

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/CS/HB 7075 PCB TPS 15-02 Transportation

**SPONSOR(S):** Economic Affairs Committee; Transportation & Economic Development Subcommittee; Transportation & Ports Subcommittee, Rooney, Jr.

**TIED BILLS:** **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Transportation & Ports Subcommittee	9 Y, 0 N	Johnson	Vickers
1) Transportation & Economic Development Appropriations Subcommittee	10 Y, 0 N, As CS	Davis	Davis
2) Economic Affairs Committee	15 Y, 0 N, As CS	Johnson	Creamer

### SUMMARY ANALYSIS

This is a comprehensive bill related to transportation. In summary, the bill:

- Requires agencies to consider certain criteria when procuring transportation services related to cargo, freight, and package delivery.
- Separates the definition of “autonomous technology” from “autonomous vehicle.”
- Defines “driver-assistive truck platooning technology.”
- Exempts vehicles engaged in driver-assistive truck platooning from provisions related to following too close.
- Authorizes television receivers to be located so the screen is visible from the driver’s seat for autonomous vehicles and vehicles engaged in driver-assistive truck platooning.
- Reclassifies a second, noncriminal traffic infraction as a first degree misdemeanor under specific circumstances and revokes the person’s driver license.
- Extends the allowable length of semitrailers under certain circumstances.
- Extends the allowable length of a trailer transporting multiple sections or single units of a manufactured building under a special permit.
- Authorizes the Department of Transportation (DOT) to assume specified responsibilities under the National Environmental Policy Act (NEPA).
- Provides that motor vehicles being relocated within a port facility via designated port district roads are exempt from motor vehicle registration requirements.
- Revises requirements for when a DOT Work Program amendment must be approved by the Legislative Budget Commission.
- Requires metropolitan planning organizations to consider advances in vehicle technology, including autonomous vehicles, when developing their long-range transportation plans.
- Requires DOT to consider advances in vehicle technology, including autonomous vehicles, when developing its Strategic Intermodal System (SIS) plan.
- Exempts certain nonprofit entities from surety bond requirements for contracts with DOT.
- Repeals an obsolete reference to bonds issued through the Broward County Expressway Authority.
- Increases the maximum population for counties eligible for the Small County Outreach Program from 150,000 to 165,000.
- Repeals obsolete Florida Statewide Transportation Corridors, which is duplicative of the SIS.
- Provides that certain members of the Central Florida Expressway Authority’s (CFX) board must be elected officials from their respective counties.
- Provides a date for terms to end for members of CFX’s board appointed by the Governor.
- Provides that the Secretary of CFX is not required to be a member of its board.
- Makes technical corrections to the Central Florida Expressway Authority Act.

The bill has an indeterminate fiscal impact on state and local governments. The bill creates a first degree misdemeanor offense which could have an impact on local jail facilities. There may also be cost savings associated with DOT assuming responsibilities under NEPA. Please see the fiscal analysis section for additional details.

The bill has an effective date of July 1, 2015.

**This document does not reflect the intent or official position of the bill sponsor or House of Representatives.**

**STORAGE NAME:** h7075c.EAC

**DATE:** 4/6/2015

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

This is a comprehensive bill related to transportation. For ease of understanding, this bill analysis is arranged by topic.

#### **Sustainable Transportation Services Procurement**

##### Current Situation

Florida currently has a Natural Gas Vehicle Rebate Program, which provides eligible applicants a rebate for the cost of conversion or the incremental cost incurred by an applicant associated with converting, purchasing, or leasing a natural gas fleet vehicle placed into service on or after July 1, 2013. The maximum rebate under the program is \$25,000 per vehicle, not to exceed 50 percent of eligible costs. Each applicant may receive up to \$250,000 per fiscal year on a first-come, first serve basis. The Legislature appropriated \$6 million for each state fiscal year from FY 2013-2014 through FY 2017-2018 to support the rebate program.<sup>1</sup>

Part I of Ch. 287, F.S., relates to the procurement of commodities, insurance, and contractual service. However, there currently is no mention of the use of natural gas and fuel efficient vehicles.

##### Proposed Changes

The bill creates s. 287.0836, F.S., relating to sustainable transportation services procurement. The bill provides that an agency<sup>2</sup> must consider the following criteria when evaluating a proposal or reply received pursuant to a request for proposal or invitation to negotiate for services related to cargo, freight, or package delivery:

- Whether the vendor uses alternative fuels, including natural gas fuel.<sup>3</sup>
- The fuel efficiency of the vehicles use by the vendor.

While the bill requires agencies to consider the use of natural gas and fuel efficient vehicles in the procurement of specified transportation services, it does not mandate their use.

#### **Autonomous Vehicles**

##### Current Situation

##### **Background**

Autonomous vehicles are any vehicle equipped with advanced sensors and computing abilities to perceive its surroundings and activate steering, braking, and acceleration without operator input. While they are currently not in widespread use, they can potentially provide several distinct advantages when compared to conventional vehicles, including reduced fuel consumption, increased safety, reduced traffic congestion and improved traffic flow, increased speed limits and reduced need for parking spaces.

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<sup>1</sup> <http://www.freshfromflorida.com/Divisions-Offices/Energy/Natural-Gas-Fuel-Fleet-Vehicle-Rebate> (Last visited March 5, 2015).

<sup>2</sup> Section 287.012(1), F.S., defines “agency” as “any of the various state officers, departments, boards, commissions, divisions, bureaus, and councils and any other unit of organization, however designated, of the executive branch of state government. “Agency” does not include the university and college boards of trustees or the state universities and colleges.”

<sup>3</sup> Section 377.810(2)(f), F.S., defines “natural gas fuel” as “any liquefied petroleum gas product, compressed natural gas product, or combination thereof used in a motor vehicle as defined in s. 206.01(23). This term includes, but is not limited to, all forms of fuel commonly or commercially known or sold as natural gasoline, butane gas, propane gas, or any other form of liquefied petroleum gas, compressed natural gas, or liquefied natural gas. This term does not include natural gas or liquefied petroleum placed in a separate tank of a motor vehicle for cooking, heating, water heating, or electric generation.”

