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LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/R/2R	.	Floor: RC
05/05/2017 09:00 PM	.	05/05/2017 08:14 PM
	.	

Senator Gainer moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (1) and paragraph (a) of subsection
(4) of section 20.23, Florida Statutes, are amended to read:

20.23 Department of Transportation.—There is created a
Department of Transportation which shall be a decentralized
agency.

(1) (a) The Department of Transportation shall consist of:

1. A central office that establishes policies and



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12 procedures; and

13 2. Districts that carry out projects as authorized or
14 required under the policies and procedures implemented by the
15 central office pursuant to paragraph (3) (a).

16 (b)~~(a)~~ The head of the Department of Transportation is the
17 Secretary of Transportation. The secretary shall be appointed by
18 the Governor from among three persons nominated by the Florida
19 Transportation Commission and shall be subject to confirmation
20 by the Senate. The secretary shall serve at the pleasure of the
21 Governor.

22 (c)~~(b)~~ The secretary shall be a proven, effective
23 administrator who by a combination of education and experience
24 shall clearly possess a broad knowledge of the administrative,
25 financial, and technical aspects of the development, operation,
26 and regulation of transportation systems and facilities or
27 comparable systems and facilities.

28 (d)~~(c)~~ The secretary shall provide to the Florida
29 Transportation Commission or its staff, such assistance,
30 information, and documents as are requested by the commission or
31 its staff to enable the commission to fulfill its duties and
32 responsibilities.

33 (e)~~(d)~~ The secretary may appoint up to three assistant
34 secretaries who shall be directly responsible to the secretary
35 and who shall perform such duties as are assigned by the
36 secretary. The secretary shall designate to an assistant
37 secretary the duties related to enhancing economic prosperity,
38 including, but not limited to, the responsibility of liaison
39 with the head of economic development in the Executive Office of
40 the Governor. Such assistant secretary shall be directly



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41 responsible for providing the Executive Office of the Governor
42 with investment opportunities and transportation projects that
43 expand the state's role as a global hub for trade and investment
44 and enhance the supply chain system in the state to process,
45 assemble, and ship goods to markets throughout the eastern
46 United States, Canada, the Caribbean, and Latin America. The
47 secretary may delegate to any assistant secretary the authority
48 to act in the absence of the secretary.

49 (f)1.(e) Any secretary appointed after July 1, 2019 ~~5~~
50 ~~1989~~, and the assistant secretaries are ~~shall be~~ exempt from the
51 ~~provisions of~~ part III of chapter 110 and shall receive
52 compensation commensurate with their qualifications and
53 competitive with compensation for comparable responsibility in
54 other public sector organizations and in the private sector.

55 2. The salaries of the secretary and the assistant
56 secretaries shall be established by the Florida Transportation
57 Commission and determined by a market analysis focused on
58 comparably skilled individuals in other public sector
59 organizations, including, but not limited to, expressway
60 authorities, aviation authorities, and port authorities, and on
61 comparably skilled individuals in the private sector. The market
62 analysis must serve as a basis for ascertaining compensation
63 levels required to retain the secretary and assistant
64 secretaries in their positions within the department and to
65 attract external talent that can fulfill the department's
66 mission and effect change. The salary of the secretary must be
67 at least \$180,000. The salary of an assistant secretary must be
68 10 percent below that of the secretary who appoints him or her.

69 (4) (a) 1. The operations of the department shall be



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70 organized into seven districts, each headed by a district
71 secretary, and a turnpike enterprise and a rail enterprise, each
72 enterprise headed by an executive director. The district
73 secretaries and the executive directors shall be registered
74 professional engineers in accordance with ~~the provisions of~~
75 chapter 471 or the laws of another state, or, in lieu of
76 professional engineer registration, a district secretary or
77 executive director may hold an advanced degree in an appropriate
78 related discipline, such as a Master of Business Administration.

79 2. The district secretaries and the executive director of
80 the turnpike enterprise are exempt from part III of chapter 110
81 and shall receive compensation commensurate with their
82 qualifications and competitive with compensation for comparable
83 responsibility in other public sector organizations and in the
84 private sector. The salaries of the district secretaries and the
85 executive director of the turnpike enterprise must be 15 percent
86 below that of the secretary, as determined under subparagraph
87 (1)(f)2., who is head of the department at the time the district
88 secretaries and the executive director of the turnpike
89 enterprise take their positions.

