

By the Committee on Appropriations

576-02531-15

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1                                   A bill to be entitled  
 2           An act relating to the Department of Transportation;  
 3           amending s. 320.072, F.S.; revising the distribution  
 4           of revenues from additional fees imposed on certain  
 5           motor vehicle registration transactions; providing for  
 6           the use of moneys from such distribution by the  
 7           department; creating s. 339.81, F.S.; creating the  
 8           Florida Shared-Use Nonmotorized Trail Network;  
 9           providing legislative findings and intent; providing  
 10          descriptions and components of the network; providing  
 11          for the planning, development, operation, and  
 12          maintenance of the network; requiring funding to be  
 13          allocated to the Florida Shared-Use Nonmotorized Trail  
 14          Network in the program and resource plan of the  
 15          department; authorizing memoranda of agreement and  
 16          contracts for maintaining the network; authorizing the  
 17          department to adopt rules; providing an effective  
 18          date.

19  
 20 Be It Enacted by the Legislature of the State of Florida:

21  
 22           Section 1. Subsection (4) of s. 320.072, Florida Statutes,  
 23           is amended to read:

24           320.072 Additional fee imposed on certain motor vehicle  
 25           registration transactions.—

26           (4) A tax collector or other authorized agent of the  
 27           department shall promptly remit all moneys collected pursuant to  
 28           this section, less any refunds granted pursuant to subsection  
 29           (3), to the department. The department shall deposit 85.7 ~~44.5~~

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30 percent of such moneys into the State Transportation Trust Fund,  
31 and 14.3 percent into the Highway Safety Operating Trust Fund,  
32 and ~~41.2 percent into the General Revenue Fund.~~ Notwithstanding  
33 any other law, the moneys deposited into the State  
34 Transportation Trust Fund pursuant to this subsection shall be  
35 used by the Department of Transportation for the following:

36 (a) The Florida Shared-Use Nonmotorized Trail Network  
37 established in s. 339.81, \$25 million.

38 (b) The capital funding for the New Starts Transit Program,  
39 authorized by Title 49, U.S.C. s. 5309 and pursuant to s.  
40 341.051, 3.4 percent.

41 (c) The Small County Outreach Program pursuant to s.  
42 339.2818, 5 percent.

43 (d) The Florida Strategic Intermodal System pursuant to ss.  
44 339.61, 339.62, 339.63, and 339.64, 20.6 percent.

45 (e) The Transportation Regional Incentive Program pursuant  
46 to s. 339.2819, 6.9 percent.

47 (f) All remaining funds for any transportation purpose  
48 authorized by law.

49 Section 2. Section 339.81, Florida Statutes, is created to  
50 read:

51 339.81 Florida Shared-Use Nonmotorized Trail Network.—

52 (1) The Legislature finds that increasing demands continue  
53 to be placed on the state's transportation system by a growing  
54 economy, continued population growth, and increasing tourism.  
55 The Legislature also finds that significant challenges to  
56 providing additional capacity to the conventional transportation  
57 system exist and will require enhanced accommodation of  
58 alternative travel modes to meet the needs of residents and

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59 visitors. The Legislature further finds that improving bicyclist  
60 and pedestrian safety for both residents and visitors remains a  
61 high priority. Therefore, the Legislature declares that the  
62 development of a nonmotorized trail network will increase  
63 mobility and recreational alternatives for Florida's residents  
64 and visitors, enhance economic prosperity, enrich quality of  
65 life, enhance safety, and reflect responsible environmental  
66 stewardship. To that end, it is the intent of the Legislature  
67 that the department make use of its expertise in efficiently  
68 providing transportation projects to develop the Florida Shared-  
69 Use Nonmotorized Trail Network, consisting of a statewide  
70 network of nonmotorized trails which allows nonmotorized  
71 vehicles and pedestrians to access a variety of origins and  
72 destinations with limited exposure to motorized vehicles.

73 (2) The Florida Shared-Use Nonmotorized Trail Network is  
74 created as a component of the Florida Greenways and Trails  
75 System established in chapter 260. The statewide network  
76 consists of multiuse trails or shared-use paths physically  
77 separated from motor vehicle traffic and constructed with  
78 asphalt, concrete, or another hard surface which, by virtue of  
79 design, location, extent of connectivity or potential  
80 connectivity, and allowable uses, provides nonmotorized  
81 transportation opportunities for bicyclists and pedestrians  
82 statewide between and within a wide range of points of origin  
83 and destinations, including, but not limited to, communities,  
84 conservation areas, state parks, beaches, and other natural or  
85 cultural attractions for a variety of trip purposes, including  
86 work, school, shopping, and other personal business, as well as  
87 social, recreational, and personal fitness purposes.

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88 (3) Network components do not include sidewalks, nature  
89 trails, loop trails wholly within a single park or natural area,  
90 or on-road facilities, such as bicycle lanes or routes other  
91 than:

92 (a) On-road facilities that are no longer than one-half  
93 mile connecting two or more nonmotorized trails, if the  
94 provision of non-road facilities is unfeasible and if such on-  
95 road facilities are signed and marked for nonmotorized use; or

96 (b) On-road components of the Florida Keys Overseas  
97 Heritage Trail.

98 (4) The planning, development, operation, and maintenance  
99 of the Florida Shared-Use Nonmotorized Trail Network is declared  
100 to be a public purpose, and the department, together with other  
101 agencies of this state and all counties, municipalities, and  
102 special districts of this state, may spend public funds for such  
103 purposes and accept gifts and grants of funds, property, or  
104 property rights from public or private sources to be used for  
105 such purposes.

106 (5) The department shall include the Florida Shared-Use  
107 Nonmotorized Trail Network in its work program developed  
108 pursuant to s. 339.135. For purposes of funding and maintaining  
109 projects within the network, the department shall allocate in  
110 its program and resource plan a minimum of \$50 million annually,  
111 beginning in the 2015-2016 fiscal year.

112 (6) The department may enter into a memorandum of agreement  
113 with a local government or other agency of the state to transfer  
114 maintenance responsibilities of an individual network component.  
115 The department may contract with a not-for-profit entity or  
116 private sector business or entity to provide maintenance

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117 services on an individual network component.

118 (7) The department may adopt rules to aid in the  
119 development and maintenance of components of the network.

120 Section 3. This act shall take effect July 1, 2015.