

**By** the Committees on Rules; Appropriations; and Transportation;  
and Senator Hooper

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1                                   A bill to be entitled  
2       An act relating to transportation; creating s.  
3       177.107, F.S.; authorizing governing bodies of  
4       municipalities and counties to abandon and convey  
5       their interests in certain roads and rights-of-way  
6       dedicated in a recorded residential subdivision plat  
7       to community development districts under specified  
8       conditions; specifying duties for community  
9       development districts relating to such roads and  
10      rights-of-way; providing for traffic control  
11      jurisdiction of such roads; specifying that the  
12      community development district has all rights, title,  
13      and interest in such roads and rights-of-way upon  
14      abandonment and conveyance; requiring community  
15      development districts to thereafter hold such roads  
16      and rights-of-way in trust; providing construction;  
17      creating s. 287.05705, F.S.; providing that certain  
18      governmental entities may not prohibit certain vendors  
19      from responding to competitive solicitations of  
20      certain contractual services; providing applicability;  
21      amending s. 316.2397, F.S.; revising provisions  
22      authorizing vehicles and equipment to show or display  
23      flashing lights; amending s. 318.18, F.S.; providing  
24      fines for certain violations relating to motor vehicle  
25      noise abatement equipment modifications; amending s.  
26      319.30, F.S.; revising conditions under which  
27      insurance companies are authorized to receive salvage  
28      certificates of title or certificates of destruction  
29      for motor vehicles and mobile homes from the

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30 Department of Highway Safety and Motor Vehicles;  
31 amending s. 320.06, F.S.; clarifying that certain  
32 rental vehicles are authorized to elect a permanent  
33 registration period; amending s. 320.27, F.S.;

34 requiring motor vehicle dealer licensees to deliver  
35 copies of renewed, continued, changed, or new  
36 insurance policies to the department within specified  
37 timeframes under certain conditions; requiring such  
38 licensees to deliver copies of renewed, continued,  
39 changed, or new surety bonds or irrevocable letters of  
40 credit to the department within specified timeframes  
41 under certain conditions; amending s. 337.025, F.S.;

42 revising the type of transportation project contracts  
43 that are subject to an annual cap; creating s.  
44 337.0262, F.S.; prohibiting the Department of  
45 Transportation and contractors and subcontractors of  
46 the department from purchasing specified substances  
47 from a borrow pit unless specified conditions are  
48 satisfied; requiring certain contracts, subcontracts,  
49 and purchase orders to require compliance with the  
50 prohibition; requiring the department to cease  
51 acceptance of substances from a borrow pit under  
52 certain conditions; authorizing the department to  
53 resume acceptance of such substances under certain  
54 conditions; amending s. 337.14, F.S.; requiring  
55 contractors wishing to bid on certain contracts to  
56 first be certified by the department as qualified;  
57 revising requirements for applying for and issuing a  
58 certificate of qualification; providing construction

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59 with respect to submission and approval of an  
60 application for such certificate; exempting airports  
61 from certain restrictions regarding entities  
62 performing engineering and inspection services;  
63 amending s. 337.185, F.S.; revising and providing  
64 definitions; revising requirements for arbitration of  
65 certain contracts by the State Arbitration Board;  
66 revising requirements regarding arbitration requests,  
67 hearings, procedures, and awards; revising membership  
68 and meeting requirements; revising compensation of  
69 board members; amending s. 338.166, F.S.; requiring  
70 that specified toll revenue be used to support certain  
71 public transportation projects; amending s. 339.175,  
72 F.S.; deleting a provision prohibiting certain  
73 metropolitan planning organizations from assessing any  
74 fees for municipalities, counties, or other  
75 governmental entities that are members of the  
76 organization; repealing part III of ch. 343, F.S.,  
77 relating to the creation and operation of the  
78 Northwest Florida Transportation Corridor Authority;  
79 amending s. 348.754, F.S.; prohibiting the Central  
80 Florida Expressway Authority from constructing any  
81 extensions, additions, or improvements to the Central  
82 Florida Expressway System in Lake County without prior  
83 consultation with, rather than consent of, the  
84 Secretary of Transportation; amending s. 349.04, F.S.;  
85 revising a limitation on the terms of leases that the  
86 Jacksonville Transportation Authority may enter into  
87 and make; amending s. 378.403, F.S.; defining the term

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88 "borrow pit"; amending s. 378.801, F.S.; prohibiting  
89 operation of a borrow pit at a new location without  
90 notifying the Secretary of Environmental Protection of  
91 the intent to extract; conforming provisions to  
92 changes made by the act; amending s. 378.802, F.S.;  
93 revising application of provisions to exclude existing  
94 locations; amending s. 479.07, F.S.; requiring the  
95 department to create and implement a publicly  
96 accessible electronic database for sign permit  
97 information; specifying requirements for the database;  
98 prohibiting the department from furnishing permanent  
99 metal permit tags or replacement tags and from  
100 enforcing specified provisions once the department  
101 creates and implements the database; specifying that  
102 permittees are not required to return permit tags to  
103 the department once the department creates and  
104 implements the database; dissolving the Northwest  
105 Florida Transportation Corridor Authority and  
106 requiring the authority to discharge its liabilities,  
107 settle and close its activities and affairs, and  
108 provide for the distribution of the authority's  
109 assets; providing an effective date.