90 3. The headquarters of the districts shall be located in
91 Polk, Columbia, Washington, Broward, Volusia, Miami-Dade, and
92 Hillsborough Counties. The headquarters of the turnpike
93 enterprise shall be located in Orange County. The headquarters
94 of the rail enterprise shall be located in Leon County. In order
95 to provide for efficient operations and to expedite the
96 decisionmaking process, the department shall provide for maximum
97 decentralization to the districts.

98 Section 2. Section 316.0898, Florida Statutes, is created



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99 to read:

100 316.0898 Florida Smart City Challenge grant program.-

101 (1) The Department of Transportation, in consultation with
102 the Department of Highway Safety and Motor Vehicles, shall
103 develop the Florida Smart City Challenge grant program and shall
104 establish grant award requirements for municipalities, regions
105 of the state, entities created under chapters 343 and 348,
106 including any authority formed under part I of chapter 348, and
107 any authority created under chapter 349, referred to in this
108 section as "applicants," for the purpose of receiving grant
109 awards. Grant applicants must demonstrate and document the
110 adoption of emerging technologies and their impact on the
111 transportation system and must address at least the following
112 focus areas:

113 (a) Autonomous vehicles.

114 (b) Connected vehicles.

115 (c) Sensor-based infrastructure.

116 (d) Collecting and using data.

117 (e) Electric vehicles, including charging stations.

118 (f) Developing strategic models and partnerships.

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

121 (a) Identifying transportation challenges and identifying
122 how emerging technologies can address those challenges.

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

125 (c) Encouraging applicants to take significant steps to
126 integrate emerging technologies into their day-to-day
127 operations.



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128 (d) Identifying the barriers to implementing the grant
129 program and communicating those barriers to the Legislature and
130 appropriate agencies and organizations.

131 (e) Leveraging the initial grant to attract additional
132 public and private investments.

133 (f) Increasing the state's competitiveness in the pursuit
134 of grants from the United States Department of Transportation,
135 the United States Department of Energy, and other federal
136 agencies.

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

139 (h) Serving as a nationwide model for Smart City programs.

140 (i) Documenting the costs and impacts of the grant program
141 and lessons learned during implementation.

142 (j) Identifying solutions that will demonstrate local or
143 regional economic impact.

144 (3) The Department of Transportation shall develop
145 eligibility, application, and selection criteria for the program
146 grants and a plan for the promotion of the grant program to
147 applicants in this state as an opportunity to compete for grant
148 funding, including the award of grants to a single recipient and
149 secondary grants to specific projects of merit within other
150 applications. The Department of Transportation may contract with
151 a third party that demonstrates knowledge and expertise in the
152 focuses and goals of this section to provide guidance in the
153 development of the requirements of this section.

154 (4) On or before January 1, 2018, the Department of
155 Transportation shall submit the grant program guidelines and
156 plans for promotion of the grant program to the Governor, the



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157 President of the Senate, and the Speaker of the House of
158 Representatives.

159 (5) This section expires July 1, 2018.

160 Section 3. Present paragraphs (c) and (d) of subsection (3)
161 of section 316.545, Florida Statutes, are redesignated as
162 paragraphs (d) and (e), respectively, and a new paragraph (c) is
163 added to that subsection, to read:

164 316.545 Weight and load unlawful; special fuel and motor
165 fuel tax enforcement; inspection; penalty; review.—

166 (3)

167 (c)1. For a vehicle fueled by natural gas, the fine is
168 calculated by reducing the actual gross vehicle weight by the
169 certified weight difference between the natural gas tank and
170 fueling system and a comparable diesel tank and fueling system.
171 Upon the request of a weight inspector or a law enforcement
172 officer, the vehicle operator shall present a written
173 certification that identifies the weight of the natural gas tank
174 and fueling system and the difference in weight of a comparable
175 diesel tank and fueling system. The written certification must
176 originate from the vehicle manufacturer or the installer of the
177 natural gas tank and fueling system.

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

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

183 Section 4. Effective upon the same date that SB 340 or
184 similar legislation takes effect, if such legislation is adopted
185 in the 2017 Regular Session or any extension thereof and becomes



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186 a law, section 316.851, Florida Statutes, is created to read:

187 316.851 Autonomous vehicles; providing prearranged rides.-

188 (1) An autonomous vehicle used by a transportation network
189 company to provide a prearranged ride must be covered by
190 automobile insurance as required by s. 627.748, regardless of
191 whether a human operator is physically present within the
192 vehicle when the ride occurs. When an autonomous vehicle is
193 logged on to a digital network but is not engaged in a
194 prearranged ride, the autonomous vehicle must maintain insurance
195 coverage as defined in s. 627.748(7)(b).

