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1 A bill to be entitled
2 An act relating to highway projects; repealing s.
3 163.3168(4), F.S., relating to applications for
4 funding for technical assistance relating to areas in
5 and around a proposed multiuse corridor interchange;
6 amending s. 334.044, F.S.; revising the powers and
7 duties of the Department of Transportation relating to
8 the workforce development program; repealing s.
9 338.2278, F.S., relating to the Multi-use Corridors of
10 Regional Economic Significance Program; amending s.
11 338.236, F.S.; deleting a requirement for the
12 department to give priority consideration to placement
13 of staging areas in certain counties; amending s.
14 339.0801, F.S.; requiring that \$35 million transferred
15 to Florida's Turnpike Enterprise be used for a
16 specified purpose beginning in a specified fiscal year
17 and annually for up to 30 years thereafter; conforming
18 provisions to changes made by the act; amending s.
19 339.0801, F.S.; deleting a requirement for a specified
20 amount of funds to be transferred to Florida's
21 Turnpike Enterprise for a specified purpose; creating
22 s. 339.0803, F.S.; requiring that certain increased
23 revenues be used to fund specified projects beginning
24 in a specified fiscal year and annually thereafter;
25 authorizing such revenues to be used for certain
26 projects; requiring the department to prioritize the
27 use of certain facilities when upgrading arterial
28 highways; providing construction; providing that such
29 funding is in addition to other statutory funding

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30 allocations; repealing s. 339.1373, F.S., relating to
31 funding of the Multi-use Corridors of Regional
32 Economic Significance Program; creating s. 339.66,
33 F.S.; providing legislative findings; requiring the
34 department, in coordination with the Florida Turnpike
35 Enterprise, to evaluate certain roadways for
36 development of specific controlled access facilities
37 and to include such projects in the work program;
38 authorizing the department to upgrade roadways with
39 targeted improvements; prohibiting the department from
40 reducing nontolled general use lanes of an existing
41 facility; requiring the department to maintain
42 existing access points; providing for access points
43 for certain property owners; specifying the location
44 of tolling points and requiring a nontolled
45 alternative for local traffic; requiring any new
46 alignments to be established with a specified goal;
47 providing that any tolled facilities are approved
48 turnpike projects and part of the turnpike system;
49 designating a controlled-access portion of a specified
50 roadway a Strategic Intermodal System facility;
51 providing for applicability of certain requirements;
52 requiring the department and Turnpike Enterprise to
53 take into consideration guidance and recommendations
54 of certain studies and reports; requiring certain
55 decisions to be determined in accordance with
56 applicable department rules, policies, and procedures;
57 requiring, to the greatest extent practicable, that
58 roadway alignments, project alignment, and interchange

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59 locations be designed as specified; providing for
60 funding sources; providing that project construction
61 is not eligible for funding until completion of 30
62 percent of the project design phase, with exceptions;
63 authorizing the Division of Bond Finance to issue
64 specified bonds on behalf of the department to finance
65 certain projects; creating s. 339.67, F.S.; requiring
66 the department to develop and include construction of
67 controlled access facilities in the work program of a
68 certain facility; requiring the facility to be
69 developed using existing roadway or portions thereof;
70 requiring the facilities to be developed no later than
71 a specified date to the maximum extent feasible;
72 creating s. 339.68, F.S.; requiring the department to
73 identify and include in the work program projects to
74 increase capacity by widening existing two-lane
75 arterial rural roads to four lanes; providing
76 requirements for roads to be included in work program
77 projects; requiring the department to annually fund at
78 least a specified amount for such projects; providing
79 legislative findings; requiring the department to
80 commence the project development and environmental
81 phase of an extension of the Florida Turnpike;
82 requiring the department to prepare a specified report
83 and to submit the report to the Governor and
84 Legislature by a specified date; providing effective
85 dates.

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

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Section 1. Subsection (4) of section 163.3168, Florida Statutes, is repealed.

Section 2. Subsection (35) of section 334.044, Florida Statutes, is amended to read:

334.044 Powers and duties of the department.—The department shall have the following general powers and duties:

(35) To provide a road and bridge construction workforce development program, in consultation with affected stakeholders, for construction of projects designated in the department's work program.

