

By the Committees on Appropriations; and Transportation; and
Senator Brandes

576-04484-16

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1 A bill to be entitled
2 An act relating to transportation; amending s. 311.12,
3 F.S.; establishing the Seaport Security Advisory
4 Committee under the direction of the Florida Seaport
5 Transportation and Economic Development Council;
6 providing membership and duties; directing the council
7 to establish a Seaport Security Grant Program to
8 assist in the implementation of security at specified
9 seaports; directing the council to review
10 applications, make recommendations to the council, and
11 adopt rules; amending s. 316.003, F.S.; defining the
12 term "driver-assistive truck platooning technology;
13 directing the Department of Transportation to study
14 the operation of driver-assistive truck platooning
15 technology; authorizing the department to conduct a
16 pilot project to test such operation; providing
17 security requirements; requiring a report to the
18 Governor and the Legislature; amending s. 316.0745,
19 F.S.; revising the circumstances under which the
20 Department of Transportation is authorized to direct
21 the removal of certain traffic control devices;
22 requiring the public agency erecting or installing
23 such a device to bring it into compliance with certain
24 requirements or remove it upon the direction of the
25 department; amending s. 316.235, F.S.; revising
26 specifications for bus deceleration lighting systems;
27 amending s. 316.303, F.S.; revising the prohibition
28 from operating, under certain circumstances, a motor
29 vehicle that is equipped with television-type
30 receiving equipment; providing exceptions to the
31 prohibition against displaying moving television

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32 broadcast or pre-recorded video entertainment content
33 in vehicles; amending s. 316.640, F.S.; expanding the
34 authority of a chartered municipal parking enforcement
35 specialist to enforce state, county, and municipal
36 parking laws and ordinances within the boundaries of
37 certain counties pursuant to a memorandum of
38 understanding; amending s. 316.85, F.S.; revising the
39 circumstances under which a licensed driver is
40 authorized to operate an autonomous vehicle in
41 autonomous mode; amending s. 316.86, F.S.; deleting a
42 provision authorizing the operation of vehicles
43 equipped with autonomous technology on roads in this
44 state for testing purposes by certain persons or
45 research organizations; deleting a requirement that a
46 human operator be present in an autonomous vehicle for
47 testing purposes; deleting certain financial
48 responsibility requirements for entities performing
49 such testing; amending s. 319.145, F.S.; revising
50 provisions relating to required equipment and
51 operation of autonomous vehicles; amending s. 320.525,
52 F.S.; revising the definition of the term "port
53 vehicles and equipment"; amending s. 332.08, F.S.;
54 extending the authorized term of certain airport-
55 related leases; creating s. 335.085, F.S.; providing a
56 short title; requiring the department to install
57 roadside barriers to shield water bodies contiguous
58 with state roads at certain locations by a specified
59 date under certain circumstances; providing
60 applicability; requiring the department to review

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61 specified information related to certain motor vehicle
62 accidents on state roads contiguous with water bodies
63 which occurred during a specified timeframe, subject
64 to certain requirements; requiring the department to
65 submit a report to the Legislature by a specified
66 date, subject to certain requirements; amending s.
67 337.0261, F.S.; requiring local governments to
68 consider information provided by the department
69 regarding the effect that approving or denying certain
70 regulations may have on the cost of construction
71 aggregate materials in the local area, the region, and
72 the state; amending s. 337.18, F.S.; revising
73 conditions for waiver of a required surety bond;
74 amending s. 338.165, F.S.; deleting an authorization
75 to issue certain bonds secured by toll revenues
76 collected on the Beeline-East Expressway, the Navarre
77 Bridge, and the Pinellas Bayway; authorizing the
78 department's Pinellas Bayway System to be transferred
79 by the department and become part of the turnpike
80 system under the Florida Turnpike Enterprise Law;
81 providing applicability; requiring the department to
82 transfer certain funds to the Florida Turnpike
83 Enterprise for certain purposes; repealing chapter 85-
84 364, Laws of Florida, as amended, relating to the
85 Pinellas Bayway; amending s. 338.231, F.S.; increasing
86 the number of years before an inactive prepaid toll
87 account shall be presumed unclaimed; deleting
88 provisions relating to the use of revenues from the
89 turnpike system to pay the principal and interest of a

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90 specified series of bonds and certain expenses of the
91 Sawgrass Expressway; amending s. 339.175, F.S.;
92 requiring certain long-range transportation plans to
93 include assessment of capital investment and other
94 measures necessary to make the most efficient use of
95 existing transportation facilities to improve safety;
96 requiring the assessments to include consideration of
97 infrastructure and technological improvements
98 necessary to accommodate advances in vehicle
99 technology; amending s. 339.2818, F.S.; increasing the
100 population ceiling in the definition of the term
101 "small county" for purposes of the Small County
102 Outreach Program; deleting an alternative definition
103 of the term "small county" for a specified fiscal
104 year; amending s. 339.55, F.S.; revising the purpose
105 of the state-funded infrastructure bank within the
106 department to include constructing and improving
107 ancillary facilities that produce or distribute
108 natural gas or fuel; authorizing the department to
109 consider applications for loans from the bank for
110 development and construction of natural gas fuel
111 production or distribution facilities used primarily
112 to support transportation activities at seaports or
113 intermodal facilities beginning on a specified date;
114 authorizing use of such loans to refinance outstanding
115 debt; amending s. 339.64, F.S.; requiring the
116 department to coordinate with certain partners and
117 industry representatives to consider infrastructure
118 and technological improvements necessary to