196 (2) An autonomous vehicle used to provide a transportation
197 service shall carry in the vehicle proof of coverage satisfying
198 the requirements of this section at all times while operating in
199 autonomous mode.

200 Section 5. Section 316.853, Florida Statutes, is created to
201 read:

202 316.853 Automated mobility districts.-

203 (1) For the purpose of this section, an "automated mobility
204 district" means a master planned development or combination of
205 contiguous developments in which the deployment of autonomous
206 vehicles as defined in s. 316.003 as the basis for a shared
207 mobility system is a stated goal or objective of the development
208 or developments.

209 (2) The Department of Transportation shall designate
210 automated mobility districts.

211 (3) In determining the eligibility of a community for
212 designation as an automated mobility district, the Department of
213 Transportation shall consider applicable criteria from federal
214 agencies for automated mobility districts and apply those



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215 criteria to eligible developments in this state.

216 Section 6. Paragraph (a) of subsection (1) of section
217 319.145, Florida Statutes, is amended to read:

218 319.145 Autonomous vehicles.—

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

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

225 1. Require the operator to take control of the autonomous
226 vehicle; or

227 2. If the human operator does not, or is not able to, take
228 control of the autonomous vehicle, or if a human operator is not
229 physically present in the vehicle, be capable of bringing the
230 vehicle to a complete stop.

231 Section 7. Subsection (2) of section 335.074, Florida
232 Statutes, is amended to read:

233 335.074 Safety inspection of bridges.—

234 (2) At regular intervals as required by the Federal Highway
235 Administration not to exceed 2 years, each bridge on a public
236 transportation facility shall be inspected for structural
237 soundness and safety for the passage of traffic on such bridge.
238 The thoroughness with which bridges are to be inspected shall
239 depend on such factors as age, traffic characteristics, state of
240 maintenance, and known deficiencies. The governmental entity
241 having maintenance responsibility for any such bridge shall be
242 responsible for having inspections performed and reports
243 prepared in accordance with the provisions contained herein.



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244 Section 8. Paragraph (c) of subsection (6) of section
245 337.11, Florida Statutes, is amended to read:

246 337.11 Contracting authority of department; bids; emergency
247 repairs, supplemental agreements, and change orders; combined
248 design and construction contracts; progress payments; records;
249 requirements of vehicle registration.-

250 (6)

251 (c) When the department determines that it is in the best
252 interest of the public for reasons of public concern, economy,
253 improved operations, or safety, and only for contracts for
254 construction and maintenance which do not exceed \$250,000 when
255 circumstances dictate rapid completion of the work, the
256 department may, ~~up to the amount of \$120,000,~~ enter into
257 contracts ~~for construction and maintenance~~ without advertising
258 and receiving competitive bids. The department may enter into
259 such contracts only upon a determination that the work is
260 necessary for one of the following reasons:

261 1. To ensure timely completion of projects or avoidance of
262 undue delay for other projects;

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

266 3. To accomplish nonemergency work necessary to ensure
267 avoidance of adverse conditions that affect the safe and
268 efficient flow of traffic.

269

270 The department shall make a good faith effort to obtain two or
271 more quotes, if available, from qualified contractors before
272 entering into any contract. The department shall give



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273 consideration to disadvantaged business enterprise
274 participation. However, when the work exists within the limits
275 of an existing contract, the department shall make a good faith
276 effort to negotiate and enter into a contract with the prime
277 contractor on the existing contract.

278 Section 9. Paragraph (a) of subsection (1) of section
279 337.401, Florida Statutes, is amended to read:

280 337.401 Use of right-of-way for utilities subject to
281 regulation; permit; fees.—

282 (1) (a) The department and local governmental entities,
283 referred to in this section and in ss. 337.402, 337.403, and
284 337.404 as the "authority," that have jurisdiction and control
285 of public roads or publicly owned rail corridors are authorized
286 to prescribe and enforce reasonable rules or regulations with
287 reference to the placing and maintaining across, on, or within
288 the right-of-way limits of any road or publicly owned rail
289 corridors under their respective jurisdictions any electric
290 transmission, voice telephone, telegraph, data, or other
291 communications services lines or wireless facilities; pole
292 lines; poles; railways; ditches; sewers; water, heat, or gas
293 mains; pipelines; fences; gasoline tanks and pumps; or other
294 structures referred to in this section and in ss. 337.402,
295 337.403, and 337.404 as the "utility." The department may enter
296 into a permit-delegation agreement with a governmental entity if
297 issuance of a permit is based on requirements that the
298 department finds will ensure the safety and integrity of
299 facilities of the Department of Transportation; however, the
300 permit-delegation agreement does not apply to facilities of
301 electric utilities as defined in s. 366.02(2).



