

By the Committee on Transportation; and Senator Brandes

596-01969-15

20151186c1

1 A bill to be entitled
2 An act relating to transportation; amending s.
3 260.0144, F.S.; providing that certain commercial
4 sponsorship may be displayed on state greenway and
5 trail facilities not included within the Shared-Use
6 Nonmotorized Trail Network; deleting provisions
7 relating to the authorization of sponsored state
8 greenways and trails at specified facilities or
9 property; amending s. 316.003, F.S.; making technical
10 changes; amending s. 316.303, F.S.; providing
11 exceptions to the prohibition of certain television-
12 type receiving equipment and certain electronic
13 displays in vehicles; amending s. 316.515, F.S.;
14 authorizing the Department of Transportation to permit
15 truck tractor-semitrailer combinations where the total
16 number of overwidth deliveries of manufactured
17 buildings may be reduced by the transport of multiple
18 sections or single units on an overlength trailer of
19 no more than a specified length under certain
20 circumstances; amending s. 335.065, F.S.; deleting
21 provisions relating to certain commercial sponsorship
22 displays on multiuse trails and related facilities;
23 deleting provisions relating to funding a statewide
24 system of interconnected multiuse trails; creating s.
25 335.21, F.S.; requiring the governing body of any
26 independent special district created to regulate the
27 operation of public vehicles on public highways to
28 consist of a certain number of members; providing
29 appointment requirements for such members; amending s.

596-01969-15

20151186c1

30 338.231, F.S.; deleting provisions relating to using
31 the revenues from the turnpike system to pay the
32 principal and interest of a specified series of bonds
33 and certain expenses of the Sawgrass Expressway;
34 amending s. 339.175, F.S.; requiring certain long-
35 range transportation plans to include assessment of
36 capital investment and other measures necessary to
37 make the most efficient use of existing transportation
38 facilities to improve safety; requiring the
39 assessments to include consideration of infrastructure
40 and technological improvements necessary to
41 accommodate advances in vehicle technology; amending
42 s. 339.64, F.S.; requiring the Department of
43 Transportation to coordinate with certain partners and
44 industry representatives to consider infrastructure
45 and technological improvements necessary to
46 accommodate advances in vehicle technology in
47 Strategic Intermodal System facilities; requiring the
48 Strategic Intermodal System Plan to include a needs
49 assessment regarding such infrastructure and
50 technological improvements; creating s. 339.81, F.S.;
51 creating the Florida Shared-Use Nonmotorized Trail
52 Network; specifying the composition, purpose, and
53 requirements of the network; authorizing the
54 department certain powers related to planning,
55 development, operation, and maintenance of the
56 network; creating s. 339.82, F.S.; requiring the
57 department to develop a Shared-Use Nonmotorized Trail
58 Network Plan; creating s. 339.83, F.S.; creating a

596-01969-15

20151186c1

59 trail sponsorship program, subject to certain
60 requirements and restrictions; repealing s. 341.0532,
61 F.S., relating to statewide transportation corridors;
62 creating s. 341.1025, F.S.; authorizing a public
63 transit provider to enter into agreements with a
64 transportation network company for the provision of
65 certain transit services; defining the term
66 "transportation network company"; providing a
67 directive to the Division of Law Revision and
68 Information; creating s. 345.0001, F.S.; providing a
69 short title; creating s. 345.0002, F.S.; defining
70 terms; creating s. 345.0003, F.S.; authorizing certain
71 counties to form the Northwest Florida Regional
72 Transportation Finance Authority to construct,
73 maintain, or operate transportation projects in a
74 given region of the state; specifying procedural
75 requirements; creating s. 345.0004, F.S.; specifying
76 the powers and duties of the authority, subject to
77 certain restrictions; requiring that the authority
78 comply with certain reporting and documentation
79 requirements; creating s. 345.0005, F.S.; authorizing
80 the issuing of bonds on behalf of the authority under
81 the State Bond Act and by the authority itself;
82 specifying requirements and restrictions for such
83 bonds under certain circumstances; creating s.
84 345.0006, F.S.; providing rights and remedies of
85 bondholders; creating s. 345.0007, F.S.; designating
86 the Department of Transportation as the agent of the
87 authority for specified purposes; authorizing the

596-01969-15

20151186c1

88 administration and management of projects by the
89 department; limiting the powers of the department as
90 an agent; establishing the fiscal responsibilities of
91 the authority; creating s. 345.0008, F.S.; authorizing
92 the department to provide for or commit its resources
93 for the authority project or system, if approved by
94 the Legislature, subject to legislative budget request
95 procedures and prohibitions and appropriation
96 procedures; authorizing the payment of expenses
97 incurred by the department on behalf of the authority;
98 requiring the department to receive a share of the
99 revenue from the authority; providing calculations for
100 disbursement of revenues; creating s. 345.0009, F.S.;
101 authorizing the authority to acquire private or public
102 property and property rights for a project or plan;
103 establishing the rights and liabilities and remedial
104 actions relating to property acquired for a
105 transportation project or corridor; creating s.
106 345.001, F.S.; authorizing contracts between
107 governmental entities and the authority; creating s.
108 345.0011, F.S.; pledging that the state will not limit
109 or alter the vested rights of the authority or the
110 department with regard to any issued bonds or other
111 rights relating to the bonds if they affect the rights
112 of bondholders; creating s. 345.0012, F.S.; exempting
113 the authority from certain taxes and assessments;
114 providing exceptions; creating s. 345.0013, F.S.;
115 providing that bonds or obligations issued under this
116 chapter are legal investments for specified entities;

596-01969-15

20151186c1

117 creating s. 345.0014, F.S.; providing applicability;
118 directing the Commission for the Transportation
119 Disadvantaged, in cooperation with the Center for
120 Urban Transportation Research, to develop and
121 implement a pilot program with at least one community
122 transportation coordinator relating to the use of a
123 transportation network company as a transportation
124 operator; defining the term "transportation network
125 company"; specifying requirements and restrictions of
126 the pilot program; requiring the commission to present
127 a report to the chairs of the appropriate Senate and
128 House committees by a certain date; providing
129 legislative findings and intent relating to
130 transportation funding; directing the Center for Urban
131 Transportation Research to conduct a study on
132 implementing a system in this state which charges
133 drivers based on their vehicle miles traveled as an
134 alternative to the present fuel tax structure to fund
135 transportation projects; specifying requirements of
136 the study; requiring that the findings of the study be
137 presented to the Legislature by a certain date;
138 directing the center in consultation with the Florida
139 Transportation Commission to establish the framework
140 for a pilot project that will evaluate the feasibility
141 of implementing a system that charges drivers based on
142 their vehicle miles traveled; specifying requirements
143 for the design of the pilot project framework;
144 authorizing the center to expend up to a certain
145 amount for the study and pilot project design

596-01969-15

20151186c1

146 contingent upon legislative appropriation; requiring
147 that the pilot project design be completed by a
148 certain date and submitted in a report to the
149 Legislature; providing an effective date.

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

152
153 Section 1. Section 260.0144, Florida Statutes, is amended
154 to read:

155 260.0144 Sponsorship of state greenways and trails.—The
156 department may enter into a concession agreement with a not-for-
157 profit entity or private sector business or entity for
158 commercial sponsorship to be displayed on state greenway and
159 trail facilities not included within the Shared-Use Nonmotorized
160 Trail Network established in chapter 339 ~~or property specified~~
161 ~~in this section~~. The department may establish the cost for
162 entering into a concession agreement.

163 (1) A concession agreement shall be administered by the
164 department and must include the requirements found in this
165 section.

166 (2) (a) Space for a commercial sponsorship display may be
167 provided through a concession agreement on certain state-owned
168 greenway or trail facilities or property.

169 (b) Signage or displays erected under this section shall
170 comply with the provisions of s. 337.407 and chapter 479, and
171 shall be limited as follows:

172 1. One large sign or display, not to exceed 16 square feet
173 in area, may be located at each trailhead or parking area.

174 2. One small sign or display, not to exceed 4 square feet

596-01969-15

20151186c1

175 in area, may be located at each designated trail public access
176 point.

177 (c) Before installation, each name or sponsorship display
178 must be approved by the department.

