

By the Committee on Appropriations; and Senator Harrell

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1 A bill to be entitled
2 An act relating to the Department of Transportation;
3 repealing s. 163.3168(4), F.S., relating to
4 applications for funding for technical assistance
5 relating to areas in and around a proposed multiuse
6 corridor interchange; amending s. 201.15, F.S.;
7 clarifying that the Department of Revenue is
8 responsible for a certain transfer from the State
9 Treasury to the General Revenue Fund of a portion of
10 documentary stamp tax distributions credited to the
11 State Transportation Trust Fund; amending s. 206.46,
12 F.S.; revising a limitation on an annual transfer from
13 the State Transportation Trust Fund to the Right-of-
14 Way Acquisition and Bridge Construction Trust Fund;
15 amending ss. 206.606, 206.608, and 212.0501, F.S.;
16 removing a requirement for the deduction of certain
17 service charges before the distribution of certain
18 moneys; amending s. 316.126, F.S.; requiring drivers
19 to change lanes when approaching a road and bridge
20 maintenance or construction vehicle displaying warning
21 lights on the roadside without advance signs and
22 channelizing devices; amending s. 316.545, F.S.;
23 deleting a requirement that the department provide
24 space and video conference capability at each of the
25 department's district offices as an alternative to
26 physical appearance by a person requesting a hearing
27 before the Commercial Motor Vehicle Review Board
28 within the department; requiring the department to
29 allow a person requesting a hearing to appear remotely

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30 via communications media technology authorized by a
31 specified rule; amending s. 319.32, F.S.; removing a
32 requirement for the deduction of certain service
33 charges before depositing fees for a certificate of
34 title into the State Transportation Trust Fund;
35 creating s. 333.15, F.S.; requiring the department to
36 adopt rules to implement ch. 333, relating to airport
37 zoning; amending s. 334.044, F.S.; revising the powers
38 and duties of the Department of Transportation
39 relating to the workforce development program;
40 amending s. 335.199, F.S.; requiring the department,
41 when proposing any project on the State Highway System
42 which will close or modify an existing access to an
43 abutting property owner, to provide notice to affected
44 property owners, municipalities, and counties at least
45 180 days before the design phase of the project is
46 completed; requiring the department to hold at least
47 one public meeting before completing the design phase
48 of the project; making a technical change; repealing
49 s. 338.2278, F.S., relating to the Multi-use Corridors
50 of Regional Economic Significance Program; amending s.
51 338.236, F.S.; deleting a requirement for the
52 department to give priority consideration to placement
53 of staging areas in certain counties; amending s.
54 339.0801, F.S.; requiring that \$35 million transferred
55 to Florida's Turnpike Enterprise be used for a
56 specified purpose beginning in a specified fiscal year
57 and annually for up to 30 years thereafter; conforming
58 provisions to changes made by the act; amending s.

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59 339.0801, F.S.; deleting a requirement for a specified
60 amount of funds to be transferred to Florida's
61 Turnpike Enterprise for a specified purpose; creating
62 s. 339.0803, F.S.; requiring that certain increased
63 revenues be used to fund specified projects beginning
64 in a specified fiscal year and annually thereafter;
65 authorizing such revenues to be used for certain
66 projects; requiring the department to prioritize the
67 use of certain facilities when upgrading arterial
68 highways; providing construction; providing that such
69 funding is in addition to other statutory funding
70 allocations; amending s. 339.135, F.S.; revising the
71 date by which a metropolitan planning organization
72 must annually submit project priorities to the
73 appropriate department district for purposes of
74 developing department district work programs; removing
75 the expiration of provisions relating to approval of
76 department work program amendments when a meeting of
77 the Legislative Budget Commission cannot be held
78 within a specified timeframe; repealing s. 339.1373,
79 F.S., relating to funding of the Multi-use Corridors
80 of Regional Economic Significance Program; amending s.
81 339.175, F.S.; revising the date by which a
82 metropolitan planning organization must annually
83 submit a list of project priorities to the appropriate
84 department district for purposes of developing
85 department district work programs and developing
86 metropolitan planning organization transportation
87 improvement programs; creating s. 339.66, F.S.;

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88 providing legislative findings; requiring the
89 department, in coordination with the Florida Turnpike
90 Enterprise, to evaluate certain roadways for
91 development of specific controlled access facilities
92 and to include such projects in the work program;
93 authorizing the department to upgrade roadways with
94 targeted improvements; prohibiting the department from
95 reducing nontolled general use lanes of an existing
96 facility; requiring the department to maintain
97 existing access points; providing for access points
98 for certain property owners; specifying the location
99 of tolling points and requiring a nontolled
100 alternative for local traffic; providing that any
101 tolled facilities are approved turnpike projects and
102 part of the turnpike system; designating a controlled-
103 access portion of a specified roadway a Strategic
104 Intermodal System facility; providing for
105 applicability of certain requirements; requiring the
106 department and Turnpike Enterprise to take into
107 consideration guidance and recommendations of certain
108 studies and reports; requiring certain decisions to be
109 determined in accordance with applicable department
110 rules, policies, and procedures; requiring, to the
111 greatest extent practicable, that roadway alignments,
112 project alignment, and interchange locations be
113 designed as specified; providing for funding sources;
114 providing that project construction is not eligible
115 for funding until completion of 30 percent of the
116 project design phase, with exceptions; authorizing the

