

1                   A bill to be entitled  
2           An act relating to transportation; amending s. 20.23,  
3           F.S.; revising the organization of the Department of  
4           Transportation; revising and providing for the  
5           delegation of certain responsibilities; revising  
6           provisions relating to the operation of a rail  
7           enterprise; amending s. 201.15, F.S.; allocating  
8           specified documentary stamp tax revenues to the  
9           department rather than the Florida Rail Enterprise;  
10          amending s. 206.46, F.S.; removing a limitation on an  
11          annual transfer from the State Transportation Trust  
12          Fund to the Right-of-Way Acquisition and Bridge  
13          Construction Trust Fund; amending ss. 206.606,  
14          206.608, and 212.0501, F.S.; removing a requirement  
15          for deduction of certain service charges before  
16          distributing certain moneys; amending s. 311.101,  
17          F.S.; deleting the scheduled repeal of funding for the  
18          Intermodal Logistics Center Infrastructure Support  
19          Program; amending s. 316.126, F.S.; requiring the  
20          operator of a motor vehicle to take certain actions  
21          under certain circumstances when a road and bridge  
22          maintenance or construction vehicle is on the  
23          roadside; amending s. 319.32, F.S.; removing a  
24          requirement for deduction of certain service charges  
25          before depositing fees for a certificate of title into

26 | the State Transportation Trust Fund; amending s.  
27 | 333.03, F.S.; requiring airport protection zoning  
28 | regulations to require certain permit applicants to  
29 | submit a final valid determination from the Federal  
30 | Aviation Administration; amending s. 339.135, F.S.;  
31 | conforming provisions to changes made by the act;  
32 | deleting the scheduled repeal of provisions relating  
33 | to approval of amendments submitted to the Legislative  
34 | Budget Commission by the department; amending s.  
35 | 339.175, F.S.; revising the date by which a  
36 | metropolitan planning organization must submit a list  
37 | of project priorities to the appropriate department  
38 | district; amending s. 341.302, F.S.; revising  
39 | department responsibilities regarding rail systems;  
40 | revising the maximum amount of liability insurance the  
41 | department may purchase; amending s. 341.303, F.S.;  
42 | revising department funding authority regarding rail  
43 | systems; amending s. 343.58, F.S.; conforming  
44 | provisions to changes made by the act; repealing s.  
45 | 339.2821, F.S., relating to economic development  
46 | transportation projects; amending ss. 288.0656,  
47 | 339.08, and 377.809, F.S.; conforming provisions to  
48 | changes made by the act; providing an effective date.

49 |  
50 | Be It Enacted by the Legislature of the State of Florida:

51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75

Section 1. Paragraphs (a) and (f) 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.

(4) (a) The operations of the department shall be organized into seven districts, each headed by a district secretary, and a turnpike enterprise ~~and a rail enterprise, each enterprise~~ headed by an executive director. The district secretaries and the executive director ~~directors~~ shall be registered professional engineers in accordance with ~~the provisions of~~ chapter 471 or the laws of another state, or, in lieu of professional engineer registration, a district secretary or the executive director may hold an advanced degree in an appropriate related discipline, such as a Master of Business Administration. The headquarters of the districts shall be located in Polk, Columbia, Washington, Broward, Volusia, Miami-Dade, and Hillsborough Counties. The headquarters of the turnpike enterprise shall be located in Orange County. ~~The headquarters of the rail enterprise shall be located in Leon County.~~ In order to provide for efficient operations and to expedite the decisionmaking process, the department shall provide for maximum decentralization to the districts.

(f) ~~1.~~ The responsibility for developing and operating the

76 high-speed and passenger rail systems established in chapter  
 77 341, directing funding for passenger rail systems under s.  
 78 341.303, general rail safety, coordinating efforts to enhance  
 79 passenger rail safety in the state, and coordinating publicly  
 80 funded passenger rail operations in the state, including freight  
 81 rail interoperability issues, shall be delegated to a  
 82 departmental entity to be named by the secretary ~~to the~~  
 83 ~~executive director of the rail enterprise, who shall serve at~~  
 84 ~~the pleasure of the secretary. The executive director shall~~  
 85 ~~report directly to the secretary, and the rail enterprise shall~~  
 86 ~~operate pursuant to ss. 341.8201-341.842.~~

87 ~~2. To facilitate the most efficient and effective~~  
 88 ~~management of the rail enterprise, including the use of best~~  
 89 ~~business practices employed by the private sector, the rail~~  
 90 ~~enterprise, except as provided in s. 287.055, shall be exempt~~  
 91 ~~from departmental policies, procedures, and standards, subject~~  
 92 ~~to the secretary having the authority to apply any such~~  
 93 ~~policies, procedures, and standards to the rail enterprise from~~  
 94 ~~time to time as deemed appropriate.~~

95 Section 2. Paragraph (a) of subsection (4) of section  
 96 201.15, Florida Statutes, is amended to read:

97 201.15 Distribution of taxes collected.—All taxes  
 98 collected under this chapter are hereby pledged and shall be  
 99 first made available to make payments when due on bonds issued  
 100 pursuant to s. 215.618 or s. 215.619, or any other bonds

101 authorized to be issued on a parity basis with such bonds. Such  
102 pledge and availability for the payment of these bonds shall  
103 have priority over any requirement for the payment of service  
104 charges or costs of collection and enforcement under this  
105 section. All taxes collected under this chapter, except taxes  
106 distributed to the Land Acquisition Trust Fund pursuant to  
107 subsections (1) and (2), are subject to the service charge  
108 imposed in s. 215.20(1). Before distribution pursuant to this  
109 section, the Department of Revenue shall deduct amounts  
110 necessary to pay the costs of the collection and enforcement of  
111 the tax levied by this chapter. The costs and service charge may  
112 not be levied against any portion of taxes pledged to debt  
113 service on bonds to the extent that the costs and service charge  
114 are required to pay any amounts relating to the bonds. All of  
115 the costs of the collection and enforcement of the tax levied by  
116 this chapter and the service charge shall be available and  
117 transferred to the extent necessary to pay debt service and any  
118 other amounts payable with respect to bonds authorized before  
119 January 1, 2017, secured by revenues distributed pursuant to  
120 this section. All taxes remaining after deduction of costs shall  
121 be distributed as follows:

122 (4) After the required distributions to the Land  
123 Acquisition Trust Fund pursuant to subsections (1) and (2) and  
124 deduction of the service charge imposed pursuant to s.  
125 215.20(1), the remainder shall be distributed as follows:

126 (a) The lesser of 24.18442 percent of the remainder or  
 127 \$541.75 million in each fiscal year shall be paid into the State  
 128 Treasury to the credit of the State Transportation Trust Fund.  
 129 Of such funds, \$75 million for each fiscal year shall be  
 130 transferred to the General Revenue Fund. Notwithstanding any  
 131 other law, the remaining amount credited to the State  
 132 Transportation Trust Fund shall be used for:

133 1. Capital funding for the New Starts Transit Program,  
 134 authorized by Title 49, U.S.C. s. 5309 and specified in s.  
 135 341.051, in the amount of 10 percent of the funds;

136 2. The Small County Outreach Program specified in s.  
 137 339.2818, in the amount of 10 percent of the funds;

138 3. The Strategic Intermodal System specified in ss.  
 139 339.61, 339.62, 339.63, and 339.64, in the amount of 75 percent  
 140 of the funds after deduction of the payments required pursuant  
 141 to subparagraphs 1. and 2.; and

142 4. The Transportation Regional Incentive Program specified  
 143 in s. 339.2819, in the amount of 25 percent of the funds after  
 144 deduction of the payments required pursuant to subparagraphs 1.  
 145 and 2. The first \$60 million of the funds allocated pursuant to  
 146 this subparagraph shall be allocated annually to the Department  
 147 of Transportation ~~Florida Rail Enterprise~~ for the purposes  
 148 established in s. 341.303(5).

149 Section 3. Subsection (2) of section 206.46, Florida  
 150 Statutes, is amended to read:

151           206.46 State Transportation Trust Fund.—

152           (2) Notwithstanding any other provision ~~provisions~~ of law,  
 153 from the revenues deposited into the State Transportation Trust  
 154 Fund, up to a maximum of 7 percent in each fiscal year shall be  
 155 transferred into the Right-of-Way Acquisition and Bridge  
 156 Construction Trust Fund created in s. 215.605~~7~~ as needed to meet  
 157 the requirements of the documents authorizing the bonds issued  
 158 or proposed to be issued under ss. 215.605 and 337.276 or at a  
 159 minimum amount sufficient to pay for the debt service coverage  
 160 requirements of outstanding bonds. ~~Notwithstanding the 7 percent~~  
 161 ~~annual transfer authorized in this subsection, the annual amount~~  
 162 ~~transferred under this subsection shall not exceed an amount~~  
 163 ~~necessary to provide the required debt service coverage levels~~  
 164 ~~for a maximum debt service not to exceed \$275 million.~~ Such  
 165 transfer shall be payable primarily from the motor and diesel  
 166 fuel taxes transferred to the State Transportation Trust Fund  
 167 from the Fuel Tax Collection Trust Fund.

168           Section 4. Subsection (1) of section 206.606, Florida  
 169 Statutes, is amended to read:

170           206.606 Distribution of certain proceeds.—

171           (1) Moneys collected pursuant to ss. 206.41(1)(g) and  
 172 206.87(1)(e) shall be deposited in the Fuel Tax Collection Trust  
 173 Fund. Such moneys, after deducting ~~the service charges imposed~~  
 174 ~~by s. 215.207~~, the refunds granted pursuant to s. 206.41~~7~~ and the  
 175 administrative costs incurred by the department in collecting,

176 administering, enforcing, and distributing the tax, which  
 177 administrative costs may not exceed 2 percent of collections,  
 178 shall be distributed monthly to the State Transportation Trust  
 179 Fund, except that:

180       (a) Each fiscal year, \$6.3 ~~\$6.30~~ million shall be  
 181 transferred to the Fish and Wildlife Conservation Commission ~~in~~  
 182 ~~each fiscal year~~ and deposited in the Invasive Plant Control  
 183 Trust Fund to be used for aquatic plant management, including  
 184 nonchemical control of aquatic weeds, research into nonchemical  
 185 controls, and enforcement activities. The commission shall  
 186 allocate at least \$1 million of such funds to the eradication of  
 187 melaleuca.

188       (b) Annually, \$2.5 million shall be transferred to the  
 189 State Game Trust Fund in the Fish and Wildlife Conservation  
 190 Commission and used for recreational boating activities and  
 191 freshwater fisheries management and research. The transfers must  
 192 be made in equal monthly amounts beginning on July 1 of each  
 193 fiscal year. The commission shall annually determine where unmet  
 194 needs exist for boating-related activities, and may fund such  
 195 activities in counties where, due to the number of vessel  
 196 registrations, sufficient financial resources are unavailable.

197       1. A minimum of \$1.25 million shall be used to fund local  
 198 projects to provide recreational channel marking and other  
 199 uniform waterway markers, public boat ramps, lifts, and hoists,  
 200 marine railways, and other public launching facilities, derelict



201 vessel removal, and other local boating-related activities. In  
 202 funding the projects, the commission shall give priority  
 203 consideration to:

204 a. Unmet needs in counties having populations of 100,000  
 205 or fewer.

206 b. Unmet needs in coastal counties having a high level of  
 207 boating-related activities from individuals residing in other  
 208 counties.

209 2. The remaining \$1.25 million may be used for  
 210 recreational boating activities and freshwater fisheries  
 211 management and research.

212 3. The commission may adopt rules to administer a Florida  
 213 Boating Improvement Program.

214  
 215 The commission shall prepare and make available on its ~~Internet~~  
 216 website an annual report outlining the status of its Florida  
 217 Boating Improvement Program, including the projects funded, and  
 218 a list of counties the whose needs of which are unmet due to  
 219 insufficient financial resources from vessel registration fees.

220 (c) ~~0.65 percent~~ Of the moneys collected pursuant to s.  
 221 206.41(1)(g), 0.65 percent shall be transferred to the  
 222 Agricultural Emergency Eradication Trust Fund.

223 (d) Each fiscal year, \$13.4 million ~~in fiscal year 2007-~~  
 224 ~~2008 and each fiscal year thereafter~~ of the moneys attributable  
 225 to the sale of motor and diesel fuel at marinas shall be

226 transferred from the Fuel Tax Collection Trust Fund to the  
 227 Marine Resources Conservation Trust Fund in the Fish and  
 228 Wildlife Conservation Commission.

