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Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Transportation, Tourism, and
Economic Development)

1 A bill to be entitled
2 An act relating to transportation; creating s.
3 316.0898, F.S.; requiring the Department of
4 Transportation, in consultation with the Department of
5 Highway Safety and Motor Vehicles, to develop the
6 Florida Smart City Challenge grant program; specifying
7 requirements for grant program applicants;
8 establishing goals for the grant program; requiring
9 the Department of Transportation to develop specified
10 criteria for the program grants and a plan for
11 promotion of the grant program; authorizing the
12 Department of Transportation to contract with a third
13 party that demonstrates certain knowledge and
14 expertise for a specified purpose; requiring the
15 Department of Transportation to submit certain
16 information regarding the grant program to the
17 Governor and the Legislature by a specified date;
18 providing for repeal; amending s. 316.545, F.S.;
19 providing for the calculation of fines for unlawful
20 weight and load for a vehicle fueled by natural gas;
21 requiring the vehicle operator to present a certain
22 written certification upon request by a weight
23 inspector or law enforcement officer; prescribing a
24 maximum actual gross vehicle weight for vehicles
25 fueled by natural gas; providing applicability;
26 creating s. 316.851, F.S.; requiring an autonomous



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27 vehicle used by a transportation network company to be
28 covered by automobile insurance, subject to certain
29 requirements; requiring an autonomous vehicle used to
30 provide a transportation service to carry in the
31 vehicle proof of coverage satisfying certain
32 requirements at all times while operating in
33 autonomous mode; creating s. 316.853, F.S.; defining
34 the term "automated mobility district"; requiring the
35 Department of Transportation to designate automated
36 mobility districts; requiring the department to
37 consider applicable criteria from federal agencies for
38 automated mobility districts in determining
39 eligibility of a community for the designation;
40 amending s. 319.145, F.S.; requiring an autonomous
41 vehicle registered in this state to be capable of
42 bringing the vehicle to a full stop when an alert is
43 given if the human operator does not, or is not able
44 to, take control of the autonomous vehicle, or if a
45 human operator is not physically present in the
46 vehicle; amending s. 335.074, F.S.; requiring bridges
47 on public transportation facilities to be inspected
48 for certain purposes at regular intervals as required
49 by the Federal Highway Administration; creating s.
50 335.094, F.S.; providing legislative intent; requiring
51 the department to establish a process, including any
52 forms deemed necessary by the department, for
53 submitting applications for installation of a memorial
54 marker; specifying persons who may submit such
55 applications to the department; requiring the



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56 department to establish criteria for the design and
57 fabrication of memorial markers; authorizing the
58 department to install a certain sign at no charge to
59 an applicant; providing that memorial markers may
60 incorporate the available emblems of belief approved
61 by the United States Department of Veterans Affairs
62 National Cemetery Administration upon the request of
63 the applicant and payment of a reasonable fee set by
64 the department to offset production costs; defining
65 the term "emblem of belief"; authorizing an applicant
66 to request a new emblem of belief not specifically
67 approved by the United States Department of Veterans
68 Affairs National Cemetery Administration for
69 inscription on a memorial marker, subject to certain
70 requirements; requiring the department, under certain
71 circumstances, to notify an applicant of any missing
72 information and that no further action on the
73 application will be taken until the missing
74 information is provided; providing requirements for
75 placement of the memorial marker by the department;
76 requiring the department to remove a memorial marker
77 if the department determines the presence of the
78 marker creates a safety hazard, subject to certain
79 requirements; amending s. 337.11, F.S.; increasing the
80 allowable amount for contracts for construction and
81 maintenance which the department may enter into, in
82 certain circumstances, without advertising and
83 receiving competitive bids; amending s. 338.227, F.S.;

84 providing that certain bonds are not required to be



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85 validated but may be validated at the option of the
86 Division of Bond Finance; providing filing, notice,
87 and service requirements for complaints and circuit
88 court orders concerning such validation; amending s.
89 339.135, F.S.; providing an additional exception
90 related to the amendment of adopted work programs when
91 an emergency exists; amending s. 339.2405, F.S.;
92 replacing the Florida Highway Beautification Council
93 within the department with the Florida Highway
94 Beautification Grant Program; providing the purpose of
95 the program; providing duties of the department;
96 conforming provisions to changes made by the act;
97 amending s. 343.52, F.S.; defining the term
98 "department"; amending s. 343.54, F.S.; prohibiting
99 the South Florida Regional Transportation Authority
100 from entering into, extending, or renewing certain
101 contracts or other agreements without the department's
102 prior review and written approval if such contracts or
103 agreements may be funded with funds provided by the
104 department; amending s. 343.58, F.S.; providing that
105 certain funds provided to the authority by the
106 department constitute state financial assistance for
107 specified purposes, subject to certain requirements;
108 requiring the department to provide certain funds in
109 accordance with the terms of an agreement between the
110 authority and the department; authorizing the
111 department to advance the authority a certain amount
112 of the total funding for a state fiscal year at the
113 beginning of each state fiscal year, subject to



