



296808

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/25/2021	.	
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	.	

The Committee on Transportation (Hooper) recommended the following:

Senate Amendment (with title amendment)

Between lines 122 and 123

insert:

Section 4. Section 337.0262, Florida Statutes, is created to read:

337.0262 Purchase and use of clay, peat, gravel, sand, or any other solid substance extracted from borrow pits.-

(1) The department, and any contractor or subcontractor of the department, may not purchase or use any clay, peat, gravel,



11 sand, or other solid substance extracted from a borrow pit as
12 defined in s. 378.403 unless:

13 (a) Certification is provided to the department,
14 contractor, or subcontractor by the operator of the borrow pit
15 that it is in compliance with the notice requirements and
16 substantive requirements of s. 378.801; and

17 (b) The operator of the borrow pit is in compliance with
18 the performance standards in s. 378.803, including, but not
19 limited to, providing proof of currently valid permits required
20 by the Department of Environmental Protection and the
21 appropriate water management district.

22 (2) All contracts and purchase orders executed by the
23 department, and all subcontracts and purchase orders executed by
24 contractors or subcontractors after July 1, 2021, must include
25 specific requirements for compliance with this section.

26 (3) In the event that the department determines that
27 substances are being obtained and used from a borrow pit that is
28 not in compliance with this section, the department must cease
29 to accept any substances from that borrow pit within 48 hours
30 after such determination. The department may resume acceptance
31 of substances from the borrow pit once the borrow pit is in
32 compliance with this section.

33
34 ===== T I T L E A M E N D M E N T =====

35 And the title is amended as follows:

36 Between lines 11 and 12

37 insert:

38 creating s. 337.0262, F.S.; prohibiting the Department
39 of Transportation and contractors and subcontractors



40 of the department from purchasing specified substances
41 from a borrow pit unless specified conditions are
42 satisfied; requiring certain contracts, subcontracts,
43 and purchase orders to require compliance with the
44 prohibition; requiring the department to cease
45 acceptance of substances from a borrow pit under
46 certain conditions; authorizing the department to
47 resume acceptance of such substances under certain
48 conditions;