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117 Division of Bond Finance to issue specified bonds on
118 behalf of the department to finance certain projects;
119 creating s. 339.67, F.S.; requiring the department to
120 develop and include construction of controlled access
121 facilities in the work program of a certain facility;
122 requiring the facility to be developed using existing
123 roadway or portions thereof; requiring the facilities
124 to be developed no later than a specified date to the
125 maximum extent feasible; creating s. 339.68, F.S.;
126 requiring the department to identify and include in
127 the work program projects to increase capacity by
128 widening existing two-lane arterial rural roads to
129 four lanes; providing requirements for roads to be
130 included in work program projects; requiring the
131 department to annually fund at least a specified
132 amount for such projects; reenacting s. 318.18(2)(d),
133 F.S., relating to the amount of certain penalties, to
134 incorporate the amendment made to s. 316.126, F.S., in
135 a reference thereto; providing legislative findings;
136 requiring the department to commence the project
137 development and environmental phase of an extension of
138 the Florida Turnpike; requiring the department to
139 prepare a specified report and to submit the report to
140 the Governor and Legislature by a specified date;
141 providing effective dates.

142
143 Be It Enacted by the Legislature of the State of Florida:

144
145 Section 1. Subsection (4) of section 163.3168, Florida

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146 Statutes, is repealed.

147 Section 2. Paragraph (a) of subsection (4) of section
148 201.15, Florida Statutes, is amended to read:

149 201.15 Distribution of taxes collected.—All taxes collected
150 under this chapter are hereby pledged and shall be first made
151 available to make payments when due on bonds issued pursuant to
152 s. 215.618 or s. 215.619, or any other bonds authorized to be
153 issued on a parity basis with such bonds. Such pledge and
154 availability for the payment of these bonds shall have priority
155 over any requirement for the payment of service charges or costs
156 of collection and enforcement under this section. All taxes
157 collected under this chapter, except taxes distributed to the
158 Land Acquisition Trust Fund pursuant to subsections (1) and (2),
159 are subject to the service charge imposed in s. 215.20(1).
160 Before distribution pursuant to this section, the Department of
161 Revenue shall deduct amounts necessary to pay the costs of the
162 collection and enforcement of the tax levied by this chapter.
163 The costs and service charge may not be levied against any
164 portion of taxes pledged to debt service on bonds to the extent
165 that the costs and service charge are required to pay any
166 amounts relating to the bonds. All of the costs of the
167 collection and enforcement of the tax levied by this chapter and
168 the service charge shall be available and transferred to the
169 extent necessary to pay debt service and any other amounts
170 payable with respect to bonds authorized before January 1, 2017,
171 secured by revenues distributed pursuant to this section. All
172 taxes remaining after deduction of costs shall be distributed as
173 follows:

174 (4) After the required distributions to the Land

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175 Acquisition Trust Fund pursuant to subsections (1) and (2) and
176 deduction of the service charge imposed pursuant to s.
177 215.20(1), the remainder shall be distributed as follows:

178 (a) The lesser of 24.18442 percent of the remainder or
179 \$541.75 million in each fiscal year shall be paid into the State
180 Treasury to the credit of the State Transportation Trust Fund.
181 Of such funds, \$75 million for each fiscal year shall be
182 transferred by the Department of Revenue to the General Revenue
183 Fund. Notwithstanding any other law, the remaining amount
184 credited to the State Transportation Trust Fund shall be used
185 for:

186 1. Capital funding for the New Starts Transit Program,
187 authorized by Title 49, U.S.C. s. 5309 and specified in s.
188 341.051, in the amount of 10 percent of the funds;

189 2. The Small County Outreach Program specified in s.
190 339.2818, in the amount of 10 percent of the funds;

191 3. The Strategic Intermodal System specified in ss. 339.61,
192 339.62, 339.63, and 339.64, in the amount of 75 percent of the
193 funds after deduction of the payments required pursuant to
194 subparagraphs 1. and 2.; and

195 4. The Transportation Regional Incentive Program specified
196 in s. 339.2819, in the amount of 25 percent of the funds after
197 deduction of the payments required pursuant to subparagraphs 1.
198 and 2. The first \$60 million of the funds allocated pursuant to
199 this subparagraph shall be allocated annually to the Florida
200 Rail Enterprise for the purposes established in s. 341.303(5).

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

203 206.46 State Transportation Trust Fund.—

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204 (2) Notwithstanding any other ~~provisions of~~ law, from the
205 revenues deposited into the State Transportation Trust Fund a
206 maximum of 7 percent in each fiscal year shall be transferred
207 into the Right-of-Way Acquisition and Bridge Construction Trust
208 Fund created in s. 215.605, as needed to meet the requirements
209 of the documents authorizing the bonds issued or proposed to be
210 issued under ss. 215.605 and 337.276 or at a minimum amount
211 sufficient to pay for the debt service coverage requirements of
212 outstanding bonds. Notwithstanding the 7 percent annual transfer
213 authorized in this subsection, the annual amount transferred
214 under this subsection may ~~shall~~ not exceed an amount necessary
215 to provide the required debt service coverage levels for a
216 maximum debt service not to exceed \$350 ~~\$275~~ million. Such
217 transfer shall be payable primarily from the motor and diesel
218 fuel taxes transferred to the State Transportation Trust Fund
219 from the Fuel Tax Collection Trust Fund.