179 (d) The department shall ensure that the size, color,
180 materials, construction, and location of all signs are
181 consistent with the management plan for the property and the
182 standards of the department, do not intrude on natural and
183 historic settings, and contain only a logo selected by the
184 sponsor and the following sponsorship wording:

185
186 ... (Name of the sponsor) ... proudly sponsors the costs
187 of maintaining the ... (Name of the greenway or
188 trail)

189
190 ~~(e) Sponsored state greenways and trails are authorized at~~
191 ~~the following facilities or property:~~

- 192 1. ~~Florida Keys Overseas Heritage Trail.~~
193 2. ~~Blackwater Heritage Trail.~~
194 3. ~~Tallahassee St. Marks Historic Railroad State Trail.~~
195 4. ~~Nature Coast State Trail.~~
196 5. ~~Withlacoochee State Trail.~~
197 6. ~~General James A. Van Fleet State Trail.~~
198 7. ~~Palatka Lake Butler State Trail.~~

199 (e) ~~(f)~~ The department may enter into commercial sponsorship
200 agreements for other state greenways or trails as authorized in
201 this section. A qualified entity that desires to enter into a
202 commercial sponsorship agreement shall apply to the department
203 on forms adopted by department rule.

596-01969-15

20151186c1

204 (f)~~(g)~~ All costs of a display, including development,
205 construction, installation, operation, maintenance, and removal
206 costs, shall be paid by the concessionaire.

207 (3) A concession agreement shall be for a minimum of 1
208 year, but may be for a longer period under a multiyear
209 agreement, and may be terminated for just cause by the
210 department upon 60 days' advance notice. Just cause for
211 termination of a concession agreement includes, but is not
212 limited to, violation of the terms of the concession agreement
213 or any provision of this section.

214 (4) Commercial sponsorship pursuant to a concession
215 agreement is for public relations or advertising purposes of the
216 not-for-profit entity or private sector business or entity, and
217 may not be construed by that not-for-profit entity or private
218 sector business or entity as having a relationship to any other
219 actions of the department.

220 (5) This section does not create a proprietary or
221 compensable interest in any sign, display site, or location.

222 (6) Proceeds from concession agreements shall be
223 distributed as follows:

224 (a) Eighty-five percent shall be deposited into the
225 appropriate department trust fund that is the source of funding
226 for management and operation of state greenway and trail
227 facilities and properties.

228 (b) Fifteen percent shall be deposited into the State
229 Transportation Trust Fund for use in the Traffic and Bicycle
230 Safety Education Program and the Safe Paths to School Program
231 administered by the Department of Transportation.

232 (7) The department may adopt rules to administer this

596-01969-15

20151186c1

233 section.

234 Section 2. Subsection (90) of section 316.003, Florida
235 Statutes, is amended, present subsections (91) through (93) of
236 that section are redesignated as subsections (92) through (94),
237 respectively, and a new subsection (91) is added to that
238 section, to read:

239 316.003 Definitions.—The following words and phrases, when
240 used in this chapter, shall have the meanings respectively
241 ascribed to them in this section, except where the context
242 otherwise requires:

243 (90) AUTONOMOUS VEHICLE.—Any vehicle equipped with
244 autonomous technology. ~~The term "autonomous technology" means~~
245 ~~technology installed on a motor vehicle that has the capability~~
246 ~~to drive the vehicle on which the technology is installed~~
247 ~~without the active control or monitoring by a human operator.~~
248 The term excludes a motor vehicle enabled with active safety
249 systems or driver assistance systems, including, without
250 limitation, a system to provide electronic blind spot
251 assistance, crash avoidance, emergency braking, parking
252 assistance, adaptive cruise control, lane keep assistance, lane
253 departure warning, or traffic jam and queuing assistant, unless
254 any such system alone or in combination with other systems
255 enables the vehicle on which the technology is installed to
256 drive without the active control or monitoring by a human
257 operator.

258 (91) AUTONOMOUS TECHNOLOGY.—Technology installed on a motor
259 vehicle that has the capability to drive the vehicle on which
260 the technology is installed without the active control or
261 monitoring by a human operator.

596-01969-15

20151186c1

262 Section 3. Subsections (1) and (3) of section 316.303,
263 Florida Statutes, are amended to read:

264 316.303 Television receivers.—

265 (1) No motor vehicle operated on the highways of this state
266 shall be equipped with television-type receiving equipment so
267 located that the viewer or screen is visible from the driver's
268 seat, unless the vehicle is equipped with autonomous technology,
269 as defined in s. 316.003(91), and is being operated in
270 autonomous mode, as provided in s. 316.85(2).

271 (3) This section does not prohibit the use of an electronic
272 display used in conjunction with a vehicle navigation system or
273 an electronic display used by an operator of a vehicle equipped
274 with autonomous technology, as defined in s. 316.003(91), while
275 the vehicle is being operated in autonomous mode, as provided in
276 s. 316.85(2).

277 Section 4. Subsection (14) of section 316.515, Florida
278 Statutes, is amended to read:

279 316.515 Maximum width, height, length.—

280 (14) MANUFACTURED BUILDINGS.—The Department of
281 Transportation may, in its discretion and upon application and
282 good cause shown therefor that the same is not contrary to the
283 public interest, issue a special permit for truck tractor-
284 semitrailer combinations where the total number of overwidth
285 deliveries of manufactured buildings, as defined in s.
286 553.36(13), may be reduced by permitting the use of multiple
287 sections or single units on an overlength trailer of no more
288 than ~~80~~ 54 feet.

289 Section 5. Subsections (3) and (4) of section 335.065,
290 Florida Statutes, are amended to read:

596-01969-15

20151186c1

291 335.065 Bicycle and pedestrian ways along state roads and
292 transportation facilities.-

293 (3) The department, in cooperation with the Department of
294 Environmental Protection, shall establish a statewide integrated
295 system of bicycle and pedestrian ways in such a manner as to
296 take full advantage of any such ways which are maintained by any
297 governmental entity. ~~The department may enter into a concession
298 agreement with a not for profit entity or private sector
299 business or entity for commercial sponsorship displays on
300 multiuse trails and related facilities and use any concession
301 agreement revenues for the maintenance of the multiuse trails
302 and related facilities. Commercial sponsorship displays are
303 subject to the requirements of the Highway Beautification Act of
304 1965 and all federal laws and agreements, when applicable. For
305 the purposes of this section, bicycle facilities may be
306 established as part of or separate from the actual roadway and
307 may utilize existing road rights of way or other rights of way
308 or easements acquired for public use.~~

309 ~~(a) A concession agreement shall be administered by the
310 department and must include the requirements of this section.~~

311 ~~(b)1. Signage or displays erected under this section shall
312 comply with s. 337.407 and chapter 479 and shall be limited as
313 follows:~~

314 ~~a. One large sign or display, not to exceed 16 square feet
315 in area, may be located at each trailhead or parking area.~~

316 ~~b. One small sign or display, not to exceed 4 square feet
317 in area, may be located at each designated trail public access
318 point.~~

319 ~~2. Before installation, each name or sponsorship display~~

596-01969-15

20151186c1

320 ~~must be approved by the department.~~

321 ~~3. The department shall ensure that the size, color,~~
322 ~~materials, construction, and location of all signs are~~
323 ~~consistent with the management plan for the property and the~~
324 ~~standards of the department, do not intrude on natural and~~
325 ~~historic settings, and contain only a logo selected by the~~
326 ~~sponsor and the following sponsorship wording:~~

327
328 ~~... (Name of the sponsor) ... proudly sponsors the costs~~
329 ~~of maintaining the ... (Name of the greenway or~~
330 ~~trail) ...~~

331
332 ~~4. All costs of a display, including development,~~
333 ~~construction, installation, operation, maintenance, and removal~~
334 ~~costs, shall be paid by the concessionaire.~~

335 ~~(c) A concession agreement shall be for a minimum of 1~~
336 ~~year, but may be for a longer period under a multiyear~~
337 ~~agreement, and may be terminated for just cause by the~~
338 ~~department upon 60 days' advance notice. Just cause for~~
339 ~~termination of a concession agreement includes, but is not~~
340 ~~limited to, violation of the terms of the concession agreement~~
341 ~~or this section.~~

342 ~~(4) (a) The department may use appropriated funds to support~~
343 ~~the establishment of a statewide system of interconnected~~
344 ~~multiuse trails and to pay the costs of planning, land~~
345 ~~acquisition, design, and construction of such trails and related~~
346 ~~facilities. The department shall give funding priority to~~
347 ~~projects that:~~

348 ~~1. Are identified by the Florida Greenways and Trails~~

596-01969-15

20151186c1

349 ~~Council as a priority within the Florida Greenways and Trails~~
350 ~~System under chapter 260.~~

351 ~~2. Support the transportation needs of bicyclists and~~
352 ~~pedestrians.~~