In 2012, the Legislature passed CS/CS/CS/HB 599,<sup>4</sup> which contained provisions relating to autonomous vehicle technology. Florida became one of the few states in the nation to authorize the use of autonomous vehicles. Specifically, the bill:

- Defined “autonomous technology” and “autonomous vehicle.”
- Provided legislative intent regarding vehicles with autonomous technology.
- Authorized the operation of autonomous vehicles under specified conditions.
- Provided requirements for autonomous vehicles.
- Provided guidelines for testing autonomous vehicles.
- Provided a framework for liability for autonomous vehicles.
- Required the Department of Highway Safety and Motor Vehicles (DHSMV) to submit a report by February 12, 2014.

### **DHSMV Report**

On February 12, 2014, the Department of Highway Safety and Motor Vehicles (DHSMV) issued its report on autonomous vehicles.<sup>5</sup> DHSMV’s report noted that autonomous technology has potential to significantly improve highway safety by reducing crashes and saving lives. Similarly, the report found that autonomous technology offers business and economic opportunities for Florida, including technology and policy research, and testing, monitoring, and evaluating the technology. While Florida law allows the testing of autonomous vehicles on public roadways, there is limited regulatory oversight.

The report continued that technology is rapidly advancing and multiple industries are involved with many different approaches to autonomous vehicle technology development. In addition, there are currently no national safety standards and many unknowns relating to the deployment of autonomous vehicles. The report noted that policy-making at this juncture is difficult, at best. When DHSMV issued its report, it proposed no changes to existing Florida law and rules in order to encourage innovation and foster a positive business environment.

### **2014 Legislation**

In 2014, the Legislature passed CS/CS/HB 7005,<sup>6</sup> which expanded the entities authorized to conduct autonomous vehicle testing to include research organizations associated with accredited educational institutions.

Additionally, the bill provided that the Office of Insurance Regulation may approve a premium discount to any rates, rating schedules, or rating manuals for a liability, personal injury protection, and collision coverage of a motor vehicle insurance policy if the insured vehicle is equipped with autonomous driving technology or electronic vehicle collision avoidance technology that is factory installed or a retrofitted system that complies with federal standards.

### **Testing of Autonomous Vehicles**

In January 2014, the Tampa-Hillsborough Expressway Authority designated the Lee Roy Selmon Expressway as a testing site for autonomous vehicles. The Volkswagen Group contacted DHSMV regarding limited testing on an Audi-brand autonomous vehicle on a closed course in Hillsborough County. The one day event took place on the Selmon Expressway on July 28, 2014.<sup>7</sup>

### **Department of Transportation Work on Autonomous Vehicles**

The Department of Transportation (DOT) has also been working on numerous initiatives related to autonomous vehicles.<sup>8</sup> It currently has several autonomous vehicle stakeholder working groups. In

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<sup>4</sup> Ch. 2012-174, L.O.F.

<sup>5</sup> A copy of DHSMV’s report on autonomous vehicles is available at: <http://www.flhsmv.gov/html/safety.html> (Last visited February 18, 2015).

<sup>6</sup> Ch. 2014-216, L.O.F.

<sup>7</sup> E-Mail from the Department of Highway Safety and Motor Vehicles to Transportation & Ports Subcommittee Staff. November 6, 2014. Copy on file with Transportation & Ports Subcommittee Staff.

<sup>8</sup> Information on DOT’s work on autonomous vehicles is available at: <http://www.automatedfl.com/> (Last visited February 11, 2015).

November 2013, DOT held its first ever autonomous vehicle summit. A second summit was held in December 2014.

DOT has collaborated with state universities and engineering consulting firms to gain a better understanding of some of the implications associated with planning for and integrating automated and connected vehicle technologies into the state's infrastructure. The research projects:

- Address the policy implications as it relates to federal, state, and local transportation plans;
- Explore how these technologies could assist the transportation disadvantaged remain mobile even as they age; and
- Assess the viability of various transit applications, particularly Bus Rapid Transit solutions.

### **Use of Television Receivers in Vehicles**

Generally, current law prohibits motor vehicles from being equipped with television-type receivers located where the viewer or screen can be seen from the driver's seat. The statute provides exceptions for safety or law enforcement purposes and does not prohibit electronic displays used in conjunction with a vehicle navigation system. A violation is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in Ch. 318, F.S.<sup>9</sup>

### **Metropolitan Planning Organizations**

Based on census data, the U.S. Bureau of the Census designates urbanized areas throughout the state. Federal law and rule<sup>10</sup> require a metropolitan planning organization (MPO) to be designated for each urbanized area<sup>11</sup> or group of contiguous urbanized areas. In addition, federal law and rules specify the requirements for a MPO transportation planning and programming activities. These requirements are updated after each federal transportation reauthorization bill enacted by Congress. State law also includes provisions governing MPO activities. Section 339.175, F.S., paraphrases or restates some key federal requirements. In addition, state law includes provisions that go beyond the federal requirements. For example, federal requirements regarding MPO membership are very general, while state law is more specific.

Current law requires each MPO to develop a long-range plan that addresses at least a 20 year planning horizon. The long-range transportation plan must; at a minimum:

- Identify transportation facilities that will function as an integrated metropolitan transportation system.
- Include a financial plan.
- Assess capital investment and other measures necessary to:
  - Ensure the preservation of the existing metropolitan transportation system.
  - Make the most efficient use of existing transportation facilities.
- Indicate, as appropriate, proposed transportation enhancement activities.
- In certain metropolitan areas,<sup>12</sup> coordinate the development of the long-range transportation plan with the State Implementation Plan developed pursuant to the federal Clean Air Act.<sup>13</sup>

### **Strategic Intermodal System**

Sections 339.61 through 339.65, F.S., create the Florida Strategic Intermodal System (SIS). The SIS consists of specified components, including:

- Highway corridors.<sup>14</sup>
- The National Highway System.
- Airport, seaport, and spaceport facilities.
- Rail lines and rail facilities.
- Selected intermodal facilities that serve as existing or planned connectors between the components listed above.

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<sup>9</sup> S. 316.303, F.S.

<sup>10</sup> 23 U.S.C. 134 and 23 C.F.R 450 Part C

<sup>11</sup> An urbanized area is defined by the U.S. Bureau of the Census and has a population of 50,000 or more.

<sup>12</sup> This only applies to metropolitan areas classified as nonattainment areas for ozone or carbon monoxide.

<sup>13</sup> S. 339.175(7), F.S.

<sup>14</sup> Highway corridors are established under s. 339.65, F.S.

