capacity of a
 2716 facility through the addition of new lanes or providing new
 2717 access to a limited or controlled access facility or
 2718 construction of a facility in a new location, the department
 2719 shall hold one or more hearings prior to the selection of the
 2720 facility to be provided; prior to the selection of the site or
 2721 corridor of the proposed facility; and prior to the selection of
 2722 and commitment to a specific design proposal for the proposed
 2723 facility. Such public hearings shall be conducted so as to
 2724 provide an opportunity for effective participation by interested
 2725 persons in the process of transportation planning and site and
 2726 route selection and in the specific location and design of
 2727 transportation facilities. The various factors involved in the
 2728 decision or decisions and any alternative proposals shall be
 2729 clearly presented so that the persons attending the hearing may
 2730 present their views relating to the decision or decisions that
 2731 ~~which~~ will be made.

2732 (c) Opportunity for design hearings:

2733 1. The department, prior to holding a design hearing,
 2734 shall duly notify all affected property owners of record, as
 2735 recorded in the property appraiser's office, by mail at least 20
 2736 days prior to the date set for the hearing. The affected
 2737 property owners shall be:

2738 a. Those whose property lies in whole or in part within
 2739 300 feet on either side of the centerline of the proposed
 2740 facility.

2741 b. Those who ~~whom~~ the department determines will be
 2742 substantially affected environmentally, economically, socially,

2743 | or safetywise.

2744 | 2. For each subsequent hearing, the department shall
 2745 | publish notice prior to the hearing date in a newspaper of
 2746 | general circulation for the area affected. These notices must be
 2747 | published twice, with the first notice appearing at least 15
 2748 | days, but no later than 30 days, before the hearing.

2749 | 3. A copy of the notice of opportunity for the hearing
 2750 | must be furnished to the United States Department of
 2751 | Transportation and to the appropriate departments of the state
 2752 | government at the time of publication.

2753 | 4. The opportunity for another hearing shall be afforded
 2754 | in any case when proposed locations or designs are so changed
 2755 | from those presented in the notices specified above or at a
 2756 | hearing as to have a substantially different social, economic,
 2757 | or environmental effect.

2758 | 5. The opportunity for a hearing shall be afforded in each
 2759 | case in which the department is in doubt as to whether a hearing
 2760 | is required.

2761 | Section 50. Paragraph (a) of subsection (2), paragraph (a)
 2762 | of subsection (4), and paragraph (b) of subsection (8) of
 2763 | section 339.175, Florida Statutes, are amended to read:

2764 | 339.175 Metropolitan planning organization.—

2765 | (2) DESIGNATION.—

2766 | (a)1. An M.P.O. shall be designated for each urbanized
 2767 | area of the state; however, this does not require that an
 2768 | individual M.P.O. be designated for each such area. Such
 2769 | designation shall be accomplished by agreement between the
 2770 | Governor and units of general-purpose local government

2771 representing at least 75 percent of the population of the
 2772 urbanized area; however, the unit of general-purpose local
 2773 government that represents the central city or cities within the
 2774 M.P.O. jurisdiction, as defined by the United States Bureau of
 2775 the Census, must be a party to such agreement.

2776 2. To the extent possible, only one M.P.O. shall be
 2777 designated for each urbanized area or group of contiguous
 2778 urbanized areas. More than one M.P.O. may be designated within
 2779 an existing urbanized ~~metropolitan planning~~ area only if the
 2780 Governor and the existing M.P.O. determine that the size and
 2781 complexity of the existing urbanized ~~metropolitan planning~~ area
 2782 makes the designation of more than one M.P.O. for the area
 2783 appropriate.

2784
 2785 Each M.P.O. required under this section must be fully operative
 2786 no later than 6 months following its designation.

2787 (4) APPORTIONMENT.—

2788 (a) The Governor shall, with the agreement of the affected
 2789 units of general-purpose local government as required by federal
 2790 rules and regulations, apportion the membership on the
 2791 applicable M.P.O. among the various governmental entities within
 2792 the area. At the request of a majority of the affected units of
 2793 general-purpose local government comprising an M.P.O., the
 2794 Governor and a majority of units of general-purpose local
 2795 government serving on an M.P.O. shall cooperatively agree upon
 2796 and prescribe who may serve as an alternate member and a method
 2797 for appointing alternate members who may vote at any M.P.O.
 2798 meeting that an alternate member attends in place of a regular

2799 member. The method shall be set forth as a part of the
2800 interlocal agreement describing the M.P.O.'s membership or in
2801 the M.P.O.'s operating procedures and bylaws. The governmental
2802 entity so designated shall appoint the appropriate number of
2803 members to the M.P.O. from eligible officials. Representatives
2804 of the department shall serve as nonvoting advisers to ~~members~~
2805 ~~of~~ the M.P.O. governing board. Additional nonvoting advisers may
2806 be appointed by the M.P.O. as deemed necessary; however, to the
2807 maximum extent feasible, each M.P.O. shall seek to appoint
2808 nonvoting representatives of various multimodal forms of
2809 transportation not otherwise represented by voting members of
2810 the M.P.O. An M.P.O. shall appoint nonvoting advisers
2811 representing major military installations located within the
2812 jurisdictional boundaries of the M.P.O. upon the request of the
2813 aforesaid major military installations and subject to the
2814 agreement of the M.P.O. All nonvoting advisers may attend and
2815 participate fully in governing board meetings but may ~~shall~~ not
2816 ~~have a vote or and shall not~~ be members of the governing board.
2817 The Governor shall review the composition of the M.P.O.
2818 membership in conjunction with the decennial census as prepared
2819 by the United States Department of Commerce, Bureau of the
2820 Census, and reapportion it as necessary to comply with
2821 subsection (3).

2822 (8) TRANSPORTATION IMPROVEMENT PROGRAM.—Each M.P.O. shall,
2823 in cooperation with the state and affected public transportation
2824 operators, develop a transportation improvement program for the
2825 area within the jurisdiction of the M.P.O. In the development of
2826 the transportation improvement program, each M.P.O. must provide

2827 the public, affected public agencies, representatives of
 2828 transportation agency employees, freight shippers, providers of
 2829 freight transportation services, private providers of
 2830 transportation, representatives of users of public transit, and
 2831 other interested parties with a reasonable opportunity to
 2832 comment on the proposed transportation improvement program.

2833 (b) Each M.P.O. annually shall prepare a list of project
 2834 priorities and shall submit the list to the appropriate district
 2835 of the department by October 1 of each year; however, the
 2836 department and a metropolitan planning organization may, in
 2837 writing, agree to vary this submittal date. Where more than one
 2838 M.P.O. exists in an urbanized area, the M.P.O.'s shall
 2839 coordinate in the development of regionally significant project
 2840 priorities. The list of project priorities must be formally
 2841 reviewed by the technical and citizens' advisory committees, and
 2842 approved by the M.P.O., before it is transmitted to the
 2843 district. The approved list of project priorities must be used
 2844 by the district in developing the district work program and must
 2845 be used by the M.P.O. in developing its transportation
 2846 improvement program. The annual list of project priorities must
 2847 be based upon project selection criteria that, at a minimum,
 2848 consider the following:

- 2849 1. The approved M.P.O. long-range transportation plan;
- 2850 2. The Strategic Intermodal System Plan developed under s.
 2851 339.64.
- 2852 3. The priorities developed pursuant to s. 339.2819(4).
- 2853 4. The results of the transportation management systems;
- 2854 and

2855 5. The M.P.O.'s public-involvement procedures.
 2856 Section 51. Subsections (1), (2), (3), and (4) of section
 2857 339.2819, Florida Statutes, are amended to read:
 2858 339.2819 Transportation Regional Incentive Program.—
 2859 (1) There is created within the Department of
 2860 Transportation a Transportation Regional Incentive Program for
 2861 the purpose of providing funds to improve regionally significant
 2862 transportation facilities in regional transportation areas
 2863 created pursuant to s. 339.155(4) ~~s. 339.155(5)~~.
 2864 (2) The percentage of matching funds provided from the
 2865 Transportation Regional Incentive Program shall be up to 50
 2866 percent of project costs.
 2867 (3) The department shall allocate funding available for
 2868 the Transportation Regional Incentive Program to the districts
 2869 based on a factor derived from equal parts of population and
 2870 motor fuel collections for eligible counties in regional
 2871 transportation areas created pursuant to s. 339.155(4) ~~s.~~
 2872 ~~339.155(5)~~.
 2873 (4) (a) Projects to be funded with Transportation Regional
 2874 Incentive Program funds shall, at a minimum:
 2875 1. ~~Support those transportation facilities that~~ Serve
 2876 national, statewide, or regional functions and function as part
 2877 of an integrated regional transportation system.
 2878 2. Be identified in the capital improvements element of a
 2879 comprehensive plan that has been determined to be in compliance
 2880 with part II of chapter 163, after July 1, 2005. Further, the
 2881 project shall be in compliance with local government
 2882 comprehensive plan policies relative to corridor management.

2883 3. Be consistent with the Strategic Intermodal System Plan
2884 developed under s. 339.64.

2885 4. Have a commitment for local, regional, or private
2886 financial matching funds as a percentage of the overall project
2887 cost.

2888 (b) Projects funded under this section shall be included
2889 in the department's work program developed pursuant to s.
2890 339.135. The department may not program a project to be funded
2891 under this section unless the project meets the requirements of
2892 this section. In allocating Transportation Regional Incentive
2893 Program funds, priority shall be given to projects that:

2894 (c) The department shall give priority to projects that:

2895 1. Provide connectivity to the Strategic Intermodal System
2896 developed under s. 339.64.

2897 2. Support economic development and the movement of goods
2898 in rural areas of critical economic concern designated under s.
2899 288.0656(7).

2900 3. Are subject to a local ordinance that establishes
2901 corridor management techniques, including access management
2902 strategies, right-of-way acquisition and protection measures,
2903 appropriate land use strategies, zoning, and setback
2904 requirements for adjacent land uses.

2905 4. Improve connectivity between military installations and
2906 the Strategic Highway Network or the Strategic Rail Corridor
2907 Network.

2908
2909 The department shall also consider the extent to which local
2910 matching funds are available to be committed to the project.

2911 Section 52. Subsections (1) and (6) of section 339.62,
 2912 Florida Statutes, are amended to read:

2913 339.62 System components.—The Strategic Intermodal System
 2914 shall consist of appropriate components of:

2915 (1) Highway corridors ~~The Florida Intrastate Highway~~
 2916 ~~System~~ established under s. 339.65 ~~s. 338.001~~.

2917 (6) Other existing or planned corridors that serve a
 2918 statewide or interregional purpose.

2919 Section 53. Subsection (2) of section 339.63, Florida
 2920 Statutes, is amended, and subsection (5) is added to that
 2921 section, to read:

2922 339.63 System facilities designated; additions and
 2923 deletions.—

2924 (2) The Strategic Intermodal System and the Emerging
 2925 Strategic Intermodal System include five ~~four~~ different types of
 2926 facilities that each form one component of an interconnected
 2927 transportation system which types include:

2928 (a) Existing or planned hubs that are ports and terminals
 2929 including airports, seaports, spaceports, passenger terminals,
 2930 and rail terminals serving to move goods or people between
 2931 Florida regions or between Florida and other markets in the
 2932 United States and the rest of the world.

2933 (b) Existing or planned corridors that are highways, rail
 2934 lines, waterways, and other exclusive-use facilities connecting
 2935 major markets within Florida or between Florida and other states
 2936 or nations.

2937 (c) Existing or planned intermodal connectors that are
 2938 highways, rail lines, waterways or local public transit systems

2939 | serving as connectors between the components listed in
 2940 | paragraphs (a) and (b).

2941 | (d) Existing or planned military access facilities that
 2942 | are highways or rail lines linking Strategic Intermodal System
 2943 | corridors to the state's strategic military installations.

2944 | (e)-~~(d)~~ Existing or planned facilities that significantly
 2945 | improve the state's competitive position to compete for the
 2946 | movement of additional goods into and through this state.

2947 | (5) (a) The Secretary of Transportation shall designate a
 2948 | planned facility as part of the Strategic Intermodal System upon
 2949 | request of the facility if it meets the criteria and thresholds
 2950 | established by the department pursuant to subsection (4), meets
 2951 | the definition of an "intermodal logistics center" as defined in
 2952 | s. 311.101(2), and has been designated in a local comprehensive
 2953 | plan or local government development order as an intermodal
 2954 | logistics center or an equivalent planning term.

2955 | (b) A facility designated part of the Strategic Intermodal
 2956 | System pursuant to paragraph (a) that is within the jurisdiction
 2957 | of a local government that maintains a transportation
 2958 | concurrency system shall receive a waiver of transportation
 2959 | concurrency requirements applicable to Strategic Intermodal
 2960 | System facilities in order to accommodate any development at the
 2961 | facility which occurs pursuant to a building permit issued on or
 2962 | before December 31, 2017, but only if such facility is located:

2963 | 1. Within an area designated pursuant to s. 288.0656(7) as
 2964 | a rural area of critical economic concern;

2965 | 2. Within a rural enterprise zone as defined in s.
 2966 | 290.004(5); or

2967 3. Within 15 miles of the boundary of a rural area of
 2968 critical economic concern or a rural enterprise zone.

2969 Section 54. Section 339.64, Florida Statutes, is amended
 2970 to read:

2971 339.64 Strategic Intermodal System Plan.—

2972 (1) The department shall develop, in cooperation with
 2973 metropolitan planning organizations, regional planning councils,
 2974 local governments, ~~the Statewide Intermodal Transportation~~
 2975 ~~Advisory Council~~ and other transportation providers, a Strategic
 2976 Intermodal System Plan. The plan shall be consistent with the
 2977 Florida Transportation Plan developed pursuant to s. 339.155 and
 2978 shall be updated at least once every 5 years, subsequent to
 2979 updates of the Florida Transportation Plan.

2980 (2) In association with the continued development of the
 2981 Strategic Intermodal System Plan, the Florida Transportation
 2982 Commission, as part of its work program review process, shall
 2983 conduct an annual assessment of the progress that the department
 2984 and its transportation partners have made in realizing the goals
 2985 of economic development, improved mobility, and increased
 2986 intermodal connectivity of the Strategic Intermodal System. The
 2987 Florida Transportation Commission shall coordinate with the
 2988 department, ~~the Statewide Intermodal Transportation Advisory~~
 2989 ~~Council~~, and other appropriate entities when developing this
 2990 assessment. The Florida Transportation Commission shall deliver
 2991 a report to the Governor and Legislature no later than 14 days
 2992 after the regular session begins, with recommendations as
 2993 necessary to fully implement the Strategic Intermodal System.

2994 (3) (a) During the development of updates to the Strategic

2995 Intermodal System Plan, the department shall provide
 2996 metropolitan planning organizations, regional planning councils,
 2997 local governments, transportation providers, affected public
 2998 agencies, and citizens with an opportunity to participate in and
 2999 comment on the development of the update.

3000 (b) The department also shall coordinate with federal,
 3001 regional, and local partners the planning for the Strategic
 3002 Highway Network and the Strategic Rail Corridor Network
 3003 transportation facilities that either are included in the
 3004 Strategic Intermodal System or that provide a direct connection
 3005 between military installations and the Strategic Intermodal
 3006 System. In addition, the department shall coordinate with
 3007 regional and local partners to determine whether the roads ~~road~~
 3008 and other transportation infrastructure that connect military
 3009 installations to the Strategic Intermodal System, the Strategic
 3010 Highway Network, or the Strategic Rail Corridor are ~~is~~
 3011 regionally significant and should be included in the Strategic
 3012 Intermodal System Plan.

3013 (4) The Strategic Intermodal System Plan shall include the
 3014 following:

3015 (a) A needs assessment.

3016 (b) A project prioritization process.

3017 (c) A map of facilities designated as Strategic Intermodal
 3018 System facilities; facilities that are emerging in importance
 3019 and ~~that~~ are likely to become part of the system in the future;
 3020 and planned facilities that will meet the established criteria.

3021 (d) A finance plan based on reasonable projections of
 3022 anticipated revenues, including both 10-year and at least 20-

3023 year cost-feasible components.

3024 (e) An assessment of the impacts of proposed improvements
 3025 to Strategic Intermodal System corridors on military
 3026 installations that are either located directly on the Strategic
 3027 Intermodal System or located on the Strategic Highway Network or
 3028 Strategic Rail Corridor Network.

