

20211194e2

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

20211194e2

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

20211194e2

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; renaming the Tampa Bay Area Regional
77 Transit Authority Metropolitan Planning Organization
78 Chairs Coordinating Committee as the Chairs
79 Coordinating Committee; deleting a requirement that
80 the Tampa Bay Area Regional Transit Authority provide
81 the committee with administrative support and
82 direction; amending s. 343.92, F.S.; providing that a
83 mayor's designated alternate may be a member of the
84 governing board of the authority; requiring that the
85 alternate be an elected member of the city council of
86 the mayor's municipality and be approved by the
87 municipality's city council; requiring a mayor's

20211194e2

88 designated alternate to attend meetings under certain
89 circumstances, in which case the alternate has full
90 voting rights; providing that a simple majority of
91 board members constitutes a quorum and that a simple
92 majority of those members present is necessary for any
93 action to be taken; deleting obsolete language;
94 amending s. 343.922, F.S.; revising a provision
95 requiring the authority to present the regional
96 transit development plan and updates to specified
97 entities; deleting a provision requiring that the
98 authority coordinate plans and projects with the
99 TBARTA Metropolitan Planning Organization Chairs
100 Coordinating Committee and participate in the regional
101 M.P.O. planning process to ensure regional
102 comprehension of the authority's mission, goals, and
103 objectives; deleting a provision requiring that the
104 authority provide administrative support and direction
105 to the TBARTA Metropolitan Planning Organization
106 Chairs Coordinating Committee; repealing part III of
107 ch. 343, F.S., relating to the creation and operation
108 of the Northwest Florida Transportation Corridor
109 Authority; creating s. 311.25, F.S.; prohibiting a
110 local ballot initiative or referendum from restricting
111 maritime commerce in the seaports of this state;
112 providing that such a local ballot initiative,
113 referendum, or action adopted therein is prohibited,
114 void, and expressly preempted to the state; providing
115 for severability; amending s. 348.0304, F.S.; revising
116 membership of the governing body of the Greater Miami

20211194e2

117 Expressway Agency; amending s. 348.754, F.S.;

118 prohibiting the Central Florida Expressway Authority

119 from constructing any extensions, additions, or

120 improvements to the Central Florida Expressway System

121 in Lake County without prior consultation with, rather

122 than consent of, the Secretary of Transportation;

123 amending s. 349.04, F.S.; revising a limitation on the

124 terms of leases that the Jacksonville Transportation

125 Authority may enter into and make; amending s.

126 378.403, F.S.; defining the term "borrow pit";

127 amending s. 378.801, F.S.; prohibiting operation of a

128 borrow pit at a new location without notifying the

129 Secretary of Environmental Protection of the intent to

130 extract; conforming provisions to changes made by the

131 act; amending s. 378.802, F.S.; revising application

132 of provisions to exclude existing locations; amending

133 s. 479.07, F.S.; requiring the department to create

134 and implement a publicly accessible electronic

135 database for sign permit information; specifying

136 requirements for the database; prohibiting the

137 department from furnishing permanent metal permit tags

138 or replacement tags and from enforcing specified

139 provisions once the department creates and implements

140 the database; specifying that permittees are not

141 required to return permit tags to the department once

142 the department creates and implements the database;

143 dissolving the Northwest Florida Transportation

144 Corridor Authority and requiring the authority to

145 discharge its liabilities, settle and close its

20211194e2

146 activities and affairs, and provide for the
147 distribution of the authority's assets; providing an
148 effective date.

149
150 Be It Enacted by the Legislature of the State of Florida:

151
152 Section 1. Section 177.107, Florida Statutes, is created to
153 read:

154 177.107 Closing and abandonment of roads; optional
155 conveyance to a community development district; traffic control
156 jurisdiction.—

157 (1) The governing body of a municipality or county may
158 abandon the roads and rights-of-way dedicated in a recorded
159 residential subdivision plat and simultaneously convey the
160 municipality's or county's interest in such roads, rights-of-
161 way, and appurtenant drainage facilities to a community
162 development district established under chapter 190 in which the
163 subdivision is located, if all of the following conditions are
164 met:

165 (a) The community development district has requested the
166 abandonment and conveyance by written resolution for the purpose
167 of converting the subdivision to a gated neighborhood with
168 monitored public access.

