



161946

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/03/2014	.	
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The Committee on Transportation (Evers) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 163.3206, Florida Statutes, is created
to read:

163.3206 Fuel terminals.-

(1) It is the intent of the Legislature to maintain,
encourage, and ensure adequate and reliable fuel terminal
infrastructure in this state. Fuel terminals are a critical



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11 component of fuel storage and distribution. The ability to
12 receive, store, and distribute fuel is essential to the state's
13 economy and to the health, safety, welfare, and quality of life
14 of residents and visitors. It is essential that fuel terminal
15 infrastructure be constructed and maintained in various
16 locations in order to ensure the efficient and reliable
17 transportation and delivery of an adequate quantity of fuel
18 throughout the state.

19 (2) As used in this section, the term:

20 (a) "Fuel" means any of the following:

21 1. Alternative fuel as defined in s. 525.01.

22 2. Aviation fuel as defined in s. 206.9815.

23 3. Diesel fuel as defined in s. 206.86.

24 4. Gas as defined in s. 206.9925.

25 5. Motor fuel as defined in s. 206.01.

26 6. Natural gas fuel as defined in s. 206.9951.

27 7. Oil as defined in s. 206.9925.

28 8. Petroleum fuel as defined in s. 525.01.

29 9. Petroleum product as defined in s. 206.9925.

30 (b) "Fuel terminal" means a storage and distribution
31 facility for fuel, supplied by pipeline or marine vessel, which
32 has the capacity to receive and store a bulk transfer of fuel,
33 is equipped with a loading rack through which fuel is physically
34 transferred into tanker trucks or rail cars, and which is
35 registered with the Internal Revenue Service as a terminal.

36 (3) After July 1, 2014, a local government may not amend
37 its comprehensive plan, land use map, zoning districts, or land
38 development regulations in a manner that would conflict with a
39 fuel terminal's classification as a permitted and allowable use,



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40 including, but not limited to, an amendment that causes a fuel
41 terminal to be a nonconforming use, structure, or development.

42 (4) In the event of damage to or destruction of a fuel
43 terminal as a result of a natural disaster or other catastrophe,
44 a local government shall allow the timely repair of the fuel
45 terminal to the capacity of the fuel terminal as it existed
46 before the natural disaster or catastrophe.

47 (5) This section does not limit the authority of a local
48 government to adopt, implement, modify, and enforce applicable
49 federal and state requirements for fuel terminals, including
50 safety and building standards, and local safety and building
51 standards. However, the exercise of local authority may not
52 conflict with federal or state safety and security requirements
53 for fuel terminals.

54 Section 2. This act shall take effect July 1, 2014.

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

57 And the title is amended as follows:

58 Delete everything before the enacting clause
59 and insert:

60 A bill to be entitled
61 An act relating to fuel terminals; creating s.
62 163.3206, F.S.; providing legislative intent; defining
63 terms; prohibiting a local government from amending
64 its local comprehensive plan, land use map, zoning
65 districts, or land development regulations to make a
66 fuel terminal a nonconforming use under the provisions
67 thereof; requiring a local government to allow the
68 repair of a fuel terminal damaged or destroyed by a



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natural disaster or other catastrophe; providing
applicability; providing an effective date.