



330308

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/16/2021	.	
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The Committee on Appropriations (Harrell) recommended the following:

Senate Amendment (with title amendment)

Delete line 402

and insert:

Section 12. Subsection (4) of section 163.3168, Florida Statutes, is repealed.

Section 13. Paragraph (b) of subsection (1) of section 316.126, Florida Statutes, is amended, and subsection (6) of that section is reenacted, to read:

316.126 Operation of vehicles and actions of pedestrians on



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11 approach of an authorized emergency, sanitation, or utility
12 service vehicle.-

13 (1)

14 (b) If an authorized emergency vehicle displaying any
15 visual signals is parked on the roadside, a sanitation vehicle
16 is performing a task related to the provision of sanitation
17 services on the roadside, a utility service vehicle is
18 performing a task related to the provision of utility services
19 on the roadside, ~~or~~ a wrecker displaying amber rotating or
20 flashing lights is performing a recovery or loading on the
21 roadside, or a road and bridge maintenance or construction
22 vehicle displaying warning lights is on the roadside without
23 advance signs and channelizing devices, the driver of every
24 other vehicle, as soon as it is safe:

25 1. Shall vacate the lane closest to the emergency vehicle,
26 sanitation vehicle, utility service vehicle, ~~or~~ wrecker, or road
27 and bridge maintenance or construction vehicle when driving on
28 an interstate highway or other highway with two or more lanes
29 traveling in the direction of the emergency vehicle, sanitation
30 vehicle, utility service vehicle, ~~or~~ wrecker, or road and bridge
31 maintenance or construction vehicle except when otherwise
32 directed by a law enforcement officer. If such movement cannot
33 be safely accomplished, the driver shall reduce speed as
34 provided in subparagraph 2.

35 2. Shall slow to a speed that is 20 miles per hour less
36 than the posted speed limit when the posted speed limit is 25
37 miles per hour or greater; or travel at 5 miles per hour when
38 the posted speed limit is 20 miles per hour or less, when
39 driving on a two-lane road, except when otherwise directed by a



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40 law enforcement officer.

41 (6) A violation of this section is a noncriminal traffic
42 infraction, punishable pursuant to chapter 318 as either a
43 moving violation for infractions of subsection (1) or subsection
44 (3), or as a pedestrian violation for infractions of subsection
45 (2).

46 Section 14. Subsection (35) of section 334.044, Florida
47 Statutes, is amended to read:

48 334.044 Powers and duties of the department.—The department
49 shall have the following general powers and duties:

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

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

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

66 ~~(c) To accomplish these activities, the department may~~
67 ~~administer workforce development contracts with consultants and~~
68 ~~nonprofit entities, such as local community partners, Florida~~



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69 ~~College System institutions, and technical institutions or~~
70 ~~centers. These entities, as specified in a contract with the~~
71 ~~department, shall have the primary purposes of providing all of~~
72 ~~the following:~~

73 ~~1. Workforce recruitment.~~

74 ~~2. A training curriculum for the department's road and~~
75 ~~bridge construction projects which includes both traditional and~~
76 ~~emerging construction methods and skills needed to construct~~
77 ~~multiuse infrastructure and facilities accommodating emerging~~
78 ~~technologies.~~

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

80 ~~(d) The department shall develop performance and outcome~~
81 ~~metrics to ensure accountability and to measure the benefits and~~
82 ~~cost-effectiveness of the program. By June 30, 2020, and~~
83 ~~annually thereafter, the department shall prepare and provide a~~
84 ~~report to the Governor, President of Senate, and Speaker of the~~
85 ~~House of Representatives detailing the results of its findings~~
86 ~~and containing any recommendations relating to future program~~
87 ~~refinements.~~

88 Section 15. Section 338.2278, Florida Statutes, is
89 repealed.

90 Section 16. Subsection (1) of section 338.236, Florida
91 Statutes, is amended to read:

92 338.236 Staging areas for emergencies.—The Department of
93 Transportation may plan, design, and construct staging areas to
94 be activated during a declared state of emergency at key
95 geographic locations on the turnpike system. Such staging areas
96 must be used for the staging of emergency supplies, such as
97 water, fuel, generators, vehicles, equipment, and other related



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98 materials, to facilitate the prompt provision of emergency
99 assistance to the public, and to otherwise facilitate emergency
100 response and assistance, including evacuations, deployment of
101 emergency-related supplies and personnel, and restoration of
102 essential services.

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

107 (a) Is located in a geographic area that best facilitates
108 the wide dissemination of emergency-related supplies and
109 equipment;

110 (b) Provides ease of access to major highways and other
111 transportation facilities;

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

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

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

118 (f) Is consistent with other state and local emergency
119 management considerations.