3029 ~~(5) STATEWIDE INTERMODAL TRANSPORTATION ADVISORY COUNCIL.~~

3030 ~~(a) The Statewide Intermodal Transportation Advisory
 3031 Council is created to advise and make recommendations to the
 3032 Legislature and the department on policies, planning, and
 3033 funding of intermodal transportation projects. The council's
 3034 responsibilities shall include:~~

3035 ~~1. Advising the department on the policies, planning, and
 3036 implementation of strategies related to intermodal
 3037 transportation.~~

3038 ~~2. Providing advice and recommendations to the Legislature
 3039 on funding for projects to move goods and people in the most
 3040 efficient and effective manner for the State of Florida.~~

3041 ~~(b) MEMBERSHIP. Members of the Statewide Intermodal
 3042 Transportation Advisory Council shall consist of the following:~~

3043 ~~1. Six intermodal industry representatives selected by the
 3044 Governor as follows:~~

3045 ~~a. One representative from an airport involved in the
 3046 movement of freight and people from their airport facility to
 3047 another transportation mode.~~

3048 ~~b. One individual representing a fixed-route, local-
 3049 government transit system.~~

3050 ~~e. One representative from an intercity bus company~~

3051 ~~providing regularly scheduled bus travel as determined by~~
3052 ~~federal regulations.~~

3053 ~~d. One representative from a spaceport.~~

3054 ~~e. One representative from intermodal trucking companies.~~

3055 ~~f. One representative having command responsibilities of a~~
3056 ~~major military installation.~~

3057 ~~2. Three intermodal industry representatives selected by~~
3058 ~~the President of the Senate as follows:~~

3059 ~~a. One representative from major-line railroads.~~

3060 ~~b. One representative from seaports listed in s. 311.09(1)~~
3061 ~~from the Atlantic Coast.~~

3062 ~~e. One representative from an airport involved in the~~
3063 ~~movement of freight and people from their airport facility to~~
3064 ~~another transportation mode.~~

3065 ~~3. Three intermodal industry representatives selected by~~
3066 ~~the Speaker of the House of Representatives as follows:~~

3067 ~~a. One representative from short-line railroads.~~

3068 ~~b. One representative from seaports listed in s. 311.09(1)~~
3069 ~~from the Gulf Coast.~~

3070 ~~e. One representative from intermodal trucking companies.~~

3071 ~~In no event may this representative be employed by the same~~
3072 ~~company that employs the intermodal trucking company~~
3073 ~~representative selected by the Governor.~~

3074 ~~(c) Initial appointments to the council must be made no~~
3075 ~~later than 30 days after the effective date of this section.~~

3076 ~~1. The initial appointments made by the President of the~~
3077 ~~Senate and the Speaker of the House of Representatives shall~~
3078 ~~serve terms concurrent with those of the respective appointing~~

3079 ~~officer. Beginning January 15, 2005, and for all subsequent~~
 3080 ~~appointments, council members appointed by the President of the~~
 3081 ~~Senate and the Speaker of the House of Representatives shall~~
 3082 ~~serve 2-year terms, concurrent with the term of the respective~~
 3083 ~~appointing officer.~~

3084 ~~2. The initial appointees, and all subsequent appointees,~~
 3085 ~~made by the Governor shall serve 2-year terms.~~

3086 ~~3. Vacancies on the council shall be filled in the same~~
 3087 ~~manner as the initial appointments.~~

3088 ~~(d) Each member of the council shall be allowed one vote.~~
 3089 ~~The council shall select a chair from among its membership.~~
 3090 ~~Meetings shall be held at the call of the chair, but not less~~
 3091 ~~frequently than quarterly. The members of the council shall be~~
 3092 ~~reimbursed for per diem and travel expenses as provided in s.~~
 3093 ~~112.061.~~

3094 ~~(e) The department shall provide administrative staff~~
 3095 ~~support and shall ensure that council meetings are~~
 3096 ~~electronically recorded. Such recordings and all documents~~
 3097 ~~received, prepared for, or used by the council in conducting its~~
 3098 ~~business shall be preserved pursuant to chapters 119 and 257.~~

3099 Section 55. Section 339.65, Florida Statutes, is created
 3100 to read:

3101 339.65 Strategic Intermodal System highway corridors.—

3102 (1) The department shall plan and develop Strategic
 3103 Intermodal System highway corridors, including limited and
 3104 controlled access facilities, allowing for high-speed and high-
 3105 volume traffic movements within the state. The primary function
 3106 of the corridors is to provide such traffic movements. Access to

3107 abutting land is subordinate to this function, and such access
3108 must be prohibited or highly regulated.

3109 (2) Strategic Intermodal System highway corridors shall
3110 include facilities from the following components of the State
3111 Highway System that meet the criteria adopted by the department
3112 pursuant to s. 339.63:

3113 (a) Interstate highways.

3114 (b) The Florida Turnpike System.

3115 (c) Interregional and intercity limited access facilities.

3116 (d) Existing interregional and intercity arterial highways
3117 previously upgraded or upgraded in the future to limited access
3118 or controlled access facility standards.

3119 (e) New limited access facilities necessary to complete a
3120 balanced statewide system.

3121 (3) The department shall adhere to the following policy
3122 guidelines in the development of Strategic Intermodal System
3123 highway corridors. The department shall:

3124 (a) Make capacity improvements to existing facilities
3125 where feasible to minimize costs and environmental impacts.

3126 (b) Identify appropriate arterial highways in major
3127 transportation corridors for inclusion in a program to bring
3128 these facilities up to limited access or controlled access
3129 facility standards.

3130 (c) Coordinate proposed projects with appropriate limited
3131 access projects undertaken by expressway authorities and local
3132 governmental entities.

3133 (d) Maximize the use of limited access facility standards
3134 when constructing new arterial highways.

3135 (e) Identify appropriate new limited access highways for
3136 inclusion as a part of the Florida Turnpike System.

3137 (f) To the maximum extent feasible, ensure that proposed
3138 projects are consistent with approved local government
3139 comprehensive plans of the local jurisdictions in which such
3140 facilities are to be located and with the transportation
3141 improvement program of any metropolitan planning organization
3142 where such facilities are to be located.

3143 (4) The department shall develop and maintain a plan of
3144 Strategic Intermodal System highway corridor projects that are
3145 anticipated to be let to contract for construction within a time
3146 period of at least 20 years. The plan shall also identify when
3147 segments of the corridor will meet the standards and criteria
3148 developed pursuant to subsection (5).

3149 (5) The department shall establish the standards and
3150 criteria for the functional characteristics and design of
3151 facilities proposed as part of Strategic Intermodal System
3152 highway corridors.

3153 (6) For the purposes of developing the proposed Strategic
3154 Intermodal System highway corridors, beginning in fiscal year
3155 2012-2013 and for each fiscal year thereafter, the minimum
3156 amount allocated shall be based on the fiscal year 2003-2004
3157 allocation of \$450 million adjusted annually by the change in
3158 the Consumer Price Index for the prior fiscal year compared to
3159 the Consumer Price Index for fiscal year 2003-2004.

3160 (7) Any project to be constructed as part of a Strategic
3161 Intermodal System highway corridor shall be included in the
3162 department's adopted work program. Any Strategic Intermodal

3163 System highway corridor projects that are added to or deleted
 3164 from the previous adopted work program, or any modification to
 3165 Strategic Intermodal System highway corridor projects contained
 3166 in the previous adopted work program, shall be specifically
 3167 identified and submitted as a separate part of the tentative
 3168 work program.

3169 Section 56. Subsection (7) of section 341.301, Florida
 3170 Statutes, is amended to read:

3171 341.301 Definitions; ss. 341.302-341.303.—As used in ss.
 3172 341.302-341.303, the term:

3173 (7) "Limited covered accident" means:

3174 (a) A collision directly between the trains, locomotives,
 3175 rail cars, or rail equipment of the department and the freight
 3176 rail operator only, where the collision is caused by or arising
 3177 from the willful misconduct of the freight rail operator or its
 3178 subsidiaries, agents, licensees, employees, officers, or
 3179 directors or where punitive damages or exemplary damages are
 3180 awarded due to the conduct of the freight rail operator or its
 3181 subsidiaries, agents, licensees, employees, officers, or
 3182 directors; or

3183 (b) A collision directly between the trains, locomotives,
 3184 rail cars, or rail equipment of the department and National
 3185 Railroad Passenger Corporation only, where the collision is
 3186 caused by or arising from the willful misconduct of National
 3187 Railroad Passenger Corporation or its subsidiaries, agents,
 3188 licensees, employees, officers, or directors or where punitive
 3189 damages or exemplary damages are awarded due to the conduct of
 3190 National Railroad Passenger Corporation or its subsidiaries,

3191 agents, licensees, employees, officers, or directors.

3192 Section 57. Subsection (17) of section 341.302, Florida
 3193 Statutes, is amended to read:

3194 341.302 Rail program; duties and responsibilities of the
 3195 department.—The department, in conjunction with other
 3196 governmental entities, including the rail enterprise and the
 3197 private sector, shall develop and implement a rail program of
 3198 statewide application designed to ensure the proper maintenance,
 3199 safety, revitalization, and expansion of the rail system to
 3200 assure its continued and increased availability to respond to
 3201 statewide mobility needs. Within the resources provided pursuant
 3202 to chapter 216, and as authorized under federal law, the
 3203 department shall:

3204 (17) In conjunction with the acquisition, ownership,
 3205 construction, operation, maintenance, and management of a rail
 3206 corridor, have the authority to:

3207 (a) Assume obligations pursuant to the following:

3208 1.a. The department may assume the obligation by contract
 3209 to forever protect, defend, indemnify, and hold harmless the
 3210 freight rail operator, or its successors, from whom the
 3211 department has acquired a real property interest in the rail
 3212 corridor, and that freight rail operator's officers, agents, and
 3213 employees, from and against any liability, cost, and expense,
 3214 including, but not limited to, commuter rail passengers and rail
 3215 corridor invitees in the rail corridor, regardless of whether
 3216 the loss, damage, destruction, injury, or death giving rise to
 3217 any such liability, cost, or expense is caused in whole or in
 3218 part, and to whatever nature or degree, by the fault, failure,

3219 negligence, misconduct, nonfeasance, or misfeasance of such
 3220 freight rail operator, its successors, or its officers, agents,
 3221 and employees, or any other person or persons whomsoever; or
 3222 b. The department may assume the obligation by contract to
 3223 forever protect, defend, indemnify, and hold harmless National
 3224 Railroad Passenger Corporation, or its successors, and National
 3225 Railroad Passenger Corporation's officers, agents, and
 3226 employees, from and against any liability, cost, and expense,
 3227 including, but not limited to, commuter rail passengers and rail
 3228 corridor invitees in the rail corridor, regardless of whether
 3229 the loss, damage, destruction, injury, or death giving rise to
 3230 any such liability, cost, or expense is caused in whole or in
 3231 part, and to whatever nature or degree, by the fault, failure,
 3232 negligence, misconduct, nonfeasance, or misfeasance of National
 3233 Railroad Passenger Corporation, its successors, or its officers,
 3234 agents, and employees, or any other person or persons
 3235 whomsoever.

3236 2. However, ~~Provided that~~ such assumption of liability of
 3237 the department by contract as to either sub-subparagraph 1.a. or
 3238 sub-subparagraph 1.b. may ~~shall~~ not in any instance exceed the
 3239 following parameters of allocation of risk:

3240 a.1. The department may be solely responsible for any
 3241 loss, injury, or damage to commuter rail passengers, or rail
 3242 corridor invitees, or trespassers, regardless of circumstances
 3243 or cause, subject to sub-subparagraph b. and subparagraphs 2.,
 3244 3., 4., 5., and 6.

3245 b.(I)2. In the event of a limited covered accident, the
 3246 authority of the department to protect, defend, and indemnify

3247 the freight operator for all liability, cost, and expense,
 3248 including punitive or exemplary damages, in excess of the
 3249 deductible or self-insurance retention fund established under
 3250 paragraph (b) and actually in force at the time of the limited
 3251 covered accident exists only if the freight operator agrees,
 3252 with respect to the limited covered accident, to protect,
 3253 defend, and indemnify the department for the amount of the
 3254 deductible or self-insurance retention fund established under
 3255 paragraph (b) and actually in force at the time of the limited
 3256 covered accident.

3257 (II) In the event of a limited covered accident, the
 3258 authority of the department to protect, defend, and indemnify
 3259 National Railroad Passenger Corporation for all liability, cost,
 3260 and expense, including punitive or exemplary damages, in excess
 3261 of the deductible or self-insurance retention fund established
 3262 under paragraph (b) and actually in force at the time of the
 3263 limited covered accident exists only if National Railroad
 3264 Passenger Corporation agrees, with respect to the limited
 3265 covered accident, to protect, defend, and indemnify the
 3266 department for the amount of the deductible or self-insurance
 3267 retention fund established under paragraph (b) and actually in
 3268 force at the time of the limited covered accident.

3269 3. When only one train is involved in an incident, the
 3270 department may be solely responsible for any loss, injury, or
 3271 damage if the train is a department train or other train
 3272 pursuant to subparagraph 4., but only if;

3273 a. When an incident occurs with only a freight train
 3274 involved, including incidents with trespassers or at grade

3275 | crossings, the freight rail operator is solely responsible for
 3276 | any loss, injury, or damage, except for commuter rail passengers
 3277 | and rail corridor invitees; or

3278 | b. When an incident occurs with only a National Railroad
 3279 | Passenger Corporation train involved, including incidents with
 3280 | trespassers or at grade crossings, National Railroad Passenger
 3281 | Corporation is solely responsible for any loss, injury, or
 3282 | damage, except for commuter rail passengers and rail corridor
 3283 | invitees.

3284 | 4. For the purposes of this subsection: r

3285 | a. Any train involved in an incident that is neither the
 3286 | department's train nor the freight rail operator's train,
 3287 | hereinafter referred to in this subsection as an "other train,"
 3288 | may be treated as a department train, solely for purposes of any
 3289 | allocation of liability between the department and the freight
 3290 | rail operator only, but only if the department and the freight
 3291 | rail operator share responsibility equally as to third parties
 3292 | outside the rail corridor who incur loss, injury, or damage as a
 3293 | result of any incident involving both a department train and a
 3294 | freight rail operator train, and the allocation as between the
 3295 | department and the freight rail operator, regardless of whether
 3296 | the other train is treated as a department train, shall remain
 3297 | one-half each as to third parties outside the rail corridor who
 3298 | incur loss, injury, or damage as a result of the incident. The
 3299 | involvement of any other train shall not alter the sharing of
 3300 | equal responsibility as to third parties outside the rail
 3301 | corridor who incur loss, injury, or damage as a result of the
 3302 | incident; or

3303 b. Any train involved in an incident that is neither the
 3304 department's train nor the National Railroad Passenger
 3305 Corporation's train, hereinafter referred to in this subsection
 3306 as an "other train," may be treated as a department train,
 3307 solely for purposes of any allocation of liability between the
 3308 department and National Railroad Passenger Corporation only, but
 3309 only if the department and National Railroad Passenger
 3310 Corporation share responsibility equally as to third parties
 3311 outside the rail corridor who incur loss, injury, or damage as a
 3312 result of any incident involving both a department train and a
 3313 National Railroad Passenger Corporation train, and the
 3314 allocation as between the department and National Railroad
 3315 Passenger Corporation, regardless of whether the other train is
 3316 treated as a department train, shall remain one-half each as to
 3317 third parties outside the rail corridor who incur loss, injury,
 3318 or damage as a result of the incident. The involvement of any
 3319 other train shall not alter the sharing of equal responsibility
 3320 as to third parties outside the rail corridor who incur loss,
 3321 injury, or damage as a result of the incident.

3322 5. When more than one train is involved in an incident:
 3323 a. (I) If only a department train and freight rail
 3324 operator's train, or only an other train as described in sub-
 3325 subparagraph 4.a. subparagraph 4. and a freight rail operator's
 3326 train, are involved in an incident, the department may be
 3327 responsible for its property and all of its people, all commuter
 3328 rail passengers, and rail corridor invitees, but only if the
 3329 freight rail operator is responsible for its property and all of
 3330 its people, and the department and the freight rail operator

3331 each share one-half responsibility as to trespassers or third
3332 parties outside the rail corridor who incur loss, injury, or
3333 damage as a result of the incident; or

3334 (II) If only a department train and a National Railroad
3335 Passenger Corporation train, or only an other train as described
3336 in sub-subparagraph 4.b. and a National Railroad Passenger
3337 Corporation train, are involved in an incident, the department
3338 may be responsible for its property and all of its people, all
3339 commuter rail passengers, and rail corridor invitees, but only
3340 if National Railroad Passenger Corporation is responsible for
3341 its property and all of its people, all National Railroad
3342 Passenger Corporation's rail passengers, and the department and
3343 National Railroad Passenger Corporation each share one-half
3344 responsibility as to trespassers or third parties outside the
3345 rail corridor who incur loss, injury, or damage as a result of
3346 the incident.