353 ~~3. Have national, statewide, or regional importance.~~

354 ~~4. Facilitate an interconnected system of trails by~~
355 ~~completing gaps between existing trails.~~

356 ~~(b) A project funded under this subsection shall:~~

357 ~~1. Be included in the department's work program developed~~
358 ~~in accordance with s. 339.135.~~

359 ~~2. Be operated and maintained by an entity other than the~~
360 ~~department upon completion of construction. The department is~~
361 ~~not obligated to provide funds for the operation and maintenance~~
362 ~~of the project.~~

363 Section 6. Section 335.21, Florida Statutes, is created to
364 read:

365 335.21 Governing bodies of independent special districts
366 regulating the operation of public vehicles on public highways.—
367 Notwithstanding any provision of local law, the membership of
368 the governing body of any independent special district created
369 for the purpose of regulating the operation of public vehicles
370 upon the public highways under the jurisdiction of any such
371 independent special district shall consist of seven members.
372 Four members shall be appointed by the Governor, one member
373 shall be appointed by the governing body of the largest
374 municipality situated within the jurisdiction of the independent
375 special district, and two members shall be appointed by the
376 governing body of the county in which the independent special
377 district has jurisdiction. All appointees must be residents of

596-01969-15

20151186c1

378 the county in which the independent special district has
379 jurisdiction.

380 Section 7. Subsections (5) and (6) of section 338.231,
381 Florida Statutes, are amended to read:

382 338.231 Turnpike tolls, fixing; pledge of tolls and other
383 revenues.—The department shall at all times fix, adjust, charge,
384 and collect such tolls and amounts for the use of the turnpike
385 system as are required in order to provide a fund sufficient
386 with other revenues of the turnpike system to pay the cost of
387 maintaining, improving, repairing, and operating such turnpike
388 system; to pay the principal of and interest on all bonds issued
389 to finance or refinance any portion of the turnpike system as
390 the same become due and payable; and to create reserves for all
391 such purposes.

392 ~~(5) In each fiscal year while any of the bonds of the~~
393 ~~Broward County Expressway Authority series 1984 and series 1986~~
394 ~~remain outstanding, the department is authorized to pledge~~
395 ~~revenues from the turnpike system to the payment of principal~~
396 ~~and interest of such series of bonds and the operation and~~
397 ~~maintenance expenses of the Sawgrass Expressway, to the extent~~
398 ~~gross toll revenues of the Sawgrass Expressway are insufficient~~
399 ~~to make such payments. The terms of an agreement relative to the~~
400 ~~pledge of turnpike system revenue will be negotiated with the~~
401 ~~parties of the 1984 and 1986 Broward County Expressway Authority~~
402 ~~lease-purchase agreements, and subject to the covenants of those~~
403 ~~agreements. The agreement must establish that the Sawgrass~~
404 ~~Expressway is subject to the planning, management, and operating~~
405 ~~control of the department limited only by the terms of the~~
406 ~~lease-purchase agreements. The department shall provide for the~~

596-01969-15

20151186c1

407 ~~payment of operation and maintenance expenses of the Sawgrass~~
408 ~~Expressway until such agreement is in effect. This pledge of~~
409 ~~turnpike system revenues is subordinate to the debt service~~
410 ~~requirements of any future issue of turnpike bonds, the payment~~
411 ~~of turnpike system operation and maintenance expenses, and~~
412 ~~subject to any subsequent resolution or trust indenture relating~~
413 ~~to the issuance of such turnpike bonds.~~

414 (5)~~(6)~~ The use and disposition of revenues pledged to bonds
415 are subject to ss. 338.22-338.241 and such regulations as the
416 resolution authorizing the issuance of the bonds or such trust
417 agreement may provide.

418 Section 8. Paragraph (c) of subsection (7) of section
419 339.175, Florida Statutes, is amended to read:

420 339.175 Metropolitan planning organization.—

421 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must
422 develop a long-range transportation plan that addresses at least
423 a 20-year planning horizon. The plan must include both long-
424 range and short-range strategies and must comply with all other
425 state and federal requirements. The prevailing principles to be
426 considered in the long-range transportation plan are: preserving
427 the existing transportation infrastructure; enhancing Florida's
428 economic competitiveness; and improving travel choices to ensure
429 mobility. The long-range transportation plan must be consistent,
430 to the maximum extent feasible, with future land use elements
431 and the goals, objectives, and policies of the approved local
432 government comprehensive plans of the units of local government
433 located within the jurisdiction of the M.P.O. Each M.P.O. is
434 encouraged to consider strategies that integrate transportation
435 and land use planning to provide for sustainable development and

596-01969-15

20151186c1

436 reduce greenhouse gas emissions. The approved long-range
437 transportation plan must be considered by local governments in
438 the development of the transportation elements in local
439 government comprehensive plans and any amendments thereto. The
440 long-range transportation plan must, at a minimum:

441 (c) Assess capital investment and other measures necessary
442 to:

443 1. Ensure the preservation of the existing metropolitan
444 transportation system including requirements for the operation,
445 resurfacing, restoration, and rehabilitation of major roadways
446 and requirements for the operation, maintenance, modernization,
447 and rehabilitation of public transportation facilities; and

448 2. Make the most efficient use of existing transportation
449 facilities to relieve vehicular congestion, improve safety, and
450 maximize the mobility of people and goods. Such efforts shall
451 include, but not be limited to, consideration of infrastructure
452 and technological improvements necessary to accommodate advances
453 in vehicle technology, such as autonomous vehicle technology and
454 other developments.

455

456 In the development of its long-range transportation plan, each
457 M.P.O. must provide the public, affected public agencies,
458 representatives of transportation agency employees, freight
459 shippers, providers of freight transportation services, private
460 providers of transportation, representatives of users of public
461 transit, and other interested parties with a reasonable
462 opportunity to comment on the long-range transportation plan.

463 The long-range transportation plan must be approved by the
464 M.P.O.

596-01969-15

20151186c1

465 Section 9. Paragraph (c) is added to subsection (3) of
466 section 339.64, Florida Statutes, and paragraph (a) of
467 subsection (4) of that section is amended, to read:

468 339.64 Strategic Intermodal System Plan.—

469 (3)

470 (c) The department also shall coordinate with federal,
471 regional, and local partners, as well as industry
472 representatives, to consider infrastructure and technological
473 improvements necessary to accommodate advances in vehicle
474 technology, such as autonomous vehicle technology and other
475 developments, in Strategic Intermodal System facilities.

476 (4) The Strategic Intermodal System Plan shall include the
477 following:

478 (a) A needs assessment. Such assessment shall include, but
479 not be limited to, consideration of infrastructure and
480 technological improvements necessary to accommodate advances in
481 vehicle technology, such as autonomous vehicle technology and
482 other developments.

483 Section 10. Section 339.81, Florida Statutes, is created to
484 read:

485 339.81 Florida Shared-Use Nonmotorized Trail Network.—

486 (1) The Florida Shared-Use Nonmotorized Trail Network is
487 created as a component of the Florida Greenways and Trails
488 System established in chapter 260. The network consists of
489 multiuse trails or shared-use paths physically separated from
490 motor vehicle traffic and constructed with asphalt, concrete, or
491 another hard surface which, by virtue of design, location,
492 extent of connectivity or potential connectivity, and allowable
493 uses, provides nonmotorized transportation opportunities for

596-01969-15

20151186c1

494 bicyclists and pedestrians between and within a wide range of
495 points of origin and destinations, including, but not limited
496 to, communities, conservation areas, state parks, beaches, and
497 other natural or cultural attractions for a variety of trip
498 purposes, including work, school, shopping, and other personal
499 business, as well as social, recreational, and personal fitness
500 purposes.

501 (2) Network components do not include sidewalks, nature
502 trails, loop trails wholly within a single park or natural area,
503 or on-road facilities, such as bicycle lanes or routes other
504 than:

505 (a) On-road facilities that are no greater than one-half
506 mile in length connecting two or more nonmotorized trails, if
507 the provision of non-road facilities is unfeasible and if such
508 on-road facilities are signed and marked for nonmotorized use;
509 or

510 (b) On-road components of the Florida Keys Overseas
511 Heritage Trail.

512 (3) The department shall include a project to be
513 constructed as part of the Shared-Use Nonmotorized Trail Network
514 in its work program developed pursuant to s. 339.135.

515 (4) The planning, development, operation, and maintenance
516 of the Shared-Use Nonmotorized Trail Network is declared to be a
517 public purpose, and the department, together with other agencies
518 of this state and all counties, municipalities, and special
519 districts of this state, may spend public funds for such
520 purposes and may accept gifts and grants of funds, property, or
521 property rights from public or private sources to be used for
522 such purposes.