110  
111 Be It Enacted by the Legislature of the State of Florida:

112  
113 Section 1. Section 177.107, Florida Statutes, is created to  
114 read:

115 177.107 Closing and abandonment of roads; optional  
116 conveyance to a community development district; traffic control

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117 jurisdiction.-

118 (1) The governing body of a municipality or county may  
119 abandon the roads and rights-of-way dedicated in a recorded  
120 residential subdivision plat and simultaneously convey the  
121 municipality's or county's interest in such roads, rights-of-  
122 way, and appurtenant drainage facilities to a community  
123 development district established under chapter 190 in which the  
124 subdivision is located, if all of the following conditions are  
125 met:

126 (a) The community development district has requested the  
127 abandonment and conveyance by written resolution for the purpose  
128 of converting the subdivision to a gated neighborhood with  
129 monitored public access.

130 (b) The community development district has received  
131 approval for the conveyance by a vote of two-thirds of the  
132 landowners who are subject to the non-ad valorem assessments of  
133 the community development district and who are present by person  
134 or proxy at a properly noticed landowners meeting.

135 (c) The community development district has executed an  
136 interlocal agreement with the municipality or county, as  
137 applicable, requiring the community development district to do  
138 all of the following:

139 1. Maintain the roads and any associated drainage, street  
140 lighting, or sidewalks identified in the interlocal agreement to  
141 municipal or county standards, as applicable.

142 2. Every 5 years, conduct a reserve study of the roads and  
143 any associated drainage, street lighting, or sidewalks  
144 identified in the interlocal agreement.

145 3. Levy annual special assessments in amounts sufficient to

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146 maintain the roads and any drainage, street lighting, or  
147 sidewalks identified in the interlocal agreement to municipal or  
148 county standards, as applicable.

149 4. Annually fund the amounts set forth in the reserve  
150 study.

151 (2) The community development district shall install,  
152 operate, maintain, repair, and replace all signs, signals,  
153 markings, striping, guardrails, and other traffic control  
154 devices necessary or useful for the roads unless an agreement  
155 has been entered into between the municipality or county and the  
156 community development district, as authorized under s.  
157 316.006(2)(b) and (3)(b), respectively, expressly providing that  
158 the municipality or county has traffic control jurisdiction.

159 (3) Upon abandonment of the roads and rights-of-way and the  
160 conveyance thereof to the community development district, the  
161 community development district shall have all the rights, title,  
162 and interest in the roads and rights-of-way, including all  
163 appurtenant drainage facilities, as were previously vested in  
164 the municipality or county. Thereafter, the community  
165 development district shall hold the roads and rights-of-way in  
166 trust for the benefit of the public and owners of the property  
167 in the subdivision and shall operate, maintain, repair, and from  
168 time to time replace and reconstruct the roads and any  
169 associated street lighting, sidewalks, or drainage facilities  
170 identified in the interlocal agreement as necessary to ensure  
171 their use and enjoyment by the public and property owners,  
172 tenants, and residents of the subdivision and their guests and  
173 invitees.

174 (4) The provisions of this section are supplemental and

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175 additional to the powers of municipalities and counties.

176 Section 2. Section 287.05705, Florida Statutes, is created  
177 to read:

178 287.05705 Procurements of road, bridge, and other specified  
179 public construction services.-

180 (1) With respect to competitive solicitations for the  
181 procurement of contractual services that are limited to the  
182 classes of work for which the Department of Transportation  
183 issues certificates of qualification pursuant to s. 337.14, and  
184 which services do not involve the construction, remodeling,  
185 repair, or improvement of any building, a governmental entity  
186 procuring such services may not prohibit a response from a  
187 vendor possessing a valid certificate of qualification under s.  
188 337.14 or license under chapter 489 corresponding to the  
189 contractual services being procured.

190 (2) This section applies to all competitive solicitations  
191 issued by a governmental entity on or after October 1, 2021.

192 Section 3. Subsections (5) and (7) of section 316.2397,  
193 Florida Statutes, are amended to read:

194 316.2397 Certain lights prohibited; exceptions.-

195 (5) Road maintenance and construction equipment and  
196 vehicles may display flashing white lights or flashing white  
197 strobe lights when in operation and where a hazard exists.  
198 Construction equipment in a work zone on roadways with a posted  
199 speed limit of 55 miles per hour or higher may show or display a  
200 combination of flashing green, amber, and red lights in  
201 conjunction with periods when workers are present. Additionally,  
202 school buses and vehicles that are used to transport farm  
203 workers may display flashing white strobe lights.

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204 (7) Flashing lights are prohibited on vehicles except:

205 (a) As a means of indicating a right or left turn, to  
206 change lanes, or to indicate that the vehicle is lawfully  
207 stopped or disabled upon the highway;

208 (b) When a motorist intermittently flashes his or her  
209 vehicle's headlamps at an oncoming vehicle notwithstanding the  
210 motorist's intent for doing so;

211 (c) During periods of extremely low visibility on roadways  
212 with a posted speed limit of 55 miles per hour or higher; and

213 (d)~~(e)~~ For the lamps authorized under subsections (1), (2),  
214 (3), (4), and (9), s. 316.2065, or s. 316.235(6) which may  
215 flash.

216 Section 4. Subsection (23) is added to section 318.18,  
217 Florida Statutes, to read:

218 318.18 Amount of penalties.—The penalties required for a  
219 noncriminal disposition pursuant to s. 318.14 or a criminal  
220 offense listed in s. 318.17 are as follows:

221 (23) In addition to any penalties imposed, a fine of \$200  
222 for a first offense and a fine of \$500 for a second or  
223 subsequent offense for a violation of s. 316.293(5).