- Other existing or planned corridors that serve a statewide or interregional purpose.<sup>15</sup>

Current law requires DOT to develop a Strategic Intermodal System Plan, to be consistent with the Florida Transportation Plan,<sup>16</sup> and to update it at least once every five years, subsequent to Florida Transportation Plan updates.<sup>17</sup> DOT is currently in the process of updating its SIS plan and the Florida Transportation Plan.

The SIS plan is required to include the following:

- A needs assessment.
- A project prioritization process.
- A map of facilities designated as SIS facilities; facilities that are emerging in importance and are likely to become part of the system in the future; and planned facilities that will meet the established criteria.
- A finance plan based on reasonable projections of anticipated revenues, including both 10-year and at least 20-year cost feasible components.
- An assessment of impacts of proposed improvements to SIS corridors on military installations that are either located directly on the SIS or located on the Strategic Highway Network or Strategic Rail Corridor Network.<sup>18</sup>

### Proposed Changes

The bill amends s. 316.003(91), F.S., removing the definition of autonomous technology, which is embedded in the definition for autonomous vehicle. The bill creates a new s. 316.003(92), F.S., providing a definition for autonomous technology. The actual definitions do not change.

The bill amends s. 316.303(1), F.S., providing that television-type receiving equipment may be located so that the viewer or screen is visible from the driver's seat if the vehicle is equipped with autonomous technology and is being operated in autonomous mode.<sup>19</sup> The bill amends s. 316.303(3), F.S., providing that s. 316.303, F.S., does not prohibit the use of electronic display by the operator of a vehicle equipped with autonomous technology while the vehicle is being operated in autonomous mode. This will allow the operator of an autonomous vehicle in autonomous mode to view an electronic display, which may be integrated into the autonomous vehicle.

The bill amends s. 339.175(7)(c)2., F.S, which currently requires the MPOs long-range transportation plan to make the most efficient use of existing transportation facilities to relieve vehicular congestion and maximize the mobility of people and goods. The bill adds "improve safety" to the list of required considerations and requires such efforts to include, but not be limited to, consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as autonomous vehicle technology and other developments.

The bill creates s. 339.64(3)(c), F.S., requiring DOT in preparing its SIS plan to coordinate with federal, regional, and local partners, as well as industry representatives, to consider infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as autonomous technology and other developments in SIS facilities.

The bill amends s. 339.64(4)(a), F.S., providing that the needs assessment within the SIS plan shall include, but not be limited to, consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as autonomous vehicle technology and other developments.

### Driver-Assistive Truck Platooning

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<sup>15</sup> S. 339.62, F.S.

<sup>16</sup> The Florida Transportation Plan is developed pursuant to s. 339.155, F.S.

<sup>17</sup> S. 339.64(1), F.S.

<sup>18</sup> S. 339.64(4), F.S.

<sup>19</sup> The operation of a vehicle in autonomous mode is provided for in s. 318.85(2), F.S.

## Current Situation

In August 2014, the National Highway Traffic Safety Administration (NHTSA) issued an advance notice of proposed rulemaking, following NHTSA's earlier announcement that the agency will begin working on a regulatory proposal to require vehicle-to-vehicle (V2V) devices in passenger cars and light trucks in a future year. V2V is a crash avoidance technology, relying on communication of information between nearby vehicles to warn drivers about dangerous situations that could lead to a crash.<sup>20</sup> NHTSA advises that, "Using V2V technology, vehicles ranging from cars to trucks and buses to trains could one day be able to communicate important safety and mobility information to one another that can help save lives, prevent injuries, ease traffic congestion, and improve the environment."<sup>21</sup>

One form of V2V technology is known as driver-assistive truck platooning (DATP), which allows trucks to communicate with each other and to travel as close as thirty feet apart with automatic acceleration and braking. A draft is created, reducing wind resistance and cutting down on fuel consumption.<sup>22</sup>

The DATP concept is based on a system that controls inter-vehicle spacing based on information from forward-looking radars and direct vehicle-to-vehicle communications. Braking and other operational data is constantly exchanged between the trucks, enabling the control system to automatically adjust engine and brakes in real-time. This allows equipped trucks to travel closer together than manual operations would safely allow. Platooning technology is increasingly a subject of interest in the truck community, with multiple companies developing prototypes.<sup>23</sup>

One such system uses integrated sensors, controls, and wireless communications for "connected" trucks. The system is cloud-based, determining in real time whether specific trucks are clear to engage in platooning operations. The system synchronizes acceleration and braking between tractor-trailers, leaving steering to the drivers, but eliminating braking distance otherwise caused by lags in the front or rear driver's response time. The following vehicle is provided video showing the lead truck's line of sight while the lead vehicle is provided video showing the area behind the following truck. If another vehicle enters between platooning trucks, the system will automatically increase following distance or delink the trucks and then relink once the cut-in risk has passed. If data transfer between platooning trucks ceases, the driver is immediately notified that manual acceleration and braking control is about to resume.<sup>24</sup>

Section 316.0895(2), F.S., provides that it is unlawful for the driver of any motor truck, motor truck drawing another vehicle, or vehicle towing another vehicle or trailer, when traveling upon a roadway outside of a business or residence district, to follow within 300 feet of another motor truck, motor truck drawing another vehicle, or vehicle towing another vehicle or trailer. That subsection expressly does not prevent overtaking and passing and does not apply upon any lane specially designated for use by motor trucks or other slow-moving vehicles.

## Proposed Changes

The bill creates s. 316.003(95), F.S., defining "driver-assistive truck platooning" as vehicle automation technology that integrates sensor arrays, wireless communications, vehicle controls, and specialized software to synchronize acceleration and braking between up to two truck tractor-semitrailer combinations, while leaving each vehicle's steering control systems command in the control of the vehicle's driver.

The bill amends s. 316.0895(2), F.S., excluding from the 300-foot distance limitation two-truck tractor-semitrailer combinations, equipped and connected with driver-assistive truck platooning technology and operating on a multilane, limited access facility. The exclusion applies only if the owner or operator complies with the financial responsibility requirement of s. 316.86, F.S., which requires submission to

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<sup>20</sup> See the U.S. Department of Transportation Fact Sheet on Vehicle-To-Vehicle Communication Technology. On file in the House Transportation & Ports Subcommittee.