596-01969-15

20151186c1

523 (5) The department may enter into a memorandum of agreement
524 with a local government or other agency of the state to transfer
525 maintenance responsibilities of an individual network component.
526 The department may contract with a not-for-profit entity or
527 private sector business or entity to provide maintenance
528 services on an individual network component.

529 (6) The department may adopt rules to aid in the
530 development and maintenance of components of the network.

531 Section 11. Section 339.82, Florida Statutes, is created to
532 read:

533 339.82 Shared-Use Nonmotorized Trail Network Plan.—

534 (1) The department shall develop a Shared-Use Nonmotorized
535 Trail Network Plan in coordination with the Department of
536 Environmental Protection, metropolitan planning organizations,
537 affected local governments and public agencies, and the Florida
538 Greenways and Trails Council. The plan must be consistent with
539 the Florida Greenways and Trails Plan developed under s. 260.014
540 and must be updated at least once every 5 years.

541 (2) The Shared-Use Nonmotorized Trail Network Plan must
542 include all of the following:

543 (a) A needs assessment, including, but not limited to, a
544 comprehensive inventory and analysis of existing trails that may
545 be considered for inclusion in the Shared-Use Nonmotorized Trail
546 Network.

547 (b) A project prioritization process that includes
548 assigning funding priority to projects that:

549 1. Are identified by the Florida Greenways and Trails
550 Council as a priority within the Florida Greenways and Trails
551 System under chapter 260;

596-01969-15

20151186c1

552 2. Facilitate an interconnected network of trails by
553 completing gaps between existing facilities; and

554 3. Maximize use of federal, local, and private funding and
555 support mechanisms, including, but not limited to, donation of
556 funds, real property, and maintenance responsibilities.

557 (c) A map illustrating existing and planned facilities and
558 identifying critical gaps between facilities.

559 (d) A finance plan based on reasonable projections of
560 anticipated revenues, including both 5-year and 10-year cost-
561 feasible components.

562 (e) Performance measures that include quantifiable
563 increases in trail network access and connectivity.

564 (f) A timeline for the completion of the base network using
565 new and existing data from the department, the Department of
566 Environmental Protection, and other sources.

567 (g) A marketing plan prepared in consultation with the
568 Florida Tourism Industry Marketing Corporation.

569 Section 12. Section 339.83, Florida Statutes, is created to
570 read:

571 339.83 Sponsorship of Shared-Use Nonmotorized Trails.-

572 (1) The department may enter into a concession agreement
573 with a not-for-profit entity or private sector business or
574 entity for commercial sponsorship signs, pavement markings, and
575 exhibits on nonmotorized trails and related facilities
576 constructed as part of the Shared-Use Nonmotorized Trail
577 Network. The concession agreement may also provide for
578 recognition of trail sponsors in any brochure, map, or website
579 providing trail information. Trail websites may provide links to
580 sponsors. Revenue from such agreements may be used for the

596-01969-15

20151186c1

581 maintenance of the nonmotorized trails and related facilities.

582 (a) A concession agreement shall be administered by the
583 department.

584 (b)1. Signage, pavement markings, or exhibits erected
585 pursuant to this section must comply with s. 337.407 and chapter
586 479 and are limited as follows:

587 a. One large sign, pavement marking, or exhibit, not to
588 exceed 16 square feet in area, may be located at each trailhead
589 or parking area.

590 b. One small sign, pavement marking, or exhibit, not to
591 exceed 4 square feet in area, may be located at each designated
592 trail public access point where parking is not provided.

593 c. Pavement markings denoting specified distances must be
594 located at least 1 mile apart.

595 2. Before installation, each sign, pavement marking, or
596 exhibit must be approved by the department.

597 3. The department shall ensure that the size, color,
598 materials, construction, and location of all signs, pavement
599 markings, and exhibits are consistent with the management plan
600 for the property and the standards of the department, do not
601 intrude on natural and historic settings, and contain a logo
602 selected by the sponsor and the following sponsorship wording:

603
604 ...(Name of the sponsor)... proudly sponsors the costs
605 of maintaining the ...(Name of the greenway or
606 trail)....

607
608 4. Exhibits may provide additional information and
609 materials including, but not limited to, maps and brochures for

596-01969-15

20151186c1

610 trail user services related or proximate to the trail. Pavement
611 markings may display mile marker information.

612 5. The costs of a sign, pavement marking, or exhibit,
613 including development, construction, installation, operation,
614 maintenance, and removal costs, shall be paid by the
615 concessionaire.

616 (c) A concession agreement shall be for a minimum of 1
617 year, but may be for a longer period under a multiyear
618 agreement, and may be terminated for just cause by the
619 department upon 60 days' advance notice. Just cause for
620 termination of a concession agreement includes, but is not
621 limited to, violation of the terms of the concession agreement
622 or this section.

623 (2) Pursuant to s. 287.057, the department may contract for
624 the provision of services related to the trail sponsorship
625 program, including recruitment and qualification of businesses,
626 review of applications, permit issuance, and fabrication,
627 installation, and maintenance of signs, pavement markings, and
628 exhibits. The department may reject all proposals and seek
629 another request for proposals or otherwise perform the work. The
630 contract may allow the contractor to retain a portion of the
631 annual fees as compensation for its services.

632 (3) This section does not create a proprietary or
633 compensable interest in any sponsorship site or location for any
634 permittee, and the department may terminate permits or change
635 locations of sponsorship sites as it determines necessary for
636 construction or improvement of facilities.

637 (4) The department may adopt rules to establish
638 requirements for qualification of businesses, qualification and

596-01969-15

20151186c1

639 location of sponsorship sites, and permit applications and
640 processing. The department may adopt rules to establish other
641 criteria necessary to implement this section and to provide for
642 variances when necessary to serve the interest of the public or
643 when required to ensure equitable treatment of program
644 participants.

645 Section 13. Section 341.0532, Florida Statutes, is
646 repealed.

647 Section 14. Section 341.1025, Florida Statutes, is created
648 to read:

649 341.1025 Public transit providers; transportation network
650 company agreements for the provision of public transit service.—
651 A public transit provider may enter into agreements with a
652 transportation network company under which the transportation
653 network company provides paratransit or public transit service
654 on behalf of the provider. As used in this section, the term
655 “transportation network company” means an entity that uses a
656 digital or software application to connect passengers to
657 services provided by transportation network company drivers.

658 Section 15. The Division of Law Revision and Information is
659 directed to create chapter 345, Florida Statutes, consisting of
660 ss. 345.0001-345.0014, Florida Statutes, to be entitled the
661 “Northwest Florida Regional Transportation Finance Authority.”

662 Section 16. Section 345.0001, Florida Statutes, is created
663 to read:

664 345.0001 Short title.—This act may be cited as the
665 “Northwest Florida Regional Transportation Finance Authority
666 Act.”

667 Section 17. Section 345.0002, Florida Statutes, is created

596-01969-15

20151186c1

668 to read:

669 345.0002 Definitions.—As used in this chapter, the term:

670 (1) "Agency of the state" means the state and any
671 department of, or any corporation, agency, or instrumentality
672 created, designated, or established by, the state.

673 (2) "Area served" means Escambia County. However, upon a
674 contiguous county's consent to inclusion within the area served
675 by the authority and with the agreement of the authority, the
676 term shall also include the geographical area of such county
677 contiguous to Escambia County.

678 (3) "Authority" means the Northwest Florida Regional
679 Transportation Finance Authority, a body politic and corporate,
680 and an agency of the state, established under this chapter.

681 (4) "Bonds" means the notes, bonds, refunding bonds, or
682 other evidences of indebtedness or obligations, in temporary or
683 definitive form, which the authority may issue under this
684 chapter.

685 (5) "Department" means the Department of Transportation.

686 (6) "Division" means the Division of Bond Finance of the
687 State Board of Administration.

688 (7) "Federal agency" means the United States, the President
689 of the United States, and any department of, or any bureau,
690 corporation, agency, or instrumentality created, designated, or
691 established by, the United States Government.

692 (8) "Members" means the governing body of the authority,
693 and the term "member" means one of the individuals constituting
694 such governing body.

695 (9) "Regional system" or "system" means, generally, a
696 modern system of roads, bridges, causeways, tunnels, and mass

596-01969-15

20151186c1

697 transit services within the area of the authority, with access
698 limited or unlimited as the authority may determine, and the
699 buildings and structures and appurtenances and facilities
700 related to the system, including all approaches, streets, roads,
701 bridges, and avenues of access for the system.