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302 Section 10. Subsection (5) is added to section 338.227,
303 Florida Statutes, to read:

304 338.227 Turnpike revenue bonds.—

305 (5) Notwithstanding s. 215.82, bonds issued pursuant to
306 this section are not required to be validated pursuant to
307 chapter 75 but may be validated at the option of the Division of
308 Bond Finance. Any complaint about such validation must be filed
309 in the circuit court of the county in which the seat of state
310 government is situated, and the clerk shall publish the notice
311 as required by s. 75.06 only in the county in which the
312 complaint is filed. The complaint and order of the circuit court
313 must be served on the state attorney of the circuit in which the
314 action is pending.

315 Section 11. Subsection (2) of section 215.82, Florida
316 Statutes, is amended to read:

317 215.82 Validation; when required.—

318 (2) Any bonds issued pursuant to this act which are
319 validated shall be validated in the manner provided by chapter
320 75. In actions to validate bonds to be issued in the name of the
321 State Board of Education under s. 9(a) and (d), Art. XII of the
322 State Constitution and bonds to be issued pursuant to chapter
323 259, the Land Conservation Program, the complaint shall be filed
324 in the circuit court of the county where the seat of state
325 government is situated, the notice required to be published by
326 s. 75.06 shall be published only in the county where the
327 complaint is filed, and the complaint and order of the circuit
328 court shall be served only on the state attorney of the circuit
329 in which the action is pending. In any action to validate bonds
330 issued pursuant to s. 1010.62 or issued pursuant to s. 9(a)(1),



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331 Art. XII of the State Constitution or issued pursuant to s.
332 215.605 ~~or s. 338.227~~, the complaint shall be filed in the
333 circuit court of the county where the seat of state government
334 is situated, the notice required to be published by s. 75.06
335 shall be published in a newspaper of general circulation in the
336 county where the complaint is filed and in two other newspapers
337 of general circulation in the state, and the complaint and order
338 of the circuit court shall be served only on the state attorney
339 of the circuit in which the action is pending; provided,
340 however, that if publication of notice pursuant to this section
341 would require publication in more newspapers than would
342 publication pursuant to s. 75.06, such publication shall be made
343 pursuant to s. 75.06.

344 Section 12. The Department of Transportation shall
345 undertake an economic feasibility study relating to the
346 acquisition of the Garcon Point Bridge. The department shall
347 submit the completed study to the Governor, the President of the
348 Senate, and the Speaker of the House of Representatives by
349 October 1, 2018.

350 Section 13. Paragraph (e) of subsection (7) of section
351 339.135, Florida Statutes, is amended to read:

352 339.135 Work program; legislative budget request;
353 definitions; preparation, adoption, execution, and amendment.-

354 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.-

355 (e) Notwithstanding paragraphs (d), ~~and (g)~~, and (h) and
356 ss. 216.177(2) and 216.351, the secretary may request the
357 Executive Office of the Governor to amend the adopted work
358 program when an emergency exists, as defined in s. 252.34, and
359 the emergency relates to the repair or rehabilitation of any



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360 state transportation facility. The Executive Office of the
361 Governor may approve the amendment to the adopted work program
362 and amend that portion of the department's approved budget if a
363 delay incident to the notification requirements in paragraph (d)
364 would be detrimental to the interests of the state. However, the
365 department shall immediately notify the parties specified in
366 paragraph (d) and provide such parties written justification for
367 the emergency action within 7 days after approval by the
368 Executive Office of the Governor of the amendment to the adopted
369 work program and the department's budget. The adopted work
370 program may not be amended under this subsection without
371 certification by the comptroller of the department that there
372 are sufficient funds available pursuant to the 36-month cash
373 forecast and applicable statutes.

