

2021100er

1  
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

2021100er

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

2021100er

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.

86  
87 Be It Enacted by the Legislature of the State of Florida:

2021100er

88

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90 Statutes, is repealed.

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

93           334.044 Powers and duties of the department.—The department  
94 shall have the following general powers and duties:

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

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

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

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

2021100er

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~~

2021100er

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.

164

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

2021100er

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

2021100er

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

2021100er

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

2021100er

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,

2021100er

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

2021100er

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

2021100er

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

2021100er

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

2021100er

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

2021100er

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