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

222 206.606 Distribution of certain proceeds.—

223 (1) Moneys collected pursuant to ss. 206.41(1)(g) and
224 206.87(1)(e) shall be deposited in the Fuel Tax Collection Trust
225 Fund. Such moneys, after deducting ~~the service charges imposed~~
226 ~~by s. 215.20~~, the refunds granted pursuant to s. 206.41~~7~~, and the
227 administrative costs incurred by the department in collecting,
228 administering, enforcing, and distributing the tax, which
229 administrative costs may not exceed 2 percent of collections,
230 shall be distributed monthly to the State Transportation Trust
231 Fund, except that:

232 (a) \$6.30 million shall be transferred to the Fish and

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233 Wildlife Conservation Commission in each fiscal year and
234 deposited in the Invasive Plant Control Trust Fund to be used
235 for aquatic plant management, including nonchemical control of
236 aquatic weeds, research into nonchemical controls, and
237 enforcement activities. The commission shall allocate at least
238 \$1 million of such funds to the eradication of melaleuca.

239 (b) Annually, \$2.5 million shall be transferred to the
240 State Game Trust Fund in the Fish and Wildlife Conservation
241 Commission and used for recreational boating activities and
242 freshwater fisheries management and research. The transfers must
243 be made in equal monthly amounts beginning on July 1 of each
244 fiscal year. The commission shall annually determine where unmet
245 needs exist for boating-related activities, and may fund such
246 activities in counties where, due to the number of vessel
247 registrations, sufficient financial resources are unavailable.

248 1. A minimum of \$1.25 million shall be used to fund local
249 projects to provide recreational channel marking and other
250 uniform waterway markers, public boat ramps, lifts, and hoists,
251 marine railways, and other public launching facilities, derelict
252 vessel removal, and other local boating-related activities. In
253 funding the projects, the commission shall give priority
254 consideration to:

255 a. Unmet needs in counties having populations of 100,000 or
256 less ~~fewer~~.

257 b. Unmet needs in coastal counties having a high level of
258 boating-related activities from individuals residing in other
259 counties.

260 2. The remaining \$1.25 million may be used for recreational
261 boating activities and freshwater fisheries management and

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262 research.

263 3. The commission may adopt rules to administer a Florida
264 Boating Improvement Program.

265
266 The commission shall prepare and make available on its Internet
267 website an annual report outlining the status of its Florida
268 Boating Improvement Program, including the projects funded, and
269 a list of counties whose needs are unmet due to insufficient
270 financial resources from vessel registration fees.

271 (c) 0.65 percent of moneys collected pursuant to s.
272 206.41(1)(g) shall be transferred to the Agricultural Emergency
273 Eradication Trust Fund.

274 (d) \$13.4 million in fiscal year 2007-2008 and each fiscal
275 year thereafter of the moneys attributable to the sale of motor
276 and diesel fuel at marinas shall be transferred from the Fuel
277 Tax Collection Trust Fund to the Marine Resources Conservation
278 Trust Fund in the Fish and Wildlife Conservation Commission.

279 Section 5. Section 206.608, Florida Statutes, is amended to
280 read:

281 206.608 State Comprehensive Enhanced Transportation System
282 Tax; deposit of proceeds; distribution.—Moneys received pursuant
283 to ss. 206.41(1)(f) and 206.87(1)(d) shall be deposited in the
284 Fuel Tax Collection Trust Fund, and, after deducting ~~the service~~
285 ~~charge imposed in chapter 215~~ and administrative costs incurred
286 by the department in collecting, administering, enforcing, and
287 distributing the tax, which administrative costs may not exceed
288 2 percent of collections, shall be distributed as follows:

289 (1) 0.65 percent of the proceeds of the tax levied pursuant
290 to s. 206.41(1)(f) shall be transferred to the Agricultural

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291 Emergency Eradication Trust Fund.

292 (2) The remaining proceeds of the tax levied pursuant to s.
293 206.41(1)(f) and all of the proceeds from the tax imposed by s.
294 206.87(1)(d) shall be transferred into the State Transportation
295 Trust Fund, and may be used only for projects in the adopted
296 work program in the district in which the tax proceeds are
297 collected and, to the maximum extent feasible, such moneys shall
298 be programmed for use in the county where collected. However, no
299 revenue from the taxes imposed pursuant to ss. 206.41(1)(f) and
300 206.87(1)(d) in a county shall be expended unless the projects
301 funded with such revenues have been included in the work program
302 adopted pursuant to s. 339.135.