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114 certain requirements; requiring the authority to
115 promptly provide the department any documentation or
116 information, in addition to the proposed annual
117 budget, which is required by the department for its
118 evaluation of the proposed uses of state funds;
119 amending s. 215.82, F.S.; conforming a provision to
120 changes made by the act; amending s. 343.53, F.S.;
121 conforming a cross-reference; amending s. 427.011,
122 F.S.; revising the definition of the term
123 "paratransit"; authorizing the Secretary of
124 Transportation to enroll the State of Florida in
125 federal pilot programs or projects for the collection
126 and study of data for the review of federal or state
127 roadway safety, infrastructure sustainability,
128 congestion mitigation, transportation system
129 efficiency, autonomous vehicle technology, or capacity
130 challenges; providing effective dates, one of which is
131 contingent.

132
133 Be It Enacted by the Legislature of the State of Florida:

134
135 Section 1. Section 316.0898, Florida Statutes, is created
136 to read:

137 316.0898 Florida Smart City Challenge grant program.-

138 (1) The Department of Transportation, in consultation with
139 the Department of Highway Safety and Motor Vehicles, shall
140 develop the Florida Smart City Challenge grant program and shall
141 establish grant award requirements for municipalities or regions
142 for the purpose of receiving grant awards. Grant applicants must



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143 demonstrate and document the adoption of emerging technologies
144 and their impact on the transportation system and must address
145 at least the following focus areas:

146 (a) Autonomous vehicles.

147 (b) Connected vehicles.

148 (c) Sensor-based infrastructure.

149 (d) Collecting and using data.

150 (e) Electric vehicles, including charging stations.

151 (f) Developing strategic models and partnerships.

152 (2) The goals of the grant program include, but are not
153 limited to:

154 (a) Identifying transportation challenges and identifying
155 how emerging technologies can address those challenges.

156 (b) Determining the emerging technologies and strategies
157 that have the potential to provide the most significant impacts.

158 (c) Encouraging municipalities to take significant steps to
159 integrate emerging technologies into their day-to-day
160 operations.

161 (d) Identifying the barriers to implementing the grant
162 program and communicating those barriers to the Legislature and
163 appropriate agencies and organizations.

164 (e) Leveraging the initial grant to attract additional
165 public and private investments.

166 (f) Increasing the state's competitiveness in the pursuit
167 of grants from the United States Department of Transportation,
168 the United States Department of Energy, and other federal
169 agencies.

170 (g) Committing to the continued operation of programs
171 implemented in connection with the grant.



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- 172 (h) Serving as a model for municipalities nationwide.
- 173 (i) Documenting the costs and impacts of the grant program
174 and lessons learned during implementation.
- 175 (j) Identifying solutions that will demonstrate local or
176 regional economic impact.
- 177 (3) The Department of Transportation shall develop
178 eligibility, application, and selection criteria for the program
179 grants and a plan for the promotion of the grant program to
180 municipalities or regions of this state as an opportunity to
181 compete for grant funding, including the award of grants to a
182 single recipient and secondary grants to specific projects of
183 merit within other applications. The Department of
184 Transportation may contract with a third party that demonstrates
185 knowledge and expertise in the focuses and goals of this section
186 to provide guidance in the development of the requirements of
187 this section.
- 188 (4) On or before January 1, 2018, the Department of
189 Transportation shall submit the grant program guidelines and
190 plans for promotion of the grant program to the Governor, the
191 President of the Senate, and the Speaker of the House of
192 Representatives.
- 193 (5) This section expires July 1, 2018.
- 194 Section 2. Present paragraphs (c) and (d) of subsection (3)
195 of section 316.545, Florida Statutes, are redesignated as
196 paragraphs (d) and (e), respectively, and a new paragraph (c) is
197 added to that subsection, to read:
- 198 316.545 Weight and load unlawful; special fuel and motor
199 fuel tax enforcement; inspection; penalty; review.—
- 200 (3)



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201 (c)1. For a vehicle fueled by natural gas, the fine is
202 calculated by reducing the actual gross vehicle weight by the
203 certified weight difference between the natural gas tank and
204 fueling system and a comparable diesel tank and fueling system.
205 Upon the request of a weight inspector or a law enforcement
206 officer, the vehicle operator shall present a written
207 certification that identifies the weight of the natural gas tank
208 and fueling system and the difference in weight of a comparable
209 diesel tank and fueling system. The written certification must
210 originate from the vehicle manufacturer or the installer of the
211 natural gas tank and fueling system.