229 Section 5. Section 206.608, Florida Statutes, is amended  
 230 to read:

231 206.608 State Comprehensive Enhanced Transportation System  
 232 Tax; deposit of proceeds; distribution.—Moneys received pursuant  
 233 to ss. 206.41(1)(f) and 206.87(1)(d) shall be deposited in the  
 234 Fuel Tax Collection Trust Fund~~7~~ and, after deducting the ~~service~~  
 235 ~~charge imposed in chapter 215~~ and administrative costs incurred  
 236 by the department in collecting, administering, enforcing, and  
 237 distributing the tax, which administrative costs may not exceed  
 238 2 percent of collections, shall be distributed as follows:

239 (1) ~~0.65 percent~~ Of the proceeds of the tax levied  
 240 pursuant to s. 206.41(1)(f), 0.65 percent shall be transferred  
 241 to the Agricultural Emergency Eradication Trust Fund.

242 (2) The remaining proceeds of the tax levied pursuant to  
 243 s. 206.41(1)(f) and all of the proceeds from the tax imposed by  
 244 s. 206.87(1)(d) shall be transferred into the State  
 245 Transportation Trust Fund~~7~~ and may be used only for projects in  
 246 the adopted work program in the district in which the tax  
 247 proceeds are collected, and~~7~~ to the maximum extent feasible,  
 248 such moneys shall be programmed for use in the county where  
 249 collected. However, ~~no~~ revenue from the taxes imposed pursuant  
 250 to ss. 206.41(1)(f) and 206.87(1)(d) in a county may not ~~shall~~

251 | be expended unless the projects funded with such revenues have  
 252 | been included in the work program adopted pursuant to s.  
 253 | 339.135.

254 |       Section 6. Subsection (6) of section 212.0501, Florida  
 255 | Statutes, is amended to read:

256 |           212.0501 Tax on diesel fuel for business purposes;  
 257 | purchase, storage, and use.—

258 |       (6) All taxes required to be paid on fuel used in self-  
 259 | propelled off-road equipment shall be deposited in the Fuel Tax  
 260 | Collection Trust Fund, ~~to be distributed, after deduction of the~~  
 261 | ~~general revenue service charge pursuant to s. 215.20,~~ to the  
 262 | State Transportation Trust Fund. The department shall, each  
 263 | month, make a transfer, from general revenue collections, equal  
 264 | to such use tax reported on dealers' sales and use tax returns.

265 |       Section 7. Subsection (7) of section 311.101, Florida  
 266 | Statutes, is amended to read:

267 |           311.101 Intermodal Logistics Center Infrastructure Support  
 268 | Program.—

269 |       (7) ~~Beginning in fiscal year 2014-2015,~~ At least \$5  
 270 | million per fiscal year shall be made available from the State  
 271 | Transportation Trust Fund for the program. The Department of  
 272 | Transportation shall include projects proposed to be funded  
 273 | under this section in the tentative work program developed  
 274 | pursuant to s. 339.135(4). ~~This subsection expires on July 1,~~  
 275 | ~~2020.~~

276 Section 8. Paragraph (b) of subsection (1) of section  
 277 316.126, Florida Statutes, is amended to read:

278 316.126 Operation of vehicles and actions of pedestrians  
 279 on approach of an authorized emergency, sanitation, or utility  
 280 service vehicle.—

281 (1)

282 (b) If an authorized emergency vehicle displaying any  
 283 visual signals is parked on the roadside, a sanitation vehicle  
 284 is performing a task related to the provision of sanitation  
 285 services on the roadside, a utility service vehicle is  
 286 performing a task related to the provision of utility services  
 287 on the roadside, ~~or~~ a wrecker displaying amber rotating or  
 288 flashing lights is performing a recovery or loading on the  
 289 roadside, or a road and bridge maintenance or construction  
 290 vehicle displaying warning lights as authorized in s.

291 316.2397(4) or (5) is on the roadside without advance signs and  
 292 channelizing devices, the driver of every other vehicle, as soon  
 293 as it is safe:

294 1. Shall vacate the lane closest to the emergency vehicle,  
 295 sanitation vehicle, utility service vehicle, ~~or wrecker,~~ or road  
 296 and bridge maintenance or construction vehicle when driving on  
 297 an interstate highway or other highway with two or more lanes  
 298 traveling in the direction of the emergency vehicle, sanitation  
 299 vehicle, utility service vehicle, ~~or wrecker,~~ or road and bridge  
 300 maintenance or construction vehicle, except when otherwise

301 | directed by a law enforcement officer. If such movement cannot  
 302 | be safely accomplished, the driver shall reduce speed as  
 303 | provided in subparagraph 2.

304 |         2. Shall slow to a speed that is 20 miles per hour less  
 305 | than the posted speed limit when the posted speed limit is 25  
 306 | miles per hour or greater; or travel at 5 miles per hour when  
 307 | the posted speed limit is 20 miles per hour or less, when  
 308 | driving on a two-lane road, except when otherwise directed by a  
 309 | law enforcement officer.

310 |         Section 9. Subsection (5) of section 319.32, Florida  
 311 | Statutes, is amended to read:

312 |             319.32 Fees; service charges; disposition.—

313 |             (5) (a) Forty-seven dollars of each fee collected, except  
 314 | for fees charged on a certificate of title for a motor vehicle  
 315 | for hire registered under s. 320.08(6), for each applicable  
 316 | original certificate of title and each applicable duplicate copy  
 317 | of a certificate of title, ~~after deducting the service charges~~  
 318 | ~~imposed by s. 215.20,~~ shall be deposited into the State  
 319 | Transportation Trust Fund. Deposits to the State Transportation  
 320 | Trust Fund pursuant to this paragraph may not exceed \$200  
 321 | million in any fiscal year, and any collections in excess of  
 322 | that amount during the fiscal year shall be paid into the  
 323 | General Revenue Fund.

324 |             (b) All fees collected pursuant to subsection (3) shall be  
 325 | paid into the Nongame Wildlife Trust Fund. Twenty-one dollars of

326 each fee, except for fees charged on a certificate of title for  
 327 a motor vehicle for hire registered under s. 320.08(6), for each  
 328 applicable original certificate of title and each applicable  
 329 duplicate copy of a certificate of title, ~~after deducting the~~  
 330 ~~service charges imposed by s. 215.20,~~ shall be deposited into  
 331 the State Transportation Trust Fund. All other fees collected by  
 332 the department under this chapter shall be paid into the General  
 333 Revenue Fund.