702 (10) "Revenues" means the tolls, revenues, rates, fees,
703 charges, receipts, rentals, contributions, and other income
704 derived from or in connection with the operation or ownership of
705 a regional system, including the proceeds of any use and
706 occupancy insurance on any portion of the system, but excluding
707 state funds available to the authority and any other municipal
708 or county funds available to the authority under an agreement
709 with a municipality or county.

710 Section 18. Section 345.0003, Florida Statutes, is created
711 to read:

712 345.0003 Regional transportation finance authority
713 formation and membership.—

714 (1) Escambia County, alone or together with any consenting
715 contiguous county, may form a regional finance authority for the
716 purposes of constructing, maintaining, and operating
717 transportation projects in the northwest region of this state.
718 The authority shall be governed in accordance with this chapter.
719 The area served by the authority may not be expanded beyond
720 Escambia County without the approval of the county commission of
721 each contiguous county that will be a part of the authority.

722 (2) The governing body of the authority shall consist of a
723 board of voting members as follows:

724 (a) The county commission of each county in the area served
725 by the authority shall appoint two members. Each member must be

596-01969-15

20151186c1

726 a resident of the county from which he or she is appointed and,
727 if possible, must represent the business and civic interests of
728 the community.

729 (b) The Governor shall appoint an equal number of members
730 to the board as those appointed by the county commissions. The
731 members appointed by the Governor must be residents of the area
732 served by the authority.

733 (c) The district secretary of the department serving in the
734 district that includes Escambia County.

735 (3) The term of office of each member shall be for 4 years
736 or until his or her successor is appointed and qualified.

737 (4) A member may not hold an elected office during the term
738 of his or her membership.

739 (5) A vacancy occurring in the governing body before the
740 expiration of the member's term shall be filled for the
741 remainder of the unexpired term by the respective appointing
742 authority in the same manner as the original appointment.

743 (6) Before entering upon his or her official duties, each
744 member must take and subscribe to an oath before an official
745 authorized by law to administer oaths that he or she will
746 honestly, faithfully, and impartially perform the duties of his
747 or her office as a member of the governing body of the authority
748 and that he or she will not neglect any duties imposed on him or
749 her by this chapter.

750 (7) The Governor may remove from office a member of the
751 authority for misconduct, malfeasance, misfeasance, or
752 nonfeasance in office.

753 (8) Members of the authority shall designate a chair from
754 among the membership.

596-01969-15

20151186c1

755 (9) Members of the authority shall serve without
756 compensation, but are entitled to reimbursement for per diem and
757 other expenses in accordance with s. 112.061 while in
758 performance of their official duties.

759 (10) A majority of the members of the authority shall
760 constitute a quorum, and resolutions enacted or adopted by a
761 vote of a majority of the members present and voting at any
762 meeting are effective without publication, posting, or any
763 further action of the authority.

764 Section 19. Section 345.0004, Florida Statutes, is created
765 to read:

766 345.0004 Powers and duties.—

767 (1) The authority shall plan, develop, finance, construct,
768 reconstruct, improve, own, operate, and maintain a regional
769 system in the area served by the authority. The authority may
770 not exercise these powers with respect to an existing system for
771 transporting people and goods by any means that is owned by
772 another entity without the consent of that entity. If the
773 authority acquires, purchases, or inherits an existing entity,
774 the authority shall inherit and assume all rights, assets,
775 appropriations, privileges, and obligations of the existing
776 entity.

777 (2) The authority may exercise all powers necessary,
778 appurtenant, convenient, or incidental to the carrying out of
779 the purposes of this section, including, but not limited to, the
780 following rights and powers:

781 (a) To sue and be sued, implead and be impleaded, and
782 complain and defend in all courts in its own name.

783 (b) To adopt and use a corporate seal.

596-01969-15

20151186c1

784 (c) To have the power of eminent domain, including the
785 procedural powers granted under chapters 73 and 74.

786 (d) To acquire, purchase, hold, lease as a lessee, and use
787 any property, real, personal, or mixed, tangible or intangible,
788 or any interest therein, necessary or desirable for carrying out
789 the purposes of the authority.

790 (e) To sell, convey, exchange, lease, or otherwise dispose
791 of any real or personal property acquired by the authority,
792 including air rights, which the authority and the department
793 have determined is not needed for the construction, operation,
794 and maintenance of the system.

795 (f) To fix, alter, charge, establish, and collect rates,
796 fees, rentals, and other charges for the use of any system owned
797 or operated by the authority, which rates, fees, rentals, and
798 other charges must be sufficient to comply with any covenants
799 made with the holders of any bonds issued under this act. This
800 right and power may be assigned or delegated by the authority to
801 the department.

802 (g) To borrow money; to make and issue negotiable notes,
803 bonds, refunding bonds, and other evidences of indebtedness or
804 obligations, in temporary or definitive form, to finance all or
805 part of the improvement of the authority's system and
806 appurtenant facilities, including the approaches, streets,
807 roads, bridges, and avenues of access for the system and for any
808 other purpose authorized by this chapter, the bonds to mature no
809 more than 30 years after the date of the issuance; to secure the
810 payment of such bonds or any part thereof by a pledge of its
811 revenues, rates, fees, rentals, or other charges, including
812 municipal or county funds received by the authority under an

596-01969-15

20151186c1

813 agreement between the authority and a municipality or county;
814 and, in general, to provide for the security of the bonds and
815 the rights and remedies of the holders of the bonds. However,
816 municipal or county funds may not be pledged for the
817 construction of a project for which a toll is to be charged
818 unless the anticipated tolls are reasonably estimated by the
819 governing board of the municipality or county, on the date of
820 its resolution pledging the funds, to be sufficient to cover the
821 principal and interest of such obligations during the period
822 when the pledge of funds is in effect.

823 1. The authority shall reimburse a municipality or county
824 for sums spent from municipal or county funds used for the
825 payment of the bond obligations.

826 2. If the authority elects to fund or refund bonds issued
827 by the authority before the maturity of the bonds, the proceeds
828 of the funding or refunding bonds, pending the prior redemption
829 of the bonds to be funded or refunded, shall be invested in
830 direct obligations of the United States, and the outstanding
831 bonds may be funded or refunded by the issuance of bonds under
832 this chapter.

833 (h) To make contracts of every name and nature, including,
834 but not limited to, partnerships providing for participation in
835 ownership and revenues, and to execute each instrument necessary
836 or convenient for the conduct of its business.

837 (i) Without limitation of the foregoing, to cooperate with,
838 to accept grants from, and to enter into contracts or other
839 transactions with any federal agency, the state, or any agency
840 or any other public body of the state.

841 (j) To employ an executive director, attorney, staff, and

596-01969-15

20151186c1

842 consultants. Upon the request of the authority, the department
843 shall furnish the services of a department employee to act as
844 the executive director of the authority.

845 (k) To accept funds or other property from private
846 donations.

847 (l) To act and do things necessary or convenient for the
848 conduct of its business and the general welfare of the
849 authority, in order to carry out the powers granted to it by
850 this act or any other law.

851 (3) The authority may not pledge the credit or taxing power
852 of the state or a political subdivision or agency of the state.
853 Obligations of the authority may not be considered to be
854 obligations of the state or of any other political subdivision
855 or agency of the state. Except for the authority, the state or
856 any political subdivision or agency of the state is not liable
857 for the payment of the principal of or interest on such
858 obligations.

859 (4) The authority may not, other than by consent of the
860 affected county or an affected municipality, enter into an
861 agreement that would legally prohibit the construction of a road
862 by the county or the municipality.

863 (5) The authority shall comply with the statutory
864 requirements of general application which relate to the filing
865 of a report or documentation required by law, including the
866 requirements of ss. 189.015, 189.016, 189.051, and 189.08.

867 Section 20. Section 345.0005, Florida Statutes, is created
868 to read:

869 345.0005 Bonds.—

870 (1) Bonds may be issued on behalf of the authority pursuant

596-01969-15

20151186c1

871 to the State Bond Act in such principal amount as the authority
872 determines is necessary to achieve its corporate purposes,
873 including construction, reconstruction, improvement, extension,
874 and repair of the regional system; the acquisition cost of real
875 property; interest on bonds during construction and for a
876 reasonable period thereafter; and establishment of reserves to
877 secure bonds.