169 (b) The community development district has received
170 approval for the conveyance by a vote of two-thirds of the
171 landowners who are subject to the non-ad valorem assessments of
172 the community development district and who are present by person
173 or proxy at a properly noticed landowners meeting.

174 (c) The community development district has executed an

20211194e2

175 interlocal agreement with the municipality or county, as
176 applicable, requiring the community development district to do
177 all of the following:

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

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

184 3. Levy annual special assessments in amounts sufficient to
185 maintain the roads and any drainage, street lighting, or
186 sidewalks identified in the interlocal agreement to municipal or
187 county standards, as applicable.

188 4. Annually fund the amounts set forth in the reserve
189 study.

190 (2) The community development district shall install,
191 operate, maintain, repair, and replace all signs, signals,
192 markings, striping, guardrails, and other traffic control
193 devices necessary or useful for the roads unless an agreement
194 has been entered into between the municipality or county and the
195 community development district, as authorized under s.
196 316.006(2)(b) and (3)(b), respectively, expressly providing that
197 the municipality or county has traffic control jurisdiction.

198 (3) Upon abandonment of the roads and rights-of-way and the
199 conveyance thereof to the community development district, the
200 community development district shall have all the rights, title,
201 and interest in the roads and rights-of-way, including all
202 appurtenant drainage facilities, as were previously vested in
203 the municipality or county. Thereafter, the community

20211194e2

204 development district shall hold the roads and rights-of-way in
205 trust for the benefit of the public and owners of the property
206 in the subdivision and shall operate, maintain, repair, and from
207 time to time replace and reconstruct the roads and any
208 associated street lighting, sidewalks, or drainage facilities
209 identified in the interlocal agreement as necessary to ensure
210 their use and enjoyment by the public and property owners,
211 tenants, and residents of the subdivision and their guests and
212 invitees.

213 (4) The provisions of this section are supplemental and
214 additional to the powers of municipalities and counties.

215 Section 2. Section 287.05705, Florida Statutes, is created
216 to read:

217 287.05705 Procurements of road, bridge, and other specified
218 public construction services.-

219 (1) With respect to competitive solicitations for the
220 procurement of contractual services that are limited to the
221 classes of work for which the Department of Transportation
222 issues certificates of qualification pursuant to s. 337.14, and
223 which services do not involve the construction, remodeling,
224 repair, or improvement of any building, a governmental entity
225 procuring such services may not prohibit a response from a
226 vendor possessing a valid certificate of qualification under s.
227 337.14 or license under chapter 489 corresponding to the
228 contractual services being procured.

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

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

20211194e2

233 316.2397 Certain lights prohibited; exceptions.—

234 (5) Road maintenance and construction equipment and
235 vehicles may display flashing white lights or flashing white
236 strobe lights when in operation and where a hazard exists.
237 Construction equipment in a work zone on roadways with a posted
238 speed limit of 55 miles per hour or higher may show or display a
239 combination of flashing green, amber, and red lights in
240 conjunction with periods when workers are present. Additionally,
241 school buses and vehicles that are used to transport farm
242 workers may display flashing white strobe lights.

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

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

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

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

252 (d)~~(e)~~ For the lamps authorized under subsections (1), (2),
253 (3), (4), and (9), s. 316.2065, or s. 316.235(6) which may
254 flash.

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

257 318.18 Amount of penalties.—The penalties required for a
258 noncriminal disposition pursuant to s. 318.14 or a criminal
259 offense listed in s. 318.17 are as follows:

260 (23) In addition to any penalties imposed, a fine of \$200
261 for a first offense and a fine of \$500 for a second or

20211194e2

262 subsequent offense for a violation of s. 316.293(5).