212 2. The actual gross vehicle weight for vehicles fueled by
213 natural gas may not exceed 82,000 pounds, excluding the weight
214 allowed for idle-reduction technology under paragraph (b).

215 3. This paragraph does not apply to vehicles described in
216 s. 316.535(6).

217 Section 3. Effective upon the same date that SB 340 or
218 similar legislation takes effect, if such legislation is adopted
219 in the 2017 Regular Session or any extension thereof and becomes
220 a law, section 316.851, Florida Statutes, is created to read:

221 316.851 Autonomous vehicles; providing prearranged rides.—

222 (1) An autonomous vehicle used by a transportation network
223 company to provide a prearranged ride must be covered by
224 automobile insurance as required by s. 627.748, regardless of
225 whether a human operator is physically present within the
226 vehicle when the ride occurs. When an autonomous vehicle is
227 logged on to a digital network but is not engaged in a
228 prearranged ride, the autonomous vehicle must maintain insurance
229 coverage as defined in s. 627.748(7)(b).



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230 (2) An autonomous vehicle used to provide a transportation
231 service shall carry in the vehicle proof of coverage satisfying
232 the requirements of this section at all times while operating in
233 autonomous mode.

234 Section 4. Section 316.853, Florida Statutes, is created to
235 read:

236 316.853 Automated mobility districts.-

237 (1) For the purpose of this section, an "automated mobility
238 district" means a master planned development or combination of
239 contiguous developments in which the deployment of autonomous
240 vehicles as defined in s. 316.003 as the basis for a shared
241 mobility system is a stated goal or objective of the development
242 or developments.

243 (2) The Department of Transportation shall designate
244 automated mobility districts.

245 (3) In determining the eligibility of a community for
246 designation as an automated mobility district, the Department of
247 Transportation shall consider applicable criteria from federal
248 agencies for automated mobility districts and apply those
249 criteria to eligible developments in this state.

250 Section 5. Paragraph (a) of subsection (1) of section
251 319.145, Florida Statutes, is amended to read:

252 319.145 Autonomous vehicles.-

253 (1) An autonomous vehicle registered in this state must
254 continue to meet applicable federal standards and regulations
255 for such motor vehicle. The vehicle must:

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



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259 1. Require the operator to take control of the autonomous
260 vehicle; or

261 2. If the human operator does not, or is not able to, take
262 control of the autonomous vehicle, or if a human operator is not
263 physically present in the vehicle, be capable of bringing the
264 vehicle to a complete stop.

265 Section 6. Subsection (2) of section 335.074, Florida
266 Statutes, is amended to read:

267 335.074 Safety inspection of bridges.—

268 (2) At regular intervals as required by the Federal Highway
269 Administration not to exceed 2 years, each bridge on a public
270 transportation facility shall be inspected for structural
271 soundness and safety for the passage of traffic on such bridge.
272 The thoroughness with which bridges are to be inspected shall
273 depend on such factors as age, traffic characteristics, state of
274 maintenance, and known deficiencies. The governmental entity
275 having maintenance responsibility for any such bridge shall be
276 responsible for having inspections performed and reports
277 prepared in accordance with the provisions contained herein.

278 Section 7. Effective October 1, 2017, section 335.094,
279 Florida Statutes, is created to read:

280 335.094 Highway memorial markers; public safety awareness.—

281 (1) In recognition of the department's mission to provide a
282 safe transportation system, the Legislature intends that the
283 department allow the use of highway memorial markers at or near
284 the location of traffic-related fatalities on the State Highway
285 System to raise public awareness and remind motorists to drive
286 safely by memorializing people who have died as a result of a
287 traffic-related crash.



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288 (2) The department shall establish a process, including any
289 forms deemed necessary by the department, for submitting
290 applications for installation of a memorial marker as authorized
291 in this section. Applications may be submitted to the department
292 by:

293 (a) A member of the decedent's family, which includes the
294 decedent's spouse; a child, parent, or sibling of the decedent,
295 whether biological, adopted, or step relation; and any lineal or
296 collateral descendant of the decedent; or

297 (b) Any individual who is responsible under the laws of
298 this state for the disposition of the unclaimed remains of the
299 decedent or for other matters relating to the interment or
300 memorialization of the decedent.