~~(a) The workforce development program is intended to provide direct economic benefits to communities in which the department is constructing infrastructure projects and to promote employment opportunities, including within areas of low income and high unemployment.~~

~~(b) The department shall merge any of its own existing workforce services into the program to create a robust workforce development program. The workforce development program must serve as a tool to address the construction labor shortage by recruiting and developing a group of skilled workers for infrastructure projects to increase the likelihood of department projects remaining on time and within budget.~~

~~(c) To accomplish these activities, the department may administer workforce development contracts with consultants and nonprofit entities, such as local community partners, Florida College System institutions, and technical institutions or centers. These entities, as specified in a contract with the department, shall have the primary purposes of providing all of~~

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117 ~~the following:~~

118 ~~1. Workforce recruitment.~~

119 ~~2. A training curriculum for the department's road and~~
120 ~~bridge construction projects which includes both traditional and~~
121 ~~emerging construction methods and skills needed to construct~~
122 ~~multiuse infrastructure and facilities accommodating emerging~~
123 ~~technologies.~~

124 ~~3. Support services to remove barriers to work.~~

125 ~~(d) The department shall develop performance and outcome~~
126 ~~metrics to ensure accountability and to measure the benefits and~~
127 ~~cost-effectiveness of the program. By June 30, 2020, and~~
128 ~~annually thereafter, the department shall prepare and provide a~~
129 ~~report to the Governor, President of Senate, and Speaker of the~~
130 ~~House of Representatives detailing the results of its findings~~
131 ~~and containing any recommendations relating to future program~~
132 ~~refinements.~~

133 ~~Section 3. Section 338.2278, Florida Statutes, is repealed.~~

134 ~~Section 4. Subsection (1) of section 338.236, Florida~~
135 ~~Statutes, is amended to read:~~

136 ~~338.236 Staging areas for emergencies.—The Department of~~
137 ~~Transportation may plan, design, and construct staging areas to~~
138 ~~be activated during a declared state of emergency at key~~
139 ~~geographic locations on the turnpike system. Such staging areas~~
140 ~~must be used for the staging of emergency supplies, such as~~
141 ~~water, fuel, generators, vehicles, equipment, and other related~~
142 ~~materials, to facilitate the prompt provision of emergency~~
143 ~~assistance to the public, and to otherwise facilitate emergency~~
144 ~~response and assistance, including evacuations, deployment of~~
145 ~~emergency-related supplies and personnel, and restoration of~~

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146 essential services.

147 (1) In selecting a proposed site for a designated staging
148 area under this section, the department, in consultation with
149 the Division of Emergency Management, must consider the extent
150 to which such site:

151 (a) Is located in a geographic area that best facilitates
152 the wide dissemination of emergency-related supplies and
153 equipment;

154 (b) Provides ease of access to major highways and other
155 transportation facilities;

156 (c) Is sufficiently large to accommodate the staging of a
157 significant amount of emergency-related supplies and equipment;

158 (d) Provides space in support of emergency preparedness and
159 evacuation activities, such as fuel reserve capacity;

160 (e) Could be used during nonemergency periods for
161 commercial motor vehicle parking and for other uses; and

162 (f) Is consistent with other state and local emergency
163 management considerations.

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165 ~~The department must give priority consideration to placement of~~
166 ~~such staging areas in counties with a population of 200,000 or~~
167 ~~fewer, as determined by the most recent official estimate~~
168 ~~pursuant to s. 186.901, in which a multiuse corridor of regional~~
169 ~~economic significance, as provided in s. 338.2278, is located.~~

170 Section 5. Subsection (2) of section 339.0801, Florida
171 Statutes, is amended to read:

172 339.0801 Allocation of increased revenues derived from
173 amendments to s. 319.32(5)(a) by ch. 2012-128.—Funds that result
174 from increased revenues to the State Transportation Trust Fund

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175 derived from the amendments to s. 319.32(5)(a) made by this act
176 must be used annually, first as set forth in subsection (1) and
177 then as set forth in subsections (2)-(5), notwithstanding any
178 other provision of law:

179 (2)(a) Beginning in the 2013-2014 fiscal year and annually
180 for up to 30 years thereafter ~~For each of the 2019-2020, 2020-~~
181 ~~2021, and 2021-2022 fiscal years,~~ \$35 million shall be
182 transferred to Florida's Turnpike Enterprise, to be used in
183 accordance with Florida Turnpike Enterprise Law, to the maximum
184 extent feasible for feeder roads, structures, interchanges,
185 appurtenances, and other rights to create or facilitate access
186 to the existing turnpike system.