3347 b.(I) If a department train, a freight rail operator
3348 train, and any other train are involved in an incident, the
3349 allocation of liability between the department and the freight
3350 rail operator, regardless of whether the other train is treated
3351 as a department train, shall remain one-half each as to third
3352 parties outside the rail corridor who incur loss, injury, or
3353 damage as a result of the incident; the involvement of any other
3354 train shall not alter the sharing of equal responsibility as to
3355 third parties outside the rail corridor who incur loss, injury,
3356 or damage as a result of the incident; and, if the owner,
3357 operator, or insurer of the other train makes any payment to
3358 injured third parties outside the rail corridor who incur loss,

3359 injury, or damage as a result of the incident, the allocation of
 3360 credit between the department and the freight rail operator as
 3361 to such payment shall not in any case reduce the freight rail
 3362 operator's third-party-sharing allocation of one-half under this
 3363 paragraph to less than one-third of the total third party
 3364 liability; or

3365 (II) If a department train, a National Railroad Passenger
 3366 Corporation train, and any other train are involved in an
 3367 incident, the allocation of liability between the department and
 3368 National Railroad Passenger Corporation, regardless of whether
 3369 the other train is treated as a department train, shall remain
 3370 one-half each as to third parties outside the rail corridor who
 3371 incur loss, injury, or damage as a result of the incident; the
 3372 involvement of any other train shall not alter the sharing of
 3373 equal responsibility as to third parties outside the rail
 3374 corridor who incur loss, injury, or damage as a result of the
 3375 incident; and, if the owner, operator, or insurer of the other
 3376 train makes any payment to injured third parties outside the
 3377 rail corridor who incur loss, injury, or damage as a result of
 3378 the incident, the allocation of credit between the department
 3379 and National Railroad Passenger Corporation as to such payment
 3380 shall not in any case reduce National Railroad Passenger
 3381 Corporation's third-party-sharing allocation of one-half under
 3382 this sub-subparagraph to less than one-third of the total third
 3383 party liability.

3384 6. Any such contractual duty to protect, defend,
 3385 indemnify, and hold harmless such a freight rail operator or
 3386 National Railroad Passenger Corporation shall expressly include

3387 a specific cap on the amount of the contractual duty, which
3388 amount shall not exceed \$200 million without prior legislative
3389 approval, and the department to purchase liability insurance and
3390 establish a self-insurance retention fund in the amount of the
3391 specific cap established under this subparagraph, provided that:

3392 a. No such contractual duty shall in any case be effective
3393 nor otherwise extend the department's liability in scope and
3394 effect beyond the contractual liability insurance and self-
3395 insurance retention fund required pursuant to this paragraph;
3396 and

3397 b. The freight rail operator's compensation to the
3398 department for future use of the department's rail corridor
3399 shall include a monetary contribution to the cost of such
3400 liability coverage for the sole benefit of the freight rail
3401 operator. National Railroad Passenger Corporation's compensation
3402 to the department for future use of the department's rail
3403 corridor shall include a monetary contribution to the cost of
3404 such liability coverage for the sole benefit of National
3405 Railroad Passenger Corporation.

3406 (b) Purchase liability insurance, which amount shall not
3407 exceed \$200 million, and establish a self-insurance retention
3408 fund for the purpose of paying the deductible limit established
3409 in the insurance policies it may obtain, including coverage for
3410 the department, any freight rail operator as described in
3411 paragraph (a), National Railroad Passenger Corporation, commuter
3412 rail service providers, governmental entities, or any ancillary
3413 development, which self-insurance retention fund or deductible
3414 shall not exceed \$10 million. The insureds shall pay a

3415 reasonable monetary contribution to the cost of such liability
3416 coverage for the sole benefit of the insured. Such insurance and
3417 self-insurance retention fund may provide coverage for all
3418 damages, including, but not limited to, compensatory, special,
3419 and exemplary, and be maintained to provide an adequate fund to
3420 cover claims and liabilities for loss, injury, or damage arising
3421 out of or connected with the ownership, operation, maintenance,
3422 and management of a rail corridor.

3423 (c) Incur expenses for the purchase of advertisements,
3424 marketing, and promotional items.

3425

3426 Neither the assumption by contract to protect, defend,
3427 indemnify, and hold harmless; the purchase of insurance; nor the
3428 establishment of a self-insurance retention fund shall be deemed
3429 to be a waiver of any defense of sovereign immunity for torts
3430 nor deemed to increase the limits of the department's or the
3431 governmental entity's liability for torts as provided in s.
3432 768.28. The requirements of s. 287.022(1) shall not apply to the
3433 purchase of any insurance under this subsection. The provisions
3434 of this subsection shall apply and inure fully as to any other
3435 governmental entity providing commuter rail service and
3436 constructing, operating, maintaining, or managing a rail
3437 corridor on publicly owned right-of-way under contract by the
3438 governmental entity with the department or a governmental entity
3439 designated by the department. Notwithstanding any law to the
3440 contrary, procurement for the construction, operation,
3441 maintenance, and management of any rail corridor described in
3442 this subsection, whether by the department, a governmental

3443 entity under contract with the department, or a governmental
 3444 entity designated by the department, shall be pursuant to s.
 3445 287.057 and shall include, but not be limited to, criteria for
 3446 the consideration of qualifications, technical aspects of the
 3447 proposal, and price. Further, any such contract for design-build
 3448 shall be procured pursuant to the criteria in s. 337.11(7).

3449 Section 58. Section 341.840, Florida Statutes, is amended
 3450 to read:

3451 341.840 Tax exemption.—

3452 (1) The exercise of the powers granted under ss. 341.8201-
 3453 341.842 ~~by this act~~ will be in all respects for the benefit of
 3454 the people of this state, for the increase of their commerce,
 3455 welfare, and prosperity, and for the improvement of their health
 3456 and living conditions. The design, construction, operation,
 3457 maintenance, and financing of a high-speed rail system by the
 3458 enterprise authority, its agent, or the owner or lessee thereof,
 3459 as herein authorized, constitutes the performance of an
 3460 essential public function.

3461 (2) (a) For the purposes of this section, the term
 3462 "enterprise authority" does not include agents of the enterprise
 3463 ~~authority~~ other than contractors who qualify as such pursuant to
 3464 subsection (7).

3465 (b) For the purposes of this section, any item or property
 3466 that is within the definition of the term "associated
 3467 development" in s. 341.8203(1) may ~~shall~~ not be considered ~~to be~~
 3468 part of the high-speed rail system as defined in s.
 3469 341.8203 (3) ~~(6)~~.

3470 (3) (a) Purchases or leases of tangible personal property

3471 or real property by the enterprise authority, excluding agents
3472 of the enterprise authority, are exempt from taxes imposed by
3473 chapter 212 as provided in s. 212.08(6). Purchases or leases of
3474 tangible personal property that is incorporated into the high-
3475 speed rail system as a component part thereof, as determined by
3476 the enterprise authority, by agents of the enterprise authority
3477 or the owner of the high-speed rail system are exempt from sales
3478 or use taxes imposed by chapter 212. Leases, rentals, or
3479 licenses to use real property granted to agents of the
3480 enterprise authority or the owner of the high-speed rail system
3481 are exempt from taxes imposed by s. 212.031 if the real property
3482 becomes part of such system. The exemptions granted in this
3483 subsection do not apply to sales, leases, or licenses by the
3484 enterprise authority, agents of the authority, or the owner of
3485 the high-speed rail system.

3486 (b) The exemption granted in paragraph (a) to purchases or
3487 leases of tangible personal property by agents of the enterprise
3488 ~~authority~~ or by the owner of the high-speed rail system applies
3489 only to property that becomes a component part of such system.
3490 It does not apply to items, including, but not limited to,
3491 cranes, bulldozers, forklifts, other machinery and equipment,
3492 tools and supplies, or other items of tangible personal property
3493 used in the construction, operation, or maintenance of the high-
3494 speed rail system when such items are not incorporated into the
3495 high-speed rail system as a component part thereof.

3496 (4) Any bonds or other security, and all notes, mortgages,
3497 security agreements, letters of credit, or other instruments
3498 that arise out of or are given to secure the repayment of bonds

3499 or other security, issued by the enterprise authority, or on
 3500 behalf of the enterprise authority, their transfer, and the
 3501 income therefrom, including any profit made on the sale thereof,
 3502 shall at all times be free from taxation of every kind by the
 3503 state, the counties, and the municipalities and other political
 3504 subdivisions in the state. This subsection, however, does not
 3505 exempt from taxation or assessment the leasehold interest of a
 3506 lessee in any project or any other property or interest owned by
 3507 the lessee. The exemption granted by this subsection is not
 3508 applicable to any tax imposed by chapter 220 on interest income
 3509 or profits on the sale of debt obligations owned by
 3510 corporations.

3511 (5) When property of the enterprise authority is leased to
 3512 another person or entity, the property shall be exempt from ad
 3513 valorem taxation only if the use by the lessee qualifies the
 3514 property for exemption under s. 196.199.

3515 (6) A leasehold interest held by the enterprise authority
 3516 is not subject to intangible tax. However, if a leasehold
 3517 interest held by the enterprise authority is subleased to a
 3518 nongovernmental lessee, such subleasehold interest shall be
 3519 deemed to be an interest described in s. 199.023(1)(d), Florida
 3520 Statutes 2005, and is subject to the intangible tax.

3521 (7) (a) In order to be considered an agent of the
 3522 enterprise authority for purposes of the exemption from sales
 3523 and use tax granted by subsection (3) for tangible personal
 3524 property incorporated into the high-speed rail system, a
 3525 contractor of the enterprise authority that purchases or
 3526 fabricates such tangible personal property must be certified by

3527 | the enterprise authority as provided in this subsection.

3528 | (b)1. A contractor must apply for a renewal of the
3529 | exemption not later than December 1 of each calendar year.

3530 | 2. A contractor must apply to the enterprise authority on
3531 | the application form adopted by the enterprise authority, which
3532 | shall develop the form in consultation with the Department of
3533 | Revenue.

3534 | 3. The enterprise authority shall review each submitted
3535 | application and determine whether it is complete. The enterprise
3536 | authority shall notify the applicant of any deficiencies in the
3537 | application within 30 days. Upon receipt of a completed
3538 | application, the enterprise authority shall evaluate the
3539 | application for exemption under this subsection and issue a
3540 | certification that the contractor is qualified to act as an
3541 | agent of the enterprise authority for purposes of this section
3542 | or a denial of such certification within 30 days. The enterprise
3543 | authority shall provide the Department of Revenue with a copy of
3544 | each certification issued upon approval of an application. Upon
3545 | receipt of a certification from the enterprise authority, the
3546 | Department of Revenue shall issue an exemption permit to the
3547 | contractor.

3548 | (c)1. The contractor may extend a copy of its exemption
3549 | permit to its vendors in lieu of paying sales tax on purchases
3550 | of tangible personal property qualifying for exemption under
3551 | this section. Possession of a copy of the exemption permit
3552 | relieves the seller of the responsibility of collecting tax on
3553 | the sale, and the Department of Revenue shall look solely to the
3554 | contractor for recovery of tax upon a determination that the

3555 contractor was not entitled to the exemption.

3556 2. The contractor may extend a copy of its exemption
 3557 permit to real property subcontractors supplying and installing
 3558 tangible personal property that is exempt under subsection (3).
 3559 Any such subcontractor may ~~is authorized to~~ extend a copy of the
 3560 permit to the subcontractor's vendors in order to purchase
 3561 qualifying tangible personal property tax-exempt. If the
 3562 subcontractor uses the exemption permit to purchase tangible
 3563 personal property that is determined not to qualify for
 3564 exemption under subsection (3), the Department of Revenue may
 3565 assess and collect any tax, penalties, and interest that are due
 3566 from either the contractor holding the exemption permit or the
 3567 subcontractor that extended the exemption permit to the seller.

3568 (d) Any contractor authorized to act as an agent of the
 3569 enterprise authority under this section shall maintain the
 3570 necessary books and records to document the exempt status of
 3571 purchases and fabrication costs made or incurred under the
 3572 permit. In addition, an authorized contractor extending its
 3573 exemption permit to its subcontractors shall maintain a copy of
 3574 the subcontractor's books, records, and invoices indicating all
 3575 purchases made by the subcontractor under the authorized
 3576 contractor's permit. If, in an audit conducted by the Department
 3577 of Revenue, it is determined that tangible personal property
 3578 purchased or fabricated claiming exemption under this section
 3579 does not meet the criteria for exemption, the amount of taxes
 3580 not paid at the time of purchase or fabrication shall be
 3581 immediately due and payable to the Department of Revenue,
 3582 together with the appropriate interest and penalty, computed

3583 from the date of purchase, in the manner prescribed by chapter
 3584 212.

3585 (e) If a contractor fails to apply for a high-speed rail
 3586 system exemption permit, or if a contractor initially determined
 3587 by the enterprise authority to not qualify for exemption is
 3588 subsequently determined to be eligible, the contractor shall
 3589 receive the benefit of the exemption in this subsection through
 3590 a refund of previously paid taxes for transactions that
 3591 otherwise would have been exempt. A refund may not be made for
 3592 such taxes without the issuance of a certification by the
 3593 enterprise authority that the contractor was authorized to make
 3594 purchases tax-exempt and a determination by the Department of
 3595 Revenue that the purchases qualified for the exemption.

3596 (f) The enterprise authority may adopt rules governing the
 3597 application process for exemption of a contractor as an
 3598 authorized agent of the enterprise authority.

3599 (g) The Department of Revenue may adopt rules governing
 3600 the issuance and form of high-speed rail system exemption
 3601 permits, the audit of contractors and subcontractors using such
 3602 permits, the recapture of taxes on nonqualified purchases, and
 3603 the manner and form of refund applications.

3604 Section 59. Subsection (3) of section 343.52, Florida
 3605 Statutes, is amended to read:

3606 343.52 Definitions.—As used in this part, the term:

3607 (3) "Area served" means Miami-Dade, Broward, and Palm
 3608 Beach Counties. However, this area may be expanded by mutual
 3609 consent of the authority and the board of county commissioners
 3610 of Monroe County ~~representing the proposed expansion area.~~ The

3611 authority may not expand into any additional counties without
 3612 the department's prior written approval.

3613 Section 60. Section 343.53, Florida Statutes, is amended
 3614 to read:

3615 343.53 South Florida Regional Transportation Authority.—

3616 (1) There is created and established a body politic and
 3617 corporate, an agency of the state, to be known as the "South
 3618 Florida Regional Transportation Authority," hereinafter referred
 3619 to as the "authority."

3620 (2) The governing board of the authority shall consist of
 3621 10 ~~nine~~ voting members, as follows:

3622 (a) The county commissions of Miami-Dade, Broward, and
 3623 Palm Beach Counties shall each elect a commissioner as that
 3624 commission's representative on the board. The commissioner must
 3625 be a member of the county commission when elected and for the
 3626 full extent of his or her term.

3627 (b) The county commissions of Miami-Dade, Broward, and
 3628 Palm Beach Counties shall each appoint a citizen member to the
 3629 board who is not a member of the county commission but who is a
 3630 resident of the county from which he or she is appointed and a
 3631 qualified elector of that county. Insofar as practicable, the
 3632 citizen member shall represent the business and civic interests
 3633 of the community.

3634 (c) The secretary of the Department of Transportation
 3635 shall appoint one of the district secretaries, or his or her
 3636 designee, for the districts within which the area served by the
 3637 South Florida Regional Transportation Authority is located, who
 3638 shall serve ex officio as a voting member.

3639 (d) If the authority's service area is expanded pursuant
3640 to s. 343.54(5), the county containing the new service area
3641 shall have two ~~three~~ members appointed to the board as follows:

3642 1. The county commission of the county shall elect a
3643 commissioner as that commission's representative on the board.
3644 The commissioner must be a member of the county commission when
3645 elected and for the full extent of his or her term.

3646 ~~2. The county commission of the county shall appoint a
3647 citizen member to the board who is not a member of the county
3648 commission but who is a resident and a qualified elector of that
3649 county. Insofar as is practicable, the citizen member shall
3650 represent the business and civic interests of the community.~~

3651 2.3. The Governor shall appoint a citizen member to the
3652 board who is not a member of the county commission but who is a
3653 resident and a qualified elector of that county.

3654 (e) The Governor shall appoint three ~~two~~ members to the
3655 board who are residents and qualified electors in the area
3656 served by the authority but who are not residents of the same
3657 county ~~and also not residents of the county in which the
3658 district secretary who was appointed pursuant to paragraph (c)
3659 is a resident.~~

3660 (3)~~(a)~~ Members of the governing board of the authority
3661 shall be appointed to serve 4-year staggered terms, except that
3662 the terms of the appointees of the Governor shall be concurrent.