334 Section 10. Paragraph (c) of subsection (1) of section  
 335 333.03, Florida Statutes, is amended to read:

336 333.03 Requirement to adopt airport zoning regulations.—

337 (1)

338 (c) Airport protection zoning regulations adopted under  
 339 paragraph (a) must, at a minimum, require:

340 1. A permit for the construction or alteration of any  
 341 obstruction. ~~†~~

342 2. Obstruction marking and lighting for obstructions. ~~†~~

343 3. Documentation showing compliance with the federal  
 344 requirement for notification of proposed construction or  
 345 alteration of structures and a final valid determination from  
 346 the Federal Aviation Administration aeronautical study submitted  
 347 by each person applying for a permit. ~~†~~

348 4. Consideration of the criteria in s. 333.025(6) ~~†~~ when  
 349 determining whether to issue or deny a permit. ~~† and~~

350 5. That approval of a permit not be based solely on the

351 determination by the Federal Aviation Administration that the  
 352 proposed structure is not an airport hazard.

353 Section 11. Paragraph (c) of subsection (4) and paragraph  
 354 (g) of subsection (7) of section 339.135, Florida Statutes, are  
 355 amended to read:

356 339.135 Work program; legislative budget request;  
 357 definitions; preparation, adoption, execution, and amendment.—

358 (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

359 (c)1. For purposes of this section, the board of county  
 360 commissioners shall serve as the metropolitan planning  
 361 organization in those counties that ~~which~~ are not located in a  
 362 metropolitan planning organization and shall be involved in the  
 363 development of the district work program to the same extent as a  
 364 metropolitan planning organization.

365 2. The district work program shall be developed  
 366 cooperatively from the outset with the various metropolitan  
 367 planning organizations of the state and include, to the maximum  
 368 extent feasible, the project priorities of metropolitan planning  
 369 organizations which have been submitted to the district by  
 370 August ~~October~~ 1 of each year pursuant to s. 339.175(8) (b);  
 371 however, the department and a metropolitan planning organization  
 372 may, in writing, cooperatively agree to vary this submittal  
 373 date. To assist the metropolitan planning organizations in  
 374 developing their lists of project priorities, the district shall  
 375 disclose to each metropolitan planning organization any

376 anticipated changes in the allocation or programming of state  
377 and federal funds which may affect the inclusion of metropolitan  
378 planning organization project priorities in the district work  
379 program.

380       3. Before ~~Prior to~~ submittal of the district work program  
381 to the central office, the district shall provide the affected  
382 metropolitan planning organization with written justification  
383 for any project proposed to be rescheduled or deleted from the  
384 district work program which project is part of the metropolitan  
385 planning organization's transportation improvement program and  
386 is contained in the last 4 years of the previous adopted work  
387 program. By no later than 14 days after submittal of the  
388 district work program to the central office, the affected  
389 metropolitan planning organization may file an objection to such  
390 rescheduling or deletion. When an objection is filed with the  
391 secretary, the rescheduling or deletion may not be included in  
392 the district work program unless the inclusion of such  
393 rescheduling or deletion is specifically approved by the  
394 secretary. The Florida Transportation Commission shall include  
395 such objections in its evaluation of the tentative work program  
396 only when the secretary has approved the rescheduling or  
397 deletion.

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

399       (g)1. A ~~Any~~ work program amendment that ~~which~~ also  
400 requires the transfer of fixed capital outlay appropriations



401 between categories within the department or the increase of an  
402 appropriation category is subject to the approval of the  
403 Legislative Budget Commission.

404 2. If a meeting of the Legislative Budget Commission  
405 cannot be held within 30 days after the department submits an  
406 amendment to the Legislative Budget Commission, the chair and  
407 vice chair of the Legislative Budget Commission may authorize  
408 such amendment to be approved pursuant to s. 216.177. ~~This~~  
409 ~~subparagraph expires July 1, 2020.~~

410 Section 12. Paragraph (b) of subsection (8) of section  
411 339.175, Florida Statutes, is amended to read:

412 339.175 Metropolitan planning organization.—

413 (8) TRANSPORTATION IMPROVEMENT PROGRAM.—Each M.P.O. shall,  
414 in cooperation with the state and affected public transportation  
415 operators, develop a transportation improvement program for the  
416 area within the jurisdiction of the M.P.O. In the development of  
417 the transportation improvement program, each M.P.O. must provide  
418 the public, affected public agencies, representatives of  
419 transportation agency employees, freight shippers, providers of  
420 freight transportation services, private providers of  
421 transportation, representatives of users of public transit, and  
422 other interested parties with a reasonable opportunity to  
423 comment on the proposed transportation improvement program.

424 (b) Each M.P.O. annually shall prepare a list of project  
425 priorities and shall submit the list to the appropriate district

426 of the department by August ~~October~~ 1 of each year; however, the  
 427 department and a metropolitan planning organization may, in  
 428 writing, agree to vary this submittal date. Where more than one  
 429 M.P.O. exists in an urbanized area, the M.P.O.'s shall  
 430 coordinate in the development of regionally significant project  
 431 priorities. The list of project priorities must be formally  
 432 reviewed by the technical and citizens' advisory committees, and  
 433 approved by the M.P.O., before it is transmitted to the  
 434 district. The approved list of project priorities must be used  
 435 by the district in developing the district work program and must  
 436 be used by the M.P.O. in developing its transportation  
 437 improvement program. The annual list of project priorities must  
 438 be based upon project selection criteria that, at a minimum,  
 439 consider the following:

- 440 1. The approved M.P.O. long-range transportation plan.†
- 441 2. The Strategic Intermodal System Plan developed under s.  
 442 339.64.
- 443 3. The priorities developed pursuant to s. 339.2819(4).
- 444 4. The results of the transportation management systems.†
- 445 and
- 446 5. The M.P.O.'s public-involvement procedures.

447 Section 13. Section 341.302, Florida Statutes, is amended  
 448 to read:

449 341.302 Rail program; duties and responsibilities of the  
 450 department.—The department, in conjunction with other

451 governmental entities, ~~including the rail enterprise~~ and the  
452 private sector, shall develop and implement a rail program of  
453 statewide application designed to ensure the proper maintenance,  
454 safety, revitalization, and expansion of the rail system to  
455 assure its continued and increased availability to respond to  
456 statewide mobility needs. Within the resources provided pursuant  
457 to chapter 216, and as authorized under federal law, the  
458 department shall:

459 (1) Provide the overall leadership, coordination, and  
460 financial and technical assistance necessary to ensure ~~assure~~  
461 the effective responses of the state's rail system to current  
462 and anticipated mobility needs.