187 ~~(b) Beginning with the 2022-2023 fiscal year and annually~~
188 ~~thereafter, \$35 million shall be transferred to Florida's~~
189 ~~Turnpike Enterprise, to be used in accordance with s. 338.2278,~~
190 ~~with preference to feeder roads, interchanges, and appurtenances~~
191 ~~that create or facilitate multiuse corridor access and~~
192 ~~connectivity. Of those funds, and to the maximum extent~~
193 ~~feasible, up to \$5 million annually may be used for projects~~
194 ~~that assist in the development of broadband infrastructure~~
195 ~~within or adjacent to a multiuse corridor. The department shall~~
196 ~~give priority consideration to broadband infrastructure projects~~
197 ~~located in any area designated as a rural area of opportunity~~
198 ~~under s. 288.0656 and adjacent to a multiuse corridor.~~

199 Section 6. Effective July 1, 2023, section 339.0801,
200 Florida Statutes, as amended by this act, is amended to read:

201 339.0801 Allocation of increased revenues derived from
202 amendments to s. 319.32(5)(a) by ch. 2012-128.—Funds that result
203 from increased revenues to the State Transportation Trust Fund

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204 derived from the amendments to s. 319.32(5)(a) made by this act
205 must be used annually, first as set forth in subsection (1) and
206 then as set forth in subsections (2)-(4) ~~(2)-(5)~~,
207 notwithstanding any other provision of law:

208 (1) (a) Beginning in the 2013-2014 fiscal year and annually
209 for 30 years thereafter, \$10 million shall be for the purpose of
210 funding any seaport project identified in the adopted work
211 program of the Department of Transportation, to be known as the
212 Seaport Investment Program.

213 (b) The revenues may be assigned, pledged, or set aside as
214 a trust for the payment of principal or interest on revenue
215 bonds, or other forms of indebtedness issued by an individual
216 port or appropriate local government having jurisdiction
217 thereof, or collectively by interlocal agreement among any of
218 the ports, or used to purchase credit support to permit such
219 borrowings. Alternatively, revenue bonds shall be issued by the
220 Division of Bond Finance at the request of the Department of
221 Transportation under the State Bond Act and shall be secured by
222 such revenues as are provided in this subsection.

223 (c) Revenue bonds or other indebtedness issued hereunder
224 are not a general obligation of the state and are secured solely
225 by a first lien on the revenues distributed under this
226 subsection.

227 (d) The state covenants with holders of the revenue bonds
228 or other instruments of indebtedness issued pursuant to this
229 subsection that it will not repeal this subsection; nor take any
230 other action, including but not limited to amending this
231 subsection, that will materially and adversely affect the rights
232 of such holders so long as revenue bonds or other indebtedness

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233 authorized by this subsection are outstanding.

234 (e) The proceeds of any revenue bonds or other
235 indebtedness, after payment of costs of issuance and
236 establishment of any required reserves, shall be invested in
237 projects approved by the Department of Transportation and
238 included in the department's adopted work program, by amendment
239 if necessary. As required under s. 11(f), Art. VII of the State
240 Constitution, the Legislature approves projects included in the
241 department's adopted work program, including any projects added
242 to the work program by amendment under s. 339.135(7).

243 (f) Any revenues that are not used for the payment of bonds
244 as authorized by this subsection may be used for purposes
245 authorized under the Florida Seaport Transportation and Economic
246 Development Program. This revenue source is in addition to any
247 amounts provided for and appropriated in accordance with ss.
248 311.07 and 320.20(3) and (4).

249 ~~(2) Beginning in the 2013-2014 fiscal year and annually for~~
250 ~~up to 30 years thereafter, \$35 million shall be transferred to~~
251 ~~Florida's Turnpike Enterprise, to be used in accordance with~~
252 ~~Florida Turnpike Enterprise Law, to the maximum extent feasible~~
253 ~~for feeder roads, structures, interchanges, appurtenances, and~~
254 ~~other rights to create or facilitate access to the existing~~
255 ~~turnpike system.~~

256 (2)~~(3)~~ Beginning in the 2013-2014 fiscal year and annually
257 thereafter, \$10 million shall be transferred to the
258 Transportation Disadvantaged Trust Fund, to be used as specified
259 in s. 427.0159.