3663 ~~(b) The terms of the board members currently serving on
3664 the authority that is being succeeded by this act shall expire
3665 July 30, 2003, at which time the terms of the members appointed
3666 pursuant to subsection (2) shall commence. The Governor shall~~

3667 ~~make his or her appointments to the board within 30 days after~~
 3668 ~~July 30, 2003.~~

3669 (4) A vacancy during a term shall be filled by the
 3670 respective appointing authority in the same manner as the
 3671 original appointment and only for the balance of the unexpired
 3672 term.

3673 (5) The members of the authority shall serve without
 3674 compensation, but are entitled to reimbursement for travel
 3675 expenses actually incurred in their duties as provided by law.

3676 Section 61. Paragraph (q) is added to subsection (3) of
 3677 section 343.54, Florida Statutes, and subsection (5) of that
 3678 section is amended, to read:

3679 343.54 Powers and duties.—

3680 (3) The authority may exercise all powers necessary,
 3681 appurtenant, convenient, or incidental to the carrying out of
 3682 the aforesaid purposes, including, but not limited to, the
 3683 following rights and powers:

3684 (q) To privatize any of the administrative functions of
 3685 the authority existing as of July 1, 2012, by contracting with a
 3686 private entity or entities to perform any or all of those
 3687 functions, which shall require a two-thirds vote of the entire
 3688 membership of the board.

3689 (5) The authority, by a resolution of its governing board,
 3690 may expand its service area into Monroe County ~~and enter into a~~
 3691 ~~partnership with any county that is contiguous to the service~~
 3692 ~~area of the authority.~~ The board shall determine the conditions
 3693 and terms of the partnership, except as provided herein.
 3694 However, the authority may not expand its service area without

3695 the consent of the board of county commissioners representing
 3696 the proposed expansion area, and a county may not be added to
 3697 the service area except in the year that federal reauthorization
 3698 legislation for transportation funds is enacted. The authority
 3699 shall not expand into any county other than Monroe County
 3700 without the department's prior written approval.

3701 Section 62. Section 343.56, Florida Statutes, is amended
 3702 to read:

3703 343.56 Bonds not debts or pledges of credit of state.—
 3704 Revenue bonds issued under the provisions of this part are not
 3705 debts of the state or pledges of the faith and credit of the
 3706 state. Such bonds are payable exclusively from revenues pledged
 3707 for their payment. All such bonds shall contain a statement on
 3708 their face that the state is not obligated to pay the same or
 3709 the interest thereon, except from the revenues pledged for their
 3710 payment, and that the faith and credit of the state is not
 3711 pledged to the payment of the principal or interest of such
 3712 bonds. The issuance of revenue bonds under the provisions of
 3713 this part does not directly, indirectly, or contingently
 3714 obligate the state to levy or to pledge any form of taxation
 3715 whatsoever, or to make any appropriation for their payment. No
 3716 state funds shall be used or pledged to pay the principal or
 3717 interest of any bonds issued to finance or refinance any portion
 3718 of the South Florida Regional Transportation Authority transit
 3719 system, and all such bonds shall contain a statement on their
 3720 face to this effect. ~~However, federal funds being passed through~~
 3721 ~~the department to the South Florida Regional Transportation~~
 3722 ~~Authority and those state matching funds required by the United~~

3723 ~~States Department of Transportation as a condition of federal~~
 3724 ~~funding may be used to pay principal and interest of any bonds~~
 3725 ~~issued.~~

3726 Section 63. Section 343.57, Florida Statutes, is amended
 3727 to read:

3728 343.57 Pledge to bondholders not to restrict certain
 3729 rights of authority.—The state pledges to and agrees with the
 3730 holders of the bonds issued pursuant to this part that the state
 3731 will not limit or restrict the rights vested in the authority to
 3732 construct, reconstruct, maintain, and operate any project as
 3733 defined in this part, to establish and collect such fees or
 3734 other charges as may be convenient or necessary to produce
 3735 sufficient revenues to meet the expenses of maintenance and
 3736 operation of the system, and to fulfill the terms of any
 3737 agreements made with the holders of bonds authorized by this
 3738 part. The state further pledges that it will not in any way
 3739 impair the rights or remedies of the holders of such bonds until
 3740 the bonds, together with interest thereon, are fully paid and
 3741 discharged. Nothing in this section or in any agreement between
 3742 the authority and the Department of Transportation shall be
 3743 construed to require the Legislature to make or continue any
 3744 appropriation of state funds to the authority, including, but
 3745 not limited to, the amounts specified in s. 343.58(4), nor shall
 3746 any holder of bonds have any right to require the Legislature to
 3747 make or continue any appropriation of state funds.

3748 Section 64. Subsection (4) of section 343.58, Florida
 3749 Statutes, is amended, and subsection (6) is added to that
 3750 section, to read:

3751 343.58 County funding for the South Florida Regional
3752 Transportation Authority.—

3753 (4) Notwithstanding any other provision of law to the
3754 contrary and effective July 1, 2010, until as provided in
3755 paragraph (d), the department shall transfer annually from the
3756 State Transportation Trust Fund to the South Florida Regional
3757 Transportation Authority the amounts specified in subparagraph
3758 (a)1. or subparagraph (a)2.

3759 (a)1. If the authority becomes responsible for maintaining
3760 and dispatching the South Florida Rail Corridor:

3761 a. \$15 million from the State Transportation Trust Fund to
3762 the South Florida Regional Transportation Authority for
3763 operations, maintenance, and dispatch; and

3764 b. An amount no less than the work program commitments
3765 equal to \$27.1 million for fiscal year 2010-2011, as of July 1,
3766 2009, for operating assistance to the authority and corridor
3767 track maintenance and contract maintenance for the South Florida
3768 Rail Corridor.

3769 2. If the authority does not become responsible for
3770 maintaining and dispatching the South Florida Rail Corridor:

3771 a. \$13.3 million from the State Transportation Trust Fund
3772 to the South Florida Regional Transportation Authority for
3773 operations; and

3774 b. An amount no less than the work program commitments
3775 equal to \$17.3 million for fiscal year 2010-2011, as of July 1,
3776 2009, for operating assistance to the authority.

3777 (b) Funding required by this subsection may not be
3778 provided from the funds dedicated to the Florida Rail Enterprise
3779 under s. 201.15(1)(c)1.d.

3780 (c)1. Funds provided to the authority by the department
3781 under this subsection may not be committed by the authority
3782 without the approval of the department, which may not be
3783 unreasonably withheld. At least 90 days before advertising any
3784 procurement or renewing any existing contract that will rely on
3785 state funds for payment, the authority shall notify the
3786 department of the proposed procurement or renewal and the
3787 proposed terms thereof. If the department, within 60 days after
3788 receipt of notice, objects in writing to the proposed
3789 procurement or renewal, specifying its reasons for objection,
3790 the authority may not proceed with the proposed procurement or
3791 renewal. Failure of the department to object in writing within
3792 60 days after notice shall be deemed consent. This requirement
3793 does not impair or cause the authority to cancel contracts that
3794 exist as of June 30, 2012.

3795 2. To enable the department to evaluate the authority's
3796 proposed uses of state funds, the authority shall annually
3797 provide the department with its proposed budget for the
3798 following authority fiscal year and shall provide the department
3799 with any additional documentation or information required by the
3800 department for its evaluation of the proposed uses of the state
3801 funds.

3802 (d) Funding required by this subsection shall cease upon
3803 commencement of an alternate dedicated local funding source
3804 sufficient for the authority to meet its responsibilities for

3805 operating, maintaining, and dispatching the South Florida Rail
 3806 Corridor. The authority and the department shall cooperate in
 3807 the effort to identify and implement such an alternate dedicated
 3808 local funding source before July 1, 2019. Upon commencement of
 3809 the alternate dedicated local funding source, the department
 3810 shall convey to the authority a perpetual commuter rail easement
 3811 in the South Florida Rail Corridor and all of the department's
 3812 right, title, and interest in rolling stock, equipment, tracks,
 3813 and other personal property owned and used by the department for
 3814 the operation and maintenance of the commuter rail operations in
 3815 the South Florida Rail Corridor.

3816 (6) Before the authority undertakes any new capital
 3817 projects or transit system improvements not approved by the
 3818 authority board, and not identified in the authority's 5-year
 3819 capital program, on or before July 1, 2012, the authority shall
 3820 ensure that the funding available to the authority under this
 3821 section, together with any revenues available to the authority,
 3822 are currently, and are anticipated to continue to be, sufficient
 3823 for the authority to meet its obligations under any agreement
 3824 through which federal funds have been or are anticipated to be
 3825 received by the authority.

3826 Section 65. Section 347.215, Florida Statutes, is created
 3827 to read:

3828 347.215 Operation of ferries by joint agreement between
 3829 public and private entities.—The county commission of any county
 3830 that has granted a license to operate a ferry in the county may
 3831 authorize the operation of such ferry by a single party or
 3832 multiple parties under a joint agreement between the appropriate

3833 public entities and one or more private corporations conducting
 3834 business in the state.

3835 Section 66. Paragraph (c) of subsection (4) of section
 3836 348.0003, Florida Statutes, is amended to read:

3837 348.0003 Expressway authority; formation; membership.—
 3838 (4)

3839 (c) Members of each expressway authority, transportation
 3840 authority, bridge authority, or toll authority, created pursuant
 3841 to this chapter, chapter 343, ~~or chapter 349~~ or any other
 3842 general law, legislative enactment shall comply with the
 3843 applicable financial disclosure requirements of s. 8, Art. II of
 3844 the State Constitution. This paragraph does not subject any
 3845 statutorily created authority, other than an expressway
 3846 authority created under this part, to any other requirement of
 3847 this part except the requirement of this paragraph.

3848 Section 67. Section 348.7645, Florida Statutes, is created
 3849 to read:

3850 348.7645 Exit sign to university.—Notwithstanding any
 3851 provision of law to the contrary, the authority, upon request by
 3852 a university described in this section, shall erect signage at
 3853 the most convenient, existing exit directing traffic to a
 3854 university with at least 6,000 full-time students which is
 3855 located within 5 miles of a roadway operated by the authority.
 3856 Any such university shall pay to the authority the actual costs
 3857 of any signage erected.

3858 Section 68. Subsection (3) of section 349.03, Florida
 3859 Statutes, is amended to read:

3860 349.03 Jacksonville Transportation Authority.—

3861 (3) (a) The terms of appointed members shall be for 4 years
3862 deemed to have commenced on June 1 of the year in which they are
3863 appointed. Each member shall hold office until a successor has
3864 been appointed and has qualified. A vacancy during a term shall
3865 be filled by the respective appointing authority only for the
3866 balance of the unexpired term. Any member appointed to the
3867 authority for two consecutive full terms shall not be eligible
3868 for appointment to the next succeeding term. One of the members
3869 so appointed shall be designated annually by the members as
3870 chair of the authority, one member shall be designated annually
3871 as the vice chair of the authority, one member shall be
3872 designated annually as the secretary of the authority, and one
3873 member shall be designated annually as the treasurer of the
3874 authority. The members of the authority shall not be entitled to
3875 compensation, but shall be reimbursed for travel expenses or
3876 other expenses actually incurred in their duties as provided by
3877 law. Four voting members of the authority shall constitute a
3878 quorum, and no resolution adopted by the authority shall become
3879 effective unless with the affirmative vote of at least four
3880 members. Members of the authority shall file as their mandatory
3881 financial disclosure a statement of financial interest with the
3882 Commission on Ethics as provided in s. 112.3145.

3883 (b) The authority shall employ an executive director, and
3884 the executive director may hire such staff, permanent or
3885 temporary, as he or she may determine and may organize the staff
3886 of the authority into such departments and units as he or she
3887 may determine. The executive director may appoint department
3888 directors, deputy directors, division chiefs, and staff

3889 assistants to the executive director, as he or she may
 3890 determine. In so appointing the executive director, the
 3891 authority may fix the compensation of such appointee, who shall
 3892 serve at the pleasure of the authority. All employees of the
 3893 authority shall be exempt from the provisions of part II of
 3894 chapter 110. The authority may employ such financial advisers
 3895 and consultants, technical experts, engineers, and agents and
 3896 employees, permanent or temporary, as it may require and may fix
 3897 the compensation and qualifications of such persons, firms, or
 3898 corporations. The authority may delegate to one or more of its
 3899 agents or employees such of its powers as it shall deem
 3900 necessary to carry out the purposes of this chapter, subject
 3901 always to the supervision and control of the governing body of
 3902 the authority.

3903 Section 69. Subsection (8) is added to section 349.04,
 3904 Florida Statutes, to read:

3905 349.04 Purposes and powers.—

3906 (8) The authority may conduct public meetings and
 3907 workshops by means of communications media technology, as
 3908 provided in s. 120.54(5). However, a resolution, rule, or formal
 3909 action is not binding unless a quorum is physically present at
 3910 the noticed meeting location, and only members physically
 3911 present may vote on any item.

3912 Section 70. Subsection (6) is added to section 373.118,
 3913 Florida Statutes, to read:

3914 373.118 General permits; delegation.—

3915 (6) By July 1, 2012, the department shall initiate
 3916 rulemaking to adopt a general permit for stormwater management

3917 systems serving airside activities at airports. The general
 3918 permit applies statewide and shall be administered by any water
 3919 management district or any delegated local government pursuant
 3920 to the operating agreements applicable to part IV, with no
 3921 additional rulemaking required. Such rules are not subject to
 3922 any special rulemaking requirements related to small business.

3923 Section 71. Subsection (6) is added to section 373.413,
 3924 Florida Statutes, to read:

3925 373.413 Permits for construction or alteration.—

3926 (6) It is the intent of the Legislature that the governing
 3927 board or department exercise flexibility in the permitting of
 3928 stormwater management systems associated with the construction
 3929 or alteration of systems serving state transportation projects
 3930 and facilities. Because of the unique limitations of linear
 3931 facilities, the governing board or department shall balance the
 3932 expenditure of public funds for stormwater treatment for state
 3933 transportation projects and facilities with the benefits to the
 3934 public in providing the most cost-efficient and effective method
 3935 of achieving the treatment objectives. In consideration thereof,
 3936 the governing board or department shall allow alternatives to
 3937 onsite treatment, including, but not limited to, regional
 3938 stormwater treatment systems. The Department of Transportation
 3939 is responsible for treating stormwater generated from state
 3940 transportation projects but is not responsible for the abatement
 3941 of pollutants and flows entering its stormwater management
 3942 systems from offsite sources; however, this subsection does not
 3943 prohibit the Department of Transportation from receiving and
 3944 managing such pollutants and flows when cost effective and

3945 prudent. Further, in association with right-of-way acquisition
 3946 for state transportation projects, the Department of
 3947 Transportation is responsible for providing stormwater treatment
 3948 and attenuation for the acquired right-of-way but is not
 3949 responsible for modifying permits for adjacent lands affected by
 3950 right-of-way acquisition when it is not the permittee. The
 3951 governing board or department may establish, by rule, specific
 3952 criteria to implement the management and treatment alternatives
 3953 and activities under this subsection.

3954 Section 72. Paragraph (d) of subsection (6) of section
 3955 373.4136, Florida Statutes, is amended to read:

3956 373.4136 Establishment and operation of mitigation banks.—

3957 (6) MITIGATION SERVICE AREA.—The department or water
 3958 management district shall establish a mitigation service area
 3959 for each mitigation bank permit. The department or water
 3960 management district shall notify and consider comments received
 3961 on the proposed mitigation service area from each local
 3962 government within the proposed mitigation service area. Except
 3963 as provided herein, mitigation credits may be withdrawn and used
 3964 only to offset adverse impacts in the mitigation service area.
 3965 The boundaries of the mitigation service area shall depend upon
 3966 the geographic area where the mitigation bank could reasonably
 3967 be expected to offset adverse impacts. Mitigation service areas
 3968 may overlap, and mitigation service areas for two or more
 3969 mitigation banks may be approved for a regional watershed.

3970 (d) If the requirements in s. 373.414(1)(b) and (8) are
 3971 met, the following projects or activities regulated under this
 3972 part shall be eligible to use a mitigation bank, regardless of

3973 whether they are located within the mitigation service area:

3974 1. Projects with adverse impacts partially located within
3975 the mitigation service area.

3976 2. Linear projects, such as roadways, transmission lines,
3977 distribution lines, pipelines, ~~or~~ railways, or seaports listed
3978 in s. 403.021(9) (b).

3979 3. Projects with total adverse impacts of less than 1 acre
3980 in size.