301 (3) The department shall establish criteria for the design
302 and fabrication of memorial markers, including, but not limited
303 to, marker components, fabrication material, and size.

304 (4) (a) The department may install a round aluminum sign
305 panel with white background and black letters uniformly
306 inscribed "Drive Safely, In Memory Of" followed by the
307 decedent's name at no charge to the applicant.

308 (b) Upon the request of the applicant and payment of a
309 reasonable fee set by the department to offset production costs,
310 memorial markers may incorporate the available emblems of belief
311 approved by the United States Department of Veterans Affairs
312 National Cemetery Administration. For purposes of this section,
313 an "emblem of belief" means an emblem that represents the
314 decedent's religious affiliation or sincerely held religious
315 belief system, or a sincerely held belief system that was
316 functionally equivalent to a religious belief system in the life



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317 of the decedent. The religion or belief system represented by an
318 emblem need not be associated with or endorsed by a church,
319 group, or organized denomination. The term does not include
320 emblems, graphics, logos, or symbols that relate to social,
321 cultural, ethnic, civic, fraternal, trade, commercial,
322 political, professional, or military status.

323 (c) An applicant may request a new emblem of belief not
324 specifically approved by the United States Department of
325 Veterans Affairs National Cemetery Administration for
326 inscription on a memorial marker as follows:

327 1. The applicant must certify that the proposed new emblem
328 of belief represents the decedent's religious affiliation or
329 sincerely held religious belief system, or a sincerely held
330 belief system that was functionally equivalent to a religious
331 belief system in the life of the decedent.

332 2. In the absence of evidence to the contrary, the
333 department shall accept as genuine an applicant's statement of
334 the religious or functionally equivalent belief system of a
335 decedent.

336 (d) If the department determines that any application under
337 this section is incomplete, the department must notify the
338 applicant in writing of any missing information and must notify
339 the applicant in writing that no further action on the
340 application will be taken until the missing information is
341 provided.

342 (5) The department shall place a memorial marker for any
343 approved application at or near the location of the fatality in
344 a fashion that reduces driver distraction and positions the
345 marker as near the right-of-way line as possible.



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346 (6) Memorial markers are intended to remind passing
347 motorists of the dangers of unsafe driving and are not intended
348 for visitation. The department shall remove a memorial marker if
349 the department determines the presence of the marker creates a
350 safety hazard. In such cases, the department shall post a notice
351 near where the marker was located indicating that the marker has
352 been removed and provide contact information for pickup of the
353 marker. The department shall store any removed markers for at
354 least 60 days. If after 60 days the memorial is not claimed, the
355 department may dispose of the marker as it deems necessary.

356 Section 8. Paragraph (c) of subsection (6) of section
357 337.11, Florida Statutes, is amended to read:

358 337.11 Contracting authority of department; bids; emergency
359 repairs, supplemental agreements, and change orders; combined
360 design and construction contracts; progress payments; records;
361 requirements of vehicle registration.-

362 (6)

363 (c) When the department determines that it is in the best
364 interest of the public for reasons of public concern, economy,
365 improved operations, or safety, and only for contracts for
366 construction and maintenance which do not exceed \$250,000 when
367 circumstances dictate rapid completion of the work, the
368 department may, ~~up to the amount of \$120,000,~~ enter into
369 contracts ~~for construction and maintenance~~ without advertising
370 and receiving competitive bids. The department may enter into
371 such contracts only upon a determination that the work is
372 necessary for one of the following reasons:

373 1. To ensure timely completion of projects or avoidance of
374 undue delay for other projects;



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375 2. To accomplish minor repairs or construction and
376 maintenance activities for which time is of the essence and for
377 which significant cost savings would occur; or

378 3. To accomplish nonemergency work necessary to ensure
379 avoidance of adverse conditions that affect the safe and
380 efficient flow of traffic.

381
382 The department shall make a good faith effort to obtain two or
383 more quotes, if available, from qualified contractors before
384 entering into any contract. The department shall give
385 consideration to disadvantaged business enterprise
386 participation. However, when the work exists within the limits
387 of an existing contract, the department shall make a good faith
388 effort to negotiate and enter into a contract with the prime
389 contractor on the existing contract.