224 Section 5. Paragraph (b) of subsection (3) of section  
225 319.30, Florida Statutes, is amended to read:

226 319.30 Definitions; dismantling, destruction, change of  
227 identity of motor vehicle or mobile home; salvage.—

228 (3)

229 (b) The owner, including persons who are self-insured, of a  
230 motor vehicle or mobile home that is considered to be salvage  
231 shall, within 72 hours after the motor vehicle or mobile home  
232 becomes salvage, forward the title to the motor vehicle or

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233 mobile home to the department for processing. However, an  
234 insurance company that pays money as compensation for the total  
235 loss of a motor vehicle or mobile home shall obtain the  
236 certificate of title for the motor vehicle or mobile home, make  
237 the required notification to the National Motor Vehicle Title  
238 Information System, and, within 72 hours after receiving such  
239 certificate of title, forward such title by the United States  
240 Postal Service, by another commercial delivery service, or by  
241 electronic means, when such means are made available by the  
242 department, to the department for processing. The owner or  
243 insurance company, as applicable, may not dispose of a vehicle  
244 or mobile home that is a total loss before it obtains a salvage  
245 certificate of title or certificate of destruction from the  
246 department. Effective January 1, 2020:

247 1. Thirty days after payment of a claim for compensation  
248 pursuant to this paragraph, the insurance company may receive a  
249 salvage certificate of title or certificate of destruction from  
250 the department if the insurance company is unable to obtain a  
251 properly assigned certificate of title from the owner or  
252 lienholder of the motor vehicle or mobile home, if the motor  
253 vehicle or mobile home does not carry an electronic lien on the  
254 title and the insurance company:

255 a. Has obtained the release of all liens on the motor  
256 vehicle or mobile home;

257 b. Has attested on a form provided by the department that  
258 ~~provided proof of~~ payment of the total loss claim has been  
259 distributed; and

260 c. Has attested on a form provided by the department and  
261 ~~provided an affidavit on letterhead~~ signed by the insurance

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262 company or its authorized agent stating the attempts that have  
263 been made to obtain the title from the owner or lienholder and  
264 further stating that all attempts are to no avail. The form  
265 ~~affidavit~~ must include a request that the salvage certificate of  
266 title or certificate of destruction be issued in the insurance  
267 company's name due to payment of a total loss claim to the owner  
268 or lienholder. The attempts to contact the owner may be by  
269 written request delivered in person or by first-class mail with  
270 a certificate of mailing to the owner's or lienholder's last  
271 known address.

272 2. If the owner or lienholder is notified of the request  
273 for title in person, the insurance company must provide an  
274 affidavit attesting to the in-person request for a certificate  
275 of title.

276 3. The request to the owner or lienholder for the  
277 certificate of title must include a complete description of the  
278 motor vehicle or mobile home and the statement that a total loss  
279 claim has been paid on the motor vehicle or mobile home.

280 Section 6. Paragraph (b) of subsection (1) of section  
281 320.06, Florida Statutes, as amended by section 1 of chapter  
282 2020-181, Laws of Florida, is amended to read:

283 320.06 Registration certificates, license plates, and  
284 validation stickers generally.—

285 (1)

286 (b)1. Registration license plates bearing a graphic symbol  
287 and the alphanumeric system of identification shall be issued  
288 for a 10-year period. At the end of the 10-year period, upon  
289 renewal, the plate shall be replaced. The department shall  
290 extend the scheduled license plate replacement date from a 6-

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291 year period to a 10-year period. The fee for such replacement is  
292 \$28, \$2.80 of which shall be paid each year before the plate is  
293 replaced, to be credited toward the next \$28 replacement fee.  
294 The fees shall be deposited into the Highway Safety Operating  
295 Trust Fund. A credit or refund may not be given for any prior  
296 years' payments of the prorated replacement fee if the plate is  
297 replaced or surrendered before the end of the 10-year period,  
298 except that a credit may be given if a registrant is required by  
299 the department to replace a license plate under s.  
300 320.08056(8) (a). With each license plate, a validation sticker  
301 shall be issued showing the owner's birth month, license plate  
302 number, and the year of expiration or the appropriate renewal  
303 period if the owner is not a natural person. The validation  
304 sticker shall be placed on the upper right corner of the license  
305 plate. The license plate and validation sticker shall be issued  
306 based on the applicant's appropriate renewal period. The  
307 registration period is 12 months, the extended registration  
308 period is 24 months, and all expirations occur based on the  
309 applicant's appropriate registration period. Rental vehicles  
310 taxed pursuant to s. 320.08(6) (a) may elect a permanent  
311 registration period, provided payment of the appropriate license  
312 taxes and fees occurs annually. A vehicle that has an  
313 apportioned registration shall be issued an annual license plate  
314 and a cab card that denote the declared gross vehicle weight for  
315 each apportioned jurisdiction in which the vehicle is authorized  
316 to operate.

317 2. In order to retain the efficient administration of the  
318 taxes and fees imposed by this chapter, the 80-cent fee increase  
319 in the replacement fee imposed by chapter 2009-71, Laws of

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320 Florida, is negated as provided in s. 320.0804.