3981 Section 73. Subsections (1) through (5) of section
3982 373.4137, Florida Statutes, are amended to read:

3983 373.4137 Mitigation requirements for specified
3984 transportation projects.—

3985 (1) The Legislature finds that environmental mitigation
3986 for the impact of transportation projects proposed by the
3987 Department of Transportation or a transportation authority
3988 established pursuant to chapter 348 or chapter 349 can be more
3989 effectively achieved by regional, long-range mitigation planning
3990 rather than on a project-by-project basis. It is the intent of
3991 the Legislature that mitigation to offset the adverse effects of
3992 these transportation projects be funded by the Department of
3993 Transportation and be carried out by the water management
3994 districts, including the use of mitigation banks and any other
3995 mitigation options that satisfy state and federal requirements
3996 ~~established pursuant to this part.~~

3997 (2) Environmental impact inventories for transportation
3998 projects proposed by the Department of Transportation or a
3999 transportation authority established pursuant to chapter 348 or
4000 chapter 349 shall be developed as follows:

4001 (a) By July 1 of each year, the Department of
 4002 Transportation, or a transportation authority established
 4003 pursuant to chapter 348 or chapter 349 which chooses to
 4004 participate in this program, shall submit to the water
 4005 management districts a list ~~copy~~ of its projects in the adopted
 4006 work program and an environmental impact inventory of habitats
 4007 addressed in the rules adopted pursuant to this part and s. 404
 4008 of the Clean Water Act, 33 U.S.C. s. 1344, which may be impacted
 4009 by its plan of construction for transportation projects in the
 4010 next 3 years of the tentative work program. The Department of
 4011 Transportation or a transportation authority established
 4012 pursuant to chapter 348 or chapter 349 may also include in its
 4013 environmental impact inventory the habitat impacts of any future
 4014 transportation project. The Department of Transportation and
 4015 each transportation authority established pursuant to chapter
 4016 348 or chapter 349 may fund any mitigation activities for future
 4017 projects using current year funds.

4018 (b) The environmental impact inventory shall include a
 4019 description of these habitat impacts, including their location,
 4020 acreage, and type; state water quality classification of
 4021 impacted wetlands and other surface waters; any other state or
 4022 regional designations for these habitats; and a list ~~survey~~ of
 4023 threatened species, endangered species, and species of special
 4024 concern affected by the proposed project.

4025 (3) (a) To fund development and implementation of the
 4026 mitigation plan for the projected impacts identified in the
 4027 environmental impact inventory described in subsection (2), the
 4028 Department of Transportation shall identify funds quarterly in

4029 an escrow account within the State Transportation Trust Fund for
4030 the environmental mitigation phase of projects budgeted by the
4031 Department of Transportation for the current fiscal year. The
4032 escrow account shall be maintained by the Department of
4033 Transportation for the benefit of the water management
4034 districts. Any interest earnings from the escrow account shall
4035 remain with the Department of Transportation.

4036 (b) Each transportation authority established pursuant to
4037 chapter 348 or chapter 349 that chooses to participate in this
4038 program shall create an escrow account within its financial
4039 structure and deposit funds in the account to pay for the
4040 environmental mitigation phase of projects budgeted for the
4041 current fiscal year. The escrow account shall be maintained by
4042 the authority for the benefit of the water management districts.
4043 Any interest earnings from the escrow account shall remain with
4044 the authority.

4045 (c) Except for current mitigation projects in the
4046 monitoring and maintenance phase and except as allowed by
4047 paragraph (d), the water management districts may request a
4048 transfer of funds from an escrow account no sooner than 30 days
4049 prior to the date the funds are needed to pay for activities
4050 associated with development or implementation of the approved
4051 mitigation plan described in subsection (4) for the current
4052 fiscal year, including, but not limited to, design, engineering,
4053 production, and staff support. Actual conceptual plan
4054 preparation costs incurred before plan approval may be submitted
4055 to the Department of Transportation or the appropriate
4056 transportation authority each year with the plan. The conceptual

4057 | plan preparation costs of each water management district shall
4058 | ~~will~~ be paid from mitigation funds associated with the
4059 | environmental impact inventory for the current year. The amount
4060 | transferred to the escrow accounts each year by the Department
4061 | of Transportation and participating transportation authorities
4062 | established pursuant to chapter 348 or chapter 349 shall
4063 | correspond to a cost per acre of \$75,000 multiplied by the
4064 | projected acres of impact identified in the environmental impact
4065 | inventory described in subsection (2). However, the \$75,000 cost
4066 | per acre does not constitute an admission against interest by
4067 | the state or its subdivisions nor is the cost admissible as
4068 | evidence of full compensation for any property acquired by
4069 | eminent domain or through inverse condemnation. Each July 1, the
4070 | cost per acre shall be adjusted by the percentage change in the
4071 | average of the Consumer Price Index issued by the United States
4072 | Department of Labor for the most recent 12-month period ending
4073 | September 30, compared to the base year average, which is the
4074 | average for the 12-month period ending September 30, 1996. Each
4075 | quarter, the projected acreage of impact shall be reconciled
4076 | with the acreage of impact of projects as permitted, including
4077 | permit modifications, pursuant to this part and s. 404 of the
4078 | Clean Water Act, 33 U.S.C. s. 1344. The subject year's transfer
4079 | of funds shall be adjusted accordingly to reflect the acreage of
4080 | impacts as permitted. The Department of Transportation and
4081 | participating transportation authorities established pursuant to
4082 | chapter 348 or chapter 349 may ~~are authorized to~~ transfer such
4083 | funds from the escrow accounts to the water management districts
4084 | to carry out the mitigation programs. Environmental mitigation

4085 funds that are identified for or maintained in an escrow account
4086 for the benefit of a water management district may be released
4087 if the associated transportation project is excluded in whole or
4088 part from the mitigation plan. For a mitigation project that is
4089 in the maintenance and monitoring phase, the water management
4090 district may request and receive a one-time payment based on the
4091 project's expected future maintenance and monitoring costs. Upon
4092 disbursement of the final maintenance and monitoring payment,
4093 the obligation of the Department of Transportation or the
4094 participating transportation authority is satisfied, the water
4095 management district has continuing responsibility for the
4096 mitigation project, and the escrow account for the project
4097 established by the Department of Transportation or the
4098 participating transportation authority may be closed. Any
4099 interest earned on these disbursed funds shall remain with the
4100 water management district and must be used as authorized under
4101 this section.

4102 (d) Beginning in the 2005-2006 fiscal year, each water
4103 management district shall be paid a lump-sum amount of \$75,000
4104 per acre, adjusted as provided under paragraph (c), for
4105 federally funded transportation projects that are included on
4106 the environmental impact inventory and that have an approved
4107 mitigation plan. Beginning in the 2009-2010 fiscal year, each
4108 water management district shall be paid a lump-sum amount of
4109 \$75,000 per acre, adjusted as provided under paragraph (c), for
4110 federally funded and nonfederally funded transportation projects
4111 that have an approved mitigation plan. All mitigation costs,
4112 including, but not limited to, the costs of preparing conceptual

4113 plans and the costs of design, construction, staff support,
4114 future maintenance, and monitoring the mitigated acres shall be
4115 funded through these lump-sum amounts.

4116 (4) Before ~~Prior to~~ March 1 of each year, each water
4117 management district, in consultation with the Department of
4118 Environmental Protection, the United States Army Corps of
4119 Engineers, the Department of Transportation, participating
4120 transportation authorities established pursuant to chapter 348
4121 or chapter 349, and other appropriate federal, state, and local
4122 governments, and other interested parties, including entities
4123 operating mitigation banks, shall develop a plan for the primary
4124 purpose of complying with the mitigation requirements adopted
4125 pursuant to this part and 33 U.S.C. s. 1344. In developing such
4126 plans, the districts shall utilize sound ecosystem management
4127 practices to address significant water resource needs and shall
4128 focus on activities of the Department of Environmental
4129 Protection and the water management districts, such as surface
4130 water improvement and management (SWIM) projects and lands
4131 identified for potential acquisition for preservation,
4132 restoration or enhancement, and the control of invasive and
4133 exotic plants in wetlands and other surface waters, to the
4134 extent that such activities comply with the mitigation
4135 requirements adopted under this part and 33 U.S.C. s. 1344. In
4136 determining the activities to be included in such plans, the
4137 districts shall also consider the purchase of credits from
4138 public or private mitigation banks permitted under s. 373.4136
4139 and associated federal authorization and shall include such
4140 purchase as a part of the mitigation plan when such purchase

4141 would offset the impact of the transportation project, provide
 4142 equal benefits to the water resources than other mitigation
 4143 options being considered, and provide the most cost-effective
 4144 mitigation option. The mitigation plan shall be submitted to the
 4145 water management district governing board, or its designee, for
 4146 review and approval. At least 14 days prior to approval, the
 4147 water management district shall provide a copy of the draft
 4148 mitigation plan to any person who has requested a copy.

4149 (a) For each transportation project with a funding request
 4150 for the next fiscal year, the mitigation plan must include a
 4151 brief explanation of why a mitigation bank was or was not chosen
 4152 as a mitigation option, including an estimation of identifiable
 4153 costs of the mitigation bank and nonbank options to the extent
 4154 practicable.

4155 (b) Specific projects may be excluded from the mitigation
 4156 plan, in whole or in part, and are ~~shall~~ not ~~be~~ subject to this
 4157 section upon the election agreement of the Department of
 4158 Transportation, ~~or~~ a transportation authority if applicable, or
 4159 ~~and~~ the appropriate water management district ~~that the inclusion~~
 4160 ~~of such projects would hamper the efficiency or timeliness of~~
 4161 ~~the mitigation planning and permitting process. The water~~
 4162 ~~management district may choose to exclude a project in whole or~~
 4163 ~~in part if the district is unable to identify mitigation that~~
 4164 ~~would offset impacts of the project.~~

4165 (5) The water management district shall ensure ~~be~~
 4166 ~~responsible for ensuring~~ that mitigation requirements pursuant
 4167 to 33 U.S.C. s. 1344 are met for the impacts identified in the
 4168 environmental impact inventory described in subsection (2), by

4169 implementation of the approved plan described in subsection (4)
4170 to the extent funding is provided by the Department of
4171 Transportation, or a transportation authority established
4172 pursuant to chapter 348 or chapter 349, if applicable. During
4173 the federal permitting process, the water management district
4174 may deviate from the approved mitigation plan in order to comply
4175 with federal permitting requirements.

4176 Section 74. Section 479.28, Florida Statutes, is repealed.

4177 Section 75. The Department of Transportation may seek
4178 Federal Highway Administration approval of a tourist-oriented
4179 commerce sign pilot program for small businesses, as defined in
4180 s. 288.703, Florida Statutes, in rural areas of critical
4181 economic concern, as defined by s. 288.0656(2)(d) and (e),
4182 Florida Statutes. Upon Federal Highway Administration approval,
4183 the department shall submit the pilot program for legislative
4184 approval in the next regular legislative session.

4185 Section 76. There is established a pilot program for the
4186 Palm Beach County school district to recognize its business
4187 partners. The district may recognize its business partners by
4188 publicly displaying such business partners' names on school
4189 district property in the unincorporated areas of the county.
4190 Project graduation and athletic sponsorships are examples of
4191 appropriate recognition. The district shall make every effort to
4192 display its business partners' names in a manner that is
4193 consistent with the county standards for uniformity in size,
4194 color, and placement of signs. If the provisions of this section
4195 are inconsistent with county ordinances or regulations relating
4196 to signs in the unincorporated areas of the county or

4197 inconsistent with chapter 125 or chapter 166, Florida Statutes,
 4198 the provisions of this section prevail. The pilot program
 4199 expires June 30, 2014.

4200 Section 77. Effective upon this act becoming a law, all
 4201 administrative rules adopted by the former Pilotage Rate Review
 4202 Board, which were in effect upon the effective date of ss. 5 and
 4203 6, chapter 2010-225, Laws of Florida, are transferred by a type
 4204 two transfer, as defined in s. 20.06(2), Florida Statutes, to
 4205 the Pilotage Rate Review Committee of the Board of Pilot
 4206 Commissioners and shall apply retroactively to the effective
 4207 date of ss. 5 and 6, chapter 2010-225, Laws of Florida.

4208 Section 78. The Florida Transportation Commission shall
 4209 conduct a study of the potential for cost savings that might be
 4210 realized through increased efficiencies through the sharing of
 4211 resources for the accomplishment of design, construction, and
 4212 maintenance activities by or on behalf of expressway authorities
 4213 in the state. The commission may retain such experts as are
 4214 reasonably necessary to complete the study, and the department
 4215 shall pay the expenses of such experts. The commission shall
 4216 complete the study and provide a written report of its findings
 4217 and conclusions to the Governor, the President of the Senate,
 4218 the Speaker of the House of Representatives, and the chairs of
 4219 each of the appropriations committees of the Legislature by
 4220 December 31, 2012. In conducting the study, the commission shall
 4221 seek input from the existing expressway authorities.

4222 Section 79. Notwithstanding s. 120.569, s. 120.57, or s.
 4223 373.427, Florida Statutes, or any other provision of law to the
 4224 contrary, a challenge to a consolidated environmental resource

4225 permit or any associated variance or any sovereign submerged
 4226 lands authorization proposed or issued by the Department of
 4227 Environmental Protection in connection with the state's
 4228 deepwater ports, as listed in s. 403.021(9), Florida Statutes,
 4229 shall be conducted pursuant to the summary hearing provisions of
 4230 s. 120.574, Florida Statutes; however, the summary proceeding
 4231 shall be conducted within 30 days after a party files a motion
 4232 for a summary hearing, regardless of whether the parties agree
 4233 to the summary proceeding, and the administrative law judge's
 4234 decision shall be in the form of a recommended order and does
 4235 not constitute final agency action of the department. The
 4236 Department of Environmental Protection shall issue the final
 4237 order within 45 working days after receipt of the administrative
 4238 law judge's recommended order. The summary hearing provisions of
 4239 this section apply to pending administrative proceedings;
 4240 however, s. 120.574(1)(b) and (d) and (2)(a)3. and 5., Florida
 4241 Statutes, do not apply to pending administrative proceedings.
 4242 This section shall take effect upon this act becoming a law.

4243 Section 80. It is the intent of the Legislature to
 4244 encourage and facilitate a review by the Pinellas Suncoast
 4245 Transit Authority (PSTA) and the Hillsborough Area Regional
 4246 Transit Authority (HART) in order to achieve improvements in
 4247 regional transit connectivity and implementation of operational
 4248 efficiencies and service enhancements that are consistent with
 4249 the regional approach to transit identified in the Tampa Bay
 4250 Area Regional Transportation Authority's (TBARTA's) Regional
 4251 Transportation Master Plan. The Legislature finds that such
 4252 improvements and efficiencies can best be achieved through a

4253 joint review, evaluation, and recommendations by the Pinellas
 4254 Suncoast Transit Authority and the Hillsborough Area Regional
 4255 Transit Authority.

4256 (1) The governing bodies or a designated subcommittee of
 4257 both the Pinellas Suncoast Transit Authority and the
 4258 Hillsborough Area Regional Transit Authority shall hold a joint
 4259 meeting within 30 days after July 1, 2012, and as often as
 4260 deemed necessary thereafter, in order to consider and identify
 4261 opportunities for greater efficiency and service improvements,
 4262 including specific methods for increasing service connectivity
 4263 between the jurisdictions of each agency. The elements to be
 4264 reviewed must also include:

4265 (a) Governance structure, including governing board
 4266 membership, terms, responsibilities, officers, powers, duties,
 4267 and responsibilities;

4268 (b) Funding options and implementation;

4269 (c) Facilities ownership and management;

4270 (d) Current financial obligations and resources; and

4271 (e) Actions to be taken that are consistent with the Tampa
 4272 Bay Area Regional Transportation Authority's master plan.

4273 (2) The Pinellas Suncoast Transit Authority and the
 4274 Hillsborough Area Regional Transit Authority shall jointly
 4275 submit a report to the Speaker of the House of Representatives
 4276 and the President of the Senate on the elements described in
 4277 this section by February 1, 2013. The report must include
 4278 proposed legislation to implement each recommendation and
 4279 specific recommendations concerning the reorganization of each

4280 agency, the organizational merger of both agencies, or the
 4281 consolidation of functions within and between each agency.

4282 (3) The Tampa Bay Area Regional Transportation Authority
 4283 shall assist and facilitate the Pinellas Suncoast Transit
 4284 Authority and the Hillsborough Area Regional Transit Authority
 4285 in carrying out the purposes of this section. The Tampa Bay Area
 4286 Regional Transportation Authority shall provide technical
 4287 assistance and information regarding its master plan, make
 4288 recommendations for achieving consistency and improved regional
 4289 connectivity, and provide support to the Pinellas Suncoast
 4290 Transit Authority and the Hillsborough Area Regional Transit
 4291 Authority in the preparation of their joint report and
 4292 recommendations to the Legislature. For this purpose, the
 4293 Pinellas Suncoast Transit Authority and the Hillsborough Area
 4294 Regional Transit Authority shall reimburse the Tampa Bay Area
 4295 Regional Transportation Authority for necessary and reasonable
 4296 expense in a total amount not to exceed \$100,000.