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119 accommodate advances in vehicle technology in
120 Strategic Intermodal System facilities; requiring the
121 Strategic Intermodal System Plan to include a needs
122 assessment regarding such infrastructure and
123 technological improvements; repealing s. 341.0532,
124 F.S., relating to statewide transportation corridors;
125 amending s. 343.92, F.S.; increasing the members on
126 the governing board of the Tampa Bay Area Regional
127 Transportation Authority; requiring the secretary of
128 the department to appoint two advisors to the board
129 subject to certain requirements, rather than
130 appointing one nonvoting, ex officio member of the
131 board; amending s. 343.922, F.S.; requiring the
132 authority to present a certain master plan and updates
133 to, and coordinate projects and plans with, the Tampa
134 Bay Area Regional Transportation Authority (TBARTA)
135 Metropolitan Planning Organization Chairs Coordinating
136 Committee, rather than the West Central Florida M.P.O.
137 Chairs Coordinating Committee; requiring the authority
138 to provide certain administrative support and
139 direction to the TBARTA Metropolitan Planning
140 Organization Chairs Coordinating Committee; amending
141 s. 348.565, F.S.; expanding the list of projects of
142 the Tampa-Hillsborough County Expressway Authority
143 which are approved to be financed or refinanced by the
144 issuance of certain revenue bonds; amending s. 479.16,
145 F.S.; exempting certain signs from a specified permit,
146 subject to certain requirements and restrictions;
147 providing an effective date.

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

Section 1. Subsections (5) and (6) are added to section 311.12, Florida Statutes, to read:

311.12 Seaport security.—

(5) ADVISORY COMMITTEE.—

(a) There is created the Seaport Security Advisory Committee, which shall be under the direction of the Florida Seaport Transportation and Economic Development Council.

(b) The committee shall consist of the following members:

1. Five or more port security directors appointed by the council chair shall serve as voting members. The council chair shall designate one member of the committee to serve as committee chair.

2. A designee from the United States Coast Guard shall serve ex officio as a nonvoting member.

3. A designee from United States Customs and Border Protection shall serve ex officio as a nonvoting member.

4. Two representatives from local law enforcement agencies providing security services at a Florida seaport shall serve ex officio as nonvoting members.

(c) The committee shall meet at the call of the chair but at least annually. A majority of the voting members constitutes a quorum for the purpose of transacting business of the committee, and a vote of the majority of the voting members present is required for official action by the committee.

(d) The committee shall provide a forum for discussion of seaport security issues, including, but not limited to, matters

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177 such as national and state security strategy and policy, actions
178 required to meet current and future security threats, statewide
179 cooperation on security issues, and security concerns of the
180 state's maritime industry.

181 (6) GRANT PROGRAM.—

182 (a) The Florida Seaport Transportation and Economic
183 Development Council shall establish a Seaport Security Grant
184 Program for the purpose of assisting in the implementation of
185 security plans and security measures at the seaports listed in
186 s. 311.09(1). Funds may be used for the purchase of equipment,
187 infrastructure needs, cybersecurity programs, and other security
188 measures identified in a seaport's approved federal security
189 plan. Such grants may not exceed 75 percent of the total cost of
190 the request and are subject to legislative appropriation.

191 (b) The Seaport Security Advisory Committee shall review
192 applications for the grant program and make recommendations to
193 the council for grant approvals. The council shall adopt by rule
194 criteria to implement this subsection.

195 Section 2. Present subsections (91), (92), and (93) of
196 section 316.003, Florida Statutes, are redesignated as
197 subsections (92), (93), and (94), respectively, and a new
198 subsection (91) is added to that section to read:

199 (91) DRIVER-ASSISTIVE TRUCK PLATOONING TECHNOLOGY.—Vehicle
200 automation and safety technology that integrates sensor array,
201 wireless vehicle-to-vehicle communications, active safety
202 systems, and specialized software to link safety systems and
203 synchronize acceleration and braking between two vehicles while
204 leaving each vehicle's steering control and systems command in
205 the control of the vehicle's driver in compliance with the

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206 National Highway Traffic Safety Administration rules regarding
207 vehicle-to-vehicle communications.

208 Section 3. The Department of Transportation, in
209 consultation with the Department of Highway Safety and Motor
210 Vehicles, shall study the use and safe operation of driver-
211 assistive truck platooning technology, as defined in s. 316.003,
212 Florida Statutes, for the purpose of developing a pilot project
213 to test vehicles that are equipped to operate using driver-
214 assistive truck platooning technology.

215 (1) Upon conclusion of the study, the Department of
216 Transportation, in consultation with the Department of Highway
217 Safety and Motor Vehicles, may conduct a pilot project to test
218 the use and safe operation of vehicles equipped with driver-
219 assistive truck platooning technology.

220 (2) Notwithstanding ss. 316.0895 and 316.303, Florida
221 Statutes, the Department of Transportation may conduct the pilot
222 project in such a manner and at such locations as determined by
223 the Department of Transportation based on the study.

224 (3) Before the start of the pilot project, manufacturers of
225 driver-assistive truck platooning technology being tested in the
226 pilot project must submit to the Department of Highway Safety
227 and Motor Vehicles an instrument of insurance, a surety bond, or
228 proof of self-insurance acceptable to the department in the
229 amount of \$5 million.

230 (4) Upon conclusion of the pilot project, the Department of
231 Transportation, in consultation with the Department of Highway
232 Safety and Motor Vehicles, shall submit the results of the study
233 and any findings or recommendations from the pilot project to
234 the Governor, the President of the Senate, and the Speaker of

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235 the House of Representatives.