321 Section 7. Subsection (3) and paragraph (a) of subsection  
322 (10) of section 320.27, Florida Statutes, are amended to read:

323 320.27 Motor vehicle dealers.—

324 (3) APPLICATION AND FEE.—The application for the license  
325 shall be in such form as may be prescribed by the department and  
326 shall be subject to such rules with respect thereto as may be so  
327 prescribed by it. Such application shall be verified by oath or  
328 affirmation and shall contain a full statement of the name and  
329 birth date of the person or persons applying therefor; the name  
330 of the firm or copartnership, with the names and places of  
331 residence of all members thereof, if such applicant is a firm or  
332 copartnership; the names and places of residence of the  
333 principal officers, if the applicant is a body corporate or  
334 other artificial body; the name of the state under whose laws  
335 the corporation is organized; the present and former place or  
336 places of residence of the applicant; and prior business in  
337 which the applicant has been engaged and the location thereof.  
338 Such application shall describe the exact location of the place  
339 of business and shall state whether the place of business is  
340 owned by the applicant and when acquired, or, if leased, a true  
341 copy of the lease shall be attached to the application. The  
342 applicant shall certify that the location provides an adequately  
343 equipped office and is not a residence; that the location  
344 affords sufficient unoccupied space upon and within which  
345 adequately to store all motor vehicles offered and displayed for  
346 sale; and that the location is a suitable place where the  
347 applicant can in good faith carry on such business and keep and  
348 maintain books, records, and files necessary to conduct such

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349 business, which shall be available at all reasonable hours to  
350 inspection by the department or any of its inspectors or other  
351 employees. The applicant shall certify that the business of a  
352 motor vehicle dealer is the principal business which shall be  
353 conducted at that location. The application shall contain a  
354 statement that the applicant is either franchised by a  
355 manufacturer of motor vehicles, in which case the name of each  
356 motor vehicle that the applicant is franchised to sell shall be  
357 included, or an independent (nonfranchised) motor vehicle  
358 dealer. The application shall contain other relevant information  
359 as may be required by the department, including evidence that  
360 the applicant is insured under a garage liability insurance  
361 policy or a general liability insurance policy coupled with a  
362 business automobile policy, which shall include, at a minimum,  
363 \$25,000 combined single-limit liability coverage including  
364 bodily injury and property damage protection and \$10,000  
365 personal injury protection. However, a salvage motor vehicle  
366 dealer as defined in subparagraph (1)(c)5. is exempt from the  
367 requirements for garage liability insurance and personal injury  
368 protection insurance on those vehicles that cannot be legally  
369 operated on roads, highways, or streets in this state. Franchise  
370 dealers must submit a garage liability insurance policy, and all  
371 other dealers must submit a garage liability insurance policy or  
372 a general liability insurance policy coupled with a business  
373 automobile policy. Such policy shall be for the license period,  
374 and evidence of a new or continued policy shall be delivered to  
375 the department at the beginning of each license period. A  
376 licensee shall deliver to the department, in the manner  
377 prescribed by the department, within 10 calendar days after any

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378 renewal or continuation of or change in such policy or within 10  
379 calendar days after any issuance of a new policy, a copy of the  
380 renewed, continued, changed, or new policy. Upon making initial  
381 application, the applicant shall pay to the department a fee of  
382 \$300 in addition to any other fees required by law. Applicants  
383 may choose to extend the licensure period for 1 additional year  
384 for a total of 2 years. An initial applicant shall pay to the  
385 department a fee of \$300 for the first year and \$75 for the  
386 second year, in addition to any other fees required by law. An  
387 applicant for renewal shall pay to the department \$75 for a 1-  
388 year renewal or \$150 for a 2-year renewal, in addition to any  
389 other fees required by law. Upon making an application for a  
390 change of location, the person shall pay a fee of \$50 in  
391 addition to any other fees now required by law. The department  
392 shall, in the case of every application for initial licensure,  
393 verify whether certain facts set forth in the application are  
394 true. Each applicant, general partner in the case of a  
395 partnership, or corporate officer and director in the case of a  
396 corporate applicant, must file a set of fingerprints with the  
397 department for the purpose of determining any prior criminal  
398 record or any outstanding warrants. The department shall submit  
399 the fingerprints to the Department of Law Enforcement for state  
400 processing and forwarding to the Federal Bureau of Investigation  
401 for federal processing. The actual cost of state and federal  
402 processing shall be borne by the applicant and is in addition to  
403 the fee for licensure. The department may issue a license to an  
404 applicant pending the results of the fingerprint investigation,  
405 which license is fully revocable if the department subsequently  
406 determines that any facts set forth in the application are not

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407 true or correctly represented.

408 (10) SURETY BOND OR IRREVOCABLE LETTER OF CREDIT REQUIRED.—

409 (a) Annually, before any license shall be issued to a motor  
410 vehicle dealer, the applicant-dealer of new or used motor  
411 vehicles shall deliver to the department a good and sufficient  
412 surety bond or irrevocable letter of credit, executed by the  
413 applicant-dealer as principal, in the sum of \$25,000. A licensee  
414 shall deliver to the department, in the manner prescribed by the  
415 department, within 10 calendar days after any renewal or  
416 continuation of or change in such surety bond or irrevocable  
417 letter of credit or within 10 calendar days after any issuance  
418 of a new surety bond or irrevocable letter of credit, a copy of  
419 such renewed, continued, changed, or new surety bond or  
420 irrevocable letter of credit.