<sup>21</sup> See the NHTSA website: <http://www.safercar.gov/v2v/index.html>. (Last visited March 24, 2015).

<sup>22</sup> See the GBT Global News website: <http://www.gobytrucknews.com/driver-survey-platooning/123>. (Last visited March 24, 2015).

<sup>23</sup> See the American Transportation Research Institute website: <http://atri-online.org/2014/11/17/atri-seeks-input-on-driver-assistive-truck-platooning/>. (Last visited March 24, 2015).

<sup>24</sup> See <http://www.peloton-tech.com/faq/>. (Last visited March 24, 2015).

the Department of Highway Safety and Motor Vehicles (DHSMV) of proof of insurance acceptable to DHSMV in the amount of \$5 million. Tandem trailer trucks are not included in the authorized exclusion.

The bill amends s. 316.303(1) and (3), respectively, to allow vehicles equipped and operating with driver-assistive truck platooning technology to be equipped with video equipment visible from the driver's seat, and to authorize an electronic display used by the operator of a vehicle equipped and operating with truck platooning technology.

## **Nonmoving Violations**

### **Current Situation**

In Florida, traffic infractions are classified as non-criminal or criminal. Examples of non-criminal traffic infractions are speeding, running a red light, improper passing or lane change, child restraint violations and toll violations. Examples of criminal traffic infractions include driving under the influence, reckless driving, fleeing, and driving with a suspended license.<sup>25</sup> Penalties for non-criminal traffic infractions include fines and points assessed on driver licenses. Penalties for criminal traffic infractions include fines, license suspension or revocation, and possible imprisonment.<sup>26</sup>

Current law provides for penalties for traffic infractions where death or serious bodily injury occurs<sup>27</sup> based on the circumstances for which the accident occurred based on the circumstances surrounding the accident and the actions taken afterwards to provide care to the injured.<sup>28</sup>

There recently was a case in Jacksonville where an individual hit a six year old girl in 2009, but was not charged.<sup>29</sup> In 2013, the same driver struck a mother and daughter, killing the mother and seriously injuring the daughter. He was not charged criminally in that case, but pled no contest to multiple civil citations including fines and a six month driver license suspension for careless driving.<sup>30</sup>

### **Proposed Changes**

The bill creates s. 316.0275, F.S., providing that notwithstanding any other provision of law, if an individual commits a noncriminal traffic infraction under Ch. 316, F.S. which causes serious bodily injury or death to a person and within five years after the violation, commits another noncriminal traffic infraction under Ch. 316, F.S., which causes serious bodily injury or death, the second violation is to be reclassified as a misdemeanor of the first degree, punishable as provided in ss. 775.082 or 775.083, F.S., which provides for a term of imprisonment not to exceed one year<sup>31</sup> or a fine of up to \$1,000. The bill also requires the revocation of one's driver license for a period of one year.

The bill defines "serious bodily injury" as an injury to a person, excluding the at fault driver, which consists of a physical condition that creates a substantial risk of death, serious personal disfigurement, or protracted loss or impairment of the function of any bodily member or organ.<sup>32</sup>

The bill creates s. 322.26(10), F.S., providing that a conviction pursuant to s. 316.0275, F.S., results in the mandatory revocation of a driver license by the Department of Highway Safety and Motor Vehicles. As previously noted, the period of revocation is one year.

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<sup>25</sup> Florida Department of Highway Safety and Motor Vehicles, Annual Uniform Traffic Citation Report, reports are available at: <https://services.flhsmv.gov/SpecialtyPlates/UniformTrafficCitationReport> (Last visited March 25, 2015).

<sup>26</sup> Florida Department of Highway Safety and Motor Vehicles, Appendix C. Available at: [www.flhsmv.gov/ddl/utc/appendix\\_c.pdf](http://www.flhsmv.gov/ddl/utc/appendix_c.pdf) (Last visited March 25, 2015). See also Ch. 316, F.S.

<sup>27</sup> S. 316.027, F.S.

<sup>28</sup> Section 316.062, F.S., provides for the duty to render aid.

<sup>29</sup> *2 crosswalks on San Jose, 2 fatalities, 1 driver*. <http://jacksonville.com/news/crime/2013-09-15/story/2-crosswalks-san-jose-2-fatalities-1-driver-September-15>, 2013. (Last visited March 25, 2015).

<sup>30</sup> *Jacksonville driver who ran over mother and daughter on San Jose in second fatal accident won't get jail time*. <http://jacksonville.com/news/crime/2014-06-19/story/jacksonville-driver-who-ran-over-mother-and-daughter-san-jose-second> June 19, 2014 (Last visited March 25, 2015).

<sup>31</sup> S. 775.082(4)(a), F.S.

<sup>32</sup> S. 775.083(1)(d), F.S.



## **Commercial Motor Vehicles/Manufactured Building/Special Permits**

### **Current Situation**

DHSMV's Office of Commercial Vehicle Enforcement administers a Weight Enforcement program. Protection of the public's investment in the highway system is the primary purpose of the program. To prevent heavy trucks from causing unreasonable damage to roads and bridges, maximum weight and size limits are established in Ch. 316, F.S.<sup>33</sup> Section 316.515, F.S., sets out the maximum width, height, and length limitations, and s. 316.545, F.S., addresses unlawful weight.

DOT or a local authority, with respect to roads under their respective jurisdiction, may issue a special permit to operate or move a vehicle or combination of a size or weight exceeding the maximums specified. Issuance of such a permit must not be contrary to the public interest and is not required; i.e., permit issuance is within the discretion of DOT or the local authority.<sup>34</sup> Significant penalties can result from failure to obtain a special permit or failure to comply with the specific terms of the permit.<sup>35</sup>

Generally, as to truck tractor-semitrailer combinations and length, the extreme overall outside dimension of the combination may not exceed 48 feet, measured from the front of the unit to the rear of the unit and the load carried.<sup>36</sup> However, the DOT is authorized, if not contrary to the public interest and within its discretion, to issue a special permit for a combination if the total number of over-width deliveries of manufactured buildings may be reduced by permitting the use of an over-length trailer not exceeding 54 feet.<sup>37</sup> Issuance of this type of over-length special permit does not exempt the combination vehicle from existing weight limitations or special permit requirements if the weight of the combination exceeds the maximums specified in Ch. 316, F.S.