236 Section 4. Subsection (7) of section 316.0745, Florida
237 Statutes, is amended to read:

238 316.0745 Uniform signals and devices.—

239 (7) The Department of Transportation may, upon receipt and
240 investigation of reported noncompliance and is authorized, after
241 hearing pursuant to 14 days' notice, ~~to~~ direct the removal of
242 any purported traffic control device that fails to meet the
243 requirements of this section, wherever the device is located and
244 without regard to assigned responsibility under s. 316.1895
245 ~~which fails to meet the requirements of this section.~~ The public
246 agency erecting or installing the same shall immediately bring
247 it into compliance with the requirements of this section or
248 remove said device or signal upon the direction of the
249 Department of Transportation and may not, for a period of 5
250 years, install any replacement or new traffic control devices
251 paid for in part or in full with revenues raised by the state
252 unless written prior approval is received from the Department of
253 Transportation. Any additional violation by a public body or
254 official shall be cause for the withholding of state funds for
255 traffic control purposes until such public body or official
256 demonstrates to the Department of Transportation that it is
257 complying with this section.

258 Section 5. Subsection (5) of section 316.235, Florida
259 Statutes, is amended to read:

260 316.235 Additional lighting equipment.—

261 (5) A bus, ~~as defined in s. 316.003(3),~~ may be equipped
262 with a deceleration lighting system that ~~which~~ cautions
263 following vehicles that the bus is slowing, is preparing to

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264 stop, or is stopped. Such lighting system shall consist of red
265 or amber lights mounted in horizontal alignment on the rear of
266 the vehicle at ~~or near~~ the vertical centerline of the vehicle,
267 no greater than 12 inches apart, not higher than the lower edge
268 of the rear window or, if the vehicle has no rear window, not
269 higher than 100 ~~72~~ inches from the ground. Such lights shall be
270 visible from a distance of not less than 300 feet to the rear in
271 normal sunlight. Lights are permitted to light and flash during
272 deceleration, braking, or standing and idling of the bus.

273 Vehicular hazard warning flashers may be used in conjunction
274 with or in lieu of a rear-mounted deceleration lighting system.

275 Section 6. Subsections (1) and (3) of section 316.303,
276 Florida Statutes, are amended to read:

277 316.303 Television receivers.—

278 (1) No motor vehicle may be operated on the highways of
279 this state if the vehicle is actively displaying moving
280 television broadcast or pre-recorded video entertainment content
281 that is shall be equipped with television-type receiving
282 equipment so located that the viewer or screen is visible from
283 the driver's seat while the vehicle is in motion, unless the
284 vehicle is equipped with autonomous technology, as defined in s.
285 316.003(90), and is being operated in autonomous mode, as
286 provided in s. 316.85(2).

287 (3) This section does not prohibit the use of an electronic
288 display used in conjunction with a vehicle navigation system; an
289 electronic display used by an operator of a vehicle equipped
290 with autonomous technology, as defined in s. 316.003(90); or an
291 electronic display used by an operator of a vehicle equipped and
292 operating with driver-assistive truck platooning technology, as

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293 defined in s. 316.003.

294 Section 7. Paragraph (c) of subsection (3) of section
295 316.640, Florida Statutes, is amended to read:

296 316.640 Enforcement.—The enforcement of the traffic laws of
297 this state is vested as follows:

298 (3) MUNICIPALITIES.—

299 (c)1. A chartered municipality or its authorized agency or
300 instrumentality may employ as a parking enforcement specialist
301 any individual who successfully completes a training program
302 established and approved by the Criminal Justice Standards and
303 Training Commission for parking enforcement specialists, but who
304 does not otherwise meet the uniform minimum standards
305 established by the commission for law enforcement officers or
306 auxiliary or part-time officers under s. 943.12.

307 2. A parking enforcement specialist employed by a chartered
308 municipality or its authorized agency or instrumentality is
309 authorized to enforce all state, county, and municipal laws and
310 ordinances governing parking within the boundaries of the
311 municipality employing the specialist, or, pursuant to a
312 memorandum of understanding between the county and the
313 municipality, within the boundaries of the county in which the
314 chartered municipality or its authorized agency or
315 instrumentality is located, by appropriate state, county, or
316 municipal traffic citation.

317 3. A parking enforcement specialist employed pursuant to
318 this subsection may not carry firearms or other weapons or have
319 arrest authority.

320 Section 8. Subsection (1) of section 316.85, Florida
321 Statutes, is amended to read:

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322 316.85 Autonomous vehicles; operation.-

323 (1) A person who possesses a valid driver license may
324 operate an autonomous vehicle in autonomous mode on roads in
325 this state if the vehicle is equipped with autonomous
326 technology, as defined in s. 316.003(90).