4297 Section 81. Subsection (7) of section 215.616, Florida
 4298 Statutes, is amended to read:

4299 215.616 State bonds for federal aid highway construction.—

4300 ~~(7) Up to \$325 million in bonds may be issued for the~~
 4301 ~~Mobility 2000 Initiative with emphasis on the Florida Intrastate~~
 4302 ~~Highway System to advance projects in the most cost-effective~~
 4303 ~~manner and to support emergency evacuation, improved access to~~
 4304 ~~urban areas, or the enhancement of trade and economic growth~~
 4305 ~~corridors of statewide and regional significance which promote~~
 4306 ~~Florida's economic growth.~~

4307 Section 82. Subsection (3) of section 288.063, Florida

4308 Statutes, is amended to read:
 4309 288.063 Contracts for transportation projects.-
 4310 (3) With respect to any contract executed pursuant to this
 4311 section, the term "transportation project" means a
 4312 transportation facility as defined in s. 334.03(30) ~~s.~~
 4313 ~~334.03(31)~~ which is necessary in the judgment of the department
 4314 to facilitate the economic development and growth of the state.
 4315 Such transportation projects shall be approved only as a
 4316 consideration to attract new employment opportunities to the
 4317 state or expand or retain employment in existing companies
 4318 operating within the state, or to allow for the construction or
 4319 expansion of a state or federal correctional facility in a
 4320 county having ~~with~~ a population of 75,000 or less that creates
 4321 new employment opportunities or expands or retains employment in
 4322 the county. The department shall institute procedures to ensure
 4323 that small and minority businesses have equal access to funding
 4324 provided under this section. Funding for approved transportation
 4325 projects may include any expenses, other than administrative
 4326 costs and equipment purchases specified in the contract,
 4327 necessary for new, or improvement to existing, transportation
 4328 facilities. Funds made available pursuant to this section may
 4329 not be expended in connection with the relocation of a business
 4330 from one community to another community in this state unless the
 4331 department determines that without such relocation the business
 4332 will move outside this state or determines that the business has
 4333 a compelling economic rationale for the relocation which creates
 4334 additional jobs. Subject to appropriation for projects under
 4335 this section, any appropriation greater than \$10 million shall

4336 be allocated to each of the districts of the Department of
 4337 Transportation to ensure equitable geographical distribution.
 4338 Such allocated funds that remain uncommitted by the third
 4339 quarter of the fiscal year shall be reallocated among the
 4340 districts based on pending project requests.

4341 Section 83. Subsection (2) of section 311.22, Florida
 4342 Statutes, is amended to read:

4343 311.22 Additional authorization for funding certain
 4344 dredging projects.—

4345 (2) The council shall adopt rules for evaluating the
 4346 projects that may be funded pursuant to this section. The rules
 4347 must provide criteria for evaluating the economic benefit of the
 4348 project. The rules must include the creation of an
 4349 administrative review process by the council which is similar to
 4350 the process described in s. 311.09(5)-(11) ~~s. 311.09(5)-(12)~~,
 4351 and provide for a review by the Department of Transportation and
 4352 the Department of Economic Opportunity of all projects submitted
 4353 for funding under this section.

4354 Section 84. Section 316.2122, Florida Statutes, is amended
 4355 to read:

4356 316.2122 Operation of a low-speed vehicle or mini truck on
 4357 certain roadways.—The operation of a low-speed vehicle as
 4358 defined in s. 320.01(42) or a mini truck as defined in s.
 4359 320.01(45) on any road ~~as defined in s. 334.03(15) or (33)~~ is
 4360 authorized with the following restrictions:

4361 (1) A low-speed vehicle or mini truck may be operated only
 4362 on streets where the posted speed limit is 35 miles per hour or
 4363 less. This does not prohibit a low-speed vehicle or mini truck

4364 from crossing a road or street at an intersection where the road
 4365 or street has a posted speed limit of more than 35 miles per
 4366 hour.

4367 (2) A low-speed vehicle must be equipped with headlamps,
 4368 stop lamps, turn signal lamps, taillamps, reflex reflectors,
 4369 parking brakes, rearview mirrors, windshields, seat belts, and
 4370 vehicle identification numbers.

4371 (3) A low-speed vehicle or mini truck must be registered
 4372 and insured in accordance with s. 320.02 and titled pursuant to
 4373 chapter 319.

4374 (4) Any person operating a low-speed vehicle or mini truck
 4375 must have in his or her possession a valid driver's license.

4376 (5) A county or municipality may prohibit the operation of
 4377 low-speed vehicles or mini trucks on any road under its
 4378 jurisdiction if the governing body of the county or municipality
 4379 determines that such prohibition is necessary in the interest of
 4380 safety.

4381 (6) The Department of Transportation may prohibit the
 4382 operation of low-speed vehicles or mini trucks on any road under
 4383 its jurisdiction if it determines that such prohibition is
 4384 necessary in the interest of safety.

4385 Section 85. Section 318.12, Florida Statutes, is amended
 4386 to read:

4387 318.12 Purpose.—It is the legislative intent in the
 4388 adoption of this chapter to decriminalize certain violations of
 4389 chapter 316, the Florida Uniform Traffic Control Law; chapter
 4390 320, Motor Vehicle Licenses; chapter 322, Drivers' Licenses;
 4391 chapter 338, Limited Access Florida Intrastate Highway System

4392 and Toll Facilities; and chapter 1006, Support of Learning,
 4393 thereby facilitating the implementation of a more uniform and
 4394 expeditious system for the disposition of traffic infractions.

4395 Section 86. Subsections (3) and (4) of section 320.20,
 4396 Florida Statutes, are amended to read:

4397 320.20 Disposition of license tax moneys.—The revenue
 4398 derived from the registration of motor vehicles, including any
 4399 delinquent fees and excluding those revenues collected and
 4400 distributed under the provisions of s. 320.081, must be
 4401 distributed monthly, as collected, as follows:

4402 (3) Notwithstanding any other provision of law except
 4403 subsections (1) and (2), on July 1, 1996, and annually
 4404 thereafter, \$15 million shall be deposited in the State
 4405 Transportation Trust Fund solely for the purposes of funding the
 4406 Florida Seaport Transportation and Economic Development Program
 4407 as provided for in chapter 311. Such revenues shall be
 4408 distributed on a 50-50 matching basis to any port listed in s.
 4409 311.09(1) to be used for funding projects as described in s.
 4410 311.07(3) (b). Such revenues may be assigned, pledged, or set
 4411 aside as a trust for the payment of principal or interest on
 4412 bonds, tax anticipation certificates, or any other form of
 4413 indebtedness issued by an individual port or appropriate local
 4414 government having jurisdiction thereof, or collectively by
 4415 interlocal agreement among any of the ports, or used to purchase
 4416 credit support to permit such borrowings. However, such debt
 4417 shall not constitute a general obligation of the State of
 4418 Florida. The state does hereby covenant with holders of such
 4419 revenue bonds or other instruments of indebtedness issued

4420 hereunder that it will not repeal or impair or amend in any
4421 manner which will materially and adversely affect the rights of
4422 such holders so long as bonds authorized by this section are
4423 outstanding. Any revenues which are not pledged to the repayment
4424 of bonds as authorized by this section may be utilized for
4425 purposes authorized under the Florida Seaport Transportation and
4426 Economic Development Program. This revenue source is in addition
4427 to any amounts provided for and appropriated in accordance with
4428 s. 311.07. The Florida Seaport Transportation and Economic
4429 Development Council shall approve distribution of funds to ports
4430 for projects which have been approved pursuant to s. 311.09(5)-
4431 (8) ~~s. 311.09(5)-(9)~~. The council and the Department of
4432 Transportation may ~~are authorized to~~ perform such acts as are
4433 required to facilitate and implement ~~the provisions of~~ this
4434 subsection. To better enable the ports to cooperate to their
4435 mutual advantage, the governing body of each port may exercise
4436 powers provided to municipalities or counties in s. 163.01(7)(d)
4437 subject to the provisions of chapter 311 and special acts, if
4438 any, pertaining to a port. The use of funds provided pursuant to
4439 this subsection are limited to eligible projects listed in this
4440 subsection. Income derived from a project completed with the use
4441 of program funds, beyond operating costs and debt service, shall
4442 be restricted to further port capital improvements consistent
4443 with maritime purposes and for no other purpose. Use of such
4444 income for nonmaritime purposes is prohibited. ~~The provisions of~~
4445 ~~s. 311.07(4) do not apply to any funds received pursuant to this~~
4446 ~~subsection.~~ The revenues available under this subsection shall
4447 not be pledged to the payment of any bonds other than the

4448 Florida Ports Financing Commission Series 1996 and Series 1999
 4449 Bonds currently outstanding; provided, however, such revenues
 4450 may be pledged to secure payment of refunding bonds to refinance
 4451 the Florida Ports Financing Commission Series 1996 and Series
 4452 1999 Bonds. No refunding bonds secured by revenues available
 4453 under this subsection may be issued with a final maturity later
 4454 than the final maturity of the Florida Ports Financing
 4455 Commission Series 1996 and Series 1999 Bonds or which provide
 4456 for higher debt service in any year than is currently payable on
 4457 such bonds. Any revenue bonds or other indebtedness issued after
 4458 July 1, 2000, other than refunding bonds shall be issued by the
 4459 Division of Bond Finance at the request of the Department of
 4460 Transportation pursuant to the State Bond Act.

4461 (4) Notwithstanding any other provision of law except
 4462 subsections (1), (2), and (3), on July 1, 1999, and annually
 4463 thereafter, \$10 million shall be deposited in the State
 4464 Transportation Trust Fund solely for the purposes of funding the
 4465 Florida Seaport Transportation and Economic Development Program
 4466 as provided in chapter 311 and for funding seaport intermodal
 4467 access projects of statewide significance as provided in s.
 4468 341.053. Such revenues shall be distributed to any port listed
 4469 in s. 311.09(1), to be used for funding projects as follows:

4470 (a) For any seaport intermodal access projects that are
 4471 identified in the 1997-1998 Tentative Work Program of the
 4472 Department of Transportation, up to the amounts needed to offset
 4473 the funding requirements of this section.

4474 (b) For seaport intermodal access projects as described in
 4475 s. 341.053(5) that are identified in the 5-year Florida Seaport

4476 Mission Plan as provided in s. 311.09(3). Funding for such
 4477 projects shall be on a matching basis as mutually determined by
 4478 the Florida Seaport Transportation and Economic Development
 4479 Council and the Department of Transportation, provided a minimum
 4480 of 25 percent of total project funds shall come from any port
 4481 funds, local funds, private funds, or specifically earmarked
 4482 federal funds.

4483 (c) On a 50-50 matching basis for projects as described in
 4484 s. 311.07(3)(b).

4485 (d) For seaport intermodal access projects that involve
 4486 the dredging or deepening of channels, turning basins, or
 4487 harbors; or the rehabilitation of wharves, docks, or similar
 4488 structures. Funding for such projects shall require a 25 percent
 4489 match of the funds received pursuant to this subsection.
 4490 Matching funds shall come from any port funds, federal funds,
 4491 local funds, or private funds.

4492
 4493 Such revenues may be assigned, pledged, or set aside as a trust
 4494 for the payment of principal or interest on bonds, tax
 4495 anticipation certificates, or any other form of indebtedness
 4496 issued by an individual port or appropriate local government
 4497 having jurisdiction thereof, or collectively by interlocal
 4498 agreement among any of the ports, or used to purchase credit
 4499 support to permit such borrowings. However, such debt shall not
 4500 constitute a general obligation of the state. This state does
 4501 hereby covenant with holders of such revenue bonds or other
 4502 instruments of indebtedness issued hereunder that it will not
 4503 repeal or impair or amend this subsection in any manner which

4504 will materially and adversely affect the rights of holders so
 4505 long as bonds authorized by this subsection are outstanding. Any
 4506 revenues that are not pledged to the repayment of bonds as
 4507 authorized by this section may be utilized for purposes
 4508 authorized under the Florida Seaport Transportation and Economic
 4509 Development Program. This revenue source is in addition to any
 4510 amounts provided for and appropriated in accordance with s.
 4511 311.07 and subsection (3). The Florida Seaport Transportation
 4512 and Economic Development Council shall approve distribution of
 4513 funds to ports for projects that have been approved pursuant to
 4514 s. 311.09(5)-(8) ~~s. 311.09(5)-(9)~~, or for seaport intermodal
 4515 access projects identified in the 5-year Florida Seaport Mission
 4516 Plan as provided in s. 311.09(3) and mutually agreed upon by the
 4517 Florida Seaport Transportation and Economic Development ~~FSTED~~
 4518 Council and the Department of Transportation. All contracts for
 4519 actual construction of projects authorized by this subsection
 4520 must include a provision encouraging employment of participants
 4521 in the welfare transition program. The goal for employment of
 4522 participants in the welfare transition program is 25 percent of
 4523 all new employees employed specifically for the project, unless
 4524 the Department of Transportation and the Florida Seaport
 4525 Transportation and Economic Development Council demonstrate that
 4526 such a requirement would severely hamper the successful
 4527 completion of the project. In such an instance, Workforce
 4528 Florida, Inc., shall establish an appropriate percentage of
 4529 employees that must be participants in the welfare transition
 4530 program. The council and the Department of Transportation may
 4531 ~~are authorized to~~ perform such acts as are required to

4532 facilitate and implement the provisions of this subsection. To
4533 better enable the ports to cooperate to their mutual advantage,
4534 the governing body of each port may exercise powers provided to
4535 municipalities or counties in s. 163.01(7)(d) subject to the
4536 provisions of chapter 311 and special acts, if any, pertaining
4537 to a port. The use of funds provided pursuant to this subsection
4538 is limited to eligible projects listed in this subsection. ~~The~~
4539 ~~provisions of s. 311.07(4) do not apply to any funds received~~
4540 ~~pursuant to this subsection.~~ The revenues available under this
4541 subsection shall not be pledged to the payment of any bonds
4542 other than the Florida Ports Financing Commission Series 1996
4543 and Series 1999 Bonds currently outstanding; provided, however,
4544 such revenues may be pledged to secure payment of refunding
4545 bonds to refinance the Florida Ports Financing Commission Series
4546 1996 and Series 1999 Bonds. No refunding bonds secured by
4547 revenues available under this subsection may be issued with a
4548 final maturity later than the final maturity of the Florida
4549 Ports Financing Commission Series 1996 and Series 1999 Bonds or
4550 which provide for higher debt service in any year than is
4551 currently payable on such bonds. Any revenue bonds or other
4552 indebtedness issued after July 1, 2000, other than refunding
4553 bonds shall be issued by the Division of Bond Finance at the
4554 request of the Department of Transportation pursuant to the
4555 State Bond Act.

4556 Section 87. Subsection (3) of section 335.02, Florida
4557 Statutes, is amended to read:

4558 335.02 Authority to designate transportation facilities
4559 and rights-of-way and establish lanes; procedure for

4560 | redesignation and relocation; application of local regulations.—

4561 | (3) The department may establish standards for lanes on
 4562 | the State Highway System, including the Strategic Intermodal
 4563 | System highway corridors ~~Florida Intrastate Highway System~~
 4564 | established pursuant to s. 339.65 ~~s. 338.001~~. In determining the
 4565 | number of lanes for any regional corridor or section of highway
 4566 | on the State Highway System to be funded by the department with
 4567 | state or federal funds, the department shall evaluate all
 4568 | alternatives and seek to achieve the highest degree of efficient
 4569 | mobility for corridor users. In conducting the analysis, the
 4570 | department must give consideration to the following factors
 4571 | consistent with sound engineering principles:

4572 | (a) Overall economic importance of the corridor as a trade
 4573 | or tourism corridor.

4574 | (b) Safety of corridor users, including the importance of
 4575 | the corridor for evacuation purposes.

4576 | (c) Cost-effectiveness of alternative methods of
 4577 | increasing the mobility of corridor users.

4578 | (d) Current and projected traffic volumes on the corridor.

4579 | (e) Multimodal alternatives.

4580 | (f) Use of intelligent transportation technology in
 4581 | increasing the efficiency of the corridor.

4582 | (g) Compliance with state and federal policies related to
 4583 | clean air, environmental impacts, growth management, livable
 4584 | communities, and energy conservation.

4585 | (h) Addition of special use lanes, such as exclusive truck
 4586 | lanes, high-occupancy-vehicle toll lanes, and exclusive
 4587 | interregional traffic lanes.

4588 (i) Availability and cost of rights-of-way, including
 4589 associated costs, and the most effective use of existing rights-
 4590 of-way.

4591 (j) Regional economic and transportation objectives, where
 4592 articulated.

4593 (k) The future land use plan element of local government
 4594 comprehensive plans, as appropriate, including designated urban
 4595 infill and redevelopment areas.

4596 (l) The traffic circulation element, if applicable, of
 4597 local government comprehensive plans, including designated
 4598 transportation corridors and public transportation corridors.