463 (2) Coordinate the development, general rail safety, and  
464 operation of publicly funded passenger ~~Promote and facilitate~~  
465 ~~the implementation of advanced rail systems in this state,~~  
466 ~~including high-speed rail and magnetic levitation systems.~~

467 (3) Develop and periodically update the rail system plan,  
468 on the basis of an analysis of statewide transportation needs.

469 (a) The plan may contain detailed regional components,  
470 consistent with regional transportation plans, as needed to  
471 ensure connectivity within the state's regions, and it shall be  
472 consistent with the Florida Transportation Plan developed  
473 pursuant to s. 339.155. The rail system plan shall include an  
474 identification of priorities, programs, and funding levels  
475 required to meet statewide and regional needs. The rail system

476 plan shall be developed in a manner that will ensure ~~assure~~ the  
477 maximum use of existing facilities and the optimum integration  
478 and coordination of the various modes of transportation, public  
479 and private, in the most cost-effective manner possible. The  
480 rail system plan shall be updated no later than January 1, 2011,  
481 and at least every 5 years thereafter, and include plans for  
482 both passenger rail service and freight rail service,  
483 accompanied by a report to the Legislature regarding the status  
484 of the plan.

485 (b) In recognition of the department's role in the  
486 enhancement of the state's rail system to improve freight and  
487 passenger mobility, the department shall:

488 1. Work closely with all affected communities along an  
489 impacted freight rail corridor to identify and address  
490 anticipated impacts associated with an increase in freight rail  
491 traffic due to implementation of passenger rail.

492 2. In coordination with the affected local governments and  
493 CSX Transportation, Inc., finalize all viable alternatives from  
494 the department's Rail Traffic Evaluation Study to identify and  
495 develop an alternative route for through freight rail traffic  
496 moving through Central Florida, including the counties of Polk  
497 and Hillsborough, which would address, to the extent  
498 practicable, the effects of commuter rail.

499 3. Provide technical assistance to a coalition of local  
500 governments in Central Florida, including the counties of

501 Brevard, Citrus, Hernando, Hillsborough, Lake, Marion, Orange,  
502 Osceola, Pasco, Pinellas, Polk, Manatee, Sarasota, Seminole,  
503 Sumter, and Volusia, and the municipalities within those  
504 counties, to develop a regional rail system plan that addresses  
505 passenger and freight opportunities in the region, is consistent  
506 with the Florida Rail System Plan, and incorporates appropriate  
507 elements of the Tampa Bay Area Regional Authority Master Plan,  
508 the Metroplan Orlando Regional Transit System Concept Plan,  
509 including the SunRail project, and the Florida Department of  
510 Transportation Alternate Rail Traffic Evaluation.

511 (4) As part of the work program of the department,  
512 formulate a specific program of projects and financing to  
513 respond to identified railroad needs.

514 (5) Provide technical and financial assistance to units of  
515 local government to address identified rail transportation  
516 needs.

517 (6) Secure and administer federal grants, loans, and  
518 apportionments for rail projects within this state when  
519 necessary to further the statewide program.

520 (7) Develop and administer state standards concerning the  
521 safety and performance of rail systems, hazardous material  
522 handling, and operations. Such standards shall be developed  
523 jointly with representatives of affected rail systems, with full  
524 consideration given to nationwide industry norms, and shall  
525 define the minimum acceptable standards for safety and

526 performance.

527 (8) Conduct, at a minimum, inspections of track and  
 528 rolling stock; train signals and related equipment; hazardous  
 529 materials transportation, including the loading, unloading, and  
 530 labeling of hazardous materials at shippers', receivers', and  
 531 transfer points; and train operating practices to determine  
 532 adherence to state and federal standards. Department personnel  
 533 may enforce any safety regulation issued under the Federal  
 534 Government's preemptive authority over interstate commerce.

535 (9) Assess penalties, in accordance with the applicable  
 536 federal regulations, for the failure to adhere to the state  
 537 standards.

538 (10) Administer rail operating and construction programs,  
 539 which programs shall include the regulation of maximum ~~maxi-mum~~  
 540 train operating speeds, the opening and closing of public grade  
 541 crossings, the construction and rehabilitation of public grade  
 542 crossings, and the installation of traffic control devices at  
 543 public grade crossings, the administering of the programs by the  
 544 department including participation in the cost of the programs.

545 (11) Coordinate and facilitate the relocation of railroads  
 546 from congested urban areas to nonurban areas when relocation has  
 547 been determined feasible and desirable from the standpoint of  
 548 safety, operational efficiency, and economics.

549 (12) Implement a program of branch line continuance  
 550 projects when an analysis of the industrial and economic

551 potential of the line indicates that public involvement is  
 552 required to preserve essential rail service and facilities.

553 (13) Provide new rail service and equipment when:

554 (a) Pursuant to the transportation planning process, a  
 555 public need has been determined to exist;

556 (b) The cost of providing such service does not exceed the  
 557 sum of revenues from fares charged to users, services purchased  
 558 by other public agencies, local fund participation, and specific  
 559 legislative appropriation for this purpose; and

560 (c) Service cannot be reasonably provided by other  
 561 governmental or privately owned rail systems.

562

563 The department may own, lease, and otherwise encumber  
 564 facilities, equipment, and appurtenances thereto, ~~as~~ necessary  
 565 to provide new rail services, or the department may provide  
 566 such service by contracts with privately owned service  
 567 providers.

568 (14) Furnish required emergency rail transportation  
 569 service if no other private or public rail transportation  
 570 operation is available to supply the required service and such  
 571 service is clearly in the best interest of the people in the  
 572 communities being served. Such emergency service may be  
 573 furnished through contractual arrangement, actual operation of  
 574 state-owned equipment and facilities, or any other means  
 575 determined appropriate by the secretary.

576 (15) Assist in the development and implementation of  
577 marketing programs for rail services and of information systems  
578 directed toward assisting rail systems users.

579 (16) Conduct research into innovative or potentially  
580 effective rail technologies and methods and maintain expertise  
581 in state-of-the-art rail developments.

