

By Senator Lee

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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:

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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.