878 (2) Bonds issued on behalf of the authority under
879 subsection (1) must:

880 (a) Be authorized by resolution of the members of the
881 authority and bear such date or dates; mature at such time or
882 times not exceeding 30 years after their respective dates; bear
883 interest at a rate or rates not exceeding the maximum rate fixed
884 by general law for authorities; be in such denominations; be in
885 such form, either coupon or fully registered; carry such
886 registration, exchangeability, and interchangeability
887 privileges; be payable in such medium of payment and at such
888 place or places; be subject to such terms of redemption; and be
889 entitled to such priorities of lien on the revenues and other
890 available moneys as such resolution or any resolution after the
891 bonds' issuance provides.

892 (b) Be sold at public sale in the manner provided in the
893 State Bond Act. Temporary bonds or interim certificates may be
894 issued to the purchaser or purchasers of such bonds pending the
895 preparation of definitive bonds and may contain such terms and
896 conditions as determined by the authority.

897 (3) A resolution that authorizes bonds may specify
898 provisions that must be part of the contract with the holders of
899 the bonds as to:

596-01969-15

20151186c1

900 (a) The pledging of all or any part of the revenues,
901 available municipal or county funds, or other charges or
902 receipts of the authority derived from the regional system.

903 (b) The construction, reconstruction, improvement,
904 extension, repair, maintenance, and operation of the system, or
905 any part or parts of the system, and the duties and obligations
906 of the authority with reference thereto.

907 (c) Limitations on the purposes to which the proceeds of
908 the bonds, then or thereafter issued, or of any loan or grant by
909 any federal agency or the state or any political subdivision of
910 the state may be applied.

911 (d) The fixing, charging, establishing, revising,
912 increasing, reducing, and collecting of tolls, rates, fees,
913 rentals, or other charges for use of the services and facilities
914 of the system or any part of the system.

915 (e) The setting aside of reserves or sinking funds and the
916 regulation and disposition of such reserves or sinking funds.

917 (f) Limitations on the issuance of additional bonds.

918 (g) The terms of any deed of trust or indenture securing
919 the bonds, or under which the bonds may be issued.

920 (h) Any other or additional matters, of like or different
921 character, which in any way affect the security or protection of
922 the bonds.

923 (4) The authority may enter into deeds of trust,
924 indentures, or other agreements with banks or trust companies
925 within or without the state, as security for such bonds, and
926 may, under such agreements, assign and pledge any of the
927 revenues and other available moneys, including any available
928 municipal or county funds, under the terms of this chapter. The

596-01969-15

20151186c1

929 deed of trust, indenture, or other agreement may contain
930 provisions that are customary in such instruments or that the
931 authority may authorize, including, but without limitation,
932 provisions that:

933 (a) Pledge any part of the revenues or other moneys
934 lawfully available.

935 (b) Apply funds and safeguard funds on hand or on deposit.
936 (c) Provide for the rights and remedies of the trustee and
937 the holders of the bonds.

938 (d) Provide for the terms of the bonds or for resolutions
939 authorizing the issuance of the bonds.

940 (e) Provide for any additional matters, of like or
941 different character, which affect the security or protection of
942 the bonds.

943 (5) Bonds issued under this act are negotiable instruments
944 and have the qualities and incidents of negotiable instruments
945 under the law merchant and the negotiable instruments law of the
946 state.

947 (6) A resolution that authorizes the issuance of authority
948 bonds and pledges the revenues of the system must require that
949 revenues of the system be periodically deposited into
950 appropriate accounts in sufficient sums to pay the costs of
951 operation and maintenance of the system for the current fiscal
952 year as set forth in the annual budget of the authority and to
953 reimburse the department for any unreimbursed costs of operation
954 and maintenance of the system from prior fiscal years before
955 revenues of the system are deposited into accounts for the
956 payment of interest or principal owing or that may become owing
957 on such bonds.

596-01969-15

20151186c1

958 (7) State funds may not be used or pledged to pay the
959 principal of or interest on any authority bonds, and all such
960 bonds must contain a statement on their face to this effect.

961 Section 21. Section 345.0006, Florida Statutes, is created
962 to read:

963 345.0006 Remedies of bondholders.—

964 (1) The rights and the remedies granted to authority
965 bondholders under this chapter are in addition to and not in
966 limitation of any rights and remedies lawfully granted to such
967 bondholders by the resolution or indenture providing for the
968 issuance of bonds, or by any deed of trust, indenture, or other
969 agreement under which the bonds may be issued or secured. If the
970 authority defaults in the payment of the principal or interest
971 on the bonds issued under this chapter after such principal or
972 interest becomes due, whether at maturity or upon call for
973 redemption, as provided in the resolution or indenture, and such
974 default continues for 30 days, or if the authority fails or
975 refuses to comply with this chapter or any agreement made with,
976 or for the benefit of, the holders of the bonds, the holders of
977 25 percent in aggregate principal amount of the bonds then
978 outstanding are entitled as of right to the appointment of a
979 trustee to represent such bondholders for the purposes of the
980 default if the holders of 25 percent in aggregate principal
981 amount of the bonds then outstanding first give written notice
982 to the authority and to the department of their intention to
983 appoint a trustee.

984 (2) The trustee and a trustee under a deed of trust,
985 indenture, or other agreement may, or upon the written request
986 of the holders of 25 percent or such other percentages specified

596-01969-15

20151186c1

987 in any deed of trust, indenture, or other agreement, in
988 principal amount of the bonds then outstanding, shall, in any
989 court of competent jurisdiction, in its own name:

990 (a) By mandamus or other suit, action, or proceeding at
991 law, or in equity, enforce all rights of the bondholders,
992 including the right to require the authority to fix, establish,
993 maintain, collect, and charge rates, fees, rentals, and other
994 charges, adequate to carry out any agreement as to, or pledge
995 of, the revenues, and to require the authority to carry out any
996 other covenants and agreements with or for the benefit of the
997 bondholders, and to perform its and their duties under this
998 chapter.

999 (b) Bring suit upon the bonds.

1000 (c) By action or suit in equity, require the authority to
1001 account as if it were the trustee of an express trust for the
1002 bondholders.

1003 (d) By action or suit in equity, enjoin any acts or things
1004 that may be unlawful or in violation of the rights of the
1005 bondholders.

1006 (3) A trustee, if appointed under this section or acting
1007 under a deed of trust, indenture, or other agreement, and
1008 regardless of whether all bonds have been declared due and
1009 payable, is entitled to the appointment of a receiver. The
1010 receiver may enter upon and take possession of the system or the
1011 facilities or any part or parts of the system, the revenues, and
1012 other pledged moneys, for and on behalf of and in the name of,
1013 the authority and the bondholders. The receiver may collect and
1014 receive revenues and other pledged moneys in the same manner as
1015 the authority. The receiver shall deposit such revenues and

596-01969-15

20151186c1

1016 moneys in a separate account and apply all such revenues and
1017 moneys remaining after allowance for payment of all costs of
1018 operation and maintenance of the system in such manner as the
1019 court directs. In a suit, action, or proceeding by the trustee,
1020 the fees, counsel fees, and expenses of the trustee, and the
1021 receiver, if any, and all costs and disbursements allowed by the
1022 court must be a first charge on any revenues after payment of
1023 the costs of operation and maintenance of the system. The
1024 trustee also has all other powers necessary or appropriate for
1025 the exercise of any functions specifically described in this
1026 section or incident to the representation of the bondholders in
1027 the enforcement and protection of their rights.

1028 (4) A receiver appointed pursuant to this section to
1029 operate and maintain the system or a facility or a part of a
1030 facility may not sell, assign, mortgage, or otherwise dispose of
1031 any of the assets belonging to the authority. The powers of the
1032 receiver are limited to the operation and maintenance of the
1033 system or any facility or part of a facility and to the
1034 collection and application of revenues and other moneys due the
1035 authority, in the name and for and on behalf of the authority
1036 and the bondholders. A holder of bonds or a trustee does not
1037 have the right in any suit, action, or proceeding, at law or in
1038 equity, to compel a receiver, or a receiver may not be
1039 authorized or a court may not direct a receiver, to sell,
1040 assign, mortgage, or otherwise dispose of any assets of whatever
1041 kind or character belonging to the authority.