421 Section 8. Section 337.025, Florida Statutes, is amended to  
422 read:

423 337.025 Innovative transportation projects; department to  
424 establish program.—

425 (1) The department may establish a program for  
426 transportation projects demonstrating innovative techniques of  
427 highway and bridge design, construction, maintenance, and  
428 finance which have the intended effect of measuring resiliency  
429 and structural integrity and controlling time and cost increases  
430 on construction projects. Such techniques may include, but are  
431 not limited to, state-of-the-art technology for pavement,  
432 safety, and other aspects of highway and bridge design,  
433 construction, and maintenance; innovative bidding and financing  
434 techniques; accelerated construction procedures; and those  
435 techniques that have the potential to reduce project life cycle

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436 costs. To the maximum extent practical, the department must use  
437 the existing process to award and administer construction and  
438 maintenance contracts. When specific innovative techniques are  
439 to be used, the department is not required to adhere to those  
440 provisions of law that would prevent, preclude, or in any way  
441 prohibit the department from using the innovative technique.  
442 However, before using an innovative technique that is  
443 inconsistent with another provision of law, the department must  
444 document in writing the need for the exception and identify what  
445 benefits the traveling public and the affected community are  
446 anticipated to receive. The department may enter into no more  
447 than \$120 million in contracts awarded annually for the purposes  
448 authorized by this section.

449 (2) The annual cap on contracts provided in subsection (1)  
450 does ~~shall~~ not apply to:

451 (a) Turnpike enterprise projects, ~~and turnpike enterprise~~  
452 ~~projects shall not be counted toward the department's annual~~  
453 ~~cap.~~

454 (b) Low-bid design-build milling and resurfacing contracts  
455 ~~Transportation projects funded by the American Recovery and~~  
456 ~~Reinvestment Act of 2009.~~

457 Section 9. Section 337.0262, Florida Statutes, is created  
458 to read:

459 337.0262 Purchase and use of clay, peat, gravel, sand, or  
460 any other solid substance extracted from borrow pits.-

461 (1) The department, and any contractor or subcontractor of  
462 the department, may not purchase or use any clay, peat, gravel,  
463 sand, or other solid substance extracted from a borrow pit as  
464 defined in s. 378.403 unless:

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465 (a) Certification is provided to the department,  
466 contractor, or subcontractor by the operator of the borrow pit  
467 that it is in compliance with the notice requirements and  
468 substantive requirements of s. 378.801; and

469 (b) The operator of the borrow pit is in compliance with  
470 the performance standards in s. 378.803, including, but not  
471 limited to, providing proof of currently valid permits required  
472 by the Department of Environmental Protection and the  
473 appropriate water management district.

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

478 (3) In the event that the department determines that  
479 substances are being obtained and used from a borrow pit that is  
480 not in compliance with this section, the department must cease  
481 to accept any substances from that borrow pit within 48 hours  
482 after such determination. The department may resume acceptance  
483 of substances from the borrow pit once the borrow pit is in  
484 compliance with this section.

485 Section 10. Subsections (1), (4), and (7) of section  
486 337.14, Florida Statutes, are amended to read:

487 337.14 Application for qualification; certificate of  
488 qualification; restrictions; request for hearing.—

489 (1) Any contractor desiring to bid for the performance of  
490 any construction contract in excess of \$250,000 which the  
491 department proposes to let must first be certified by the  
492 department as qualified pursuant to this section and rules of  
493 the department. The rules of the department must address the

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494 qualification of contractors to bid on construction contracts in  
495 excess of \$250,000 and must include requirements with respect to  
496 the equipment, past record, experience, financial resources, and  
497 organizational personnel of the applying contractor which are  
498 necessary to perform the specific class of work for which the  
499 contractor seeks certification. Any contractor who desires to  
500 bid on contracts in excess of \$50 million and who is not  
501 qualified and in good standing with the department as of January  
502 1, 2019, must first be certified by the department as qualified  
503 ~~and desires to bid on contracts in excess of \$50 million~~ must  
504 have satisfactorily completed two projects, each in excess of  
505 \$15 million, for the department or for any other state  
506 department of transportation. The department may limit the  
507 dollar amount of any contract upon which a contractor is  
508 qualified to bid or the aggregate total dollar volume of  
509 contracts such contractor is allowed to have under contract at  
510 any one time. Each applying contractor seeking qualification to  
511 bid on construction contracts in excess of \$250,000 shall  
512 furnish the department a statement under oath, on such forms as  
513 the department may prescribe, setting forth detailed information  
514 as required on the application. Each application for  
515 certification must be accompanied by audited, certified  
516 financial statements prepared in accordance with generally  
517 accepted accounting principles and auditing standards by a  
518 certified public accountant licensed in this state or another  
519 state. The audited, certified financial statements must be for  
520 the applying contractor and must have been prepared ~~the latest~~  
521 ~~annual financial statement of the applying contractor completed~~  
522 within the immediately preceding ~~last~~ 12 months. The department

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523 may not consider any financial information of the parent entity  
524 of the applying contractor, if any. The department may not  
525 certify as qualified any applying contractor who fails to submit  
526 the audited, certified financial statements required by this  
527 subsection. If the application or the annual financial statement  
528 shows the financial condition of the applying contractor more  
529 than 4 months before ~~prior to~~ the date on which the application  
530 is received by the department, the applicant must also submit an  
531 interim audited, certified financial statements prepared in  
532 accordance with generally accepted accounting principles and  
533 auditing standards by a certified public accountant licensed in  
534 this state or another state ~~statement and an updated application~~  
535 ~~must be submitted.~~ The interim financial statements ~~statement~~  
536 must cover the period from the end date of the annual statement  
537 and must show the financial condition of the applying contractor  
538 no more than 4 months before ~~prior to~~ the date that the interim  
539 financial statements are ~~statement is~~ received by the  
540 department. However, upon the request of the applying  
541 contractor, an application and accompanying annual or interim  
542 financial statement received by the department within 15 days  
543 after either 4-month period under this subsection shall be  
544 considered timely. ~~Each required annual or interim financial~~  
545 ~~statement must be audited and accompanied by the opinion of a~~  
546 ~~certified public accountant.~~ An applying contractor desiring to  
547 bid exclusively for the performance of construction contracts  
548 with proposed budget estimates of less than \$1 million may  
549 submit reviewed annual or reviewed interim financial statements  
550 prepared by a certified public accountant. The information  
551 required by this subsection is confidential and exempt from s.