374 Section 14. Section 339.2405, Florida Statutes, is amended
375 to read:

376 339.2405 Florida Highway Beautification Grant Program
377 ~~Council~~.—

378 (1) There is created within the Department of
379 Transportation the Florida Highway Beautification Grant Program
380 for the purpose of awarding grants to local governmental
381 entities for beautification of roads on the State Highway System
382 as provided in subsections (3) and (4). The department shall
383 ~~Council. It shall consist of seven members appointed by the~~
384 ~~Governor. All appointed members must be residents of this state.~~
385 ~~One member must be a licensed landscape architect, one member~~
386 ~~must be a representative of the Florida Federation of Garden~~
387 ~~Clubs, Inc., one member must be a representative of the Florida~~
388 ~~Nurserymen and Growers Association, one member must be a~~



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389 ~~representative of the department as designated by the head of~~
390 ~~the department, one member must be a representative of the~~
391 ~~Department of Agriculture and Consumer Services, and two members~~
392 ~~must be private citizens. The members of the council shall serve~~
393 ~~at the pleasure of the Governor.~~

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

396 ~~(3) The council shall meet no less than semiannually at the~~
397 ~~call of the chair or, in the chair's absence or incapacity, at~~
398 ~~the call of the head of the department. Four members shall~~
399 ~~constitute a quorum for the purpose of exercising all of the~~
400 ~~powers of the council. A vote of the majority of the members~~
401 ~~present shall be sufficient for all actions of the council.~~

402 ~~(4) The council members shall serve without pay but shall~~
403 ~~be entitled to per diem and travel expenses pursuant to s.~~
404 ~~112.061.~~

405 ~~(5) A member of the council may not participate in any~~
406 ~~discussion or decision to recommend grants to any qualified~~
407 ~~local government with which the member is associated as a member~~
408 ~~of the governing body or as an employee or with which the member~~
409 ~~has entered into a contractual arrangement.~~

410 ~~(6) The council may prescribe, amend, and repeal bylaws~~
411 ~~governing the manner in which the business of the council is~~
412 ~~conducted.~~

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

414 ~~(a)1. Provide information to local governments and local~~
415 ~~highway beautification councils regarding the state highway~~
416 ~~beautification grants program.~~

417 ~~(b)2. Accept grant requests from local governments.~~



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418 (c)3. Review grant requests for compliance with department
419 council rules.

420 (d)4. Establish rules for evaluating and prioritizing the
421 grant requests. The rules must include, but are not limited to,
422 an examination of each grant's aesthetic value, cost-
423 effectiveness, level of local support, feasibility of
424 installation and maintenance, and compliance with state and
425 federal regulations. Rules adopted by the department council
426 which it uses to evaluate grant applications must take into
427 consideration the contributions made by the highway
428 beautification project in preventing litter.

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

433 ~~6. Assess the feasibility of planting and maintaining~~
434 ~~indigenous wildflowers and plants, instead of sod groundcovers,~~
435 ~~along the rights-of-way of state roads and highways. In making~~
436 ~~such assessment, the council shall utilize data from other~~
437 ~~states which include indigenous wildflower and plant species in~~
438 ~~their highway vegetative management systems.~~

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

442 ~~(8) The head of the department shall provide from existing~~
443 ~~personnel such staff support services to the council as are~~
444 ~~necessary to enable the council to fulfill its duties and~~
445 ~~responsibilities.~~

446 (2)(9) Local highway beautification councils may be created



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447 by local governmental entities or by the Legislature. Prior to
448 being submitted to the department council, a grant request must
449 be approved by the local government or governments of the area
450 in which the project is located.

451 (3) ~~(10)~~ The head of the department, ~~after receiving~~
452 ~~recommendations from the council~~, shall award grants to local
453 governmental entities that have submitted grant requests for
454 beautification of roads on the State Highway System and which
455 requests are on the ~~council's~~ approved list. The grants shall be
456 awarded in the order they appear on the ~~council's~~ prioritized
457 list and in accordance with available funding.

458 (4) ~~(11)~~ State highway beautification grants may be
459 requested only for projects to beautify through landscaping
460 roads on the State Highway System. The grant request shall
461 identify all costs associated with the project, including
462 sprinkler systems, plant materials, equipment, and labor. A
463 grant shall provide for the costs of purchase and installation
464 of a sprinkler system, the cost of plant materials and
465 fertilizer, and may provide for the costs for labor associated
466 with the installation of the plantings. Each local government
467 that receives a grant is ~~shall be~~ responsible for any costs for
468 water, for the maintenance of the sprinkler system, for the
469 maintenance of the landscaped areas in accordance with a
470 maintenance agreement with the department, and, except as
471 otherwise provided in the grant, for any costs for labor
472 associated with the installation of the plantings. The
473 department may provide, by contract, services to maintain such
474 landscaping at a level not to exceed the cost of routine
475 maintenance of an equivalent unlandscaped area.