### **Proposed Changes**

The bill amends s. 316.515(3)(b), F.S., to increase from 53 to 57 feet the allowable extreme overall outside dimension of a semitrailer exceeding 48 feet, if specified conditions are met.

The bill amends s. 316.515(4), F.S., to insert "multiple sections or single units" with reference to manufactured buildings transported on permitted, over-length trailers, and to increase the allowable trailer over-length from 54 to 80 feet.

Transporters of manufactured buildings on truck tractor-semitrailer combinations will continue to be required to obtain a permit for such combinations, even with a trailer length of 80 feet. Overweight permits also continue to be required when applicable. Issuance of such permits remains within the discretion of DOT.

## **Port District Roads**

### **Current Situation**

Current law provides that port vehicles and equipment<sup>38</sup> are exempt from requirements related to motor vehicle registration, the payment of license taxes, and the display of license plates when operated or used within the port facility of any deepwater port listed in s. 403.021(9)(b), F.S.,<sup>39</sup> for the purpose of transporting cargo, containers, or other equipment from:

- wharves to storage areas or terminals and return to wharves within the port; and
- such storage areas or terminals to other storage areas or terminals within the port.<sup>40</sup>

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<sup>33</sup> See the DHSMV website: <http://www.flhsmv.gov/fhp/cve/WeightEnforment.htm> (Last visited March 10, 2015)

<sup>34</sup> S. 316.550, F.S.

<sup>35</sup> S. 316.550(10), F.S.

<sup>36</sup> S. 316.550(3)(b)1., F.S.

<sup>37</sup> S. 316.515(14), F.S.

<sup>38</sup> Section 320.525(1), F.S., defines "port vehicles and equipment" as "trucks, tractors, trailers, truck cranes, top loaders, fork lifts, hostling tractors, chassis, or other vehicles or equipment used for transporting cargo, containers, or other equipment."

<sup>39</sup> The deepwater ports listed in sl. 403.021(9)(b), F.S., are Jacksonville, Tampa, Port Everglades, Miami, Port Canaveral, Ft. Pierce, Palm Beach, Port Manatee, Port St. Joe, Panama City, St. Petersburg, Pensacola, Fernandina, and Key West.

<sup>40</sup> s. 320.525 (2), F.S.,



In 2014, s. 320.525(2)(c), F.S., was created providing that if a public road is designated as a port district road for the purpose of transporting cargo, containers, and other equipment, then port vehicles and equipment will be exempt from the requirements related to motor vehicle registration, the payment of license taxes, and the display of license plates. Port district roads are to be designated by DOT with appropriate signage.

### Proposed Changes

The bill amends s. 320.525(1), F.S., providing that the term “port vehicles and equipment” also includes motor vehicles being relocated within a port facility or via port district roads. This will provide that these vehicles may be moved without license plates.

### NEPA Delegation

#### Current Situation

DOT funds, develops and constructs highway transportation projects through several funding sources including federal, state, local, toll or combination thereof. When DOT advances a highway project as “federally eligible,” the project is developed consistent with the National Environmental Policy Act (NEPA) and other laws and regulations in consultation with and subject to the oversight of the Federal Highway Administration (FHWA) of the United States Department of Transportation (USDOT). DOT meets NEPA requirements through its Efficient Transportation Decision Making (ETDM) and Project Development and Environment (PD&E) processes.

DOT uses the ETDM process to initiate contact with agencies and other stakeholders during the planning phase of a project to provide the opportunity for input by multiple parties and garner information that can be used to inform the PD&E process. The PD&E process is DOT’s procedure for analyzing, performing outreach, guiding agency coordination and meeting regulatory requirements before a project can be advanced. The two processes have been working in concert since 2005 and PD&E has been in place for over 20 years. Under this process DOT prepares documents, analyzes alternatives, consults with agencies, makes recommendations and provides this information to the FHWA as the lead federal agency for review, comment, approval and ultimate decision making.

Under this federally assisted, state administered process DOT is responsible for providing all supporting work and effort to advance DOT projects but has limited autonomy and authority to make ultimate project decisions. The result is that DOT must perform its analysis, coordinate and consult with agencies and ultimately satisfy FHWA. The additional layer of coordination, review and satisfaction of FHWA can add considerable time and cost to project development and delivery.

From a legal standpoint, the FHWA provides legal sufficiency reviews of project documents developed by DOT and is tasked with addressing court challenges of projects. These challenges are based on the federal Administrative Procedures Act and therefore a focus on the administrative record and the prepared documentation and related analysis. The Department is typically part of these challenges to support FHWA and ensure its project advancement.

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) was signed into law in August of 2005. Under SAFETEA-LU a five-state pilot program was established authorizing the pilot states to assume the USDOT Secretary’s environmental responsibilities, NEPA and other environmental laws.<sup>41</sup> In 2012, Congress enacted the Moving Ahead for Progress in the 21st Century Act (MAP-21), which made the program permanent, provided the opportunity for its use to all states and expanded the responsibilities that could be assigned and assumed. Application requirements and criteria for participation were recently defined.<sup>42</sup>

### Proposed Changes

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<sup>41</sup> 23 U.S.C. s. 327

<sup>42</sup> These requirements were defined in the updated 23 C.F.R. s. 773.

The bill creates s. 334.044(34), F.S., authorizing DOT to assume responsibilities of the USDOT with respect to highway projects within the state under NEPA<sup>43</sup> and with respect to related responsibilities for environmental review, consultation, or other action required under any federal environmental law pertaining to review or approval of any highway project within the State. DOT may assume responsibilities under 23 U.S.C. s. 327;<sup>44</sup> an enter into one or more agreements, including memoranda of understanding with the United States Secretary of Transportation related to the federal surface transportation project delivery program for transportation projects as provided by 23 U.S.C. s. 327. DOT may adopt rules to implementing this section and may adopt relevant federal environmental standards as the standards for the state for a program described above. The bill provides that sovereign immunity to a civil suit in federal court is waived<sup>45</sup> and limited to the compliance, discharge, or enforcement of responsibility assumed by DOT.

The bill would allow Florida to be responsible for the fate of its own projects by giving the DOT direct NEPA decision making authority. By assuming FHWA's role in the review and approval of transportation projects, DOT anticipates achieving both time and cost savings in project delivery. These benefits are due in part to eliminating one layer of governmental review; allowing direct consultation between DOT and federal regulatory agencies and maximizing efficiency by consolidating all NEPA reviews under the DOT. According to DOT, it will result in more timely delivery of transportation projects to Florida's citizens and enhancement of infrastructure to support Florida's economic competitiveness.