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552 119.07(1). The department shall act upon the application for  
553 qualification within 30 days after the department determines  
554 that the application is complete. The department may waive the  
555 requirements of this subsection for projects having a contract  
556 price of \$500,000 or less if the department determines that the  
557 project is of a noncritical nature and the waiver will not  
558 endanger public health, safety, or property.

559 (4) If the applicant is found to possess the prescribed  
560 qualifications, the department shall issue to him or her a  
561 certificate of qualification that, unless thereafter revoked by  
562 the department for good cause, will be valid for a period of 18  
563 months after the date of the applicant's financial statement or  
564 such shorter period as the department prescribes. Submission of  
565 an application and subsequent approval do ~~shall~~ not affect  
566 expiration of the certificate of qualification, the ability  
567 factor of the applicant, or the maximum capacity rating of the  
568 applicant. If the department finds that an application is  
569 incomplete or contains inadequate information or information  
570 that cannot be verified, the department may request in writing  
571 that the applicant provide the necessary information to complete  
572 the application or provide the source from which any information  
573 in the application may be verified. If the applicant fails to  
574 comply with the initial written request within a reasonable  
575 period of time as specified therein, the department shall  
576 request the information a second time. If the applicant fails to  
577 comply with the second request within a reasonable period of  
578 time as specified therein, the application shall be denied.

579 (7) A "contractor" as defined in s. 337.165(1)(d) or his or  
580 her "affiliate" as defined in s. 337.165(1)(a) qualified with

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581 the department under this section may not also qualify under s.  
582 287.055 or s. 337.105 to provide testing services, construction,  
583 engineering, and inspection services to the department. This  
584 limitation does not apply to any design-build prequalification  
585 under s. 337.11(7) and does not apply when the department  
586 otherwise determines by written order entered at least 30 days  
587 before advertisement that the limitation is not in the best  
588 interests of the public with respect to a particular contract  
589 for testing services, construction, engineering, and inspection  
590 services. This subsection does not authorize a contractor to  
591 provide testing services, or provide construction, engineering,  
592 and inspection services, to the department in connection with a  
593 construction contract under which the contractor is performing  
594 any work. Notwithstanding any other provision of law to the  
595 contrary, for a project that is wholly or partially funded by  
596 the department and administered by a local governmental entity,  
597 except for a seaport listed in s. 311.09 or an airport as  
598 defined in s. 332.004, the entity performing design and  
599 construction engineering and inspection services may not be the  
600 same entity.

601 Section 11. Section 337.185, Florida Statutes, is amended  
602 to read:

603 (Substantial rewording of section. See

604 s. 337.185, F.S., for present text.)

605 337.185 State Arbitration Board.-

606 (1) To facilitate the prompt resolution of claims arising  
607 out of or in connection with a construction or maintenance  
608 contract with the department, the Legislature establishes the  
609 State Arbitration Board, referred to in this section as the

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610 "board."

611 (2) As used in this section, the term:

612 (a) "Claim" means the aggregate of all outstanding written  
613 requests for additional monetary compensation, time, or other  
614 adjustments to the contract, the entitlement or impact of which  
615 is disputed by the department and could not be resolved by  
616 negotiation between the department and the contractor.

617 (b) "Contractor" means a person or firm having a contract  
618 for rendering services to the department relating to the  
619 construction or maintenance of a transportation facility.

620 (c) "Final acceptance" means that the contractor has  
621 completely performed the work provided for under the contract,  
622 the department or its agent has determined that the contractor  
623 has satisfactorily completed the work provided for under the  
624 contract, and the department or its agent has submitted written  
625 notice of final acceptance to the contractor.

626 (3) Every claim in an amount of up to \$250,000 per contract  
627 that could not be resolved by negotiation between the department  
628 and the contractor must be arbitrated by the board. An award  
629 issued by the board pursuant to this section is final and  
630 enforceable by a court of law.

631 (4) The contractor may submit a claim greater than \$250,000  
632 up to \$1 million per contract or, upon agreement of the parties,  
633 up to \$2 million per contract to be arbitrated by the board. An  
634 award issued by the board pursuant to this subsection is final  
635 if a request for a trial de novo is not filed within the time  
636 provided by Rule 1.830, Florida Rules of Civil Procedure. At the  
637 trial de novo, the court may not admit evidence that there has  
638 been an arbitration proceeding, the nature or amount of the

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639 award, or any other matter concerning the conduct of the  
640 arbitration proceeding, except that testimony given at an  
641 arbitration hearing may be used for any purpose otherwise  
642 permitted by the Florida Evidence Code. If a request for trial  
643 de novo is not filed within the time provided, the award issued  
644 by the board is final and enforceable by a court of law.

645 (5) An arbitration request may not be made to the board  
646 before final acceptance but must be made to the board within 820  
647 days after final acceptance.