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476 ~~(12) The council shall annually submit to the head of the~~
477 ~~Department of Transportation a proposal recommending the level~~
478 ~~of grant funding.~~

479 Section 15. Section 343.52, Florida Statutes, is reordered
480 and amended to read:

481 343.52 Definitions.—As used in this part, the term:

482 (2)~~(1)~~ "Authority" means the South Florida Regional
483 Transportation Authority.

484 (3)~~(2)~~ "Board" means the governing body of the authority.

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

486 (1)~~(3)~~ "Area served" means Miami-Dade, Broward, and Palm
487 Beach Counties. However, this area may be expanded by mutual
488 consent of the authority and the board of county commissioners
489 of Monroe County. The authority may not expand into any
490 additional counties without the department's prior written
491 approval.

492 (8)~~(4)~~ "Transit system" means a system used for the
493 transportation of people and goods by means of, without
494 limitation, a street railway, an elevated railway having a fixed
495 guideway, a commuter railroad, a subway, motor vehicles, or
496 motor buses, and includes a complete system of tracks, stations,
497 and rolling stock necessary to effectuate passenger service to
498 or from the surrounding regional municipalities.

499 (7)~~(5)~~ "Transit facilities" means property, avenues of
500 access, equipment, or buildings built and installed in Miami-
501 Dade, Broward, and Palm Beach Counties which are required to
502 support a transit system.

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

504 (5)~~(7)~~ "Feeder transit services" means a transit system



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505 that transports passengers to or from stations within or across
506 counties.

507 Section 16. Paragraph (d) of subsection (2) of section
508 343.53, Florida Statutes, is amended to read:

509 343.53 South Florida Regional Transportation Authority.—

510 (2) The governing board of the authority shall consist of
511 10 voting members, as follows:

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

515 1. The county commission of the county shall elect a
516 commissioner as that commission's representative on the board.
517 The commissioner must be a member of the county commission when
518 elected and for the full extent of his or her term.

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

522 Section 17. Present subsections (4) and (5) of section
523 343.54, Florida Statutes, are redesignated as subsections (5)
524 and (6), respectively, and a new subsection (4) is added to that
525 section, to read:

526 343.54 Powers and duties.—

527 (4) Notwithstanding any other provision of this part, the
528 authority may not enter into, extend, or renew any contract or
529 other agreement under this part without the department's prior
530 review and written approval of the authority's proposed
531 expenditures if such contract or agreement may be funded, in
532 whole or in part, with funds provided by the department.

533 Section 18. Paragraph (c) of subsection (4) of section



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534 343.58, Florida Statutes, is amended to read:

535 343.58 County funding for the South Florida Regional
536 Transportation Authority.—

537 (4) Notwithstanding any other provision of law to the
538 contrary and effective July 1, 2010, until as provided in
539 paragraph (d), the department shall transfer annually from the
540 State Transportation Trust Fund to the South Florida Regional
541 Transportation Authority the amounts specified in subparagraph
542 (a)1. or subparagraph (a)2.

543 (c)1. Funds provided to the authority by the department
544 under this subsection constitute state financial assistance
545 provided to a nonstate entity to carry out a state project
546 subject to the provisions of ss. 215.97 and 215.971. The
547 department shall provide the funds in accordance with the terms
548 of a written agreement to be entered into between the authority
549 and the department which shall provide for department review,
550 approval and audit of authority expenditure of such funds, and
551 shall include such other provisions as are required by
552 applicable law. The department is specifically authorized to
553 agree to advance the authority one-fourth of the total funding
554 provided under this subsection for a state fiscal year at the
555 beginning of each state fiscal year, with monthly payments over
556 the fiscal year on a reimbursement basis as supported by
557 invoices and such additional documentation and information as
558 the department may reasonably require, and a reconciliation of
559 the advance against remaining invoices in the last quarter of
560 the fiscal year may not be committed by the authority without
561 the approval of the department, which may not be unreasonably
562 withheld. At least 90 days before advertising any procurement or