303 Section 6. Subsection (6) of section 212.0501, Florida
304 Statutes, is amended to read:

305 212.0501 Tax on diesel fuel for business purposes;
306 purchase, storage, and use.-

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

314 Section 7. Paragraph (b) of subsection (1) of section
315 316.126, Florida Statutes, is amended, and subsection (6) of
316 that section is reenacted, to read:

317 316.126 Operation of vehicles and actions of pedestrians on
318 approach of an authorized emergency, sanitation, or utility
319 service vehicle.-

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320 (1)

321 (b) If an authorized emergency vehicle displaying any
322 visual signals is parked on the roadside, a sanitation vehicle
323 is performing a task related to the provision of sanitation
324 services on the roadside, a utility service vehicle is
325 performing a task related to the provision of utility services
326 on the roadside, ~~or~~ a wrecker displaying amber rotating or
327 flashing lights is performing a recovery or loading on the
328 roadside, or a road and bridge maintenance or construction
329 vehicle displaying warning lights is on the roadside without
330 advance signs and channelizing devices, the driver of every
331 other vehicle, as soon as it is safe:

332 1. Shall vacate the lane closest to the emergency vehicle,
333 sanitation vehicle, utility service vehicle, ~~or~~ wrecker, or road
334 and bridge maintenance or construction vehicle when driving on
335 an interstate highway or other highway with two or more lanes
336 traveling in the direction of the emergency vehicle, sanitation
337 vehicle, utility service vehicle, ~~or~~ wrecker, or road and bridge
338 maintenance or construction vehicle except when otherwise
339 directed by a law enforcement officer. If such movement cannot
340 be safely accomplished, the driver shall reduce speed as
341 provided in subparagraph 2.

342 2. Shall slow to a speed that is 20 miles per hour less
343 than the posted speed limit when the posted speed limit is 25
344 miles per hour or greater; or travel at 5 miles per hour when
345 the posted speed limit is 20 miles per hour or less, when
346 driving on a two-lane road, except when otherwise directed by a
347 law enforcement officer.

348 (6) A violation of this section is a noncriminal traffic

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349 infraction, punishable pursuant to chapter 318 as either a
350 moving violation for infractions of subsection (1) or subsection
351 (3), or as a pedestrian violation for infractions of subsection
352 (2).

353 Section 8. Paragraph (f) of subsection (7) of section
354 316.545, Florida Statutes, is amended to read:

355 316.545 Weight and load unlawful; special fuel and motor
356 fuel tax enforcement; inspection; penalty; review.—

357 (7) There is created within the Department of
358 Transportation the Commercial Motor Vehicle Review Board,
359 consisting of three permanent members who shall be the Secretary
360 of Transportation, the executive director of the Department of
361 Highway Safety and Motor Vehicles, and the Commissioner of
362 Agriculture, or their authorized representatives, and four
363 additional members appointed pursuant to paragraph (b), which
364 may review any penalty imposed upon any vehicle or person under
365 the provisions of this chapter relating to weights imposed on
366 the highways by the axles and wheels of motor vehicles, to
367 special fuel and motor fuel tax compliance, or to violations of
368 safety regulations.

369 (f) The review board may hold sessions and conduct
370 proceedings at any place within the state. As an alternative to
371 physical appearance, ~~and in addition to any other method of~~
372 ~~appearance authorized by rule,~~ the Department of Transportation
373 shall allow ~~provide space and video conference capability at~~
374 ~~each district office to enable~~ a person requesting a hearing to
375 appear remotely before the board via communications media
376 technology as authorized by chapter 28-109, Florida
377 Administrative Code, regardless of the physical location of the

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378 board proceeding.

379 Section 9. Subsection (5) of section 319.32, Florida
380 Statutes, is amended to read:

381 319.32 Fees; service charges; disposition.-

382 (5) (a) Forty-seven dollars of each fee collected, except
383 for fees charged on a certificate of title for a motor vehicle
384 for hire registered under s. 320.08(6), for each applicable
385 original certificate of title and each applicable duplicate copy
386 of a certificate of title, ~~after deducting the service charges~~
387 ~~imposed by s. 215.20,~~ shall be deposited into the State
388 Transportation Trust Fund. Deposits to the State Transportation
389 Trust Fund pursuant to this paragraph may not exceed \$200
390 million in any fiscal year, and any collections in excess of
391 that amount during the fiscal year shall be paid into the
392 General Revenue Fund.

393 (b) All fees collected pursuant to subsection (3) shall be
394 paid into the Nongame Wildlife Trust Fund. Twenty-one dollars of
395 each fee, except for fees charged on a certificate of title for
396 a motor vehicle for hire registered under s. 320.08(6), for each
397 applicable original certificate of title and each applicable
398 duplicate copy of a certificate of title, ~~after deducting the~~
399 ~~service charges imposed by s. 215.20,~~ shall be deposited into
400 the State Transportation Trust Fund. All other fees collected by
401 the department under this chapter shall be paid into the General
402 Revenue Fund.

403 Section 10. Section 333.15, Florida Statutes, is created to
404 read:

405 333.15 Rulemaking authority.-The department shall adopt
406 rules pursuant to ss. 120.536(1) and 120.54 to implement this

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407 chapter.