390 Section 9. Subsection (5) is added to section 338.227,
391 Florida Statutes, to read:

392 338.227 Turnpike revenue bonds.—

393 (5) Notwithstanding s. 215.82, bonds issued pursuant to
394 this section are not required to be validated pursuant to
395 chapter 75 but may be validated at the option of the Division of
396 Bond Finance. Any complaint about such validation must be filed
397 in the circuit court of the county in which the seat of state
398 government is situated, and the clerk shall publish the notice
399 as required by s. 75.06 only in the county in which the
400 complaint is filed. The complaint and order of the circuit court
401 must be served on the state attorney of the circuit in which the
402 action is pending.

403 Section 10. Paragraph (e) of subsection (7) of section



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404 339.135, Florida Statutes, is amended to read:

405 339.135 Work program; legislative budget request;
406 definitions; preparation, adoption, execution, and amendment.—

407 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

408 (e) Notwithstanding paragraphs (d), ~~and~~ (g), and (h) and
409 ss. 216.177(2) and 216.351, the secretary may request the
410 Executive Office of the Governor to amend the adopted work
411 program when an emergency exists, as defined in s. 252.34, and
412 the emergency relates to the repair or rehabilitation of any
413 state transportation facility. The Executive Office of the
414 Governor may approve the amendment to the adopted work program
415 and amend that portion of the department's approved budget if a
416 delay incident to the notification requirements in paragraph (d)
417 would be detrimental to the interests of the state. However, the
418 department shall immediately notify the parties specified in
419 paragraph (d) and provide such parties written justification for
420 the emergency action within 7 days after approval by the
421 Executive Office of the Governor of the amendment to the adopted
422 work program and the department's budget. The adopted work
423 program may not be amended under this subsection without
424 certification by the comptroller of the department that there
425 are sufficient funds available pursuant to the 36-month cash
426 forecast and applicable statutes.

427 Section 11. Section 339.2405, Florida Statutes, is amended
428 to read:

429 339.2405 Florida Highway Beautification Grant Program
430 Council.—

431 (1) There is created within the Department of
432 Transportation the Florida Highway Beautification Grant Program



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433 for the purpose of awarding grants to local governmental
434 entities for beautification of roads on the State Highway System
435 as provided in subsections (3) and (4). The department shall
436 ~~Council. It shall consist of seven members appointed by the~~
437 ~~Governor. All appointed members must be residents of this state.~~
438 ~~One member must be a licensed landscape architect, one member~~
439 ~~must be a representative of the Florida Federation of Garden~~
440 ~~Clubs, Inc., one member must be a representative of the Florida~~
441 ~~Nurserymen and Growers Association, one member must be a~~
442 ~~representative of the department as designated by the head of~~
443 ~~the department, one member must be a representative of the~~
444 ~~Department of Agriculture and Consumer Services, and two members~~
445 ~~must be private citizens. The members of the council shall serve~~
446 ~~at the pleasure of the Governor.~~

447 ~~(2) Each chair shall be selected by the council members and~~
448 ~~shall serve a 2-year term.~~

449 ~~(3) The council shall meet no less than semiannually at the~~
450 ~~call of the chair or, in the chair's absence or incapacity, at~~
451 ~~the call of the head of the department. Four members shall~~
452 ~~constitute a quorum for the purpose of exercising all of the~~
453 ~~powers of the council. A vote of the majority of the members~~
454 ~~present shall be sufficient for all actions of the council.~~

455 ~~(4) The council members shall serve without pay but shall~~
456 ~~be entitled to per diem and travel expenses pursuant to s.~~
457 ~~112.061.~~

458 ~~(5) A member of the council may not participate in any~~
459 ~~discussion or decision to recommend grants to any qualified~~
460 ~~local government with which the member is associated as a member~~
461 ~~of the governing body or as an employee or with which the member~~



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462 ~~has entered into a contractual arrangement.~~

463 ~~(6) The council may prescribe, amend, and repeal bylaws~~
464 ~~governing the manner in which the business of the council is~~
465 ~~conducted.~~

466 ~~(7) (a) The duties of the council shall be to:~~

467 (a)1. Provide information to local governments and local
468 highway beautification councils regarding the state highway
469 beautification grants program.

470 (b)2. Accept grant requests from local governments.

471 (c)3. Review grant requests for compliance with department
472 ~~council~~ rules.

473 (d)4. Establish rules for evaluating and prioritizing the
474 grant requests. The rules must include, but are not limited to,
475 an examination of each grant's aesthetic value, cost-
476 effectiveness, level of local support, feasibility of
477 installation and maintenance, and compliance with state and
478 federal regulations. Rules adopted by the department council
479 which it uses to evaluate grant applications must take into
480 consideration the contributions made by the highway
481 beautification project in preventing litter.