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563 ~~renewing any existing contract that will rely on state funds for~~
564 ~~payment, the authority shall notify the department of the~~
565 ~~proposed procurement or renewal and the proposed terms thereof.~~
566 ~~If the department, within 60 days after receipt of notice,~~
567 ~~objects in writing to the proposed procurement or renewal,~~
568 ~~specifying its reasons for objection, the authority may not~~
569 ~~proceed with the proposed procurement or renewal. Failure of the~~
570 ~~department to object in writing within 60 days after notice~~
571 ~~shall be deemed consent. This requirement does not impair or~~
572 ~~cause the authority to cancel contracts that exist as of June~~
573 ~~30, 2012.~~

574 2. To enable the department to evaluate the authority's
575 proposed uses of state funds, the authority shall annually
576 provide the department with its proposed budget for the
577 following authority fiscal year and shall promptly provide the
578 department with any additional documentation or information
579 required by the department for its evaluation of the proposed
580 uses of the state funds.

581 Section 19. The Secretary of Transportation may enroll the
582 State of Florida in any federal pilot program or project for the
583 collection and study of data for the review of federal or state
584 roadway safety, infrastructure sustainability, congestion
585 mitigation, transportation system efficiency, autonomous vehicle
586 technology, or capacity challenges.

587 Section 20. (1) Broward County has undergone significant
588 expansion of its interstate system over the last 5 years.
589 Broward County is the second most populous county in the state
590 and is largely built out. The expansion of Broward County
591 interstate highways occurred in fully developed areas in which



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592 relocation of permitted signs is difficult; the placement of new
593 ramps, bridges, and other construction within the interstate
594 right-of-way can hinder the ability of the public to view
595 existing permitted signs; and allowing a minimal height increase
596 based upon the height of the obstruction is reasonable.

597 (2) Notwithstanding general law to the contrary, in the
598 event that a properly permitted sign on an interstate highway
599 within Broward County is subsequently obstructed by the
600 construction of a ramp, braided bridge, or other permanent
601 visual obstruction within the interstate right-of-way, the
602 allowable height of the permitted sign shall be measured from
603 the top of the visual obstruction. However, the height of the
604 sign may not exceed 100 feet above the crown of the main
605 traveled way of the road to which the sign is permitted
606 regardless of the height of the visual obstruction.

607 (3) The Department of Transportation is authorized to
608 promulgate any rules or forms necessary to implement subsections
609 (1) and (2) of this section.

610 Section 21. Except as otherwise provided in this act, this
611 act shall take effect July 1, 2017.

612
613 ===== T I T L E A M E N D M E N T =====

614 And the title is amended as follows:

615 Delete everything before the enacting clause
616 and insert:

617 A bill to be entitled
618 An act relating to transportation; amending s. 20.23,
619 F.S.; requiring the Department of Transportation to
620 consist of a central office and districts, subject to



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621 certain requirements; providing that any secretary
622 appointed after a specified date and the assistant
623 secretaries are exempt from membership in the Senior
624 Management Service System Class; requiring the
625 secretary and assistant secretaries to receive
626 compensation competitive with compensation for
627 comparable responsibility in other public sector
628 organizations; requiring that the salaries of the
629 secretary and the assistant secretaries be established
630 by the Florida Transportation Commission and
631 determined by a certain market analysis, subject to
632 certain requirements; providing minimum specified
633 salaries for the secretary and assistant secretaries;
634 providing that the district secretaries and the
635 executive director of the turnpike enterprise are
636 exempt from membership in the Senior Management
637 Service System Class; requiring that the district
638 secretaries and the executive director of the turnpike
639 enterprise receive compensation commensurate with
640 their qualifications and competitive with compensation
641 for comparable responsibility in other public sector
642 organizations and in the private sector; providing
643 salary requirements for the district secretaries and
644 the executive director of the turnpike enterprise;
645 creating s. 316.0898, F.S.; requiring the Department
646 of Transportation, in consultation with the Department
647 of Highway Safety and Motor Vehicles, to develop the
648 Florida Smart City Challenge grant program; defining
649 the term "applicants"; specifying requirements for