Sovereign immunity to civil suit in federal court is waived consistent with 23 U.S.C. s. 327 and limited to the compliance, discharge, or enforcement of a responsibility assumed by the DOT. The DOT advises its district offices would continue to conduct the PD&E process, with the FHWA's project review, legal sufficiency, and approval authority delegated to the DOT's Central Office and with the FHWA retaining program level oversight. The waiver of sovereign immunity is limited only to those actions delegated to the DOT and related to carrying out its NEPA duties on state highway projects. The standard for review is whether the DOT's action is arbitrary and capricious. The remedy for a successful challenge is to require additional review, analysis, and documentation to support the project. Further, a state assuming the NEPA responsibilities may use certain apportioned state funds for attorneys' fees directly attributable to eligible activities associated with a project.<sup>46</sup>

## **Surety Bonding**

### **Current Situation**

Section 337.18, F.S., requires surety bonds for construction or maintenance contracts with DOT to ensure that if a contractor is found in default, the work can be completed with the least disruption and fiscal impact. The law requires bonding for construction and maintenance contracts, but gives DOT authority to waive the requirement for contracts less than \$250,000 and greater than \$250 million if certain conditions are met.

### **Proposed Changes**

The bill amends s. 337.18(1), F.S., authorizing DOT to waive the surety bond requirements of the prime contractor is a qualified nonprofit agency for the blind or other severely handicapped under s. 413.036(2), F.S.,<sup>47</sup> or if the prime contractor is using a subcontractor that is a qualified nonprofit agency for the blind or other severely handicapped, but may not waive more than the amount of the subcontract.

## **Broward County Expressway Authority Bonds**

### **Current Situation**

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<sup>43</sup> 42 U.S.C. s. 4321 et. seq.

<sup>44</sup> 23 U.S.C. s. 327 relates to the surface transportation project delivery program.

<sup>45</sup> This is consistent with 23 U.S.C. s. 327

<sup>46</sup> See the DOT 2015 Legislative Proposal form, Authorization to Participate in Certain Federal Transportation Programs. On file in the House Transportation & Ports Subcommittee.

<sup>47</sup> Section 413.036(2), F.S. provides that the provisions of part I of Ch. 287 (relating to the procurement of commodities, insurance, and contractual services).

Florida expressway authorities are formed either under the Florida Expressway Authority Act<sup>48</sup> or by special act of the Legislature. Most existing expressway authorities were created prior to the Florida Expressway Authority Act being enacted in 1990 and, therefore, are not subject to most of its provisions. The Miami-Dade Expressway Authority is the only authority currently created and governed by the Florida Expressway Authority Act.

The purpose of Florida's expressway authorities is to construct, maintain, and operate tolled transportation facilities complementing the State Highway System and the Florida Turnpike Enterprise. The expressway authorities have boards of directors that typically include a combination of local-government officials and Governor appointees who decide on projects and expenditure of funds.

In 1983, the Broward County Expressway Authority was created.<sup>49</sup> The authority built the Sawgrass Expressway, which opened in 1986. In December 1990, the Sawgrass Expressway was acquired by DOT and became part of Florida's Turnpike System.<sup>50</sup> The Broward County Expressway Authority was repealed in 2011.<sup>51</sup>

While the Broward County Expressway Act was repealed in 2011, s. 338.231(5), F.S., continues to address issue related to series 1984 and series 1986 A bonds originally issued through the authority. Because the bonds have been retired and are no longer outstanding this subsection is now obsolete.

#### Proposed Changes

The bill repeals s. 338.231(5), F.S., relating to retired bonds issued through the abolished Broward County Expressway Authority.

#### Work Program

##### Current Situation

Each year, DOT develops and submits to the Legislature a Work Program, which consists of transportation projects it intends to undertake in the next five years. As part of the annual General Appropriations Act, the Legislature approves DOT's Work Program. DOT has the statutory authority to amend its Work Program.<sup>52</sup>

Current law permits amending the adopted Work Program, but Work Program amendments are only required to come before the Legislative Budget Commission (LBC) if budget authority is moved between appropriations categories.<sup>53</sup> However, historically, there has been sufficient budget authority within each appropriations category to negate the need for a LBC amendment. Therefore, most amendments to the Work Program must only be placed on consultation for 14 days, and become effective automatically unless the House of Representatives or the Senate objects to an amendment

Current law provides that any Work Program amendment requiring the transfer of fixed capital outlay appropriations between categories within DOT or the increase of an appropriation category is subject to the approval of the LBC. However, if a meeting of the LBC cannot be held within 30 days, then the chair and vice chair of the LBC may authorize the amendment to be approved pursuant to s. 216.177, F.S.<sup>54, 55</sup>

#### Proposed Changes

The bill amends s. 339.135(7)(g), F.S., removing the authorization for the chair and vice chair of the LBC to approve an amendment to the work program if a LBC meeting cannot be held within 30 days.

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<sup>48</sup> Part I of Ch. 348, F.S.

<sup>49</sup> Ch. 83-289, L.O.F.

<sup>50</sup> [http://www.floridasturnpike.com/about\\_system.cfm](http://www.floridasturnpike.com/about_system.cfm) (Last visited February 5, 2015).

<sup>51</sup> Ch. 2011-64, L.O.F.

<sup>52</sup> S. 339.135, F.S.

<sup>53</sup> S. 339.135(7), F.S.

<sup>54</sup> Section 216.177, F.S., relates to Appropriations acts, statement of intent, violation, notice, review and objection procedures.

<sup>55</sup> S. 339.135(7)(g), F.S.

The bill creates s. 339.135(7)(h), F.S., providing that any Work Program amendment which also adds a new project, or project phase, to the adopted Work Program in excess of \$3 million is subject to LBC approval. Any work program amendment submitted under s. 339.135(7)(h), F.S. must include, as supplemental information, a list of projects, or project phases, in the current five-year adopted work program that are eligible for the funds within the appropriation category being utilized for the proposed amendment. DOT is required to provide a narrative with the rationale for not advancing an existing project or project phase in lieu of the proposed amendment.