327 Section 9. Section 316.86, Florida Statutes, is amended to
328 read:

329 ~~316.86 Operation of vehicles equipped with autonomous~~
330 ~~technology on roads for testing purposes; financial~~
331 ~~responsibility; Exemption from liability for manufacturer when~~
332 ~~third party converts vehicle.-~~

333 ~~(1) Vehicles equipped with autonomous technology may be~~
334 ~~operated on roads in this state by employees, contractors, or~~
335 ~~other persons designated by manufacturers of autonomous~~
336 ~~technology, or by research organizations associated with~~
337 ~~accredited educational institutions, for the purpose of testing~~
338 ~~the technology. For testing purposes, a human operator shall be~~
339 ~~present in the autonomous vehicle such that he or she has the~~
340 ~~ability to monitor the vehicle's performance and intervene, if~~
341 ~~necessary, unless the vehicle is being tested or demonstrated on~~
342 ~~a closed course. Before the start of testing in this state, the~~
343 ~~entity performing the testing must submit to the department an~~
344 ~~instrument of insurance, surety bond, or proof of self-insurance~~
345 ~~acceptable to the department in the amount of \$5 million.~~

346 (2) The original manufacturer of a vehicle converted by a
347 third party into an autonomous vehicle is ~~shall~~ not be liable
348 in, and shall have a defense to and be dismissed from, any legal
349 action brought against the original manufacturer by any person
350 injured due to an alleged vehicle defect caused by the

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351 conversion of the vehicle, or by equipment installed by the
352 converter, unless the alleged defect was present in the vehicle
353 as originally manufactured.

354 Section 10. Subsection (1) of section 319.145, Florida
355 Statutes, is amended to read:

356 319.145 Autonomous vehicles.—

357 (1) An autonomous vehicle registered in this state must
358 continue to meet applicable federal standards and regulations
359 for such a motor vehicle. The vehicle must ~~shall~~:

360 (a) Have a system to safely alert the operator if an
361 autonomous technology failure is detected while the autonomous
362 technology is engaged. When an alert is given, the system must:

363 1. Require the operator to take control of the autonomous
364 vehicle; or

365 2. If the operator does not, or is not able to, take
366 control of the autonomous vehicle, be capable of bringing the
367 vehicle to a complete stop ~~Have a means to engage and disengage~~
368 ~~the autonomous technology which is easily accessible to the~~
369 ~~operator.~~

370 (b) Have a means, inside the vehicle, to visually indicate
371 when the vehicle is operating in autonomous mode.

372 ~~(c) Have a means to alert the operator of the vehicle if a~~
373 ~~technology failure affecting the ability of the vehicle to~~
374 ~~safely operate autonomously is detected while the vehicle is~~
375 ~~operating autonomously in order to indicate to the operator to~~
376 ~~take control of the vehicle.~~

377 (c) ~~(d)~~ Be capable of being operated in compliance with the
378 applicable traffic and motor vehicle laws of this state.

379 Section 11. Subsection (1) of section 320.525, Florida

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380 Statutes, is amended to read:

381 320.525 Port vehicles and equipment; definition;
382 exemption.—

383 (1) As used in this section, the term "port vehicles and
384 equipment" means trucks, tractors, trailers, truck cranes, top
385 loaders, fork lifts, hostling tractors, chassis, or other
386 vehicles or equipment used for transporting cargo, containers,
387 or other equipment. The term includes motor vehicles being
388 relocated within a port facility or via designated port district
389 roads.

390 Section 12. Paragraph (c) of subsection (1) of section
391 332.08, Florida Statutes, is amended to read:

392 332.08 Additional powers.—

393 (1) In addition to the general powers in ss. 332.01-332.12
394 conferred and without limitation thereof, a municipality that
395 has established or may hereafter establish airports, restricted
396 landing areas, or other air navigation facilities, or that has
397 acquired or set apart or may hereafter acquire or set apart real
398 property for such purposes, is authorized:

399 (c) To lease for a term not exceeding 50 ~~30~~ years such
400 airports or other air navigation facilities, or real property
401 acquired or set apart for airport purposes, to private parties,
402 any municipal or state government or the national government, or
403 any department of either thereof, for operation; to lease or
404 assign for a term not exceeding 50 ~~30~~ years to private parties,
405 any municipal or state government or the national government, or
406 any department of either thereof, for operation or use
407 consistent with the purposes of ss. 332.01-332.12, space, area,
408 improvements, or equipment on such airports; to sell any part of

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409 such airports, other air navigation facilities, or real property
410 to any municipal or state government, or the United States or
411 any department or instrumentality thereof, for aeronautical
412 purposes or purposes incidental thereto, and to confer the
413 privileges of concessions of supplying upon its airports goods,
414 commodities, things, services, and facilities; provided, that in
415 each case in so doing the public is not deprived of its rightful
416 equal and uniform use thereof.

417 Section 13. Section 335.085, Florida Statutes, is created
418 to read:

419 335.085 Installation of roadside barriers along certain
420 water bodies contiguous with state roads.-

421 (1) This section shall be cited as "Chloe's Law."

422 (2) By June 30, 2018, the department shall install roadside
423 barriers to shield water bodies contiguous with state roads at
424 locations where a death due to drowning resulted from a motor
425 vehicle accident in which a vehicle departed the adjacent state
426 road during the period between July 1, 2006, and July 1, 2016.
427 This requirement does not apply to any location at which the
428 department's chief engineer determines, based on engineering
429 principles, that installation of a barrier would increase the
430 risk of injury to motorists traveling on the adjacent state
431 road.

432 Section 14. The Department of Transportation shall review
433 all motor vehicle accidents that resulted in death due to
434 drowning in a water body contiguous with a state road and that
435 occurred during the period between July 1, 2006, and July 1,
436 2016. The department shall use the reconciled crash data
437 received from the Department of Highway Safety and Motor

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438 Vehicles and shall submit a report to the President of the
439 Senate and the Speaker of the House of Representatives by
440 January 3, 2017, providing recommendations regarding any
441 necessary changes to state laws and department rules to enhance
442 traffic safety.