1042 Section 22. Section 345.0007, Florida Statutes, is created
1043 to read:

1044 345.0007 Department to construct, operate, and maintain

596-01969-15

20151186c1

1045 facilities.-

1046 (1) The department is the agent of the authority for the
1047 purpose of performing all phases of a project, including, but
1048 not limited to, constructing improvements and extensions to the
1049 system, with the exception of the transit facilities. The
1050 division and the authority shall provide to the department
1051 complete copies of the documents, agreements, resolutions,
1052 contracts, and instruments that relate to the project and shall
1053 request that the department perform the construction work,
1054 including the planning, surveying, design, and actual
1055 construction of the completion of, extensions of, and
1056 improvements to the system. After the issuance of bonds to
1057 finance construction of an improvement or addition to the
1058 system, the division and the authority shall transfer to the
1059 credit of an account of the department in the State Treasury the
1060 necessary funds for construction. The department shall proceed
1061 with construction and use the funds for the purpose authorized
1062 by law for construction of roads and bridges. The authority may
1063 alternatively, with the consent and approval of the department,
1064 elect to appoint a local agency certified by the department to
1065 administer federal aid projects in accordance with federal law
1066 as the authority's agent for the purpose of performing each
1067 phase of a project.

1068 (2) Notwithstanding subsection (1), the department is the
1069 agent of the authority for the purpose of operating and
1070 maintaining the system, with the exception of transit
1071 facilities. The costs incurred by the department for operation
1072 and maintenance shall be reimbursed from revenues of the system.
1073 The appointment of the department as agent for the authority

596-01969-15

20151186c1

1074 does not create an independent obligation on the part of the
1075 department to operate and maintain a system. The authority shall
1076 remain obligated as principal to operate and maintain its
1077 system, and the authority's bondholders do not have an
1078 independent right to compel the department to operate or
1079 maintain the authority's system.

1080 (3) The authority shall fix, alter, charge, establish, and
1081 collect tolls, rates, fees, rentals, and other charges for the
1082 authority's facilities, as otherwise provided in this chapter.

1083 Section 23. Section 345.0008, Florida Statutes, is created
1084 to read:

1085 345.0008 Department contributions to authority projects.—

1086 (1) Subject to appropriation by the Legislature, the
1087 department may, at the request of the authority, pay all or part
1088 of the cost of financial, engineering, or traffic feasibility
1089 studies or of the design, financing, acquisition, or
1090 construction of an authority project or portion of the system
1091 that is included in the 10-year Strategic Intermodal Plan.

1092 (a) Pursuant to chapter 216, the department shall include
1093 funding for such payments in its legislative budget request. The
1094 request for funding may be included in the 5-year Tentative Work
1095 Program developed under s. 339.135; however, it must appear as a
1096 distinct funding item in the legislative budget request and must
1097 be supported by a financial feasibility test provided by the
1098 department.

1099 (b) Funding provided for authority projects shall appear in
1100 the General Appropriations Act as a distinct fixed capital
1101 outlay item and must clearly identify the related authority
1102 project.

596-01969-15

20151186c1

1103 (c) The department may not make a budget request to fund
1104 the acquisition or construction of a proposed authority project
1105 unless the estimated net revenues of the proposed project will
1106 be sufficient to pay at least 50 percent of the annual debt
1107 service on the bonds associated with the project by the end of
1108 12 years of operation and at least 100 percent of the debt
1109 service on the bonds by the end of 30 years of operation.

1110 (2) The department may use its engineers and other
1111 personnel, including consulting engineers and traffic engineers,
1112 to conduct the feasibility studies authorized under subsection
1113 (1).

1114 (3) The department may participate in authority-funded
1115 projects that, at a minimum:

1116 (a) Serve national, statewide, or regional functions and
1117 function as part of an integrated regional transportation
1118 system.

1119 (b) Are identified in the capital improvements element of a
1120 comprehensive plan that has been determined to be in compliance
1121 with part II of chapter 163. Further, the project shall be in
1122 compliance with local government comprehensive plan policies
1123 relative to corridor management.

1124 (c) Are consistent with the Strategic Intermodal System
1125 Plan developed under s. 339.64.

1126 (d) Have a commitment for local, regional, or private
1127 financial matching funds as a percentage of the overall project
1128 cost.

1129 (4) Before approval, the department must determine that the
1130 proposed project:

1131 (a) Is in the public's best interest;

596-01969-15

20151186c1

1132 (b) Does not require state funding, unless the project is
1133 on the State Highway System;

1134 (c) Has adequate safeguards in place to ensure that no
1135 additional costs will be imposed on or service disruptions will
1136 affect the traveling public and residents of this state if the
1137 department cancels or defaults on the agreement; and

1138 (d) Has adequate safeguards in place to ensure that the
1139 department and the authority have the opportunity to add
1140 capacity to the proposed project and other transportation
1141 facilities serving similar origins and destinations.

1142 (5) An obligation or expense incurred by the department
1143 under this section is a part of the cost of the authority
1144 project for which the obligation or expense was incurred. The
1145 department may require that money contributed by the department
1146 under this section be repaid from tolls of the project on which
1147 the money was spent, other revenue of the authority, or other
1148 sources of funds.

1149 (6) The department shall receive from the authority a share
1150 of the authority's net revenues equal to the ratio of the
1151 department's total contributions to the authority under this
1152 section to the sum of: the department's total contributions
1153 under this section; contributions by any local government to the
1154 cost of revenue-producing authority projects; and the sale
1155 proceeds of authority bonds after payment of costs of issuance.
1156 For the purpose of this subsection, the net revenues of the
1157 authority are determined by deducting from gross revenues the
1158 payment of debt service, administrative expenses, operations and
1159 maintenance expenses, and all reserves required to be
1160 established under any resolution under which authority bonds are

596-01969-15

20151186c1

1161 issued.

1162 Section 24. Section 345.0009, Florida Statutes, is created
1163 to read:

1164 345.0009 Acquisition of lands and property.-

1165 (1) For the purposes of this chapter, the authority may
1166 acquire private or public property and property rights,
1167 including rights of access, air, view, and light, by gift,
1168 devise, purchase, condemnation by eminent domain proceedings, or
1169 transfer from another political subdivision of the state, as the
1170 authority may find necessary for any of the purposes of this
1171 chapter, including, but not limited to, any lands reasonably
1172 necessary for securing applicable permits, areas necessary for
1173 management of access, borrow pits, drainage ditches, water
1174 retention areas, rest areas, replacement access for landowners
1175 whose access is impaired due to the construction of a facility,
1176 and replacement rights-of-way for relocated rail and utility
1177 facilities; for existing, proposed, or anticipated
1178 transportation facilities on the system or in a transportation
1179 corridor designated by the authority; or for the purposes of
1180 screening, relocation, removal, or disposal of junkyards and
1181 scrap metal processing facilities. Each authority shall also
1182 have the power to condemn any material and property necessary
1183 for such purposes.

1184 (2) The authority shall exercise the right of eminent
1185 domain conferred under this section in the manner provided by
1186 law.

1187 (3) An authority that acquires property for a
1188 transportation facility or in a transportation corridor is not
1189 liable under chapter 376 or chapter 403 for preexisting soil or

596-01969-15

20151186c1

1190 groundwater contamination due solely to its ownership. This
1191 section does not affect the rights or liabilities of any past or
1192 future owners of the acquired property or the liability of any
1193 governmental entity for the results of its actions which create
1194 or exacerbate a pollution source. The authority and the
1195 Department of Environmental Protection may enter into
1196 interagency agreements for the performance, funding, and
1197 reimbursement of the investigative and remedial acts necessary
1198 for property acquired by the authority.

1199 Section 25. Section 345.001, Florida Statutes, is created
1200 to read:

1201 345.001 Cooperation with other units, boards, agencies, and
1202 individuals.—A county, municipality, drainage district, road and
1203 bridge district, school district, or any other political
1204 subdivision, board, commission, or individual in, or of, the
1205 state may make and enter into a contract, lease, conveyance,
1206 partnership, or other agreement with the authority which
1207 complies with this chapter. The authority may make and enter
1208 into contracts, leases, conveyances, partnerships, and other
1209 agreements with any political subdivision, agency, or
1210 instrumentality of the state and any federal agency,
1211 corporation, or individual to carry out the purposes of this
1212 chapter.