648 (6) The board shall schedule a hearing within 45 days after  
649 an arbitration request and, if possible, shall conduct the  
650 hearing within 90 days after the request. The board may  
651 administer oaths and conduct the proceedings as provided by the  
652 rules of the court. The hearing shall be conducted informally.  
653 Presentation of testimony and evidence shall be kept to a  
654 minimum, and matters shall be presented to the arbitrators  
655 primarily through the statements and arguments of counsel. The  
656 board shall address the scope of discovery, presentation of  
657 testimony, and evidence at a preliminary hearing by considering  
658 the size, subject matter, and complexity of the dispute. Any  
659 party to the arbitration may petition the board, for good cause  
660 shown, to issue subpoenas for the attendance of witnesses and  
661 the production of books, records, documents, and other evidence  
662 at the arbitration and may petition the board for orders  
663 compelling such attendance and production at the arbitration.  
664 Subpoenas shall be served and are enforceable in the manner  
665 provided by law.

666 (7) The board must issue an award within 45 days after the  
667 conclusion of the arbitration hearing. If all three members of

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668 the board do not agree, the award agreed to by the majority  
669 shall constitute the award of the board.

670 (8) The board shall be composed of three members. The first  
671 member shall be appointed by the Secretary of Transportation,  
672 and the second member shall be elected by those construction or  
673 maintenance companies that are under contract with the  
674 department. The third member shall be chosen by agreement of the  
675 first and second members. If the first or second member has a  
676 conflict of interest regarding affiliation with one of the  
677 parties to an arbitration hearing, the appointing entity shall  
678 appoint an alternate member for that hearing. If the third  
679 member has such a conflict of interest, the first and second  
680 members shall select an alternate member. Each member shall  
681 serve a 4-year term. The board shall elect a chair for each  
682 term, who shall be the administrator of the board and custodian  
683 of its records.

684 (9) The presence of all board members is required to  
685 conduct a meeting in person or via videoconferencing.

686 (10) The members of the board shall receive compensation  
687 for the performance of their duties from deposits made by the  
688 parties based on an estimate of compensation by the board,  
689 except that an employee of the department may not receive  
690 compensation from the board. All deposits will be held in escrow  
691 by the chair in advance of the hearing. Each member eligible for  
692 compensation shall be compensated at \$200 per hour, up to a  
693 maximum of \$1,500 per day. A member shall be reimbursed for the  
694 actual cost of his or her travel expenses. The board may  
695 allocate funds annually for clerical and other administrative  
696 services.

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697       (11) To cover the cost of administration and initial  
698 compensation of the board, the party requesting arbitration  
699 shall pay a filing fee to the board, according to a schedule  
700 established by the board, of:

701           (a) Up to \$500 for a claim that is \$25,000 or less.

702           (b) Up to \$1,000 for a claim that is more than \$25,000 but  
703 is \$50,000 or less.

704           (c) Up to \$1,500 for a claim that is more than \$50,000 but  
705 is \$100,000 or less.

706           (d) Up to \$2,000 for a claim that is more than \$100,000 but  
707 is \$200,000 or less.

708           (e) Up to \$3,000 for a claim that is more than \$200,000 but  
709 is \$300,000 or less.

710           (f) Up to \$4,000 for a claim that is more than \$300,000 but  
711 is \$400,000 or less.

712           (g) Up to \$5,000 for a claim that is more than \$400,000.

713  
714 The board may apportion the filing fees and the cost of  
715 recording and preparing a transcript of the hearing among the  
716 parties in its award.

717       Section 12. Subsection (3) of section 338.166, Florida  
718 Statutes, is amended to read:

719       338.166 High-occupancy toll lanes or express lanes.—

720       (3) Any remaining toll revenue from the high-occupancy toll  
721 lanes or express lanes shall be used by the department for the  
722 construction, maintenance, or improvement of any road or to  
723 support public transportation projects that benefit the  
724 operation of high-occupancy toll lanes or express lanes on the  
725 State Highway System within the county or counties in which the

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726 toll revenues were collected or to support express bus service  
727 on the facility where the toll revenues were collected.

728 Section 13. Paragraph (f) of subsection (6) of section  
729 339.175, Florida Statutes, is amended to read:

730 339.175 Metropolitan planning organization.—

731 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,  
732 privileges, and authority of an M.P.O. are those specified in  
733 this section or incorporated in an interlocal agreement  
734 authorized under s. 163.01. Each M.P.O. shall perform all acts  
735 required by federal or state laws or rules, now and subsequently  
736 applicable, which are necessary to qualify for federal aid. It  
737 is the intent of this section that each M.P.O. shall be involved  
738 in the planning and programming of transportation facilities,  
739 including, but not limited to, airports, intercity and high-  
740 speed rail lines, seaports, and intermodal facilities, to the  
741 extent permitted by state or federal law.

742 (f)~~1~~. The department shall allocate to each M.P.O., for the  
743 purpose of accomplishing its transportation planning and  
744 programming duties, an appropriate amount of federal  
745 transportation planning funds.

746 ~~2. In a county as defined in s. 125.011(1), the M.P.O. may~~  
747 ~~not assess any fees for municipalities, counties, or other~~  
748 ~~governmental entities that are members of the M.P.O.~~

749 Section 14. Part III of chapter 343, Florida Statutes,  
750 consisting of sections 343.80, 343.805, 343.81, 343.82, 343.83,  
751 343.835, 343.836, 343.84, 343.85, 343.87, 343.875, 343.88,  
752 343.881, 343.884, and 343.89, Florida Statutes, is repealed.