482 (e)5. Maintain a prioritized list of approved grant
483 requests. The list must include recommended funding levels for
484 each request and, if staged implementation is appropriate,
485 funding requirements for each stage shall be provided.

486 ~~6. Assess the feasibility of planting and maintaining~~
487 ~~indigenous wildflowers and plants, instead of sod groundcovers,~~
488 ~~along the rights-of-way of state roads and highways. In making~~
489 ~~such assessment, the council shall utilize data from other~~
490 ~~states which include indigenous wildflower and plant species in~~



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491 ~~their highway vegetative management systems.~~

492 ~~(b) The council may, at the request of the head of the~~
493 ~~department, review and make recommendations on any other highway~~
494 ~~beautification matters relating to the State Highway System.~~

495 ~~(8) The head of the department shall provide from existing~~
496 ~~personnel such staff support services to the council as are~~
497 ~~necessary to enable the council to fulfill its duties and~~
498 ~~responsibilities.~~

499 ~~(2)(9)~~ Local highway beautification councils may be created
500 by local governmental entities or by the Legislature. Prior to
501 being submitted to the department council, a grant request must
502 be approved by the local government or governments of the area
503 in which the project is located.

504 ~~(3)(10)~~ The head of the department, ~~after receiving~~
505 ~~recommendations from the council~~, shall award grants to local
506 governmental entities that have submitted grant requests for
507 beautification of roads on the State Highway System and which
508 requests are on the ~~council's~~ approved list. The grants shall be
509 awarded in the order they appear on the ~~council's~~ prioritized
510 list and in accordance with available funding.

511 ~~(4)(11)~~ State highway beautification grants may be
512 requested only for projects to beautify through landscaping
513 roads on the State Highway System. The grant request shall
514 identify all costs associated with the project, including
515 sprinkler systems, plant materials, equipment, and labor. A
516 grant shall provide for the costs of purchase and installation
517 of a sprinkler system, the cost of plant materials and
518 fertilizer, and may provide for the costs for labor associated
519 with the installation of the plantings. Each local government



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520 that receives a grant is ~~shall be~~ responsible for any costs for
521 water, for the maintenance of the sprinkler system, for the
522 maintenance of the landscaped areas in accordance with a
523 maintenance agreement with the department, and, except as
524 otherwise provided in the grant, for any costs for labor
525 associated with the installation of the plantings. The
526 department may provide, by contract, services to maintain such
527 landscaping at a level not to exceed the cost of routine
528 maintenance of an equivalent unlandscaped area.

529 ~~(12) The council shall annually submit to the head of the~~
530 ~~Department of Transportation a proposal recommending the level~~
531 ~~of grant funding.~~

532 Section 12. Section 343.52, Florida Statutes, is reordered
533 and amended to read:

534 343.52 Definitions.—As used in this part, the term:

535 (2)~~(1)~~ "Authority" means the South Florida Regional
536 Transportation Authority.

537 (3)~~(2)~~ "Board" means the governing body of the authority.

538 (4) "Department" means the Department of Transportation.

539 (1)~~(3)~~ "Area served" means Miami-Dade, Broward, and Palm
540 Beach Counties. However, this area may be expanded by mutual
541 consent of the authority and the board of county commissioners
542 of Monroe County. The authority may not expand into any
543 additional counties without the department's prior written
544 approval.

545 (8)~~(4)~~ "Transit system" means a system used for the
546 transportation of people and goods by means of, without
547 limitation, a street railway, an elevated railway having a fixed
548 guideway, a commuter railroad, a subway, motor vehicles, or



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549 motor buses, and includes a complete system of tracks, stations,
550 and rolling stock necessary to effectuate passenger service to
551 or from the surrounding regional municipalities.

552 ~~(7)~~(5) "Transit facilities" means property, avenues of
553 access, equipment, or buildings built and installed in Miami-
554 Dade, Broward, and Palm Beach Counties which are required to
555 support a transit system.

556 (6) "Member" means the individuals constituting the board.

557 ~~(5)~~(7) "Feeder transit services" means a transit system
558 that transports passengers to or from stations within or across
559 counties.

560 Section 13. Present subsections (4) and (5) of section
561 343.54, Florida Statutes, are redesignated as subsections (5)
562 and (6), respectively, and a new subsection (4) is added to that
563 section, to read:

564 343.54 Powers and duties.—

565 (4) Notwithstanding any other provision of this part, the
566 authority may not enter into, extend, or renew any contract or
567 other agreement under this part without the department's prior
568 review and written approval of the authority's proposed
569 expenditures if such contract or agreement may be funded, in
570 whole or in part, with funds provided by the department.