4599 (m) The approved metropolitan planning organization's
 4600 long-range transportation plan, as appropriate.

4601
 4602 This subsection does not preclude a number of lanes in excess of
 4603 10 lanes, but an additional factor that must be considered
 4604 before the department may determine that the number of lanes
 4605 should be more than 10 is the capacity to accommodate in the
 4606 future alternative forms of transportation within existing or
 4607 potential rights-of-way.

4608 Section 88. Subsection (2) of section 338.222, Florida
 4609 Statutes, is amended to read:

4610 338.222 Department of Transportation sole governmental
 4611 entity to acquire, construct, or operate turnpike projects;
 4612 exception.—

4613 (2) The department may contract with any local
 4614 governmental entity as defined in s. 334.03(13) ~~s. 334.03(14)~~
 4615 for the design, right-of-way acquisition, or construction of any

4616 | turnpike project which the Legislature has approved. Local
 4617 | governmental entities may negotiate with the department for the
 4618 | design, right-of-way acquisition, and construction of any
 4619 | section of the turnpike project within areas of their respective
 4620 | jurisdictions or within counties with which they have interlocal
 4621 | agreements.

4622 | Section 89. Subsection (6) of section 339.285, Florida
 4623 | Statutes, is amended to read:

4624 | 339.285 Enhanced Bridge Program for Sustainable
 4625 | Transportation.—

4626 | (6) Preference shall be given to bridge projects located
 4627 | on corridors that connect to the Strategic Intermodal System,
 4628 | created under s. 339.64, and that have been identified as
 4629 | regionally significant in accordance with s. 339.155(4)(c), (d),
 4630 | and (e) ~~s. 339.155(5)(c), (d), and (e).~~

4631 | Section 90. Subsection (2) of section 341.053, Florida
 4632 | Statutes, is amended to read:

4633 | 341.053 Intermodal Development Program; administration;
 4634 | eligible projects; limitations.—

4635 | (2) In recognition of the department's role in the
 4636 | economic development of this state, the department shall develop
 4637 | a proposed intermodal development plan to connect Florida's
 4638 | airports, deepwater seaports, rail systems serving both
 4639 | passenger and freight, and major intermodal connectors to the
 4640 | Strategic Intermodal System highway corridors ~~Florida Intrastate~~
 4641 | ~~Highway System facilities~~ as the primary system for the movement
 4642 | of people and freight in this state in order to make the
 4643 | intermodal development plan a fully integrated and

4644 interconnected system. The intermodal development plan must:

4645 (a) Define and assess the state's freight intermodal
4646 network, including airports, seaports, rail lines and terminals,
4647 intercity bus lines and terminals, and connecting highways.

4648 (b) Prioritize statewide infrastructure investments,
4649 including the acceleration of current projects, which are found
4650 by the Freight Stakeholders Task Force to be priority projects
4651 for the efficient movement of people and freight.

4652 (c) Be developed in a manner that will assure maximum use
4653 of existing facilities and optimum integration and coordination
4654 of the various modes of transportation, including both
4655 government-owned and privately owned resources, in the most
4656 cost-effective manner possible.

4657 Section 91. Subsection (2) of section 341.8225, Florida
4658 Statutes, is amended to read:

4659 341.8225 Department of Transportation sole governmental
4660 entity to acquire, construct, or operate high-speed rail
4661 projects; exception.—

4662 (2) Local governmental entities, as defined in s.
4663 334.03(13) ~~s. 334.03(14)~~, may negotiate with the department for
4664 the design, right-of-way acquisition, and construction of any
4665 component of the high-speed rail system within areas of their
4666 respective jurisdictions or within counties with which they have
4667 interlocal agreements.

4668 Section 92. Subsection (2) of section 403.7211, Florida
4669 Statutes, is amended to read:

4670 403.7211 Hazardous waste facilities managing hazardous
4671 wastes generated offsite; federal facilities managing hazardous

4672 waste.-

4673 (2) The department may ~~shall~~ not issue any permit under s.
 4674 403.722 for the construction, initial operation, or substantial
 4675 modification of a facility for the disposal, storage, or
 4676 treatment of hazardous waste generated offsite which is proposed
 4677 to be located in any of the following locations:

4678 (a) Any area where life-threatening concentrations of
 4679 hazardous substances could accumulate at any residence or
 4680 residential subdivision as the result of a catastrophic event at
 4681 the proposed facility, unless each such residence or residential
 4682 subdivision is served by at least one arterial road or urban
 4683 minor arterial road, as determined under the procedures
 4684 referenced in s. 334.03(10) ~~defined in s. 334.03~~, which provides
 4685 safe and direct egress by land to an area where such life-
 4686 threatening concentrations of hazardous substances could not
 4687 accumulate in a catastrophic event. Egress by any road leading
 4688 from any residence or residential subdivision to any point
 4689 located within 1,000 yards of the proposed facility is unsafe
 4690 for the purposes of this paragraph. In determining whether
 4691 egress proposed by the applicant is safe and direct, the
 4692 department shall also consider, at a minimum, the following
 4693 factors:

4694 1. Natural barriers such as water bodies, and whether any
 4695 road in the proposed evacuation route is impaired by a natural
 4696 barrier such as a water body.†

4697 2. Potential exposure during egress and potential
 4698 increases in the duration of exposure.†

4699 3. Whether any road in a proposed evacuation route passes

4700 in close proximity to the facility. ~~and~~

4701 4. Whether any portion of the evacuation route is
4702 inherently directed toward the facility.

4703 (b) Any location within 1,500 yards of any hospital,
4704 prison, school, nursing home facility, day care facility,
4705 stadium, place of assembled worship, or any other similar site
4706 where individuals are routinely confined or assembled in such a
4707 manner that reasonable access to immediate evacuation is likely
4708 to be unavailable. ~~and~~

4709 (c) Any location within 1,000 yards of any residence. ~~or~~

4710 (d) Any location which is inconsistent with rules adopted
4711 by the department under this part.

4712

4713 For the purposes of this subsection, all distances shall be
4714 measured from the outer limit of the active hazardous waste
4715 management area. "Substantial modification" includes: any
4716 physical change in, change in the operations of, or addition to
4717 a facility which could increase the potential offsite impact, or
4718 risk of impact, from a release at that facility; and any change
4719 in permit conditions which is reasonably expected to lead to
4720 greater potential impacts or risks of impacts, from a release at
4721 that facility. "Substantial modification" does not include a
4722 change in operations, structures, or permit conditions which
4723 does not substantially increase either the potential impact
4724 from, or the risk of, a release. Physical or operational changes
4725 to a facility related solely to the management of nonhazardous
4726 waste at the facility is ~~shall not be~~ considered a substantial
4727 modification. The department shall, by rule, adopt criteria to

4728 determine whether a facility has been substantially modified.
 4729 "Initial operation" means the initial commencement of operations
 4730 at the facility.

4731 Section 93. Subsection (27) of section 479.01, Florida
 4732 Statutes, is amended to read:

4733 479.01 Definitions.—As used in this chapter, the term:

4734 (27) "Urban area" has the same meaning as defined in s.
 4735 334.03(31) ~~s. 334.03(32)~~.

4736 Section 94. Subsection (1) of section 479.07, Florida
 4737 Statutes, is amended to read:

4738 479.07 Sign permits.—

4739 (1) Except as provided in ss. 479.105(1)(e) and 479.16, a
 4740 person may not erect, operate, use, or maintain, or cause to be
 4741 erected, operated, used, or maintained, any sign on the State
 4742 Highway System outside an urban area, as defined in s.
 4743 334.03(31) ~~s. 334.03(32)~~, or on any portion of the interstate or
 4744 federal-aid primary highway system without first obtaining a
 4745 permit for the sign from the department and paying the annual
 4746 fee as provided in this section. As used in this section, the
 4747 term "on any portion of the State Highway System, interstate, or
 4748 federal-aid primary system" means a sign located within the
 4749 controlled area which is visible from any portion of the main-
 4750 traveled way of such system.

4751 Section 95. Subsection (5) of section 479.261, Florida
 4752 Statutes, is amended to read:

4753 479.261 Logo sign program.—

4754 (5) At a minimum, permit fees for businesses that
 4755 participate in the program must be established in an amount

4756 sufficient to offset the total cost to the department for the
4757 program, including contract costs. The department shall provide
4758 the services in the most efficient and cost-effective manner
4759 through department staff or by contracting for some or all of
4760 the services. The department shall adopt rules that set
4761 reasonable rates based upon factors such as population, traffic
4762 volume, market demand, and costs for annual permit fees.
4763 However, annual permit fees for sign locations inside an urban
4764 area, as defined in s. 334.03(31) ~~s. 334.03(32)~~, may not exceed
4765 \$3,500, and annual permit fees for sign locations outside an
4766 urban area, as defined in s. 334.03(31) ~~s. 334.03(32)~~, may not
4767 exceed \$2,000. After recovering program costs, the proceeds from
4768 the annual permit fees shall be deposited into the State
4769 Transportation Trust Fund and used for transportation purposes.

4770 Section 96. Pembroke Park Boulevard designated; Department
4771 of Transportation to erect suitable markers.-

4772 (1) That portion of State Road 858/Hallandale Beach
4773 Boulevard between Interstate 95/State Road 9 and S.W. 56th
4774 Avenue in Broward County is designated as "Pembroke Park
4775 Boulevard."

4776 (2) The Department of Transportation is directed to erect
4777 suitable markers designating Pembroke Park Boulevard as
4778 described in subsection (1).

4779 Section 97. Paragraph (d) of subsection (1) of section
4780 316.0083, Florida Statutes, is amended to read:

4781 316.0083 Mark Wandall Traffic Safety Program;
4782 administration; report.-

4783 (1)

4784 (d)1. The owner of the motor vehicle involved in the
 4785 violation is responsible and liable for paying the uniform
 4786 traffic citation issued for a violation of s. 316.074(1) or s.
 4787 316.075(1)(c)1. when the driver failed to stop at a traffic
 4788 signal, unless the owner can establish that:

4789 a. The motor vehicle passed through the intersection in
 4790 order to yield right-of-way to an emergency vehicle or as part
 4791 of a funeral procession;

4792 b. The motor vehicle passed through the intersection at
 4793 the direction of a law enforcement officer;

4794 c. The motor vehicle was, at the time of the violation, in
 4795 the care, custody, or control of another person; ~~or~~

4796 d. A uniform traffic citation was issued by a law
 4797 enforcement officer to the driver of the motor vehicle for the
 4798 alleged violation of s. 316.074(1) or s. 316.075(1)(c)1.; or

4799 e. The motor vehicle's owner was deceased on or before the
 4800 date that the uniformed traffic citation was issued as
 4801 established by an affidavit submitted by the representative of
 4802 the motor vehicle owner's estate or other designated person or
 4803 family member.

4804 2. In order to establish such facts, the owner of the
 4805 motor vehicle shall, within 30 days after the date of issuance
 4806 of the traffic citation, furnish to the appropriate governmental
 4807 entity an affidavit setting forth detailed information
 4808 supporting an exemption as provided in this paragraph.

4809 a. An affidavit supporting an exemption under sub-
 4810 subparagraph 1.c. must include the name, address, date of birth,
 4811 and, if known, the driver's license number of the person who

4812 leased, rented, or otherwise had care, custody, or control of
4813 the motor vehicle at the time of the alleged violation. If the
4814 vehicle was stolen at the time of the alleged offense, the
4815 affidavit must include the police report indicating that the
4816 vehicle was stolen.

4817 b. If a traffic citation for a violation of s. 316.074(1)
4818 or s. 316.075(1)(c)1. was issued at the location of the
4819 violation by a law enforcement officer, the affidavit must
4820 include the serial number of the uniform traffic citation.

4821 c. If the motor vehicle's owner to whom a traffic citation
4822 has been issued is deceased, the affidavit must include a
4823 certified copy of the owner's death certificate showing that the
4824 date of death occurred on or before the issuance of the uniform
4825 traffic citation and one of the following:

4826 (I) A bill of sale or other document showing that the
4827 deceased owner's motor vehicle was sold after his or her death
4828 but on or before the date of the alleged violation.

4829 (II) Documentary proof that the registered license plate
4830 belonging to the deceased owner's vehicle was returned to the
4831 department or any branch office or authorized agent of the
4832 department on or before the date of the alleged violation.

4833 (III) A copy of a police report showing the deceased
4834 owner's registered license plate or motor vehicle was stolen
4835 after the owner's death but on or before the date of the alleged
4836 violation.

4837
4838 Upon receipt of the affidavit and documentation required under
4839 this sub-subparagraph, the governmental entity must dismiss the

4840 citation and provide proof of such dismissal to the person that
 4841 submitted the affidavit.

4842 3. Upon receipt of an affidavit, the person designated as
 4843 having care, custody, and control of the motor vehicle at the
 4844 time of the violation may be issued a traffic citation for a
 4845 violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver
 4846 failed to stop at a traffic signal. The affidavit is admissible
 4847 in a proceeding pursuant to this section for the purpose of
 4848 providing proof that the person identified in the affidavit was
 4849 in actual care, custody, or control of the motor vehicle. The
 4850 owner of a leased vehicle for which a traffic citation is issued
 4851 for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when the
 4852 driver failed to stop at a traffic signal is not responsible for
 4853 paying the traffic citation and is not required to submit an
 4854 affidavit as specified in this subsection if the motor vehicle
 4855 involved in the violation is registered in the name of the
 4856 lessee of such motor vehicle.

4857 4. The submission of a false affidavit is a misdemeanor of
 4858 the second degree, punishable as provided in s. 775.082 or s.
 4859 775.083.

4860 Section 98. Subsection (2) of section 348.753, Florida
 4861 Statutes, is amended to read:

4862 348.753 Orlando-Orange County Expressway Authority.-

4863 (2) The governing body of the authority shall consist of
 4864 five members. Four ~~Three~~ members shall be citizens of Orange
 4865 County, who shall be appointed by the Governor. ~~The fourth~~
 4866 ~~member shall be, ex officio, the chair of the County~~
 4867 ~~Commissioners of Orange County,~~ and the fifth member shall be,

4868 ex officio, the district secretary of the Department of
 4869 Transportation serving in the district that contains Orange
 4870 County. The term of each appointed member shall be for 4 years.
 4871 Each appointed member shall hold office until his or her
 4872 successor has been appointed and has qualified. A vacancy
 4873 occurring during a term shall be filled only for the balance of
 4874 the unexpired term. Each appointed member of the authority shall
 4875 be a person of outstanding reputation for integrity,
 4876 responsibility, and business ability, but no person who is an
 4877 officer or employee of any city or of Orange County in any other
 4878 capacity shall be an appointed member of the authority. Any
 4879 member of the authority shall be eligible for reappointment.

4880 However, no member may be appointed who:

4881 (a) Is a local government elected official;

4882 (b) Has received campaign contributions related to any
 4883 local government election within the previous 2 years; or

4884 (c) Currently serves as a member of the Greater Orlando
 4885 Aviation Authority.

4886 Section 99. Section 320.089, Florida Statutes, is amended
 4887 to read:

4888 320.089 Members of National Guard and active United States
 4889 Armed Forces reservists; former prisoners of war; survivors of
 4890 Pearl Harbor; Purple Heart medal recipients; Operation Iraqi
 4891 Freedom and Operation Enduring Freedom Veterans; Combat Infantry
 4892 Badge or Combat Action Badge recipients; special license plates;
 4893 fee.—

4894 (1) (a) Each owner or lessee of an automobile or truck for
 4895 private use or recreational vehicle as specified in s.

4896 320.08(9)(c) or (d), which is not used for hire or commercial
 4897 use, who is a resident of the state and an active or retired
 4898 member of the Florida National Guard, a survivor of the attack
 4899 on Pearl Harbor, a recipient of the Purple Heart medal, ~~or~~ an
 4900 active or retired member of any branch of the United States
 4901 Armed Forces Reserve, or a recipient of the Combat Infantry
 4902 Badge or Combat Action Badge shall, upon application to the
 4903 department, accompanied by proof of active membership or retired
 4904 status in the Florida National Guard, proof of membership in the
 4905 Pearl Harbor Survivors Association or proof of active military
 4906 duty in Pearl Harbor on December 7, 1941, proof of being a
 4907 Purple Heart medal recipient, ~~or~~ proof of active or retired
 4908 membership in any branch of the Armed Forces Reserve, or proof
 4909 of membership in the Combat Infantrymen's Association, Inc., or
 4910 other proof of being a recipient of the Combat Infantry Badge or
 4911 Combat Action Badge, and upon payment of the license tax for the
 4912 vehicle as provided in s. 320.08, be issued a license plate as
 4913 provided by s. 320.06, upon which, in lieu of the serial numbers
 4914 prescribed by s. 320.06, shall be stamped the words "National
 4915 Guard," "Pearl Harbor Survivor," "Combat-wounded veteran," ~~or~~
 4916 "U.S. Reserve," "Combat Infantry Badge," or "Combat Action
 4917 Badge" as appropriate, followed by the serial number of the
 4918 license plate. Additionally, the Purple Heart plate may have the
 4919 words "Purple Heart" stamped on the plate and the likeness of
 4920 the Purple Heart medal appearing on the plate.