### **Small County Outreach Program**

#### **Current Situation**

The Small County Outreach Program (SCOP) is authorized in s. 339.2818, F.S. The purpose of the program is to assist small county governments in repairing or rehabilitating county bridges, paving unpaved roads, addressing road related drainage improvements, resurfacing or reconstructing of county roads, or constructing capacity or safety improvements to county roads. A small county is defined as any county that has a population of 150,000 or less as determined by the most recent official population estimate as determined by the Office of Economic and Demographic Research. The 150,000 population threshold has been in effect since SCOP was created in 2000.<sup>56</sup>

Small counties are eligible to compete for funds designated for projects on county roads. DOT provides 75 percent of the cost of the projects funded under this program. Funds paid into the State Transportation Trust Fund pursuant to s. 201.15, F.S., for the purposes of the SCOP are annually appropriated for expenditure to support the program.<sup>57</sup>

In 2014, the SCOP statute was amended to allow municipalities within a Rural Area of Opportunity or Rural Area of Opportunity community<sup>58</sup> to compete for project funding using the SCOP criteria at up to 100 percent of project costs, excluding capacity projects. The funding for municipalities would be subject to an additional appropriation in excess of those appropriated for SCOP.

#### **Proposed Changes**

The bill amends s. 339.2818(2), F.S., increasing the maximum population of counties eligible for SCOP from 150,000 to 165,000. With this change, Santa Rosa and Charlotte counties would again be eligible for SCOP funding.

### **Statewide Transportation Corridors**

#### **Current Situation**

In 2003, the Legislature created s. 341.0532, F.S., relating to statewide transportation corridors.<sup>59</sup> Section 341.0532, F.S., designates a number of “statewide transportation corridors” that include railways, highways connecting to transportation terminals, and intermodal service centers. The specified corridors are:

1. The Atlantic Coast Corridor, including I-95, and linking Jacksonville to Miami.
2. The Gulf Coast Corridor, from Pensacola to St. Petersburg and Tampa, including U.S. 98, U.S. 19 and S.R. 27.
3. The Central Florida North-South Corridor, from the Florida-Georgia border to Naples, and Fort Lauderdale/Miami, including I-75.
4. The Central Florida East-West Corridor, from St. Petersburg to Tampa and Titusville, including I-4 and the BeeLine Expressway.
5. The North Florida Corridor, from Pensacola to Jacksonville, including I-10 and U.S. 231, S.R. 77, and S.R. 79.

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<sup>56</sup> Ch. 2000-257, L.O.F.

<sup>57</sup> Section. 201.15(1)(c)1., F.S., provides for the distribution of 38.2 percent or \$541.75 million (whichever is less) of documentary stamp tax revenues to the State Transportation Trust Fund in FDOT, and allocates the revenues among various programs.

<sup>58</sup> Rural Areas of Opportunity are designated pursuant to s. 288.0656(7)(a), F.S.

<sup>59</sup> Ch. 2003-286, L.O.F.

6. The Jacksonville to Tampa Corridor, including U.S. 301.
7. The Jacksonville to Orlando Corridor, including U.S. 17.
8. The Southeastern Everglades Corridor, linking Wildwood, Winter Garden, Orlando, West Palm Beach via the Florida Turnpike.

With very limited exceptions these corridors are also in the Strategic Intermodal System (SIS) which is a statewide network of high-priority transportation facilities, including the state's largest and most significant commercial service airports, spaceports, deepwater seaports, freight rail terminals, passenger rail and intercity bus terminals, rail corridors, waterways and highways. The facilities on SIS are designated by the DOT based on criteria provided in ss. 339.61 through 339.64, F.S.

Section 341.0532, F.S., is not linked to any other section of statute nor is it linked to any transportation funding and is not being used for any purpose. DOT also now has a Future Corridors Program<sup>60</sup> and there may be confusion between the Statewide Transportation Corridors and Future Corridors.

### Proposed Changes

The bill repeals s. 341.0532, F.S. which created the statewide transportation corridors. As mentioned above, most of the corridors are on DOT's SIS.

## **Central Florida Expressway Authority**

### Current Situation

The Orlando Orange County Expressway Authority (OOCEA), was created in part III of Ch. 348, F.S.,<sup>61</sup> and served Orange County. It was authorized to construct, operate, and maintain roads, bridges, avenues of access, thoroughfares, and boulevards in the county, as well as outside the jurisdictional boundaries of Orange County with the consent of the county within whose jurisdiction the activities occur.<sup>62</sup>

In 2014, CS/CS/SB 230 changed OOCEA to the Central Florida Expressway Authority (CFX).<sup>63</sup> In summary, the bill:

- Created CFX and provides for the transfer of governance and control, legal rights and powers, responsibilities, terms and obligations of OOCEA to CFX.
- Provided for the composition of the governing body of CFX and the appointment of its officers.
- Provided ethics and accountability requirements of CFX board members and employees.
- Provided that the area served by CFX is within the geographical boundaries of Orange, Seminole, Lake, and Osceola Counties.
- Removed the existing OOCEA requirement that the route of a project be approved by a municipality before the right-of-way can be acquired.
- Required that CFX encourage the inclusion of local-, small-, minority-, and women-owned businesses in its procurement and contracting opportunities.
- Removed the existing OOCEA authority to waive payment and performance bonds for certain public works projects awarded pursuant to an economic development program.
- Provided that upon termination of the lease-purchase agreement of the Central Florida Expressway System, title will be retained by the state, and extends the terms of lease-purchase agreements from 40 to 99 years.
- Provided for the transfer of the Osceola County Expressway System to CFX and provides for the repeal of the Osceola County Expressway Authority Act<sup>64</sup> when the Osceola County Expressway System is transferred to CFX.

CFX currently owns and operates 105 centerline miles of roadway in Orange County, which includes:

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<sup>60</sup> Information on DOT's Future Corridors Program is available at: <http://www.dot.state.fl.us/planning/policy/corridors/about.shtm> (Last visited March 5, 2015).

<sup>61</sup> Part III of Ch. 348, F.S., consists of ss. 348.751 through 348.765, F.S.

<sup>62</sup> S. 348.754(2)(n), F.S.

<sup>63</sup> Ch, 2014-171-L.O.F.

<sup>64</sup> Part V of Ch. 348, F.S.