120

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

126 Section 17. Subsection (2) of section 339.0801, Florida



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127 Statutes, is amended to read:

128 339.0801 Allocation of increased revenues derived from
129 amendments to s. 319.32(5) (a) by ch. 2012-128.—Funds that result
130 from increased revenues to the State Transportation Trust Fund
131 derived from the amendments to s. 319.32(5) (a) made by this act
132 must be used annually, first as set forth in subsection (1) and
133 then as set forth in subsections (2)-(5), notwithstanding any
134 other provision of law:

135 (2)~~(a)~~ Beginning in the 2013-2014 fiscal year and annually
136 for up to 30 years thereafter ~~For each of the 2019-2020, 2020-~~
137 ~~2021, and 2021-2022 fiscal years,~~ \$35 million shall be
138 transferred to Florida's Turnpike Enterprise, to be used in
139 accordance with Florida Turnpike Enterprise Law, to the maximum
140 extent feasible for feeder roads, structures, interchanges,
141 appurtenances, and other rights to create or facilitate access
142 to the existing turnpike system.

143 ~~(b) Beginning with the 2022-2023 fiscal year and annually~~
144 ~~thereafter, \$35 million shall be transferred to Florida's~~
145 ~~Turnpike Enterprise, to be used in accordance with s. 338.2278,~~
146 ~~with preference to feeder roads, interchanges, and appurtenances~~
147 ~~that create or facilitate multiuse corridor access and~~
148 ~~connectivity. Of those funds, and to the maximum extent~~
149 ~~feasible, up to \$5 million annually may be used for projects~~
150 ~~that assist in the development of broadband infrastructure~~
151 ~~within or adjacent to a multiuse corridor. The department shall~~
152 ~~give priority consideration to broadband infrastructure projects~~
153 ~~located in any area designated as a rural area of opportunity~~
154 ~~under s. 288.0656 and adjacent to a multiuse corridor.~~

155 Section 18. Effective July 1, 2023, section 339.0801,



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156 Florida Statutes, as amended by this act, is amended to read:

157 339.0801 Allocation of increased revenues derived from
158 amendments to s. 319.32(5) (a) by ch. 2012-128.—Funds that result
159 from increased revenues to the State Transportation Trust Fund
160 derived from the amendments to s. 319.32(5) (a) made by this act
161 must be used annually, first as set forth in subsection (1) and
162 then as set forth in subsections (2)-(4) ~~(2)-(5)~~,
163 notwithstanding any other provision of law:

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

169 (b) The revenues may be assigned, pledged, or set aside as
170 a trust for the payment of principal or interest on revenue
171 bonds, or other forms of indebtedness issued by an individual
172 port or appropriate local government having jurisdiction
173 thereof, or collectively by interlocal agreement among any of
174 the ports, or used to purchase credit support to permit such
175 borrowings. Alternatively, revenue bonds shall be issued by the
176 Division of Bond Finance at the request of the Department of
177 Transportation under the State Bond Act and shall be secured by
178 such revenues as are provided in this subsection.

179 (c) Revenue bonds or other indebtedness issued hereunder
180 are not a general obligation of the state and are secured solely
181 by a first lien on the revenues distributed under this
182 subsection.

183 (d) The state covenants with holders of the revenue bonds
184 or other instruments of indebtedness issued pursuant to this



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185 subsection that it will not repeal this subsection; nor take any
186 other action, including but not limited to amending this
187 subsection, that will materially and adversely affect the rights
188 of such holders so long as revenue bonds or other indebtedness
189 authorized by this subsection are outstanding.

190 (e) The proceeds of any revenue bonds or other
191 indebtedness, after payment of costs of issuance and
192 establishment of any required reserves, shall be invested in
193 projects approved by the Department of Transportation and
194 included in the department's adopted work program, by amendment
195 if necessary. As required under s. 11(f), Art. VII of the State
196 Constitution, the Legislature approves projects included in the
197 department's adopted work program, including any projects added
198 to the work program by amendment under s. 339.135(7).

199 (f) Any revenues that are not used for the payment of bonds
200 as authorized by this subsection may be used for purposes
201 authorized under the Florida Seaport Transportation and Economic
202 Development Program. This revenue source is in addition to any
203 amounts provided for and appropriated in accordance with ss.
204 311.07 and 320.20(3) and (4).