571 Section 14. Paragraph (c) of subsection (4) of section
572 343.58, Florida Statutes, is amended to read:

573 343.58 County funding for the South Florida Regional
574 Transportation Authority.—

575 (4) Notwithstanding any other provision of law to the
576 contrary and effective July 1, 2010, until as provided in
577 paragraph (d), the department shall transfer annually from the



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578 State Transportation Trust Fund to the South Florida Regional
579 Transportation Authority the amounts specified in subparagraph
580 (a)1. or subparagraph (a)2.

581 (c)1. Funds provided to the authority by the department
582 under this subsection constitute state financial assistance
583 provided to a nonstate entity to carry out a state project
584 subject to the provisions of ss. 215.97 and 215.971. The
585 department shall provide the funds in accordance with the terms
586 of a written agreement to be entered into between the authority
587 and the department which shall provide for department review,
588 approval and audit of authority expenditure of such funds, and
589 shall include such other provisions as are required by
590 applicable law. The department is specifically authorized to
591 agree to advance the authority one-fourth of the total funding
592 provided under this subsection for a state fiscal year at the
593 beginning of each state fiscal year, with monthly payments over
594 the fiscal year on a reimbursement basis as supported by
595 invoices and such additional documentation and information as
596 the department may reasonably require, and a reconciliation of
597 the advance against remaining invoices in the last quarter of
598 the fiscal year may not be committed by the authority without
599 the approval of the department, which may not be unreasonably
600 withheld. At least 90 days before advertising any procurement or
601 renewing any existing contract that will rely on state funds for
602 payment, the authority shall notify the department of the
603 proposed procurement or renewal and the proposed terms thereof.
604 If the department, within 60 days after receipt of notice,
605 objects in writing to the proposed procurement or renewal,
606 specifying its reasons for objection, the authority may not



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607 ~~proceed with the proposed procurement or renewal. Failure of the~~
608 ~~department to object in writing within 60 days after notice~~
609 ~~shall be deemed consent. This requirement does not impair or~~
610 ~~cause the authority to cancel contracts that exist as of June~~
611 ~~30, 2012.~~

612 2. To enable the department to evaluate the authority's
613 proposed uses of state funds, the authority shall annually
614 provide the department with its proposed budget for the
615 following authority fiscal year and shall promptly provide the
616 department with any additional documentation or information
617 required by the department for its evaluation of the proposed
618 uses of the state funds.

619 Section 15. Subsection (2) of section 215.82, Florida
620 Statutes, is amended to read:

621 215.82 Validation; when required.—

622 (2) Any bonds issued pursuant to this act which are
623 validated shall be validated in the manner provided by chapter
624 75. In actions to validate bonds to be issued in the name of the
625 State Board of Education under s. 9(a) and (d), Art. XII of the
626 State Constitution and bonds to be issued pursuant to chapter
627 259, the Land Conservation Program, the complaint shall be filed
628 in the circuit court of the county where the seat of state
629 government is situated, the notice required to be published by
630 s. 75.06 shall be published only in the county where the
631 complaint is filed, and the complaint and order of the circuit
632 court shall be served only on the state attorney of the circuit
633 in which the action is pending. In any action to validate bonds
634 issued pursuant to s. 1010.62 or issued pursuant to s. 9(a)(1),
635 Art. XII of the State Constitution or issued pursuant to s.



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636 215.605 ~~or s. 338.227~~, the complaint shall be filed in the
637 circuit court of the county where the seat of state government
638 is situated, the notice required to be published by s. 75.06
639 shall be published in a newspaper of general circulation in the
640 county where the complaint is filed and in two other newspapers
641 of general circulation in the state, and the complaint and order
642 of the circuit court shall be served only on the state attorney
643 of the circuit in which the action is pending; provided,
644 however, that if publication of notice pursuant to this section
645 would require publication in more newspapers than would
646 publication pursuant to s. 75.06, such publication shall be made
647 pursuant to s. 75.06.

648 Section 16. Paragraph (d) of subsection (2) of section
649 343.53, Florida Statutes, is amended to read:

650 343.53 South Florida Regional Transportation Authority.—

651 (2) The governing board of the authority shall consist of
652 10 voting members, as follows:

653 (d) If the authority's service area is expanded pursuant to
654 s. 343.54(6) ~~s. 343.54(5)~~, the county containing the new service
655 area shall have two members appointed to the board as follows:

656 1. The county commission of the county shall elect a
657 commissioner as that commission's representative on the board.
658 The commissioner must be a member of the county commission when
659 elected and for the full extent of his or her term.