- 22 miles of the Spessard L. Holland East-West Expressway (SR 408);
- 23 miles of the Martin Andersen Beachline Expressway (SR 528);
- 33 miles of the Central Florida GreeneWay (SR 417);
- 22 miles of the Daniel Webster Western Beltway (SR 429); and
- 5 miles of the John Land Apopka Expressway (SR 414).

#### Proposed Changes

The bill changes the title of Part III of Ch. 348, F.S., from Orlando-Orange County Expressway Authority to Central Florida Expressway Authority to reflect the new name of the authority.

The bill also addresses several issues relating to the make-up of the CFX governing body. The bill amends s. 348.753(3), F.S., providing that the chairs of the boards of county commission from Seminole, Lake, and Osceola Counties appoint one member of the board from their respective counties, who must be a county commission member, chair, or county mayor. The bill also provides that members appointed by the Governor have their terms end on December 31 of his or her last year of service. The bill also removes an obsolete provisions regarding the terms of standing board members from when the make-up of the board changed in the 2014 law.

The bill amends s. 348.753(4)(a), F.S., removing the requirement that one of the members of the board serve as the authority's secretary.

The bill amends s. 348.754(2)(e), F.S., clarifying that CFX is a party to a December 23, 1989, lease purchase agreement between OOCEA and DOT.

#### Effective Date

The bill has an effective date of July 1, 2015.

#### B. SECTION DIRECTORY:

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|------------|---|
| Section 1  | Creates s. 287.0836, F.S., relating to sustainable transportation services procurement.   |
| Section 2  | Amends s. 316.003, F.S., relating to definitions.   |
| Section 3  | Creates s. 316.0275, F.S., relating to noncriminal traffic infractions leading to serious bodily injury or death; reclassification.   |
| Section 4  | Amends. s. 316.0895, F.S., relating to following too closely.   |
| Section 5  | Amends s. 316.303, F.S., relating to television receivers.  |
| Section 6  | Amends s. 315.515, F.S., relating to maximum width, height, and length requirements for commercial motor vehicles.  |
| Section 7  | Amends s. 320.525, F.S., relating to port vehicles and equipment; definition; exemption.  |
| Section 8  | Amends s. 322.26, F.S., relating to mandatory revocation of license by DHSMV.   |
| Section 9  | Amends s. 334.044, relating to DOT powers and duties.   |
| Section 10 | Amends s. 337.18, F.S., relating to surety bonds for construction or maintenance contracts; requirement with respect to contract awards; bond requirements; defaults; damage assessments. |
| Section 11 | Amends s. 338.231, F.S., relating to turnpike tolls, fixing, pledge of tolls and other revenues.  |



- Section 12 Amends s. 339.175, F.S., relating to work program, legislative budget request; definitions; preparation, adoption, execution, and amendment.
- Section 13 Amends s. 339.175, F.S., relating to metropolitan planning organizations.
- Section 14 Amends s. 339.2818, F.S., relating to the Small County Outreach Program.
- Section 15 Amends s. 339.64, F.S., relating to the strategic intermodal system plan.
- Section 16 Repeals s. 341.0532, F.S., relating to Florida statewide transportation corridors.
- Section 17 Retitles Part III of Ch. 348, F.S.
- Section 18 Amends s. 348.753, F.S., relating to the Central Florida Expressway Authority.
- Section 19 Amends s. 348.754, F.S., relating to the purposes and powers of the Central Florida Expressway Authority.
- Section 20 Provides an effective date.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

#### 1. Revenues:

Indeterminate. DOT could collect additional revenues if there is an increase in the issuance of special permits from the provision which increases the allowable trailer length used to transport manufactured buildings.

#### 2. Expenditures:

None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

#### 1. Revenues:

None.

#### 2. Expenditures:

Indeterminate. See fiscal comments.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

### D. FISCAL COMMENTS:

MPOs may experience minimal costs associated with considering autonomous vehicles in their long-range transportation plans.

The bill makes it a first degree misdemeanor for a person committing a noncriminal traffic infraction which causes serious bodily injury or death to a person, twice within five years. This provision will have an indeterminate, negative impact on local jail facilities.

DOT may see a reduction in its cost of some contracts by waiving some of the bonding requirements with certain nonprofit agencies.

Giving DOT direct NEPA decision making authority may result in more efficient project delivery and reduced project costs. However, the actual reduction in costs is based on specific projects. DOT also indicates that it does not need any additional employees due to NEPA delegation.<sup>65</sup>

### III. COMMENTS

#### A. CONSTITUTIONAL ISSUES:

##### 1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditures of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

##### 2. Other:

None.

#### B. RULE-MAKING AUTHORITY:

The bill authorizes DOT to adopt rules implementing its responsibilities under NEPA.

#### C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

### IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On March 10, 2015, the Transportation & Ports Subcommittee adopted the PCB with one amendment. The amendment extended the allowable length of a trailer transporting multiple sections or single units of manufactured buildings under a special permit from 54 to 80 feet. This analysis is written to the PCB as amended.

On March 24, 2015, the Transportation & Economic Development Appropriations Subcommittee adopted three amendments:

- Removing a required Commission for Transportation Disadvantaged (CTD) pilot program to assess the cost effectiveness of using transportation network companies as transportation operators.
- Removing a required DOT study on the viability of implementing a vehicle miles traveled system as a mechanism for funding transportation infrastructure.
- Reclassifying a second, noncriminal traffic infraction as a first degree misdemeanor under specific circumstances.

On April 2, 2015, the Economic Affairs Committee adopted a strike-all amendment: The strike all amendment:

- Authorizes driver-assistive truck platooning and exempts vehicles engaged in truck platooning from regulations related to following too close.
- Increases the maximum allowable length of semitrailers from 53 feet to 57 feet under certain circumstances.
- Provides that a motor vehicle being relocated within a port facility via designated port district roads are exempt from vehicle registration requirements.
- Authorizes DOT to assume certain responsibilities of the USDOT under NEPA.
- Authorizes DOT to waive surety bond requirements for contracts with certain nonprofit organizations.

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<sup>65</sup> Conversation between Transportation & Ports Subcommittee Staff and DOT staff.

- Revises requirements governing when a proposed amendment to DOT's Work Program must be approved by the LBC.
- Increases the maximum population for counties eligible for SCOP from 150,000 to 165,000.
- Removes provisions regarding the makeup of the board of an independent special district regulating vehicles-for-hire.

The analysis is drafted to the committee substitute.