408 Section 11. Subsection (35) of section 334.044, Florida
409 Statutes, is amended to read:

410 334.044 Powers and duties of the department.—The department
411 shall have the following general powers and duties:

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

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

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

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

435 ~~1. Workforce recruitment.~~

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436 ~~2. A training curriculum for the department's road and~~
437 ~~bridge construction projects which includes both traditional and~~
438 ~~emerging construction methods and skills needed to construct~~
439 ~~multiuse infrastructure and facilities accommodating emerging~~
440 ~~technologies.~~

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

442 ~~(d) The department shall develop performance and outcome~~
443 ~~metrics to ensure accountability and to measure the benefits and~~
444 ~~cost effectiveness of the program. By June 30, 2020, and~~
445 ~~annually thereafter, the department shall prepare and provide a~~
446 ~~report to the Governor, President of Senate, and Speaker of the~~
447 ~~House of Representatives detailing the results of its findings~~
448 ~~and containing any recommendations relating to future program~~
449 ~~refinements.~~

450 Section 12. Subsections (1), (3), and (4) of section
451 335.199, Florida Statutes, are amended to read:

452 335.199 Transportation projects modifying access to
453 adjacent property.—

454 (1) Whenever the Department of Transportation proposes any
455 project on the State Highway System which will divide a state
456 highway, erect median barriers modifying currently available
457 vehicle turning movements, or have the effect of closing or
458 modifying an existing access to an abutting property owner, the
459 department shall notify all affected property owners,
460 municipalities, and counties at least 180 days before the design
461 phase of the project is completed ~~finalized~~. The department's
462 notice shall provide a written explanation regarding the need
463 for the project and indicate that all affected parties will be
464 given an opportunity to provide comments to the department

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465 regarding potential impacts of the change.

466 (3) The department shall hold at least one public meeting
467 before completing the design phase of the project ~~hearing~~ in the
468 jurisdiction where the project is located and receive public
469 input to determine how the project will affect access to
470 businesses and the potential economic impact of the project on
471 the local business community.

472 (4) The department must review all comments from the public
473 meeting ~~hearing~~ and take the comments and any alternatives
474 presented by a local government under subsection (2) into
475 consideration in the final design of the highway project.

476 Section 13. Section 338.2278, Florida Statutes, is
477 repealed.

478 Section 14. Subsection (1) of section 338.236, Florida
479 Statutes, is amended to read:

480 338.236 Staging areas for emergencies.—The Department of
481 Transportation may plan, design, and construct staging areas to
482 be activated during a declared state of emergency at key
483 geographic locations on the turnpike system. Such staging areas
484 must be used for the staging of emergency supplies, such as
485 water, fuel, generators, vehicles, equipment, and other related
486 materials, to facilitate the prompt provision of emergency
487 assistance to the public, and to otherwise facilitate emergency
488 response and assistance, including evacuations, deployment of
489 emergency-related supplies and personnel, and restoration of
490 essential services.

491 (1) In selecting a proposed site for a designated staging
492 area under this section, the department, in consultation with
493 the Division of Emergency Management, must consider the extent

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494 to which such site:

495 (a) Is located in a geographic area that best facilitates
496 the wide dissemination of emergency-related supplies and
497 equipment;

498 (b) Provides ease of access to major highways and other
499 transportation facilities;

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

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

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

506 (f) Is consistent with other state and local emergency
507 management considerations.

508

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

514 Section 15. Subsection (2) of section 339.0801, Florida
515 Statutes, is amended to read:

516 339.0801 Allocation of increased revenues derived from
517 amendments to s. 319.32(5)(a) by ch. 2012-128.—Funds that result
518 from increased revenues to the State Transportation Trust Fund
519 derived from the amendments to s. 319.32(5)(a) made by this act
520 must be used annually, first as set forth in subsection (1) and
521 then as set forth in subsections (2)-(5), notwithstanding any
522 other provision of law;

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523 (2)(a) Beginning in the 2013-2014 fiscal year and annually
524 for up to 30 years thereafter ~~For each of the 2019-2020, 2020-~~
525 ~~2021, and 2021-2022 fiscal years,~~ \$35 million shall be
526 transferred to Florida's Turnpike Enterprise, to be used in
527 accordance with Florida Turnpike Enterprise Law, to the maximum
528 extent feasible for feeder roads, structures, interchanges,
529 appurtenances, and other rights to create or facilitate access
530 to the existing turnpike system.

531 ~~(b) Beginning with the 2022-2023 fiscal year and annually~~
532 ~~thereafter, \$35 million shall be transferred to Florida's~~
533 ~~Turnpike Enterprise, to be used in accordance with s. 338.2278,~~
534 ~~with preference to feeder roads, interchanges, and appurtenances~~
535 ~~that create or facilitate multiuse corridor access and~~
536 ~~connectivity. Of those funds, and to the maximum extent~~
537 ~~feasible, up to \$5 million annually may be used for projects~~
538 ~~that assist in the development of broadband infrastructure~~
539 ~~within or adjacent to a multiuse corridor. The department shall~~
540 ~~give priority consideration to broadband infrastructure projects~~
541 ~~located in any area designated as a rural area of opportunity~~
542 ~~under s. 288.0656 and adjacent to a multiuse corridor.~~

543 Section 16. Effective July 1, 2023, section 339.0801,
544 Florida Statutes, as amended by this act, is amended to read:

545 339.0801 Allocation of increased revenues derived from
546 amendments to s. 319.32(5)(a) by ch. 2012-128.—Funds that result
547 from increased revenues to the State Transportation Trust Fund
548 derived from the amendments to s. 319.32(5)(a) made by this act
549 must be used annually, first as set forth in subsection (1) and
550 then as set forth in subsections (2)-(4) ~~(2)-(5)~~,
551 notwithstanding any other provision of law:

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

557 (b) The revenues may be assigned, pledged, or set aside as
558 a trust for the payment of principal or interest on revenue
559 bonds, or other forms of indebtedness issued by an individual
560 port or appropriate local government having jurisdiction
561 thereof, or collectively by interlocal agreement among any of
562 the ports, or used to purchase credit support to permit such
563 borrowings. Alternatively, revenue bonds shall be issued by the
564 Division of Bond Finance at the request of the Department of
565 Transportation under the State Bond Act and shall be secured by
566 such revenues as are provided in this subsection.