443 Section 15. Subsection (3) of section 337.0261, Florida
444 Statutes, is amended to read:

445 337.0261 Construction aggregate materials.—

446 (3) LOCAL GOVERNMENT DECISIONMAKING.—A ~~Ne~~ local government
447 may not shall approve or deny a proposed land use zoning change,
448 comprehensive plan amendment, land use permit, ordinance, or
449 order regarding construction aggregate materials without
450 considering any information provided by the Department of
451 Transportation regarding the effect such change, amendment,
452 permit decision, ordinance, or order would have on the
453 availability, transportation, cost, and potential extraction of
454 construction aggregate materials on the local area, the region,
455 and the state. The failure of the Department of Transportation
456 to provide this information shall not be a basis for delay or
457 invalidation of the local government action. A ~~Ne~~ local
458 government may not impose a moratorium, or combination of
459 moratoria, of more than 12 months' duration on the mining or
460 extraction of construction aggregate materials, commencing on
461 the date the vote was taken to impose the moratorium. January 1,
462 2007, shall serve as the commencement of the 12-month period for
463 moratoria already in place as of July 1, 2007.

464 Section 16. Paragraph (a) of subsection (1) of section
465 337.18, Florida Statutes, is amended to read:

466 337.18 Surety bonds for construction or maintenance

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467 contracts; requirement with respect to contract award; bond
468 requirements; defaults; damage assessments.-

469 (1) (a) A surety bond shall be required of the successful
470 bidder in an amount equal to the awarded contract price.
471 However, the department may choose, in its discretion and
472 applicable only to multiyear maintenance contracts, to allow for
473 incremental annual contract bonds that cumulatively total the
474 full, awarded, multiyear contract price.

475 1. The department may waive the requirement for all or a
476 portion of a surety bond if:

477 a. ~~For a project for which~~ The contract price is \$250,000
478 or less ~~and,~~ the department ~~may waive the requirement for all or~~
479 ~~a portion of a surety bond if it~~ determines that the project is
480 of a noncritical nature and that nonperformance will not
481 endanger public health, safety, or property;

482 b. The prime contractor is a qualified nonprofit agency for
483 the blind or for the other severely handicapped under s.
484 413.036(2); or

485 c. The prime contractor is using a subcontractor that is a
486 qualified nonprofit agency for the blind or for the other
487 severely handicapped under s. 413.036(2). However, the
488 department may not waive more than the amount of the
489 subcontract.

490 2. If the Secretary of Transportation or the secretary's
491 designee determines that it is in the best interests of the
492 department to reduce the bonding requirement for a project and
493 that to do so will not endanger public health, safety, or
494 property, the department may waive the requirement of a surety
495 bond in an amount equal to the awarded contract price for a

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496 project having a contract price of \$250 million or more and, in
497 its place, may set a surety bond amount that is a portion of the
498 total contract price and provide an alternate means of security
499 for the balance of the contract amount that is not covered by
500 the surety bond or provide for incremental surety bonding and
501 provide an alternate means of security for the balance of the
502 contract amount that is not covered by the surety bond. Such
503 alternative means of security may include letters of credit,
504 United States bonds and notes, parent company guarantees, and
505 cash collateral. The department may require alternate means of
506 security if a surety bond is waived. The surety on such bond
507 shall be a surety company authorized to do business in the
508 state. All bonds shall be payable to the department and
509 conditioned for the prompt, faithful, and efficient performance
510 of the contract according to plans and specifications and within
511 the time period specified, and for the prompt payment of all
512 persons defined in s. 713.01 furnishing labor, material,
513 equipment, and supplies for work provided in the contract;
514 however, whenever an improvement, demolition, or removal
515 contract price is \$25,000 or less, the security may, in the
516 discretion of the bidder, be in the form of a cashier's check,
517 bank money order of any state or national bank, certified check,
518 or postal money order. The department shall adopt rules to
519 implement this subsection. Such rules shall include provisions
520 under which the department shall refuse to accept bonds on
521 contracts when a surety wrongfully fails or refuses to settle or
522 provide a defense for claims or actions arising under a contract
523 for which the surety previously furnished a bond.

524 Section 17. Subsection (4) of section 338.165, Florida

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525 Statutes, is amended, and subsection (11) is added to that
526 section, to read:

527 338.165 Continuation of tolls.—

528 (4) Notwithstanding any other law to the contrary, pursuant
529 to s. 11, Art. VII of the State Constitution, and subject to the
530 requirements of subsection (2), the Department of Transportation
531 may request the Division of Bond Finance to issue bonds secured
532 by toll revenues collected on the Alligator Alley and, the
533 Sunshine Skyway Bridge, ~~the Beeline East Expressway, the Navarre~~
534 ~~Bridge, and the Pinellas Bayway~~ to fund transportation projects
535 located within the county or counties in which the project is
536 located and contained in the adopted work program of the
537 department.

538 (11) The department's Pinellas Bayway System may be
539 transferred by the department and become part of the turnpike
540 system under the Florida Turnpike Enterprise Law. The transfer
541 does not affect the rights of the parties, or their successors
542 in interest, under the settlement agreement and final judgment
543 in *Leonard Lee Ratner, Esther Ratner, and Leeco Gas and Oil Co.*
544 *v. State Road Department of the State of Florida*, No. 67-1081
545 (Fla. 2nd Cir. Ct. 1968). Upon transfer of the Pinellas Bayway
546 System to the turnpike system, the department shall also
547 transfer to the Florida Turnpike Enterprise the funds deposited
548 in the reserve account established by chapter 85-364, Laws of
549 Florida, as amended by chapters 95-382 and 2014-223, Laws of
550 Florida, which funds shall be used by the Florida Turnpike
551 Enterprise solely to help fund the costs of repair or
552 replacement of the transferred facilities.