1213 Section 26. Section 345.0011, Florida Statutes, is created
1214 to read:

1215 345.0011 Covenant of the state.—The state pledges to, and
1216 agrees with, any person, firm, or corporation, or federal or
1217 state agency subscribing to or acquiring the bonds to be issued
1218 by the authority for the purposes of this chapter that the state

596-01969-15

20151186c1

1219 will not limit or alter the rights vested by this chapter in the
1220 authority and the department until all bonds at any time issued,
1221 together with the interest thereon, are fully paid and
1222 discharged insofar as the rights vested in the authority and the
1223 department affect the rights of the holders of bonds issued
1224 under this chapter. The state further pledges to, and agrees
1225 with, the United States that if a federal agency constructs or
1226 contributes any funds for the completion, extension, or
1227 improvement of the system, or any parts of the system, the state
1228 will not alter or limit the rights and powers of the authority
1229 and the department in any manner that is inconsistent with the
1230 continued maintenance and operation of the system or the
1231 completion, extension, or improvement of the system, or that
1232 would be inconsistent with the due performance of any agreements
1233 between the authority and any such federal agency, and the
1234 authority and the department shall continue to have and may
1235 exercise all powers granted in this section, so long as the
1236 powers are necessary or desirable to carry out the purposes of
1237 this chapter and the purposes of the United States in the
1238 completion, extension, or improvement of the system, or any part
1239 of the system.

1240 Section 27. Section 345.0012, Florida Statutes, is created
1241 to read:

1242 345.0012 Exemption from taxation.—The authority created
1243 under this chapter is for the benefit of the people of the
1244 state, for the increase of their commerce and prosperity, and
1245 for the improvement of their health and living conditions. The
1246 authority performs essential governmental functions under this
1247 chapter, therefore, the authority is not required to pay any

596-01969-15

20151186c1

1248 taxes or assessments of any kind or nature upon any property
1249 acquired or used by it for such purposes, or upon any rates,
1250 fees, rentals, receipts, income, or charges received by it.
1251 Also, the bonds issued by the authority, their transfer and the
1252 income from their issuance, including any profits made on the
1253 sale of the bonds, shall be free from taxation by the state or
1254 by any political subdivision, taxing agency, or instrumentality
1255 of the state. The exemption granted by this section does not
1256 apply to any tax imposed by chapter 220 on interest, income, or
1257 profits on debt obligations owned by corporations.

1258 Section 28. Section 345.0013, Florida Statutes, is created
1259 to read:

1260 345.0013 Eligibility for investments and security.—Bonds or
1261 other obligations issued under this chapter are legal
1262 investments for banks, savings banks, trustees, executors,
1263 administrators, and all other fiduciaries, and for all state,
1264 municipal, and other public funds, and are also securities
1265 eligible for deposit as security for all state, municipal, or
1266 other public funds, notwithstanding any other law to the
1267 contrary.

1268 Section 29. Section 345.0014, Florida Statutes, is created
1269 to read:

1270 345.0014 Applicability.—

1271 (1) The powers conferred by this chapter are in addition to
1272 the powers conferred by other laws and do not repeal any other
1273 general or special law or local ordinance, but supplement them,
1274 and provide a complete method for the exercise of the powers
1275 granted in this chapter. The extension and improvement of a
1276 system, and the issuance of bonds under this chapter to finance

596-01969-15

20151186c1

1277 all or part of the cost of such extension or improvement, may be
1278 accomplished through compliance with this chapter without regard
1279 to or necessity for compliance with the limitations or
1280 restrictions contained in any other general, special, or local
1281 law, including, but not limited to, s. 215.821. Approval of any
1282 bonds issued under this act by the qualified electors or
1283 qualified electors who are freeholders in the state or in any
1284 political subdivision of the state is not required for the
1285 issuance of such bonds under this chapter.

1286 (2) This act does not repeal, rescind, or modify any other
1287 law relating to the State Board of Administration, the
1288 Department of Transportation, or the Division of Bond Finance of
1289 the State Board of Administration; however, this chapter
1290 supersedes any other law that is inconsistent with its
1291 provisions, including, but not limited to, s. 215.821.

1292 Section 30. (1) The Commission for the Transportation
1293 Disadvantaged, in cooperation with the Center for Urban
1294 Transportation Research, shall develop and implement a pilot
1295 program with at least one community transportation coordinator
1296 to assess the potential for increasing accessibility and cost
1297 effectiveness made possible through use of a transportation
1298 network company as a transportation operator. As used in this
1299 section, the term "transportation network company" means an
1300 entity that uses a digital or software application to connect
1301 passengers to services provided by transportation network
1302 company drivers.

1303 (2) The pilot program must allow for one or more
1304 transportation network companies to provide all or some
1305 nonsponsored paratransit services to eligible transportation

596-01969-15

20151186c1

1306 disadvantaged persons for no less than 6 months. A participating
1307 transportation network company shall comply with all relevant
1308 standards for transportation operators as required under s.
1309 427.013(9), Florida Statutes.

1310 (3) Contingent upon legislative appropriation, the
1311 commission may expend up to \$750,000 for the pilot program.

1312 (4) The commission shall present the findings of the pilot
1313 program in a report to the chairs of the appropriate Senate and
1314 House Committees by October 1, 2016.

1315 Section 31. (1) LEGISLATIVE FINDINGS AND INTENT.—The
1316 Legislature recognizes that the existing fuel tax structure used
1317 to derive revenues for the funding of transportation projects in
1318 this state will soon be inadequate to meet the state's needs. To
1319 address this emerging need, the Legislature directs the Center
1320 for Urban Transportation Research to establish an extensive
1321 study on the impact of implementing a system that charges
1322 drivers based on the vehicle miles traveled as an alternative,
1323 sustainable source of transportation funding and to establish
1324 the framework for implementation of a pilot demonstration
1325 project. The Legislature recognizes that, over time, the current
1326 fuel tax structure has become less viable as the primary funding
1327 source for transportation projects. While the fuel tax has
1328 functioned as a true user fee for decades, significant increases
1329 in mandated vehicle fuel efficiency and the introduction of
1330 electric and hybrid vehicles have significantly eroded the
1331 revenues derived from this tax. The Legislature also recognizes
1332 that there are legitimate privacy concerns related to a tax
1333 mechanism that would charge users of the highway system on the
1334 basis of miles traveled. Other concerns include the cost of

596-01969-15

20151186c1

1335 implementing such a system and institutional issues associated
1336 with revenue sharing. Therefore, it is the intent of the
1337 Legislature that this study and demonstration design will, at a
1338 minimum, address these issues. To accomplish this task, the
1339 Center for Urban Transportation Research in consultation with
1340 the Florida Transportation Commission shall establish a project
1341 advisory board to assist the center in analyzing this
1342 alternative funding concept and in developing specific elements
1343 of the pilot project that will demonstrate the feasibility of
1344 transitioning Florida to a transportation funding system based
1345 on vehicle miles traveled.

1346 (2) VEHICLE-MILES-TRAVELED STUDY.—The Center for Urban
1347 Transportation Research shall conduct a study on the viability
1348 of implementing a system in this state which charges drivers
1349 based on their vehicle miles traveled as an alternative to the
1350 present fuel tax structure to fund transportation projects. The
1351 study will inventory previous research and findings from pilot
1352 projects being conducted in other states. The study will address
1353 at a minimum previous work conducted in these broad areas:
1354 assessment of technologies; behavioral and privacy concerns;
1355 equity impacts; and policy implications of a vehicle miles
1356 traveled road charging system. The effort will also quantify the
1357 current costs to collect traditional highway user fees. This
1358 study will synthesize findings of completed research and
1359 demonstrations in the area of vehicle-miles-traveled charges and
1360 analyze their applicability to Florida. The Center for Urban
1361 Transportation Research shall present the findings of this study
1362 phase to the Legislature no later than January 30, 2016.

1363 (3) VEHICLE-MILES-TRAVELED PILOT PROJECT DESIGN.—

596-01969-15

20151186c1

1364 (a) In the course of the study, the Center for Urban
1365 Transportation Research in consultation with the Florida
1366 Transportation Commission shall establish the framework for a
1367 pilot project that will evaluate the feasibility of implementing
1368 a system that charges drivers based on their vehicle miles
1369 traveled.

1370 (b) In the design of the pilot project framework, the
1371 Center for Urban Transportation Research shall address at a
1372 minimum these elements: the geographic location for the pilot;
1373 special fleets or classes of vehicles; evaluation criteria for
1374 the demonstration; consumer choice in the method of reporting
1375 miles traveled; privacy options for participants in the pilot
1376 project; the recording of miles traveled with and without
1377 locational information; records retention and destruction; and
1378 cyber security.

1379 (c) Contingent upon legislative appropriation, the Center
1380 for Urban Transportation Research may expend up to \$400,000 for
1381 the study and pilot project design.

1382 (d) The pilot project design shall be completed no later
1383 than December 31, 2016, and submitted in a report to the
1384 Legislature so that implementation of a pilot project can occur
1385 in 2017.

1386 Section 32. This act shall take effect July 1, 2015.