260 (3)~~(4)~~ Beginning in the 2013-2014 fiscal year and annually
261 thereafter, \$10 million shall be allocated to the Small County

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262 Outreach Program to be used as specified in s. 339.2818. These
263 funds are in addition to the funds provided for the program
264 pursuant to s. 201.15(4)(a)2.

265 ~~(4)-(5)~~ After the distributions required pursuant to
266 subsections (1)-(3) ~~(1)-(4)~~, the remaining funds shall be used
267 annually for transportation projects within this state for
268 existing or planned strategic transportation projects which
269 connect major markets within this state or between this state
270 and other states, which focus on job creation, and which
271 increase this state's viability in the national and global
272 markets.

273 ~~(5)-(6)~~ Pursuant to s. 339.135(7), the department shall
274 amend the work program to add the projects provided for in this
275 section.

276 Section 7. Section 339.0803, Florida Statutes, is created
277 to read:

278 339.0803 Allocation of increased revenues derived from
279 amendments to s. 320.08 by chapter 2019-43, Laws of Florida.-
280 Beginning in the 2021-2022 fiscal year and each fiscal year
281 thereafter, funds that result from increased revenues to the
282 State Transportation Trust Fund derived from the amendments to
283 s. 320.08 made by chapter 2019-43, Laws of Florida, and
284 deposited into the fund pursuant to s. 320.20(5)(a) must be used
285 to fund arterial highway projects identified by the department
286 in accordance with s. 339.65 and may be used for projects as
287 specified in ss. 339.66 and 339.67. For purposes of the funding
288 provided in this section, the department shall prioritize use of
289 existing facilities or portions thereof when upgrading arterial
290 highways to limited or controlled access facilities. However,

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291 this section does not preclude use of the funding for projects
292 that enhance the capacity of an arterial highway. The funds
293 allocated as provided in this section shall be in addition to
294 any other statutory funding allocations provided by law.

295 Section 8. Section 339.1373, Florida Statutes, is repealed.

296 Section 9. Section 339.66, Florida Statutes, is created to
297 read:

298 339.66 Upgrade of arterial highways with controlled access
299 facilities.-

300 (1) The Legislature finds that the provision and
301 maintenance of safe, reliable, and predictably free-flowing
302 facilities to support the movement of people and freight and to
303 enhance hurricane evacuation efficiency is important. It is in
304 the best interest of the state to plan now for population growth
305 and technology changes while prudently making timely
306 improvements to address demand.

307 (2) The department, in coordination with the Florida
308 Turnpike Enterprise, shall evaluate existing roadways or
309 portions thereof for development of specific controlled access
310 facilities and include such projects as identified in the work
311 program.

312 (3) The department may upgrade roadways with targeted
313 improvements, such as adding new tolled or nontolled limited
314 access alignments to manage congestion points and retrofitting
315 existing roadway with a series of electronically tolled or
316 nontolled grade separations that provide an alternative to a
317 signalized intersection for through traffic. Such improvements
318 must be made with the goal of enhancing the economic prosperity
319 and preserving the character of the communities impacted by such

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320 improvements.

321 (a) The department may not reduce any nontolled general use
322 lanes of an existing facility.

323 (b) The department shall maintain existing access points to
324 the roadway provided by designated streets, graded roads, or
325 driveways.

326 (c) Upon application or as otherwise agreed to by the
327 department, after construction is completed, property owners
328 with parcels of land having no existing access shall have the
329 right to one access point, and property owners having more than
330 1 mile of roadway frontage shall be allowed one access point for
331 each mile owned.

332 (d) Any tolling points must be located such that a
333 nontolled alternative exists for local traffic.

334 (4) Any tolled facilities are approved turnpike projects
335 that are part of the turnpike system. A controlled-access
336 portion of a roadway constructed pursuant to this section is
337 considered a Strategic Intermodal System facility.

338 (5) Any existing applicable requirements relating to
339 department projects shall apply to projects undertaken by the
340 department pursuant to this section. The department shall take
341 into consideration the guidance and recommendations of any
342 previous studies or reports relevant to the projects authorized
343 by this section and ss. 339.67 and 339.68, including, but not
344 limited to, the task force reports prepared pursuant to chapter
345 2019-43, Laws of Florida.