553 Section 18. Chapter 85-364, Laws of Florida, as amended by

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554 chapter 95-382 and section 48 of chapter 2014-223, Laws of
555 Florida, is repealed.

556 Section 19. Paragraph (c) of subsection (3) and subsections
557 (5) and (6) of section 338.231, Florida Statutes, are amended to
558 read:

559 338.231 Turnpike tolls, fixing; pledge of tolls and other
560 revenues.—The department shall at all times fix, adjust, charge,
561 and collect such tolls and amounts for the use of the turnpike
562 system as are required in order to provide a fund sufficient
563 with other revenues of the turnpike system to pay the cost of
564 maintaining, improving, repairing, and operating such turnpike
565 system; to pay the principal of and interest on all bonds issued
566 to finance or refinance any portion of the turnpike system as
567 the same become due and payable; and to create reserves for all
568 such purposes.

569 (3)

570 (c) Notwithstanding any other ~~provision of~~ law to the
571 contrary, any prepaid toll account of any kind which has
572 remained inactive for 10 ~~3~~ years shall be presumed unclaimed and
573 its disposition shall be handled by the Department of Financial
574 Services in accordance with all applicable provisions of chapter
575 717 relating to the disposition of unclaimed property, and the
576 prepaid toll account shall be closed by the department.

577 ~~(5) In each fiscal year while any of the bonds of the~~
578 ~~Broward County Expressway Authority series 1984 and series 1986~~
579 ~~remain outstanding, the department is authorized to pledge~~
580 ~~revenues from the turnpike system to the payment of principal~~
581 ~~and interest of such series of bonds and the operation and~~
582 ~~maintenance expenses of the Sawgrass Expressway, to the extent~~

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583 ~~gross toll revenues of the Sawgrass Expressway are insufficient~~
584 ~~to make such payments. The terms of an agreement relative to the~~
585 ~~pledge of turnpike system revenue will be negotiated with the~~
586 ~~parties of the 1984 and 1986 Broward County Expressway Authority~~
587 ~~lease purchase agreements, and subject to the covenants of those~~
588 ~~agreements. The agreement must establish that the Sawgrass~~
589 ~~Expressway is subject to the planning, management, and operating~~
590 ~~control of the department limited only by the terms of the~~
591 ~~lease purchase agreements. The department shall provide for the~~
592 ~~payment of operation and maintenance expenses of the Sawgrass~~
593 ~~Expressway until such agreement is in effect. This pledge of~~
594 ~~turnpike system revenues is subordinate to the debt service~~
595 ~~requirements of any future issue of turnpike bonds, the payment~~
596 ~~of turnpike system operation and maintenance expenses, and~~
597 ~~subject to any subsequent resolution or trust indenture relating~~
598 ~~to the issuance of such turnpike bonds.~~

599 (5) ~~(6)~~ The use and disposition of revenues pledged to bonds
600 are subject to ss. 338.22-338.241 and such regulations as the
601 resolution authorizing the issuance of the bonds or such trust
602 agreement may provide.

603 Section 20. Paragraph (c) of subsection (7) of section
604 339.175, Florida Statutes, is amended to read:

605 339.175 Metropolitan planning organization.—

606 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must
607 develop a long-range transportation plan that addresses at least
608 a 20-year planning horizon. The plan must include both long-
609 range and short-range strategies and must comply with all other
610 state and federal requirements. The prevailing principles to be
611 considered in the long-range transportation plan are: preserving

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612 the existing transportation infrastructure; enhancing Florida's
613 economic competitiveness; and improving travel choices to ensure
614 mobility. The long-range transportation plan must be consistent,
615 to the maximum extent feasible, with future land use elements
616 and the goals, objectives, and policies of the approved local
617 government comprehensive plans of the units of local government
618 located within the jurisdiction of the M.P.O. Each M.P.O. is
619 encouraged to consider strategies that integrate transportation
620 and land use planning to provide for sustainable development and
621 reduce greenhouse gas emissions. The approved long-range
622 transportation plan must be considered by local governments in
623 the development of the transportation elements in local
624 government comprehensive plans and any amendments thereto. The
625 long-range transportation plan must, at a minimum:

626 (c) Assess capital investment and other measures necessary
627 to:

- 628 1. Ensure the preservation of the existing metropolitan
629 transportation system including requirements for the operation,
630 resurfacing, restoration, and rehabilitation of major roadways
631 and requirements for the operation, maintenance, modernization,
632 and rehabilitation of public transportation facilities; and
- 633 2. Make the most efficient use of existing transportation
634 facilities to relieve vehicular congestion, improve safety, and
635 maximize the mobility of people and goods. Such efforts must
636 include, but are not limited to, consideration of infrastructure
637 and technological improvements necessary to accommodate advances
638 in vehicle technology, such as autonomous technology and other
639 developments.

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641 In the development of its long-range transportation plan, each
642 M.P.O. must provide the public, affected public agencies,
643 representatives of transportation agency employees, freight
644 shippers, providers of freight transportation services, private
645 providers of transportation, representatives of users of public
646 transit, and other interested parties with a reasonable
647 opportunity to comment on the long-range transportation plan.
648 The long-range transportation plan must be approved by the
649 M.P.O.

