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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 for construction
18 of the act in pari materia with laws enacted during
19 the 2015 Regular Session of the Legislature; providing
20 for contingent retroactive operation; providing
21 effective dates.

22
23 Be It Enacted by the Legislature of the State of Florida:

24
25 Section 1. Subsection (4) of s. 320.072, Florida Statutes,
26 is amended to read:

27 320.072 Additional fee imposed on certain motor vehicle
28 registration transactions.—

29 (4) A tax collector or other authorized agent of the

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30 department shall promptly remit all moneys collected pursuant to
31 this section, less any refunds granted pursuant to subsection
32 (3), to the department. The department shall deposit 85.7 ~~44.5~~
33 percent of such moneys into the State Transportation Trust Fund~~7~~
34 and 14.3 percent into the Highway Safety Operating Trust Fund~~7~~
35 and ~~41.2~~ percent into the General Revenue Fund. Notwithstanding
36 any other law, the moneys deposited into the State
37 Transportation Trust Fund pursuant to this subsection shall be
38 used by the Department of Transportation for the following:

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

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

44 (c) The Small County Outreach Program pursuant to s.
45 339.2818, 5 percent.

46 (d) The Florida Strategic Intermodal System pursuant to ss.
47 339.61, 339.62, 339.63, and 339.64, 20.6 percent.

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

50 (f) All remaining funds for any transportation purpose
51 authorized by law.

52 Section 2. Section 339.81, Florida Statutes, is created to
53 read:

54 339.81 Florida Shared-Use Nonmotorized Trail Network.—

55 (1) The Legislature finds that increasing demands continue
56 to be placed on the state's transportation system by a growing
57 economy, continued population growth, and increasing tourism.

58 The Legislature also finds that significant challenges to

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

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

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88 cultural attractions for a variety of trip purposes, including
89 work, school, shopping, and other personal business, as well as
90 social, recreational, and personal fitness purposes.

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

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

99 (b) On-road components of the Florida Keys Overseas
100 Heritage Trail.

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

109 (5) The department shall include the Florida Shared-Use
110 Nonmotorized Trail Network in its work program developed
111 pursuant to s. 339.135. For purposes of funding and maintaining
112 projects within the network, the department shall allocate in
113 its program and resource plan a minimum of \$25 million annually,
114 beginning in the 2015-2016 fiscal year.

115 (6) The department may enter into a memorandum of agreement
116 with a local government or other agency of the state to transfer

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117 maintenance responsibilities of an individual network component.
118 The department may contract with a not-for-profit entity or
119 private sector business or entity to provide maintenance
120 services on an individual network component.

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

123 Section 3. If any law amended by this act was also amended
124 by a law enacted during the 2015 Regular Session of the
125 Legislature, such laws shall be construed as if enacted during
126 the same session of the Legislature, and full effect shall be
127 given to each if possible.

128 Section 4. Except as otherwise expressly provided in this
129 act and except for this section, which shall take effect upon
130 this act becoming a law, this act shall take effect July 1,
131 2015, or, if this act fails to become a law until after that
132 date, it shall take effect upon becoming a law and operate
133 retroactively to July 1, 2015.