567 (c) Revenue bonds or other indebtedness issued hereunder
568 are not a general obligation of the state and are secured solely
569 by a first lien on the revenues distributed under this
570 subsection.

571 (d) The state covenants with holders of the revenue bonds
572 or other instruments of indebtedness issued pursuant to this
573 subsection that it will not repeal this subsection; nor take any
574 other action, including but not limited to amending this
575 subsection, that will materially and adversely affect the rights
576 of such holders so long as revenue bonds or other indebtedness
577 authorized by this subsection are outstanding.

578 (e) The proceeds of any revenue bonds or other
579 indebtedness, after payment of costs of issuance and
580 establishment of any required reserves, shall be invested in

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581 projects approved by the Department of Transportation and
582 included in the department's adopted work program, by amendment
583 if necessary. As required under s. 11(f), Art. VII of the State
584 Constitution, the Legislature approves projects included in the
585 department's adopted work program, including any projects added
586 to the work program by amendment under s. 339.135(7).

587 (f) Any revenues that are not used for the payment of bonds
588 as authorized by this subsection may be used for purposes
589 authorized under the Florida Seaport Transportation and Economic
590 Development Program. This revenue source is in addition to any
591 amounts provided for and appropriated in accordance with ss.
592 311.07 and 320.20(3) and (4).

593 ~~(2) Beginning in the 2013-2014 fiscal year and annually for~~
594 ~~up to 30 years thereafter, \$35 million shall be transferred to~~
595 ~~Florida's Turnpike Enterprise, to be used in accordance with~~
596 ~~Florida Turnpike Enterprise Law, to the maximum extent feasible~~
597 ~~for feeder roads, structures, interchanges, appurtenances, and~~
598 ~~other rights to create or facilitate access to the existing~~
599 ~~turnpike system.~~

600 (2)~~(3)~~ Beginning in the 2013-2014 fiscal year and annually
601 thereafter, \$10 million shall be transferred to the
602 Transportation Disadvantaged Trust Fund, to be used as specified
603 in s. 427.0159.

604 (3)~~(4)~~ Beginning in the 2013-2014 fiscal year and annually
605 thereafter, \$10 million shall be allocated to the Small County
606 Outreach Program to be used as specified in s. 339.2818. These
607 funds are in addition to the funds provided for the program
608 pursuant to s. 201.15(4)(a)2.

609 (4)~~(5)~~ After the distributions required pursuant to

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610 subsections (1)-(3) ~~(1)-(4)~~, the remaining funds shall be used
611 annually for transportation projects within this state for
612 existing or planned strategic transportation projects which
613 connect major markets within this state or between this state
614 and other states, which focus on job creation, and which
615 increase this state's viability in the national and global
616 markets.

617 ~~(5)-(6)~~ Pursuant to s. 339.135(7), the department shall
618 amend the work program to add the projects provided for in this
619 section.

620 Section 17. Section 339.0803, Florida Statutes, is created
621 to read:

622 339.0803 Allocation of increased revenues derived from
623 amendments to s. 320.08 by chapter 2019-43, Laws of Florida.-
624 Beginning in the 2021-2022 fiscal year and each fiscal year
625 thereafter, funds that result from increased revenues to the
626 State Transportation Trust Fund derived from the amendments to
627 s. 320.08 made by chapter 2019-43, Laws of Florida, and
628 deposited into the fund pursuant to s. 320.20(5)(a) must be used
629 to fund arterial highway projects identified by the department
630 in accordance with s. 339.65 and may be used for projects as
631 specified in ss. 339.66 and 339.67. For purposes of the funding
632 provided in this section, the department shall prioritize use of
633 existing facilities or portions thereof when upgrading arterial
634 highways to limited or controlled access facilities. However,
635 this section does not preclude use of the funding for projects
636 that enhance the capacity of an arterial highway. The funds
637 allocated as provided in this section shall be in addition to
638 any other statutory funding allocations provided by law.

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639 Section 18. Paragraph (c) of subsection (4) and paragraph
640 (g) of subsection (7) of section 339.135, Florida Statutes, are
641 amended to read:

642 339.135 Work program; legislative budget request;
643 definitions; preparation, adoption, execution, and amendment.—

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

645 (c)1. For purposes of this section, the board of county
646 commissioners shall serve as the metropolitan planning
647 organization in those counties which are not located in a
648 metropolitan planning organization and shall be involved in the
649 development of the district work program to the same extent as a
650 metropolitan planning organization.