650 Section 21. Subsection (2) of section 339.2818, Florida
651 Statutes, is amended to read:

652 339.2818 Small County Outreach Program.—

653 (2)(a) For the purposes of this section, the term "small
654 county" means any county that has a population of 170,000
655 ~~150,000~~ or less as determined by the most recent official
656 estimate pursuant to s. 186.901.

657 ~~(b) Notwithstanding paragraph (a), for the 2015-2016 fiscal~~
658 ~~year, for purposes of this section, the term "small county"~~
659 ~~means any county that has a population of 165,000 or less as~~
660 ~~determined by the most recent official estimate pursuant to s.~~
661 ~~186.901. This paragraph expires July 1, 2016.~~

662 Section 22. Subsections (1) and (2) of section 339.55,
663 Florida Statutes, are amended to read:

664 339.55 State-funded infrastructure bank.—

665 (1) There is created within the Department of
666 Transportation a state-funded infrastructure bank for the
667 purpose of providing loans and credit enhancements to government
668 units and private entities for use in constructing and improving
669 transportation facilities or ancillary facilities that produce

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670 or distribute natural gas or fuel.

671 (2) The bank may lend capital costs or provide credit
672 enhancements for:

673 (a) A transportation facility project that is on the State
674 Highway System or that provides for increased mobility on the
675 state's transportation system or provides intermodal
676 connectivity with airports, seaports, rail facilities, and other
677 transportation terminals, pursuant to s. 341.053, for the
678 movement of people and goods.

679 (b) Projects of the Transportation Regional Incentive
680 Program which are identified pursuant to s. 339.2819(4).

681 (c)1. Emergency loans for damages incurred to public-use
682 commercial deepwater seaports, public-use airports, and other
683 public-use transit and intermodal facilities that are within an
684 area that is part of an official state declaration of emergency
685 pursuant to chapter 252 and all other applicable laws. Such
686 loans:

687 a. May not exceed 24 months in duration except in extreme
688 circumstances, for which the Secretary of Transportation may
689 grant up to 36 months upon making written findings specifying
690 the conditions requiring a 36-month term.

691 b. Require application from the recipient to the department
692 that includes documentation of damage claims filed with the
693 Federal Emergency Management Agency or an applicable insurance
694 carrier and documentation of the recipient's overall financial
695 condition.

696 c. Are subject to approval by the Secretary of
697 Transportation and the Legislative Budget Commission.

698 2. Loans provided under this paragraph must be repaid upon

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699 receipt by the recipient of eligible program funding for damages
700 in accordance with the claims filed with the Federal Emergency
701 Management Agency or an applicable insurance carrier, but no
702 later than the duration of the loan.

703 (d) Beginning July 1, 2017, applications for the
704 development and construction of natural gas fuel production or
705 distribution facilities used primarily to support the
706 transportation activities at seaports or intermodal facilities.
707 Loans under this paragraph may be used to refinance outstanding
708 debt.

709 Section 23. Paragraph (c) is added to subsection (3) of
710 section 339.64, Florida Statutes, and paragraph (a) of
711 subsection (4) of that section is amended, to read:

712 339.64 Strategic Intermodal System Plan.—

713 (3)

714 (c) The department shall coordinate with federal, regional,
715 and local partners, as well as industry representatives, to
716 consider infrastructure and technological improvements necessary
717 to accommodate advances in vehicle technology, such as
718 autonomous technology and other developments, in Strategic
719 Intermodal System facilities.

720 (4) The Strategic Intermodal System Plan shall include the
721 following:

722 (a) A needs assessment that must include, but is not
723 limited to, consideration of infrastructure and technological
724 improvements necessary to accommodate advances in vehicle
725 technology, such as autonomous technology and other
726 developments.

727 Section 24. Section 341.0532, Florida Statutes, is

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728 repealed.

729 Section 25. Paragraphs (a) and (b) of subsection (2) of
730 section 343.92, Florida Statutes, are amended to read:

731 343.92 Tampa Bay Area Regional Transportation Authority.—

732 (2) The governing board of the authority shall consist of
733 15 voting ~~16~~ members.

734 (a) ~~There shall be one nonvoting, ex officio member of the~~
735 ~~board who shall be appointed by~~ The secretary of the department
736 shall appoint two advisors to the board ~~but~~ who must be the
737 district secretary for each ~~one~~ of the department districts
738 within the seven-county area of the authority, ~~at the discretion~~
739 ~~of the secretary of the department.~~

740 (b) ~~The~~ There shall be 15 voting members of the board shall
741 be as follows:

742 1. The county commissions of Citrus, Hernando,
743 Hillsborough, Pasco, Pinellas, Manatee, and Sarasota Counties
744 shall each appoint one elected official to the board. Members
745 appointed under this subparagraph shall serve 2-year terms with
746 not more than three consecutive terms being served by any
747 person. If a member under this subparagraph leaves elected
748 office, a vacancy exists on the board to be filled as provided
749 in this subparagraph.

750 2. The West Central Florida M.P.O. Chairs Coordinating
751 Committee shall appoint one member to the board who must be a
752 chair of one of the six metropolitan planning organizations in
753 the region. The member appointed under this subparagraph shall
754 serve a 2-year term with not more than three consecutive terms
755 being served by any person.

756 3.a. Two members of the board shall be the mayor, or the

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757 mayor's designee, of the largest municipality within the service
758 area of each of the following independent transit agencies or
759 their legislatively created successor agencies: Pinellas
760 Suncoast Transit Authority and Hillsborough Area Regional
761 Transit Authority. The largest municipality is that municipality
762 with the largest population as determined by the most recent
763 United States Decennial Census.