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650 grant program applicants; establishing goals for the
651 grant program; requiring the Department of
652 Transportation to develop specified criteria for the
653 program grants and a plan for promotion of the grant
654 program; authorizing the Department of Transportation
655 to contract with a third party that demonstrates
656 certain knowledge and expertise for a specified
657 purpose; requiring the Department of Transportation to
658 submit certain information regarding the grant program
659 to the Governor and the Legislature by a specified
660 date; providing for repeal; amending s. 316.545, F.S.;
661 providing for the calculation of fines for unlawful
662 weight and load for a vehicle fueled by natural gas;
663 requiring the vehicle operator to present a certain
664 written certification upon request by a weight
665 inspector or law enforcement officer; prescribing a
666 maximum actual gross vehicle weight for vehicles
667 fueled by natural gas; providing applicability;
668 creating s. 316.851, F.S.; requiring an autonomous
669 vehicle used by a transportation network company to be
670 covered by automobile insurance, subject to certain
671 requirements; requiring an autonomous vehicle used to
672 provide a transportation service to carry in the
673 vehicle proof of coverage satisfying certain
674 requirements at all times while operating in
675 autonomous mode; creating s. 316.853, F.S.; defining
676 the term "automated mobility district"; requiring the
677 Department of Transportation to designate automated
678 mobility districts; requiring the department to



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679 consider applicable criteria from federal agencies for
680 automated mobility districts in determining
681 eligibility of a community for the designation;
682 amending s. 319.145, F.S.; requiring an autonomous
683 vehicle registered in this state to be capable of
684 bringing the vehicle to a full stop when an alert is
685 given if the human operator does not, or is not able
686 to, take control of the autonomous vehicle, or if a
687 human operator is not physically present in the
688 vehicle; amending s. 335.074, F.S.; requiring bridges
689 on public transportation facilities to be inspected
690 for certain purposes at regular intervals as required
691 by the Federal Highway Administration; amending s.
692 337.11, F.S.; increasing the allowable amount for
693 contracts for construction and maintenance which the
694 department may enter into, in certain circumstances,
695 without advertising and receiving competitive bids;
696 amending s. 337.401, F.S.; authorizing the Department
697 of Transportation and certain local governmental
698 entities to prescribe and enforce reasonable rules or
699 regulations with reference to the placing and
700 maintaining across, on, or within the right-of-way
701 limits of any road or publicly owned rail corridors
702 under their respective jurisdictions any voice or data
703 communications services lines or wireless facilities;
704 amending s. 338.227, F.S.; providing that certain
705 bonds are not required to be validated but may be
706 validated at the option of the Division of Bond
707 Finance; providing filing, notice, and service



708 requirements for complaints and circuit court orders
709 concerning such validation; amending s. 215.82, F.S.;
710 conforming a provision to changes made by the act;
711 requiring the department to undertake an economic
712 feasibility study relating to the acquisition of the
713 Garcon Point Bridge; requiring the department to
714 submit the completed study to the Governor and
715 Legislature by a specified date; amending s. 339.135,
716 F.S.; providing an additional exception related to the
717 amendment of adopted work programs when an emergency
718 exists; amending s. 339.2405, F.S.; replacing the
719 Florida Highway Beautification Council within the
720 department with the Florida Highway Beautification
721 Grant Program; providing the purpose of the program;
722 providing duties of the department; conforming
723 provisions to changes made by the act; amending s.
724 343.52, F.S.; defining the term "department"; amending
725 s. 343.53, F.S.; conforming a cross-reference;
726 amending s. 343.54, F.S.; prohibiting the South
727 Florida Regional Transportation Authority from
728 entering into, extending, or renewing certain
729 contracts or other agreements without the department's
730 prior review and written approval if such contracts or
731 agreements may be funded with funds provided by the
732 department; amending s. 343.58, F.S.; providing that
733 certain funds provided to the authority by the
734 department constitute state financial assistance for
735 specified purposes, subject to certain requirements;
736 requiring the department to provide certain funds in



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737 accordance with the terms of an agreement between the
738 authority and the department; authorizing the
739 department to advance the authority a certain amount
740 of the total funding for a state fiscal year at the
741 beginning of each state fiscal year, subject to
742 certain requirements; requiring the authority to
743 promptly provide the department any documentation or
744 information, in addition to the proposed annual
745 budget, which is required by the department for its
746 evaluation of the proposed uses of state funds;
747 authorizing the Secretary of Transportation to enroll
748 the State of Florida in federal pilot programs or
749 projects for the collection and study of data for the
750 review of federal or state roadway safety,
751 infrastructure sustainability, congestion mitigation,
752 transportation system efficiency, autonomous vehicle
753 technology, or capacity challenges; providing
754 legislative findings; providing for an alternate means
755 to measure permitted sign height on interstate
756 highways within Broward County; authorizing the
757 Department of Transportation to promulgate rules and
758 forms; providing effective dates, one of which is
759 contingent.