582 (17) In conjunction with the acquisition, ownership,  
583 construction, operation, maintenance, and management of a rail  
584 corridor, have the authority to:

585 (a) Assume obligations pursuant to the following:

586 1.a. The department may assume the obligation by contract  
587 to forever protect, defend, indemnify, and hold harmless the  
588 freight rail operator, or its successors, from whom the  
589 department has acquired a real property interest in the rail  
590 corridor, and that freight rail operator's officers, agents, and  
591 employees, from and against any liability, cost, and expense,  
592 including, but not limited to, commuter rail passengers and rail  
593 corridor invitees in the rail corridor, regardless of whether  
594 the loss, damage, destruction, injury, or death giving rise to  
595 any such liability, cost, or expense is caused in whole or in  
596 part, and to whatever nature or degree, by the fault, failure,  
597 negligence, misconduct, nonfeasance, or misfeasance of such  
598 freight rail operator, its successors, or its officers, agents,  
599 and employees, or any other person or persons whomsoever; or

600 b. The department may assume the obligation by contract to



601 forever protect, defend, indemnify, and hold harmless National  
602 Railroad Passenger Corporation, or its successors, and officers,  
603 agents, and employees of National Railroad Passenger  
604 Corporation, from and against any liability, cost, and expense,  
605 including, but not limited to, commuter rail passengers and rail  
606 corridor invitees in the rail corridor, regardless of whether  
607 the loss, damage, destruction, injury, or death giving rise to  
608 any such liability, cost, or expense is caused in whole or in  
609 part, and to whatever nature or degree, by the fault, failure,  
610 negligence, misconduct, nonfeasance, or misfeasance of National  
611 Railroad Passenger Corporation, its successors, or its officers,  
612 agents, and employees, or any other person or persons  
613 whomsoever.

614 2. The assumption of liability of the department by  
615 contract pursuant to sub-subparagraph 1.a. or sub-subparagraph  
616 1.b. may not in any instance exceed the following parameters of  
617 allocation of risk:

618 a. The department may be solely responsible for any loss,  
619 injury, or damage to commuter rail passengers, ~~or~~ rail corridor  
620 invitees, or trespassers, regardless of circumstances or cause,  
621 subject to sub-subparagraph b. and subparagraphs 3., 4., 5., and  
622 6.

623 b.(I) In the event of a limited covered accident, the  
624 authority of the department to protect, defend, and indemnify  
625 the freight operator for all liability, cost, and expense,

626 including punitive or exemplary damages, in excess of the  
627 deductible or self-insurance retention fund established under  
628 paragraph (b) and actually in force at the time of the limited  
629 covered accident exists only if the freight operator agrees,  
630 with respect to the limited covered accident, to protect,  
631 defend, and indemnify the department for the amount of the  
632 deductible or self-insurance retention fund established under  
633 paragraph (b) and actually in force at the time of the limited  
634 covered accident.

635 (II) In the event of a limited covered accident, the  
636 authority of the department to protect, defend, and indemnify  
637 National Railroad Passenger Corporation for all liability, cost,  
638 and expense, including punitive or exemplary damages, in excess  
639 of the deductible or self-insurance retention fund established  
640 under paragraph (b) and actually in force at the time of the  
641 limited covered accident exists only if National Railroad  
642 Passenger Corporation agrees, with respect to the limited  
643 covered accident, to protect, defend, and indemnify the  
644 department for the amount of the deductible or self-insurance  
645 retention fund established under paragraph (b) and actually in  
646 force at the time of the limited covered accident.

647 3. When only one train is involved in an incident, the  
648 department may be solely responsible for any loss, injury, or  
649 damage if the train is a department train or other train  
650 pursuant to subparagraph 4., but only if:

651           a. When an incident occurs with only a freight train  
 652 involved, including incidents with trespassers or at grade  
 653 crossings, the freight rail operator is solely responsible for  
 654 any loss, injury, or damage, except for commuter rail passengers  
 655 and rail corridor invitees; or

656           b. When an incident occurs with only a National Railroad  
 657 Passenger Corporation train involved, including incidents with  
 658 trespassers or at grade crossings, National Railroad Passenger  
 659 Corporation is solely responsible for any loss, injury, or  
 660 damage, except for commuter rail passengers and rail corridor  
 661 invitees.

662           4. For the purposes of this subsection:

663           a. Any train involved in an incident that is neither the  
 664 department's train nor the freight rail operator's train,  
 665 hereinafter referred to in this subsection as an "other train,"  
 666 may be treated as a department train, solely for purposes of any  
 667 allocation of liability between the department and the freight  
 668 rail operator only, but only if the department and the freight  
 669 rail operator share responsibility equally as to third parties  
 670 outside the rail corridor who incur loss, injury, or damage as a  
 671 result of any incident involving both a department train and a  
 672 freight rail operator train, and the allocation as between the  
 673 department and the freight rail operator, regardless of whether  
 674 the other train is treated as a department train, shall remain  
 675 one-half each as to third parties outside the rail corridor who

676 incur loss, injury, or damage as a result of the incident. The  
677 involvement of any other train shall not alter the sharing of  
678 equal responsibility as to third parties outside the rail  
679 corridor who incur loss, injury, or damage as a result of the  
680 incident; or

681       b. Any train involved in an incident that is neither the  
682 department's train nor the National Railroad Passenger  
683 Corporation's train, hereinafter referred to in this subsection  
684 as an "other train," may be treated as a department train,  
685 solely for purposes of any allocation of liability between the  
686 department and National Railroad Passenger Corporation only, but  
687 only if the department and National Railroad Passenger  
688 Corporation share responsibility equally as to third parties  
689 outside the rail corridor who incur loss, injury, or damage as a  
690 result of any incident involving both a department train and a  
691 National Railroad Passenger Corporation train, and the  
692 allocation as between the department and National Railroad  
693 Passenger Corporation, regardless of whether the other train is  
694 treated as a department train, shall remain one-half each as to  
695 third parties outside the rail corridor who incur loss, injury,  
696 or damage as a result of the incident. The involvement of any  
697 other train shall not alter the sharing of equal responsibility  
698 as to third parties outside the rail corridor who incur loss,  
699 injury, or damage as a result of the incident.