764 b. Should a mayor choose not to serve, his or her designee
765 must be an elected official selected by the mayor from that
766 largest municipality's city council or city commission. A mayor
767 or his or her designee shall serve a 2-year term with not more
768 than three consecutive terms being served by any person.

769 c. A designee's term ends if the mayor leaves office for
770 any reason. If a designee leaves elected office on the city
771 council or commission, a vacancy exists on the board to be
772 filled by the mayor of that municipality as provided in sub-
773 subparagraph a.

774 d. A mayor who has served three consecutive terms on the
775 board must designate an elected official from that largest
776 municipality's city council or city commission to serve on the
777 board for at least one term.

778 4.a. One membership on the board shall rotate every 2 years
779 between the mayor, or his or her designee, of the largest
780 municipality within Manatee County and the mayor, or his or her
781 designee, of the largest municipality within Sarasota County.
782 The mayor, or his or her designee, from the largest municipality
783 within Manatee County shall serve the first 2-year term. The
784 largest municipality is that municipality with the largest
785 population as determined by the most recent United States

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786 Decennial Census.

787 b. Should a mayor choose not to serve, his or her designee
788 must be an elected official selected by the mayor from that
789 municipality's city council or city commission.

790 5. The Governor shall appoint to the board four business
791 representatives, each of whom must reside in one of the seven
792 counties governed by the authority, none of whom may be elected
793 officials, and at least one but not more than two of whom shall
794 represent counties within the federally designated Tampa Bay
795 Transportation Management Area. Members appointed by the
796 Governor shall serve 3-year terms with not more than two
797 consecutive terms being served by any person.

798 Section 26. Paragraphs (e) and (f) of subsection (3) of
799 section 343.922, Florida Statutes, are amended, and paragraph
800 (g) is added to that subsection, to read:

801 343.922 Powers and duties.—

802 (3)

803 (e) The authority shall present the original master plan
804 and updates to the governing bodies of the counties within the
805 seven-county region, to the Tampa Bay Area Regional
806 Transportation Authority (TBARTA) Metropolitan Planning
807 Organization ~~West Central Florida M.P.O.~~ Chairs Coordinating
808 Committee, and to the legislative delegation members
809 representing those counties within 90 days after adoption.

810 (f) The authority shall coordinate plans and projects with
811 the TBARTA Metropolitan Planning Organization ~~West Central~~
812 ~~Florida M.P.O.~~ Chairs Coordinating Committee, to the extent
813 practicable, and participate in the regional M.P.O. planning
814 process to ensure regional comprehension of the authority's

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815 mission, goals, and objectives.

816 (g) The authority shall provide administrative support and
817 direction to the TBARTA Metropolitan Planning Organization
818 Chairs Coordinating Committee.

819 Section 27. Subsection (3) of section 348.565, Florida
820 Statutes, is amended, and subsection (5) is added to that
821 section, to read:

822 348.565 Revenue bonds for specified projects.—The existing
823 facilities that constitute the Tampa-Hillsborough County
824 Expressway System are hereby approved to be refinanced by
825 revenue bonds issued by the Division of Bond Finance of the
826 State Board of Administration pursuant to s. 11(f), Art. VII of
827 the State Constitution and the State Bond Act or by revenue
828 bonds issued by the authority pursuant to s. 348.56(1)(b). In
829 addition, the following projects of the Tampa-Hillsborough
830 County Expressway Authority are approved to be financed or
831 refinanced by the issuance of revenue bonds in accordance with
832 this part and s. 11(f), Art. VII of the State Constitution:

833 (3) Lee Roy Selmon Crosstown Expressway System widening,
834 and any extensions thereof.

835 (5) Capital projects that the authority is authorized to
836 acquire, construct, reconstruct, equip, operate, and maintain
837 pursuant to this part, including, without limitation, s.
838 348.54(15), provided that any financing of such projects does
839 not pledge the full faith and credit of the state.

840 Section 28. Subsection (20) is added to section 479.16,
841 Florida Statutes, to read:

842 479.16 Signs for which permits are not required.—The
843 following signs are exempt from the requirement that a permit

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844 for a sign be obtained under this chapter but are required to
845 comply with s. 479.11(4)-(8), and ~~the provisions of subsections~~
846 (15)-(20) ~~(15)-(19)~~ may not be implemented or continued if the
847 Federal Government notifies the department that implementation
848 or continuation will adversely affect the allocation of federal
849 funds to the department:

850 (20) Signs that are located within the controlled area of a
851 federal-aid primary highway but that are on a parcel adjacent to
852 an off-ramp to the termination point of a turnpike system, if
853 there is no directional decision to be made by a driver, the
854 signs are primarily facing the off-ramp, and the signs have been
855 in existence since at least 1995.

856
857 If the exemptions in subsections (15)-(20) ~~(15)-(19)~~ are not
858 implemented or continued due to notification from the Federal
859 Government that the allocation of federal funds to the
860 department will be adversely impacted, the department shall
861 provide notice to the sign owner that the sign must be removed
862 within 30 days after receipt of the notice. If the sign is not
863 removed within 30 days after receipt of the notice by the sign
864 owner, the department may remove the sign, and the costs
865 incurred in connection with the sign removal shall be assessed
866 against and collected from the sign owner.

867 Section 29. This act shall take effect July 1, 2016.