651 2. The district work program shall be developed
652 cooperatively from the outset with the various metropolitan
653 planning organizations of the state and include, to the maximum
654 extent feasible, the project priorities of metropolitan planning
655 organizations which have been submitted to the district by
656 August 1 ~~October 1~~ of each year pursuant to s. 339.175(8)(b);
657 however, the department and a metropolitan planning organization
658 may, in writing, cooperatively agree to vary this submittal
659 date. To assist the metropolitan planning organizations in
660 developing their lists of project priorities, the district shall
661 disclose to each metropolitan planning organization any
662 anticipated changes in the allocation or programming of state
663 and federal funds which may affect the inclusion of metropolitan
664 planning organization project priorities in the district work
665 program.

666 3. Before ~~Prior to~~ submittal of the district work program
667 to the central office, the district shall provide the affected

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668 metropolitan planning organization with written justification
669 for any project proposed to be rescheduled or deleted from the
670 district work program which project is part of the metropolitan
671 planning organization's transportation improvement program and
672 is contained in the last 4 years of the previous adopted work
673 program. By no later than 14 days after submittal of the
674 district work program to the central office, the affected
675 metropolitan planning organization may file an objection to such
676 rescheduling or deletion. When an objection is filed with the
677 secretary, the rescheduling or deletion may not be included in
678 the district work program unless the inclusion of such
679 rescheduling or deletion is specifically approved by the
680 secretary. The Florida Transportation Commission shall include
681 such objections in its evaluation of the tentative work program
682 only when the secretary has approved the rescheduling or
683 deletion.

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

685 (g)1. Any work program amendment which also requires the
686 transfer of fixed capital outlay appropriations between
687 categories within the department or the increase of an
688 appropriation category is subject to the approval of the
689 Legislative Budget Commission.

690 2. If the department submits an amendment to a meeting of
691 the Legislative Budget Commission and the commission does not
692 meet or consider the amendment cannot be held within 30 days
693 after its submittal ~~the department submits an amendment to the~~
694 ~~Legislative Budget Commission~~, the chair and vice chair of the
695 Legislative Budget Commission may authorize such amendment to be
696 approved pursuant to s. 216.177. ~~This subparagraph expires July~~

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697 ~~1, 2021.~~

698 Section 19. Section 339.1373, Florida Statutes, is
699 repealed.

700 Section 20. Paragraph (b) of subsection (8) of section
701 339.175, Florida Statutes, is amended to read:

702 339.175 Metropolitan planning organization.—

703 (8) TRANSPORTATION IMPROVEMENT PROGRAM.—Each M.P.O. shall,
704 in cooperation with the state and affected public transportation
705 operators, develop a transportation improvement program for the
706 area within the jurisdiction of the M.P.O. In the development of
707 the transportation improvement program, each M.P.O. must provide
708 the public, affected public agencies, representatives of
709 transportation agency employees, freight shippers, providers of
710 freight transportation services, private providers of
711 transportation, representatives of users of public transit, and
712 other interested parties with a reasonable opportunity to
713 comment on the proposed transportation improvement program.

714 (b) Each M.P.O. annually shall prepare a list of project
715 priorities and shall submit the list to the appropriate district
716 of the department by August 1 ~~October 1~~ of each year; however,
717 the department and a metropolitan planning organization may, in
718 writing, agree to vary this submittal date. Where more than one
719 M.P.O. exists in an urbanized area, the M.P.O.'s shall
720 coordinate in the development of regionally significant project
721 priorities. The list of project priorities must be formally
722 reviewed by the technical and citizens' advisory committees, and
723 approved by the M.P.O., before it is transmitted to the
724 district. The approved list of project priorities must be used
725 by the district in developing the district work program and must

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726 be used by the M.P.O. in developing its transportation
727 improvement program. The annual list of project priorities must
728 be based upon project selection criteria that, at a minimum,
729 consider the following:

730 1. The approved M.P.O. long-range transportation plan;
731 2. The Strategic Intermodal System Plan developed under s.
732 339.64.

733 3. The priorities developed pursuant to s. 339.2819(4).

734 4. The results of the transportation management systems;
735 and

736 5. The M.P.O.'s public-involvement procedures.

737 Section 21. Section 339.66, Florida Statutes, is created to
738 read:

739 339.66 Upgrade of arterial highways with controlled access
740 facilities.-

741 (1) The Legislature finds that the provision and
742 maintenance of safe, reliable, and predictably free-flowing
743 facilities to support the movement of people and freight and to
744 enhance hurricane evacuation efficiency is important. It is in
745 the best interest of the state to plan now for population growth
746 and technology changes while prudently making timely
747 improvements to address demand.

748 (2) The department, in coordination with the Florida
749 Turnpike Enterprise, shall evaluate existing roadways or
750 portions thereof for development of specific controlled access
751 facilities and include such projects as identified in the work
752 program.

753 (3) The department may upgrade roadways with targeted
754 improvements, such as adding new tolled or nontolled limited

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755 access alignments to manage congestion points and retrofitting
756 existing roadway with a series of electronically tolled or
757 nontolled grade separations that provide an alternative to a
758 signalized intersection for through traffic. Such improvements
759 must be made with the goal of enhancing the economic prosperity
760 and preserving the character of the communities impacted by such
761 improvements.

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

764 (b) The department shall maintain existing access points to
765 the roadway provided by designated streets, graded roads, or
766 driveways.

767 (c) Upon application or as otherwise agreed to by the
768 department, after construction is completed, property owners
769 with parcels of land having no existing access shall have the
770 right to one access point, and property owners having more than
771 1 mile of roadway frontage shall be allowed one access point for
772 each mile owned.