205 ~~(2) Beginning in the 2013-2014 fiscal year and annually for~~
206 ~~up to 30 years thereafter, \$35 million shall be transferred to~~
207 ~~Florida's Turnpike Enterprise, to be used in accordance with~~
208 ~~Florida Turnpike Enterprise Law, to the maximum extent feasible~~
209 ~~for feeder roads, structures, interchanges, appurtenances, and~~
210 ~~other rights to create or facilitate access to the existing~~
211 ~~turnpike system.~~

212 (2)~~(3)~~ Beginning in the 2013-2014 fiscal year and annually
213 thereafter, \$10 million shall be transferred to the



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214 Transportation Disadvantaged Trust Fund, to be used as specified
215 in s. 427.0159.

216 ~~(3)~~ Beginning in the 2013-2014 fiscal year and annually
217 thereafter, \$10 million shall be allocated to the Small County
218 Outreach Program to be used as specified in s. 339.2818. These
219 funds are in addition to the funds provided for the program
220 pursuant to s. 201.15(4)(a)2.

221 ~~(4)~~ After the distributions required pursuant to
222 subsections ~~(1)-(3)~~, the remaining funds shall be used
223 annually for transportation projects within this state for
224 existing or planned strategic transportation projects which
225 connect major markets within this state or between this state
226 and other states, which focus on job creation, and which
227 increase this state's viability in the national and global
228 markets.

229 ~~(5)~~ Pursuant to s. 339.135(7), the department shall
230 amend the work program to add the projects provided for in this
231 section.

232 Section 19. Section 339.0803, Florida Statutes, is created
233 to read:

234 339.0803 Allocation of increased revenues derived from
235 amendments to s. 320.08 by chapter 2019-43, Laws of Florida.-
236 Beginning in the 2021-2022 fiscal year and each fiscal year
237 thereafter, funds that result from increased revenues to the
238 State Transportation Trust Fund derived from the amendments to
239 s. 320.08 made by chapter 2019-43, Laws of Florida, and
240 deposited into the fund pursuant to s. 320.20(5)(a) must be used
241 to fund arterial highway projects identified by the department
242 in accordance with s. 339.65 and may be used for projects as



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243 specified in ss. 339.66 and 339.67. For purposes of the funding
244 provided in this section, the department shall prioritize use of
245 existing facilities or portions thereof when upgrading arterial
246 highways to limited or controlled access facilities. However,
247 this section does not preclude use of the funding for projects
248 that enhance the capacity of an arterial highway. The funds
249 allocated as provided in this section shall be in addition to
250 any other statutory funding allocations provided by law.

251 Section 20. Section 339.1373, Florida Statutes, is
252 repealed.

253 Section 21. Section 339.66, Florida Statutes, is created to
254 read:

255 339.66 Upgrade of arterial highways with controlled access
256 facilities.-

257 (1) The Legislature finds that the provision and
258 maintenance of safe, reliable, and predictably free-flowing
259 facilities to support the movement of people and freight and to
260 enhance hurricane evacuation efficiency is important. It is in
261 the best interest of the state to plan now for population growth
262 and technology changes while prudently making timely
263 improvements to address demand.

264 (2) The department, in coordination with the Florida
265 Turnpike Enterprise, shall evaluate existing roadways or
266 portions thereof for development of specific controlled access
267 facilities and include such projects as identified in the work
268 program.

269 (3) The department may upgrade roadways with targeted
270 improvements, such as adding new tolled or nontolled limited
271 access alignments to manage congestion points and retrofitting



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272 existing roadway with a series of electronically tolled or
273 nontolled grade separations that provide an alternative to a
274 signalized intersection for through traffic. Such improvements
275 must be made with the goal of enhancing the economic prosperity
276 and preserving the character of the communities impacted by such
277 improvements.

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

280 (b) The department shall maintain existing access points to
281 the roadway provided by designated streets, graded roads, or
282 driveways.

283 (c) Upon application or as otherwise agreed to by the
284 department, after construction is completed, property owners
285 with parcels of land having no existing access shall have the
286 right to one access point, and property owners having more than
287 1 mile of roadway frontage shall be allowed one access point for
288 each mile owned.

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

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

295 (5) Any existing applicable requirements relating to
296 department projects shall apply to projects undertaken by the
297 department pursuant to this section. The department shall take
298 into consideration the guidance and recommendations of any
299 previous studies or reports relevant to the projects authorized
300 by this section and ss. 339.67 and 339.68, including, but not



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301 limited to, the task force reports prepared pursuant to chapter
302 2019-43, Laws of Florida.