346 (6) Any existing applicable requirements relating to
347 turnpike projects apply to projects undertaken by the Turnpike
348 Enterprise pursuant to this section. The Turnpike Enterprise

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349 shall take into consideration the guidance and recommendations
350 of any previous studies or reports relevant to the projects
351 authorized by this section and ss. 339.67 and 339.68, including,
352 but not limited to, the task force reports prepared pursuant to
353 chapter 2019-43, Laws of Florida, and with respect to any
354 extension of the Florida Turnpike from its northerly terminus in
355 Wildwood.

356 (7) The department shall consider innovative concepts to
357 combine right-of-way acquisition with the acquisition of lands
358 or easements to facilitate environmental mitigation or
359 ecosystem, wildlife habitat, or water quality protection or
360 restoration.

361 (8) (a) Decisions on matters such as configuration, project
362 alignment, and interchange locations must be determined in
363 accordance with applicable department rules, policies, and
364 procedures.

365 (b) To the greatest extent practicable, roadway alignments,
366 project alignment, and interchange locations shall be designed
367 so that project rights-of-way are not located within
368 conservation lands acquired under the Florida Preservation 2000
369 Act established in s. 259.101 and the Florida Forever Act
370 established in s. 259.105.

371 (9) Subject to applicability of existing requirements as
372 provided in subsections (5) and (6), projects may be funded
373 through turnpike revenue bonds or right-of-way acquisition and
374 bridge construction bonds or financing by the Florida Department
375 of Transportation Financing Corporation; by advances from the
376 State Transportation Trust Fund; with funds obtained through the
377 creation of public-private partnerships; or any combination

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378 thereof. The department also may accept donations of land for
379 use as transportation rights-of-way or to secure or use
380 transportation rights-of-way for such projects in accordance
381 with s. 337.2505. To the extent legally available, any toll
382 revenues from the turnpike system not required for payment of
383 principal, interest, reserves, or other required deposits for
384 bonds; costs of operations and maintenance; other contractual
385 obligations; or system improvement project costs must be used to
386 repay advances received from the State Transportation Trust
387 Fund.

388 (10) Project construction is not eligible for funding until
389 completion of 30 percent of the design phase, except for
390 projects that are under construction or for which project
391 alignment has been determined.

392 (11) In accordance with ss. 337.276, 338.227, and 339.0809,
393 the Division of Bond Finance may issue, on behalf of the
394 department, right-of-way acquisition and bridge construction
395 bonds, turnpike revenue bonds, and Florida Department of
396 Transportation Financing Corporation bonds to finance projects
397 as provided in the State Bond Act.

398 Section 10. Section 339.67, Florida Statutes, is created to
399 read:

400 339.67 U.S. 19 controlled access facilities.—The department
401 shall develop and include in the work program the construction
402 of controlled access facilities as necessary to achieve free
403 flow of traffic on U.S. 19, beginning at the terminus of the
404 Suncoast Parkway 2 Phase 3, north predominantly along U.S. 19 to
405 a logical terminus on Interstate 10 in Madison County. This
406 Strategic Intermodal System facility shall be developed using

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407 existing roadway, or portions thereof, to ensure the free flow
408 of traffic along the roadway by improvements such as limited
409 access alignments to manage congestion points and retrofitting
410 existing roadway with a series of grade separations that provide
411 an alternative to a signalized intersection for through traffic.
412 To the maximum extent feasible, the facilities shall be
413 developed no later than December 31, 2035.

414 Section 11. Section 339.68, Florida Statutes, is created to
415 read:

416 339.68 Arterial rural highway projects.—The department
417 shall identify and include in the work program projects to
418 increase capacity by widening existing two-lane arterial rural
419 roads to four lanes. To be included in a work program project,
420 the road must be classified as an arterial rural road, and truck
421 traffic using the road must amount to at least 15 percent of all
422 such traffic, as determined by the department. The department
423 shall fund at least \$20 million annually for such projects.

424 Section 12. The Legislature finds that the extension of the
425 Florida Turnpike from its northerly terminus in Wildwood to a
426 logical and appropriate terminus as determined by the Department
427 of Transportation is in the strategic interest of the state. The
428 department shall commence the project development and
429 environmental phase of the extension and shall consider project
430 configuration, alignment, cost, and schedule. The department
431 shall prepare a report summarizing the status of the project
432 development and environmental phase and, by December 31, 2022,
433 submit the report to the Governor, the President of the Senate,
434 and the Speaker of the House of Representatives.

435 Section 13. Except as otherwise expressly provided in this

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436 | act, this act shall take effect July 1, 2021. |