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

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

779 (5) Any existing applicable requirements relating to
780 department projects shall apply to projects undertaken by the
781 department pursuant to this section. The department shall take
782 into consideration the guidance and recommendations of any
783 previous studies or reports relevant to the projects authorized

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784 by this section and ss. 339.67 and 339.68, including, but not
785 limited to, the task force reports prepared pursuant to chapter
786 2019-43, Laws of Florida.

787 (6) Any existing applicable requirements relating to
788 turnpike projects apply to projects undertaken by the Turnpike
789 Enterprise pursuant to this section. The Turnpike Enterprise
790 shall take into consideration the guidance and recommendations
791 of any previous studies or reports relevant to the projects
792 authorized by this section and ss. 339.67 and 339.68, including,
793 but not limited to, the task force reports prepared pursuant to
794 chapter 2019-43, Laws of Florida, and with respect to any
795 extension of the Florida Turnpike from its northerly terminus in
796 Wildwood.

797 (7) The department shall consider innovative concepts to
798 combine right-of-way acquisition with the acquisition of lands
799 or easements to facilitate environmental mitigation or
800 ecosystem, wildlife habitat, or water quality protection or
801 restoration.

802 (8) (a) Decisions on matters such as configuration, project
803 alignment, and interchange locations must be determined in
804 accordance with applicable department rules, policies, and
805 procedures.

806 (b) To the greatest extent practicable, roadway alignments,
807 project alignment, and interchange locations shall be designed
808 so that project rights-of-way are not located within
809 conservation lands acquired under the Florida Preservation 2000
810 Act established in s. 259.101 and the Florida Forever Act
811 established in s. 259.105.

812 (9) Subject to applicability of existing requirements as

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813 provided in subsections (5) and (6), projects may be funded
814 through turnpike revenue bonds or right-of-way acquisition and
815 bridge construction bonds or financing by the Florida Department
816 of Transportation Financing Corporation; by advances from the
817 State Transportation Trust Fund; with funds obtained through the
818 creation of public-private partnerships; or any combination
819 thereof. The department also may accept donations of land for
820 use as transportation rights-of-way or to secure or use
821 transportation rights-of-way for such projects in accordance
822 with s. 337.2505. To the extent legally available, any toll
823 revenues from the turnpike system not required for payment of
824 principal, interest, reserves, or other required deposits for
825 bonds; costs of operations and maintenance; other contractual
826 obligations; or system improvement project costs must be used to
827 repay advances received from the State Transportation Trust
828 Fund.

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

833 (11) In accordance with ss. 337.276, 338.227, and 339.0809,
834 the Division of Bond Finance may issue, on behalf of the
835 department, right-of-way acquisition and bridge construction
836 bonds, turnpike revenue bonds, and Florida Department of
837 Transportation Financing Corporation bonds to finance projects
838 as provided in the State Bond Act.

839 Section 22. Section 339.67, Florida Statutes, is created to
840 read:

841 339.67 U.S. 19 controlled access facilities.—The department

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842 shall develop and include in the work program the construction
843 of controlled access facilities as necessary to achieve free
844 flow of traffic on U.S. 19, beginning at the terminus of the
845 Suncoast Parkway 2 Phase 3, north predominantly along U.S. 19 to
846 a logical terminus on Interstate 10 in Madison County. This
847 Strategic Intermodal System facility shall be developed using
848 existing roadway, or portions thereof, to ensure the free flow
849 of traffic along the roadway by improvements such as limited
850 access alignments to manage congestion points and retrofitting
851 existing roadway with a series of grade separations that provide
852 an alternative to a signalized intersection for through traffic.
853 To the maximum extent feasible, the facilities shall be
854 developed no later than December 31, 2035.

855 Section 23. Section 339.68, Florida Statutes, is created to
856 read:

857 339.68 Arterial rural highway projects.—The department
858 shall identify and include in the work program projects to
859 increase capacity by widening existing two-lane arterial rural
860 roads to four lanes. To be included in a work program project,
861 the road must be classified as an arterial rural road, and truck
862 traffic using the road must amount to at least 15 percent of all
863 such traffic, as determined by the department. The department
864 shall fund at least \$20 million annually for such projects.

865 Section 24. For the purpose of incorporating the amendment
866 made by this act to section 316.126, Florida Statutes, in a
867 reference thereto, paragraph (d) of subsection (2) of section
868 318.18, Florida Statutes, is reenacted to read:

869 318.18 Amount of penalties.—The penalties required for a
870 noncriminal disposition pursuant to s. 318.14 or a criminal

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871 offense listed in s. 318.17 are as follows:

872 (2) Thirty dollars for all nonmoving traffic violations
873 and:

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

876 Section 25. The Legislature finds that the extension of the
877 Florida Turnpike from its northerly terminus in Wildwood to a
878 logical and appropriate terminus as determined by the Department
879 of Transportation is in the strategic interest of the state. The
880 department shall commence the project development and
881 environmental phase of the extension and shall consider project
882 configuration, alignment, cost, and schedule. The department
883 shall prepare a report summarizing the status of the project
884 development and environmental phase and, by December 31, 2022,
885 submit the report to the Governor, the President of the Senate,
886 and the Speaker of the House of Representatives.

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