303 (6) Any existing applicable requirements relating to
304 turnpike projects apply to projects undertaken by the Turnpike
305 Enterprise pursuant to this section. The Turnpike Enterprise
306 shall take into consideration the guidance and recommendations
307 of any previous studies or reports relevant to the projects
308 authorized by this section and ss. 339.67 and 339.68, including,
309 but not limited to, the task force reports prepared pursuant to
310 chapter 2019-43, Laws of Florida, and with respect to any
311 extension of the Florida Turnpike from its northerly terminus in
312 Wildwood.

313 (7) The department shall consider innovative concepts to
314 combine right-of-way acquisition with the acquisition of lands
315 or easements to facilitate environmental mitigation or
316 ecosystem, wildlife habitat, or water quality protection or
317 restoration.

318 (8) (a) Decisions on matters such as configuration, project
319 alignment, and interchange locations must be determined in
320 accordance with applicable department rules, policies, and
321 procedures.

322 (b) To the greatest extent practicable, roadway alignments,
323 project alignment, and interchange locations shall be designed
324 so that project rights-of-way are not located within
325 conservation lands acquired under the Florida Preservation 2000
326 Act established in s. 259.101 and the Florida Forever Act
327 established in s. 259.105.

328 (9) Subject to applicability of existing requirements as
329 provided in subsections (5) and (6), projects may be funded



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330 through turnpike revenue bonds or right-of-way acquisition and
331 bridge construction bonds or financing by the Florida Department
332 of Transportation Financing Corporation; by advances from the
333 State Transportation Trust Fund; with funds obtained through the
334 creation of public-private partnerships; or any combination
335 thereof. The department also may accept donations of land for
336 use as transportation rights-of-way or to secure or use
337 transportation rights-of-way for such projects in accordance
338 with s. 337.2505. To the extent legally available, any toll
339 revenues from the turnpike system not required for payment of
340 principal, interest, reserves, or other required deposits for
341 bonds; costs of operations and maintenance; other contractual
342 obligations; or system improvement project costs must be used to
343 repay advances received from the State Transportation Trust
344 Fund.

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

349 (11) In accordance with ss. 337.276, 338.227, and 339.0809,
350 the Division of Bond Finance may issue, on behalf of the
351 department, right-of-way acquisition and bridge construction
352 bonds, turnpike revenue bonds, and Florida Department of
353 Transportation Financing Corporation bonds to finance projects
354 as provided in the State Bond Act.

355 Section 22. Section 339.67, Florida Statutes, is created to
356 read:

357 339.67 U.S. 19 controlled access facilities.—The department
358 shall develop and include in the work program the construction



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359 of controlled access facilities as necessary to achieve free
360 flow of traffic on U.S. 19, beginning at the terminus of the
361 Suncoast Parkway 2 Phase 3, north predominantly along U.S. 19 to
362 a logical terminus on Interstate 10 in Madison County. This
363 Strategic Intermodal System facility shall be developed using
364 existing roadway, or portions thereof, to ensure the free flow
365 of traffic along the roadway by improvements such as limited
366 access alignments to manage congestion points and retrofitting
367 existing roadway with a series of grade separations that provide
368 an alternative to a signalized intersection for through traffic.
369 To the maximum extent feasible, the facilities shall be
370 developed no later than December 31, 2035.

371 Section 23. Section 339.68, Florida Statutes, is created to
372 read:

373 339.68 Arterial rural highway projects.—The department
374 shall identify and include in the work program projects to
375 increase capacity by widening existing two-lane arterial rural
376 roads to four lanes. To be included in a work program project,
377 the road must be classified as an arterial rural road, and truck
378 traffic using the road must amount to at least 15 percent of all
379 such traffic, as determined by the department. The department
380 shall fund at least \$20 million annually for such projects.

381 Section 24. For the purpose of incorporating the amendment
382 made by this act to section 316.126, Florida Statutes, in a
383 reference thereto, paragraph (d) of subsection (2) of section
384 318.18, Florida Statutes, is reenacted to read:

385 318.18 Amount of penalties.—The penalties required for a
386 noncriminal disposition pursuant to s. 318.14 or a criminal
387 offense listed in s. 318.17 are as follows:



388 (2) Thirty dollars for all nonmoving traffic violations
389 and:

390 (d) For all violations of s. 316.126(1)(b), unless
391 otherwise specified.

392 Section 25. The Legislature finds that the extension of the
393 Florida Turnpike from its northerly terminus in Wildwood to a
394 logical and appropriate terminus as determined by the Department
395 of Transportation is in the strategic interest of the state. The
396 department shall commence the project development and
397 environmental phase of the extension and shall consider project
398 configuration, alignment, cost, and schedule. The department
399 shall prepare a report summarizing the status of the project
400 development and environmental phase and, by December 31, 2022,
401 submit the report to the Governor, the President of the Senate,
402 and the Speaker of the House of Representatives.