660 2. The Governor shall appoint a citizen member to the board
661 who is not a member of the county commission but who is a
662 resident and a qualified elector of that county.

663 Section 17. Section 427.011, Florida Statutes, is reordered
664 and amended to read:



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665 427.011 Definitions.—For the purposes of ss. 427.011-
666 427.017:

667 ~~(9)~~⁽¹⁾ "Transportation disadvantaged" means those persons
668 who because of physical or mental disability, income status, or
669 age are unable to transport themselves or to purchase
670 transportation and are, therefore, dependent upon others to
671 obtain access to health care, employment, education, shopping,
672 social activities, or other life-sustaining activities, or
673 children who are handicapped or high-risk or at-risk as defined
674 in s. 411.202.

675 ~~(5)~~⁽²⁾ "Metropolitan planning organization" means the
676 organization responsible for carrying out transportation
677 planning and programming in accordance with the provisions of 23
678 U.S.C. s. 134, as provided in 23 U.S.C. s. 104(f)(3).

679 ~~(1)~~⁽³⁾ "Agency" means an official, officer, commission,
680 authority, council, committee, department, division, bureau,
681 board, section, or any other unit or entity of the state or of a
682 city, town, municipality, county, or other local governing body
683 or a private nonprofit transportation service-providing agency.

684 ~~(11)~~⁽⁴⁾ "Transportation improvement program" means a staged
685 multiyear program of transportation improvements, including an
686 annual element, which is developed by a metropolitan planning
687 organization or designated official planning agency.

688 ~~(2)~~⁽⁵⁾ "Community transportation coordinator" means a
689 transportation entity recommended by a metropolitan planning
690 organization, or by the appropriate designated official planning
691 agency as provided for in ss. 427.011-427.017 in an area outside
692 the purview of a metropolitan planning organization, to ensure
693 that coordinated transportation services are provided to the



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694 transportation disadvantaged population in a designated service
695 area.

696 (12)~~(6)~~ "Transportation operator" means one or more public,
697 private for-profit, or private nonprofit entities engaged by the
698 community transportation coordinator to provide service to
699 transportation disadvantaged persons pursuant to a coordinated
700 system service plan.

701 (3)~~(7)~~ "Coordinating board" means an advisory entity in
702 each designated service area composed of representatives
703 appointed by the metropolitan planning organization or
704 designated official planning agency, to provide assistance to
705 the community transportation coordinator relative to the
706 coordination of transportation services.

707 (8) "Purchasing agency" means a department or agency whose
708 head is an ex officio, nonvoting adviser to the commission, or
709 an agency that purchases transportation services for the
710 transportation disadvantaged.

711 (7)~~(9)~~ "Paratransit" means those elements of public transit
712 which provide service between specific origins and destinations
713 selected by the individual user with such service being provided
714 at a time that is agreed upon by the user and provider of the
715 service. Paratransit service is provided by taxis, limousines,
716 "dial-a-ride," buses, transportation network companies, and
717 other demand-responsive operations that are characterized by
718 their nonscheduled, nonfixed route nature.

719 (10) "Transportation disadvantaged funds" means any local
720 government, state, or available federal funds that are for the
721 transportation of the transportation disadvantaged. Such funds
722 may include, but are not limited to, funds for planning,



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723 Medicaid transportation, administration, operation, procurement,
724 and maintenance of vehicles or equipment and capital
725 investments. Transportation disadvantaged funds do not include
726 funds for the transportation of children to public schools.

727 (4)~~(11)~~ "Coordination" means the arrangement for the
728 provision of transportation services to the transportation
729 disadvantaged in a manner that is cost-effective, efficient, and
730 reduces fragmentation and duplication of services.

731 (6)~~(12)~~ "Nonsponsored transportation disadvantaged
732 services" means transportation disadvantaged services that are
733 not sponsored or subsidized by any funding source other than the
734 Transportation Disadvantaged Trust Fund.

735 Section 18. The Secretary of Transportation may enroll the
736 State of Florida in any federal pilot program or project for the
737 collection and study of data for the review of federal or state
738 roadway safety, infrastructure sustainability, congestion
739 mitigation, transportation system efficiency, autonomous vehicle
740 technology, or capacity challenges.

741 Section 19. Except as otherwise provided in this act, this
742 act shall take effect July 1, 2017.