753 Section 15. Paragraph (c) of subsection (1) of section  
754 348.754, Florida Statutes, is amended to read:

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755 348.754 Purposes and powers.—

756 (1)

757 (c) Notwithstanding any other provision of this section to  
758 the contrary, to ensure the continued financial feasibility of  
759 the portion of the Wekiva Parkway to be constructed by the  
760 department, the authority may not, without ~~the~~ prior  
761 consultation with consent of the secretary of the department,  
762 construct any extensions, additions, or improvements to the  
763 expressway system in Lake County.

764 Section 16. Paragraph (d) of subsection (2) of section  
765 349.04, Florida Statutes, is amended to read:

766 349.04 Purposes and powers.—

767 (2) The authority is hereby granted, and shall have and may  
768 exercise all powers necessary, appurtenant, convenient, or  
769 incidental to the carrying out of the aforesaid purposes,  
770 including, but without being limited to, the right and power:

771 (d) To enter into and make leases for terms not exceeding  
772 99 ~~40~~ years, as either lessee or lessor, in order to carry out  
773 the right to lease as set forth in this chapter.

774 Section 17. Present subsections (3) through (19) of section  
775 378.403, Florida Statutes, are redesignated as subsections (4)  
776 through (20), respectively, and a new subsection (3) is added to  
777 that section, to read:

778 378.403 Definitions.—As used in this part, the term:

779 (3) "Borrow pit" means an area of land upon which  
780 excavation of surface resources has been conducted, is being  
781 conducted, or is planned to be conducted, as the term is  
782 commonly used in the mining trade, and is not considered a mine.  
783 Such resources are limited to soil, organic soil, sand, or clay

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784 that can be removed with construction excavating equipment and  
785 loaded on a haul truck with no additional processing.

786 Section 18. Section 378.801, Florida Statutes, is amended  
787 to read:

788 378.801 Other resources; notice of intent to extract ~~mine~~  
789 required.—

790 (1) An ~~No~~ operator may not begin the operation of a borrow  
791 pit, or the process of extracting clay, peat, gravel, sand, or  
792 any other solid substance of commercial value found in natural  
793 deposits or in the earth, except fuller's earth clay, heavy  
794 minerals, limestone, or phosphate, which are regulated elsewhere  
795 in this chapter, at a new location ~~mine~~ without notifying the  
796 secretary of the intention to extract ~~mine~~.

797 (2) The operator's notice of intent to extract ~~mine~~ shall  
798 consist of the operator's estimated life of the extraction  
799 location ~~mine~~ and the operator's signed acknowledgment of the  
800 performance standards provided by s. 378.803.

801 Section 19. Section 378.802, Florida Statutes, is amended  
802 to read:

803 378.802 Existing extraction locations ~~mines~~.—After January  
804 1, 1989, all operators of existing locations ~~mines~~ for the  
805 extraction of resources as described in s. 378.801 shall meet  
806 the performance standards provided by s. 378.803 for any new  
807 surface area disturbed at such locations ~~mines~~.

808 Section 20. Subsection (5) of section 479.07, Florida  
809 Statutes, is amended to read:

810 479.07 Sign permits.—

811 (5) (a) For each permit issued, the department shall furnish  
812 to the applicant a serially numbered permanent metal permit tag.

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813 The permittee is responsible for maintaining a valid permit tag  
814 on each permitted sign facing at all times. The tag shall be  
815 securely attached to the upper 50 percent of the sign structure,  
816 and attached in such a manner as to be plainly visible from the  
817 main-traveled way. The permit tag must be properly and  
818 permanently displayed at the permitted site within 30 days after  
819 the date of permit issuance. If the permittee fails to erect a  
820 completed sign on the permitted site within 270 days after the  
821 date on which the permit was issued, the permit will be void,  
822 and the department may not issue a new permit to that permittee  
823 for the same location for 270 days after the date on which the  
824 permit becomes void.

825 (b) If a permit tag is lost, stolen, or destroyed, the  
826 permittee to whom the tag was issued must apply to the  
827 department for a replacement tag. The department shall establish  
828 a service fee for replacement tags in an amount that will  
829 recover the actual cost of providing the replacement tag. Upon  
830 receipt of the application accompanied by the service fee, the  
831 department shall issue a replacement permit tag.

832 (c)1. As soon as practicable, the department shall create  
833 and implement a publicly accessible electronic database to  
834 include all permits issued by the department. At a minimum, the  
835 database must include the name and contact information of the  
836 permit operator, the structure identification number or numbers,  
837 the panel or face identification number or numbers, the latitude  
838 and longitude of the permitted sign, the compass bearing, images  
839 of the permitted sign once constructed, and the most recent date  
840 the department visually inspected the permitted sign.

841 2. Once the department creates and implements the publicly

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842 accessible electronic database:

843 a. The department may not furnish permanent metal permit  
844 tags or replacement tags to permittees;

845 b. The department may not enforce the provisions relating  
846 to permanent metal permit tags or replacement tags specified in  
847 paragraphs (a) and (b); and

848 c. Permittees are not required to return permit tags to the  
849 department as provided in subsection (8).

850 Section 21. Notwithstanding any other law, the Northwest  
851 Florida Transportation Corridor Authority is dissolved. The  
852 authority shall discharge or make provision for the authority's  
853 debts, obligations, and other liabilities; settle and close the  
854 authority's activities and affairs; and provide for distribution  
855 of the authority's assets, or the proceeds of such assets, such  
856 that each local general-purpose government represented on the  
857 authority's board receives a distribution generally in  
858 proportion to each entity's contribution to the acquisition of  
859 the assets.

860 Section 22. This act shall take effect July 1, 2021.