403 Section 26. Except as otherwise expressly provided in this
404 act, this act shall take effect July 1, 2021.

405
406 ===== T I T L E A M E N D M E N T =====

407 And the title is amended as follows:

408 Delete line 54

409 and insert:

410 programs; repealing s. 163.3168(4), F.S., relating to
411 applications for funding for technical assistance
412 relating to areas in and around a proposed multiuse
413 corridor interchange; amending s. 316.126, F.S.;

414 requiring drivers to change lanes when approaching a
415 road and bridge maintenance or construction vehicle
416 displaying warning lights on the roadside without



417 advance signs and channelizing devices; amending s.
418 334.044, F.S.; revising the powers and duties of the
419 Department of Transportation relating to the workforce
420 development program; repealing s. 338.2278, F.S.,
421 relating to the Multi-use Corridors of Regional
422 Economic Significance Program; amending s. 338.236,
423 F.S.; deleting a requirement for the department to
424 give priority consideration to placement of staging
425 areas in certain counties; amending s. 339.0801, F.S.;
426 requiring that \$35 million transferred to Florida's
427 Turnpike Enterprise be used for a specified purpose
428 beginning in a specified fiscal year and annually for
429 up to 30 years thereafter; conforming provisions to
430 changes made by the act; amending s. 339.0801, F.S.;
431 deleting a requirement for a specified amount of funds
432 to be transferred to Florida's Turnpike Enterprise for
433 a specified purpose; creating s. 339.0803, F.S.;
434 requiring that certain increased revenues be used to
435 fund specified projects beginning in a specified
436 fiscal year and annually thereafter; authorizing such
437 revenues to be used for certain projects; requiring
438 the department to prioritize the use of certain
439 facilities when upgrading arterial highways; providing
440 construction; providing that such funding is in
441 addition to other statutory funding allocations;
442 repealing s. 339.1373, F.S., relating to funding of
443 the Multi-use Corridors of Regional Economic
444 Significance Program; creating s. 339.66, F.S.;
445 providing legislative findings; requiring the



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446 department, in coordination with the Florida Turnpike
447 Enterprise, to evaluate certain roadways for
448 development of specific controlled access facilities
449 and to include such projects in the work program;
450 authorizing the department to upgrade roadways with
451 targeted improvements; prohibiting the department from
452 reducing nontolled general use lanes of an existing
453 facility; requiring the department to maintain
454 existing access points; providing for access points
455 for certain property owners; specifying the location
456 of tolling points and requiring a nontolled
457 alternative for local traffic; requiring any new
458 alignments to be established with a specified goal;
459 providing that any tolled facilities are approved
460 turnpike projects and part of the turnpike system;
461 designating a controlled-access portion of a specified
462 roadway a Strategic Intermodal System facility;
463 providing for applicability of certain requirements;
464 requiring the department and Turnpike Enterprise to
465 take into consideration guidance and recommendations
466 of certain studies and reports; requiring certain
467 decisions to be determined in accordance with
468 applicable department rules, policies, and procedures;
469 requiring, to the greatest extent practicable, that
470 roadway alignments, project alignment, and interchange
471 locations be designed as specified; providing for
472 funding sources; providing that project construction
473 is not eligible for funding until completion of 30
474 percent of the project design phase, with exceptions;



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475 authorizing the Division of Bond Finance to issue
476 specified bonds on behalf of the department to finance
477 certain projects; creating s. 339.67, F.S.; requiring
478 the department to develop and include construction of
479 controlled access facilities in the work program of a
480 certain facility; requiring the facility to be
481 developed using existing roadway or portions thereof;
482 requiring the facilities to be developed no later than
483 a specified date to the maximum extent feasible;
484 creating s. 339.68, F.S.; requiring the department to
485 identify and include in the work program projects to
486 increase capacity by widening existing two-lane
487 arterial rural roads to four lanes; providing
488 requirements for roads to be included in work program
489 projects; requiring the department to annually fund at
490 least a specified amount for such projects; reenacting
491 s. 318.18(2)(d), F.S., relating to the amount of
492 certain penalties, to incorporate the amendment made
493 to s. 316.126, F.S., in a reference thereto; providing
494 legislative findings; requiring the department to
495 commence the project development and environmental
496 phase of an extension of the Florida Turnpike;
497 requiring the department to prepare a specified report
498 and to submit the report to the Governor and
499 Legislature by a specified date; providing effective
500 dates.