4921 (b) Notwithstanding any other provision of law to the
 4922 contrary, beginning with fiscal year 2002-2003 and annually
 4923 thereafter, the first \$100,000 in general revenue generated from

4924 the sale of license plates issued under this section shall be
 4925 deposited into the Grants and Donations Trust Fund, as described
 4926 in s. 296.38(2), to be used for the purposes established by law
 4927 for that trust fund. Any additional general revenue generated
 4928 from the sale of such plates shall be deposited into the State
 4929 Homes for Veterans Trust Fund and used solely to construct,
 4930 operate, and maintain domiciliary and nursing homes for
 4931 veterans, subject to the requirements of chapter 216.

4932 (c) Notwithstanding any provisions of law to the contrary,
 4933 an applicant for a Pearl Harbor Survivor license plate or a
 4934 Purple Heart license plate who also qualifies for a disabled
 4935 veteran's license plate under s. 320.084 shall be issued the
 4936 appropriate special license plate without payment of the license
 4937 tax imposed by s. 320.08.

4938 (2) Each owner or lessee of an automobile or truck for
 4939 private use, truck weighing not more than 7,999 pounds, or
 4940 recreational vehicle as specified in s. 320.08(9)(c) or (d),
 4941 which is not used for hire or commercial use, who is a resident
 4942 of the state and who is a former prisoner of war, or their
 4943 unremarried surviving spouse, shall, upon application therefor
 4944 to the department, be issued a license plate as provided in s.
 4945 320.06, on which license plate are stamped the words "Ex-POW"
 4946 followed by the serial number. Each application shall be
 4947 accompanied by proof that the applicant meets the qualifications
 4948 specified in paragraph (a) or paragraph (b).

4949 (a) A citizen of the United States who served as a member
 4950 of the Armed Forces of the United States or the armed forces of
 4951 a nation allied with the United States who was held as a

4952 prisoner of war at such time as the Armed Forces of the United
 4953 States were engaged in combat, or their unremarried surviving
 4954 spouse, may be issued the special license plate provided for in
 4955 this subsection without payment of the license tax imposed by s.
 4956 320.08.

4957 (b) A person who was serving as a civilian with the
 4958 consent of the United States Government, or a person who was a
 4959 member of the Armed Forces of the United States who was not a
 4960 United States citizen and was held as a prisoner of war when the
 4961 Armed Forces of the United States were engaged in combat, or
 4962 their unremarried surviving spouse, may be issued the special
 4963 license plate provided for in this subsection upon payment of
 4964 the license tax imposed by s. 320.08.

4965 (3) Each owner or lessee of an automobile or truck for
 4966 private use, truck weighing not more than 7,999 pounds, or
 4967 recreational vehicle as specified in s. 320.08(9)(c) or (d),
 4968 which is not used for hire or commercial use, who is a resident
 4969 of this state and who is the unremarried surviving spouse of a
 4970 recipient of the Purple Heart medal shall, upon application
 4971 therefor to the department, with the payment of the required
 4972 fees, be issued a license plate as provided in s. 320.06, on
 4973 which license plate are stamped the words "Purple Heart" and the
 4974 likeness of the Purple Heart medal followed by the serial
 4975 number. Each application shall be accompanied by proof that the
 4976 applicant is the unremarried surviving spouse of a recipient of
 4977 the Purple Heart medal.

4978 (4) The owner or lessee of an automobile or truck for
 4979 private use, a truck weighing not more than 7,999 pounds, or a

4980 recreational vehicle as specified in s. 320.08(9)(c) or (d)
 4981 which automobile, truck, or recreational vehicle is not used for
 4982 hire or commercial use who is a resident of the state and a
 4983 current or former member of the United States military who was
 4984 deployed and served in Iraq during Operation Iraqi Freedom or in
 4985 Afghanistan during Operation Enduring Freedom shall, upon
 4986 application to the department, accompanied by proof of active
 4987 membership or former active duty status during one of these
 4988 operations, and upon payment of the license tax for the vehicle
 4989 as provided in s. 320.08, be issued a license plate as provided
 4990 by s. 320.06 upon which, in lieu of the registration license
 4991 number prescribed by s. 320.06, shall be stamped the words
 4992 "Operation Iraqi Freedom" or "Operation Enduring Freedom," as
 4993 appropriate, followed by the registration license number of the
 4994 plate.

4995 Section 100. Subsection (10) is added to section 338.165,
 4996 Florida Statutes, to read:

4997 338.165 Continuation of tolls.—

4998 (10) The department's Beachline-East Expressway may be
 4999 transferred by the department and become part of the turnpike
 5000 system under the Florida Turnpike Enterprise Law. Any funds
 5001 expended by Florida Turnpike Enterprise for the acquisition of
 5002 the Beachline-East Expressway shall be deposited into the State
 5003 Transportation Trust Fund, and, notwithstanding any other law to
 5004 the contrary, such funds shall first be allocated by the
 5005 department to fund the department's obligation to construct the
 5006 Wekiva Parkway. The term "Wekiva Parkway" means a limited access
 5007 highway or expressway constructed between State Road 429 and

5008 Interstate 4 specifically incorporating the corridor alignment
 5009 recommended by Recommendation 2 of the Wekiva River Basin Area
 5010 Task Force final report dated January 15, 2003, and the
 5011 recommendations of the SR 429 Working Group which were adopted
 5012 January 16, 2004, and related transportation facilities.

5013 Section 101. Section 348.7546, Florida Statutes, is
 5014 amended to read:

5015 348.7546 Wekiva Parkway, construction authorized;
 5016 financing. ~~Notwithstanding s. 338.2275,~~

5017 (1) The Orlando-Orange County Expressway Authority is
 5018 hereby authorized to exercise its condemnation powers and to
 5019 construct, finance, operate, own, and maintain those portions of
 5020 the Wekiva Parkway which are identified by agreement between the
 5021 authority and the department and which are included as part of
 5022 the authority's long-range capital improvement plan. The "Wekiva
 5023 Parkway" means any limited access highway or expressway
 5024 constructed between State Road 429 and Interstate 4 specifically
 5025 incorporating the corridor alignment recommended by
 5026 Recommendation 2 of the Wekiva River Basin Area Task Force final
 5027 report dated January 15, 2003, and the recommendations of the SR
 5028 429 Working Group which ~~that~~ were adopted January 16, 2004. This
 5029 project may be financed with any funds available to the
 5030 authority for such purpose or revenue bonds issued by the
 5031 authority under s. 11, Art. VII of the State Constitution and s.
 5032 348.755(1)(b). This section does not invalidate the exercise by
 5033 the authority of its condemnation powers or the acquisition of
 5034 any property for the Wekiva Parkway before July 1, 2012.

5035 (2) Notwithstanding any other provision of law to the
5036 contrary, in order to ensure that funds are available to the
5037 department for its portion of the Wekiva Parkway, beginning July
5038 1, 2012, the authority shall repay the expenditures by the
5039 department for costs of operation and maintenance of the
5040 Orlando-Orange County Expressway System in accordance with the
5041 terms of the memorandum of understanding between the authority
5042 and the department ratified by the authority board on February
5043 22, 2012, which requires the authority to pay the department \$10
5044 million on July 1, 2012, and \$20 million on each successive July
5045 1 until the department has been fully reimbursed for all costs
5046 of the Orlando-Orange County Expressway System which were paid,
5047 advanced, or reimbursed to the authority by the department, with
5048 a final payment in the amount of the balance remaining.
5049 Notwithstanding any other law to the contrary, the funds paid to
5050 the department pursuant to this subsection shall be allocated by
5051 the department for construction of the Wekiva Parkway.

5052 (3) The department's obligation to construct its portions
5053 of the Wekiva Parkway is contingent upon the timely payment by
5054 the authority of the annual payments required of the authority
5055 and receipt of all required environmental permits and approvals
5056 by the Federal Government.

5057 Section 102. Subsections (6) is added to section 348.755,
5058 Florida Statutes, to read:

5059 348.755 Bonds of the authority.—

5060 (6) Notwithstanding any other provision of law to the
5061 contrary, on and after July 1, 2012, the authority may not issue
5062 any bonds except as permitted under the terms of the memorandum

5063 of understanding between the authority and the department
5064 ratified by the authority board on February 22, 2012.

5065 Section 103. Subsections (8) and (9) are added to section
5066 348.757, Florida Statutes, to read:

5067 348.757 Lease-purchase agreement.—

5068 (8) The only lease-purchase agreement authorized by this
5069 section is the lease-purchase agreement between the department
5070 and the authority dated December 23, 1985, as supplemented by a
5071 first supplement to the lease-purchase agreement dated November
5072 25, 1986, and a second supplement to the lease-purchase
5073 agreement dated October 27, 1988.

5074 (9) Upon the earlier of the defeasance, redemption, or
5075 payment in full of the authority bonds issued before July 1,
5076 2012, or the earlier date to which the purchasers of the
5077 authority bonds have consented:

5078 (a) The obligations of the department under the lease-
5079 purchase agreement with the authority, including any obligation
5080 to pay any cost of operation, maintenance, repair, or
5081 rehabilitation of the expressway system, terminate;

5082 (b) The lease purchase agreement terminates;

5083 (c) The expressway system remains the property of the
5084 authority and may not be transferred to the department; and

5085 (d) The authority remains obligated to reimburse the
5086 department in accordance with the terms of the memorandum of
5087 understanding between the authority and the department ratified
5088 by the authority board on February 22, 2012.

5089 Section 104. Subsections (2) and (5) of section 369.317,
5090 Florida Statutes, are amended to read:

5091 369.317 Wekiva Parkway.—

5092 (2) The Wekiva Parkway and related transportation
 5093 facilities shall follow the design criteria contained in the
 5094 recommendations of the Wekiva River Basin Area Task Force
 5095 adopted by reference by the Wekiva River Basin Coordinating
 5096 Committee in its final report of March 16, 2004, and the
 5097 recommendations of the Wekiva Coordinating Committee contained
 5098 in its final report of March 16, 2004, subject to reasonable
 5099 environmental, economic, and engineering considerations. For
 5100 those activities associated with the Wekiva Parkway and related
 5101 transportation facilities which require authorization pursuant
 5102 to part IV of chapter 373, the Department of Environmental
 5103 Protection is the exclusive permitting authority.

5104 (5) In Seminole County, ~~the Seminole County Expressway~~
 5105 ~~Authority,~~ the Department of Transportation, ~~and the Florida~~
 5106 ~~Turnpike Enterprise~~ shall locate the precise corridor and
 5107 interchanges for the Wekiva Parkway consistent with the
 5108 legislative intent expressed in this act and other provisions of
 5109 this act.

5110 Section 105. Vehicles equipped with autonomous technology;
 5111 intent.—

5112 (1) As used in this section, the term "autonomous
 5113 technology" means technology installed on a motor vehicle that
 5114 has the capability to drive the vehicle on which the technology
 5115 is installed without the active control or monitoring by a human
 5116 operator. The term excludes a motor vehicle enabled with active
 5117 safety systems or driver assistance systems, including, without
 5118 limitation, a system to provide electronic blind spot

5119 assistance, crash avoidance, emergency braking, parking
5120 assistance, adaptive cruise control, lane keep assistance, lane
5121 departure warning, or traffic jam and queuing assistant, unless
5122 any such system alone or in combination with other systems
5123 enables the vehicle on which the technology is installed to
5124 drive without the active control or monitoring by a human
5125 operator.

5126 (2) It is the intent of the Legislature to encourage the
5127 safe development, testing, and operation of motor vehicles with
5128 autonomous technology on the public roads of the state. The
5129 Legislature finds that the state does not prohibit or
5130 specifically regulate the testing or operation of autonomous
5131 technology in motor vehicles on public roads.

5132 Section 106. Subsection (89) is added to section 316.003,
5133 Florida Statutes, to read:

5134 316.003 Definitions.—The following words and phrases, when
5135 used in this chapter, shall have the meanings respectively
5136 ascribed to them in this section, except where the context
5137 otherwise requires:

5138 (89) AUTONOMOUS VEHICLE.—Any vehicle equipped with
5139 autonomous technology. The term "autonomous technology" means
5140 technology installed on a motor vehicle that has the capability
5141 to drive the vehicle on which the technology is installed
5142 without the active control or monitoring by a human operator.
5143 The term excludes a motor vehicle enabled with active safety
5144 systems or driver assistance systems, including, without
5145 limitation, a system to provide electronic blind spot
5146 assistance, crash avoidance, emergency braking, parking

5147 assistance, adaptive cruise control, lane keep assistance, lane
5148 departure warning, or traffic jam and queuing assistant, unless
5149 any such system alone or in combination with other systems
5150 enables the vehicle on which the technology is installed to
5151 drive without the active control or monitoring by a human
5152 operator.

5153 Section 107. Section 316.85, Florida Statutes, is created
5154 to read:

5155 316.85 Autonomous vehicles; operation.—

5156 (1) A person who possesses a valid driver license may
5157 operate an autonomous vehicle in autonomous mode.

5158 (2) For purposes of this chapter, unless the context
5159 otherwise requires, a person shall be deemed to be the operator
5160 of an autonomous vehicle operating in autonomous mode when the
5161 person causes the vehicle's autonomous technology to engage,
5162 regardless of whether the person is physically present in the
5163 vehicle while the vehicle is operating in autonomous mode.

5164 Section 108. Section 319.145, Florida Statutes, is created
5165 to read:

5166 319.145 Autonomous vehicles.—

5167 (1) An autonomous vehicle registered in this state must
5168 continue to meet federal standards and regulations for a motor
5169 vehicle. The vehicle shall:

5170 (a) Have a means to engage and disengage the autonomous
5171 technology which is easily accessible to the operator.

5172 (b) Have a means, inside the vehicle, to visually indicate
5173 when the vehicle is operating in autonomous mode.

5174 (c) Have a means to alert the operator of the vehicle if a
5175 technology failure affecting the ability of the vehicle to
5176 safely operate autonomously is detected while the vehicle is
5177 operating autonomously in order to indicate to the operator to
5178 take control of the vehicle.

5179 (d) Be capable of being operated in compliance with the
5180 applicable traffic and motor vehicle laws of this state.

5181 (2) Federal regulations promulgated by the National
5182 Highway Traffic Safety Administration shall supersede this
5183 section when found to be in conflict with this section.

5184 Section 109. (1) Vehicles equipped with autonomous
5185 technology may be operated on roads in this state by employees,
5186 contractors, or other persons designated by manufacturers of
5187 autonomous technology for the purpose of testing the technology.
5188 For testing purposes, a human operator shall be present in the
5189 autonomous vehicle such that he or she has the ability to
5190 monitor the vehicle's performance and intervene, if necessary,
5191 unless the vehicle is being tested or demonstrated on a closed
5192 course. Prior to the start of testing in this state, the entity
5193 performing the testing must submit to the Department of Highway
5194 Safety and Motor Vehicles an instrument of insurance, surety
5195 bond, or proof of self-insurance acceptable to the department in
5196 the amount of \$5 million.

5197 (2) The original manufacturer of a vehicle converted by a
5198 third party into an autonomous vehicle shall not be liable in,
5199 and shall have a defense to and be dismissed from, any legal
5200 action brought against the original manufacturer by any person
5201 injured due to an alleged vehicle defect caused by the

5202 conversion of the vehicle, or by equipment installed by the
 5203 converter, unless the alleged defect was present in the vehicle
 5204 as originally manufactured.

5205 (3) By February 12, 2014, the Department of Highway Safety
 5206 and Motor Vehicles shall submit a report to the President of the
 5207 Senate and the Speaker of the House of Representatives
 5208 recommending additional legislative or regulatory action that
 5209 may be required for the safe testing and operation of motor
 5210 vehicles equipped with autonomous technology.

5211 Section 110. St. Pete Crosstown designated; Department of
 5212 Transportation to erect suitable markers.-

5213 (1) That portion of 118th Avenue North/County Road 296
 5214 between U.S.19/S.R. 55 and 28th Street North/County Road 683 in
 5215 Pinellas County is designated as the "St. Pete Crosstown."

5216 (2) The Department of Transportation is directed to erect
 5217 suitable markers designating the St. Pete Crosstown as described
 5218 in subsection (1).

5219 Section 111. Except as otherwise expressly provided in
 5220 this act and except for this section, which shall take effect
 5221 upon this act becoming a law, this act shall take effect July 1,
 5222 2012.