700       5. When more than one train is involved in an incident:

701 a.(I) If only a department train and freight rail  
702 operator's train, or only an other train as described in sub-  
703 subparagraph 4.a. and a freight rail operator's train, are  
704 involved in an incident, the department may be responsible for  
705 its property and all of its people, all commuter rail  
706 passengers, and rail corridor invitees, but only if the freight  
707 rail operator is responsible for its property and all of its  
708 people, and the department and the freight rail operator each  
709 share one-half responsibility as to trespassers or third parties  
710 outside the rail corridor who incur loss, injury, or damage as a  
711 result of the incident; or

712 (II) If only a department train and a National Railroad  
713 Passenger Corporation train, or only an other train as described  
714 in sub-subparagraph 4.b. and a National Railroad Passenger  
715 Corporation train, are involved in an incident, the department  
716 may be responsible for its property and all of its people, all  
717 commuter rail passengers, and rail corridor invitees, but only  
718 if National Railroad Passenger Corporation is responsible for  
719 its property and all of its people, all National Railroad  
720 Passenger Corporation's rail passengers, and the department and  
721 National Railroad Passenger Corporation each share one-half  
722 responsibility as to trespassers or third parties outside the  
723 rail corridor who incur loss, injury, or damage as a result of  
724 the incident.

725 b.(I) If a department train, a freight rail operator

726 | train, and any other train are involved in an incident, the  
727 | allocation of liability between the department and the freight  
728 | rail operator, regardless of whether the other train is treated  
729 | as a department train, shall remain one-half each as to third  
730 | parties outside the rail corridor who incur loss, injury, or  
731 | damage as a result of the incident; the involvement of any other  
732 | train shall not alter the sharing of equal responsibility as to  
733 | third parties outside the rail corridor who incur loss, injury,  
734 | or damage as a result of the incident; and, if the owner,  
735 | operator, or insurer of the other train makes any payment to  
736 | injured third parties outside the rail corridor who incur loss,  
737 | injury, or damage as a result of the incident, the allocation of  
738 | credit between the department and the freight rail operator as  
739 | to such payment shall not in any case reduce the freight rail  
740 | operator's third-party-sharing allocation of one-half under this  
741 | paragraph to less than one-third of the total third party  
742 | liability; or

743 |       (II) If a department train, a National Railroad Passenger  
744 | Corporation train, and any other train are involved in an  
745 | incident, the allocation of liability between the department and  
746 | National Railroad Passenger Corporation, regardless of whether  
747 | the other train is treated as a department train, shall remain  
748 | one-half each as to third parties outside the rail corridor who  
749 | incur loss, injury, or damage as a result of the incident; the  
750 | involvement of any other train shall not alter the sharing of

751 equal responsibility as to third parties outside the rail  
752 corridor who incur loss, injury, or damage as a result of the  
753 incident; and, if the owner, operator, or insurer of the other  
754 train makes any payment to injured third parties outside the  
755 rail corridor who incur loss, injury, or damage as a result of  
756 the incident, the allocation of credit between the department  
757 and National Railroad Passenger Corporation as to such payment  
758 shall not in any case reduce National Railroad Passenger  
759 Corporation's third-party-sharing allocation of one-half under  
760 this sub-subparagraph to less than one-third of the total third  
761 party liability.

762         6. Any such contractual duty to protect, defend,  
763 indemnify, and hold harmless such a freight rail operator or  
764 National Railroad Passenger Corporation shall expressly include  
765 a specific cap on the amount of the contractual duty, which  
766 amount shall not exceed \$200 million without prior legislative  
767 approval, and the department to purchase liability insurance and  
768 establish a self-insurance retention fund in the amount of the  
769 specific cap established under this subparagraph, provided that:

770             a. No such contractual duty shall in any case be effective  
771 nor otherwise extend the department's liability in scope and  
772 effect beyond the contractual liability insurance and self-  
773 insurance retention fund required pursuant to this paragraph;  
774 and

775             b.(I) The freight rail operator's compensation to the

776 department for future use of the department's rail corridor  
777 shall include a monetary contribution to the cost of such  
778 liability coverage for the sole benefit of the freight rail  
779 operator.

780 (II) National Railroad Passenger Corporation's  
781 compensation to the department for future use of the  
782 department's rail corridor shall include a monetary contribution  
783 to the cost of such liability coverage for the sole benefit of  
784 National Railroad Passenger Corporation.

785 (b) Purchase liability insurance, which amount shall not  
786 exceed \$295 ~~\$200~~ million, and establish a self-insurance  
787 retention fund for the purpose of paying the deductible limit  
788 established in the insurance policies it may obtain, including  
789 coverage for the department, any freight rail operator as  
790 described in paragraph (a), National Railroad Passenger  
791 Corporation, commuter rail service providers, governmental  
792 entities, or any ancillary development, which self-insurance  
793 retention fund or deductible shall not exceed \$10 million. The  
794 insureds shall pay a reasonable monetary contribution to the  
795 cost of such liability coverage for the sole benefit of the  
796 insured. Such insurance and self-insurance retention fund may  
797 provide coverage for all damages, including, but not limited to,  
798 compensatory, special, and exemplary, and be maintained to  
799 provide an adequate fund to cover claims and liabilities for  
800 loss, injury, or damage arising out of or connected with the



801 ownership, operation, maintenance, and management of a rail  
 802 corridor.

803 (c) Incur expenses for the purchase of advertisements,  
 804 marketing, and promotional items.

805 (d) Without altering any of the rights granted to the  
 806 department under this section, agree to assume the obligations  
 807 to indemnify and insure, pursuant to s. 343.545, freight rail  
 808 service, intercity passenger rail service, and commuter rail  
 809 service on a department-owned rail corridor, whether ownership  
 810 is in fee or by easement, or on a rail corridor where the  
 811 department has the right to operate.

