



683886

LEGISLATIVE ACTION

Senate	.	House
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Floor: WD/2R	.	
04/16/2013 12:08 PM	.	
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Senator Diaz de la Portilla moved the following:

**Senate Amendment (with title amendment)**

Between lines 141 and 142  
insert:

Section 2. Subsection (6) is added to section 335.0415,  
Florida Statutes, to read:

335.0415 Public road jurisdiction and transfer process.—  
(6) Notwithstanding the provisions of subsections (1)-(5)  
or any other provision of law to the contrary, it is the intent  
of the Legislature that, as a pilot program, the City of Miami  
be provided and assume certain responsibilities for the  
maintenance of State Road 5/Brickell Avenue/Biscayne Boulevard



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13 within defined limits in the City of Miami.

14 (a) The department shall enter into an interlocal agreement  
15 with the City of Miami which must provide that the City of Miami  
16 be responsible for street cleaning, landscaping, and maintenance  
17 of the right-of-way of State Road 5/Brickell Avenue/Biscayne  
18 Boulevard, from its intersection with Interstate 95 to its  
19 intersection with Northeast 15th Street, excluding the Brickell  
20 Bridge and its approaches, for a 5-year period. The interlocal  
21 agreement must:

22 1. Contain performance measures to ensure that the facility  
23 and landscaping are maintained in accordance with applicable  
24 department standards.

25 2. Require the city to meet or exceed the performance  
26 measures as a condition of payment by the department for the  
27 work performed by the city.

28 3. Indemnify and hold the department harmless from any  
29 liability arising out of the city's exercise of, or failure to  
30 exercise, the transferred responsibilities.

31 (b) During the final year of the 5-year pilot program, the  
32 Florida Transportation Commission shall conduct a study to  
33 evaluate the effectiveness and benefits of the pilot program.  
34 The commission may retain such experts as are reasonably  
35 necessary to complete the study, and the department shall pay  
36 the expenses of such experts. The commission shall complete the  
37 study within 60 days after the end of the 5-year pilot program  
38 and shall provide a written report of its findings and  
39 conclusions to the Governor, the President of the Senate, the  
40 Speaker of the House of Representatives, and the chairs of each  
41 of the appropriations committees of the Legislature.



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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Between lines 4 and 5

insert:

s. 335.0415, F.S.; creating a pilot program in the City of Miami to transfer department responsibilities for public road maintenance to the city; requiring the department to enter into an interlocal agreement with the City of Miami; specifying requirements of the interlocal agreement; requiring the Florida Transportation Commission to conduct a study at the conclusion of the pilot program and provide the study to the Governor and the Legislature; requiring the department to pay the expenses of the study's experts; amending