812

813 Neither the assumption by contract to protect, defend,  
 814 indemnify, and hold harmless; the purchase of insurance; nor the  
 815 establishment of a self-insurance retention fund shall be deemed  
 816 to be a waiver of any defense of sovereign immunity for torts  
 817 nor deemed to increase the limits of the department's or the  
 818 governmental entity's liability for torts as provided in s.  
 819 768.28. The requirements of s. 287.022(1) shall not apply to the  
 820 purchase of any insurance under this subsection. ~~The provisions~~  
 821 ~~of~~ This subsection shall apply and inure fully as to any other  
 822 governmental entity providing commuter rail service and  
 823 constructing, operating, maintaining, or managing a rail  
 824 corridor on publicly owned right-of-way under contract by the  
 825 governmental entity with the department or a governmental entity

826 designated by the department. Notwithstanding any law to the  
 827 contrary, procurement for the construction, operation,  
 828 maintenance, and management of any rail corridor described in  
 829 this subsection, whether by the department, a governmental  
 830 entity under contract with the department, or a governmental  
 831 entity designated by the department, shall be pursuant to s.  
 832 287.057 and shall include, but not be limited to, criteria for  
 833 the consideration of qualifications, technical aspects of the  
 834 proposal, and price. Further, any such contract for design-build  
 835 shall be procured pursuant to the criteria in s. 337.11(7).

836 (18) Exercise such other functions, powers, and duties in  
 837 connection with the rail system plan as are necessary to develop  
 838 a safe, efficient, and effective statewide transportation  
 839 system.

840 Section 14. Subsection (5) of section 341.303, Florida  
 841 Statutes, is amended to read:

842 341.303 Funding authorization and appropriations;  
 843 eligibility and participation.—

844 (5) ~~FUND PARTICIPATION; FLORIDA RAIL ENTERPRISE.—~~The  
 845 department may, ~~through the Florida Rail Enterprise, is~~  
 846 ~~authorized to~~ use funds provided pursuant to s. 201.15(4)(a)4.  
 847 to fund:

848 (a) Up to 50 percent of the nonfederal share of the costs  
 849 of any eligible passenger rail capital improvement project.

850 (b) Up to 100 percent of planning and development costs

851 related to the provision of a passenger rail system, including,  
852 but not limited to, preliminary engineering, revenue studies,  
853 environmental impact studies, financial advisory services,  
854 engineering design, and other appropriate professional services.

855 (c) The high-speed rail system.

856 (d) Projects necessary to identify or address anticipated  
857 impacts of increased freight rail traffic resulting from the  
858 implementation of passenger rail systems as provided in s.  
859 341.302(3)(b).

860 (e) Projects necessary to identify or address needed or  
861 desirable safety improvements to passenger rail systems in this  
862 state.

863 Section 15. Paragraph (b) of subsection (4) of section  
864 343.58, Florida Statutes, is amended to read:

865 343.58 County funding for the South Florida Regional  
866 Transportation Authority.—

867 (4) Notwithstanding any other provision of law to the  
868 contrary and effective July 1, 2010, until as provided in  
869 paragraph (d), the department shall transfer annually from the  
870 State Transportation Trust Fund to the South Florida Regional  
871 Transportation Authority the amounts specified in subparagraph  
872 (a)1. or subparagraph (a)2.

873 (b) Funding required by this subsection may not be  
874 provided from the funds dedicated to the department for purposes  
875 established in s. 341.303(5) Florida Rail Enterprise pursuant to

876 s. 201.15(4)(a)4.

877 Section 16. Section 339.2821, Florida Statutes, is  
878 repealed.

879 Section 17. Paragraph (a) of subsection (7) of section  
880 288.0656, Florida Statutes, is amended to read:

881 288.0656 Rural Economic Development Initiative.—

882 (7)(a) REDI may recommend to the Governor up to three  
883 rural areas of opportunity. The Governor may by executive order  
884 designate up to three rural areas of opportunity which will  
885 establish these areas as priority assignments for REDI as well  
886 as to allow the Governor, acting through REDI, to waive  
887 criteria, requirements, or similar provisions of any economic  
888 development incentive. Such incentives shall include, but are  
889 not limited to, the Qualified Target Industry Tax Refund Program  
890 under s. 288.106, the Quick Response Training Program under s.  
891 288.047, the Quick Response Training Program for participants in  
892 the welfare transition program under s. 288.047(8),  
893 ~~transportation projects under s. 339.2821,~~ the brownfield  
894 redevelopment bonus refund under s. 288.107, and the rural job  
895 tax credit program under ss. 212.098 and 220.1895.

896 Section 18. Paragraph (f) of subsection (1) of section  
897 339.08, Florida Statutes, is amended to read:

898 339.08 Use of moneys in State Transportation Trust Fund.—

899 (1) The department shall expend moneys in the State  
900 Transportation Trust Fund accruing to the department, in

901 accordance with its annual budget. The use of such moneys shall  
 902 be restricted to the following purposes:

903 ~~(f) To pay the cost of economic development transportation~~  
 904 ~~projects in accordance with s. 339.2821.~~

905 Section 19. Paragraph (a) of subsection (4) of section  
 906 377.809, Florida Statutes, is amended to read:

907 377.809 Energy Economic Zone Pilot Program.—

908 (4) (a) Beginning July 1, 2012, all the incentives and  
 909 benefits provided for enterprise zones pursuant to state law  
 910 shall be available to the energy economic zones designated  
 911 pursuant to this section on or before July 1, 2010. In order to  
 912 provide incentives, by March 1, 2012, each local governing body  
 913 that has jurisdiction over an energy economic zone must, by  
 914 local ordinance, establish the boundary of the energy economic  
 915 zone, specify applicable energy-efficiency standards, and  
 916 determine eligibility criteria for the application of state and  
 917 local incentives and benefits in the energy economic zone.  
 918 However, in order to receive benefits provided under s. 288.106,  
 919 a business must be a qualified target industry business under s.  
 920 288.106 for state purposes. An energy economic zone's boundary  
 921 may be revised by local ordinance. Such incentives and benefits  
 922 include those in ss. 212.08, 212.096, 220.181, 220.182, 220.183,  
 923 288.106, and 624.5105 and the public utility discounts provided  
 924 in s. 290.007(8). The exemption provided in s. 212.08(5)(c)  
 925 shall be for renewable energy as defined in s. 377.803. For

926 | purposes of this section, any applicable requirements for  
927 | employee residency for higher refund or credit thresholds must  
928 | be based on employee residency in the energy economic zone or an  
929 | enterprise zone. A business in an energy economic zone may also  
930 | be eligible for funding under ss. 288.047 and 445.003, ~~and a~~  
931 | ~~transportation project in an energy economic zone shall be~~  
932 | ~~provided priority in funding under s. 339.2821.~~ Other projects  
933 | shall be given priority ranking to the extent practicable for  
934 | grants administered under state energy programs.

935 |         Section 20. This act shall take effect upon becoming a  
936 | law.