263 Section 5. Paragraph (b) of subsection (3) of section
264 319.30, Florida Statutes, is amended to read:

265 319.30 Definitions; dismantling, destruction, change of
266 identity of motor vehicle or mobile home; salvage.—

267 (3)

268 (b) The owner, including persons who are self-insured, of a
269 motor vehicle or mobile home that is considered to be salvage
270 shall, within 72 hours after the motor vehicle or mobile home
271 becomes salvage, forward the title to the motor vehicle or
272 mobile home to the department for processing. However, an
273 insurance company that pays money as compensation for the total
274 loss of a motor vehicle or mobile home shall obtain the
275 certificate of title for the motor vehicle or mobile home, make
276 the required notification to the National Motor Vehicle Title
277 Information System, and, within 72 hours after receiving such
278 certificate of title, forward such title by the United States
279 Postal Service, by another commercial delivery service, or by
280 electronic means, when such means are made available by the
281 department, to the department for processing. The owner or
282 insurance company, as applicable, may not dispose of a vehicle
283 or mobile home that is a total loss before it obtains a salvage
284 certificate of title or certificate of destruction from the
285 department. Effective January 1, 2020:

286 1. Thirty days after payment of a claim for compensation
287 pursuant to this paragraph, the insurance company may receive a
288 salvage certificate of title or certificate of destruction from
289 the department if the insurance company is unable to obtain a
290 properly assigned certificate of title from the owner or

20211194e2

291 lienholder of the motor vehicle or mobile home, if the motor
292 vehicle or mobile home does not carry an electronic lien on the
293 title and the insurance company:

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

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

299 c. Has attested on a form provided by the department and
300 ~~provided an affidavit on letterhead~~ signed by the insurance
301 company or its authorized agent stating the attempts that have
302 been made to obtain the title from the owner or lienholder and
303 further stating that all attempts are to no avail. The form
304 ~~affidavit~~ must include a request that the salvage certificate of
305 title or certificate of destruction be issued in the insurance
306 company's name due to payment of a total loss claim to the owner
307 or lienholder. The attempts to contact the owner may be by
308 written request delivered in person or by first-class mail with
309 a certificate of mailing to the owner's or lienholder's last
310 known address.

311 2. If the owner or lienholder is notified of the request
312 for title in person, the insurance company must provide an
313 affidavit attesting to the in-person request for a certificate
314 of title.

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

319 Section 6. Paragraph (b) of subsection (1) of section

20211194e2

320 320.06, Florida Statutes, as amended by section 1 of chapter
321 2020-181, Laws of Florida, is amended to read:

322 320.06 Registration certificates, license plates, and
323 validation stickers generally.—

324 (1)

325 (b)1. Registration license plates bearing a graphic symbol
326 and the alphanumeric system of identification shall be issued
327 for a 10-year period. At the end of the 10-year period, upon
328 renewal, the plate shall be replaced. The department shall
329 extend the scheduled license plate replacement date from a 6-
330 year period to a 10-year period. The fee for such replacement is
331 \$28, \$2.80 of which shall be paid each year before the plate is
332 replaced, to be credited toward the next \$28 replacement fee.
333 The fees shall be deposited into the Highway Safety Operating
334 Trust Fund. A credit or refund may not be given for any prior
335 years' payments of the prorated replacement fee if the plate is
336 replaced or surrendered before the end of the 10-year period,
337 except that a credit may be given if a registrant is required by
338 the department to replace a license plate under s.

339 320.08056(8)(a). With each license plate, a validation sticker
340 shall be issued showing the owner's birth month, license plate
341 number, and the year of expiration or the appropriate renewal
342 period if the owner is not a natural person. The validation
343 sticker shall be placed on the upper right corner of the license
344 plate. The license plate and validation sticker shall be issued
345 based on the applicant's appropriate renewal period. The
346 registration period is 12 months, the extended registration
347 period is 24 months, and all expirations occur based on the
348 applicant's appropriate registration period. Rental vehicles

20211194e2

349 taxed pursuant to s. 320.08(6)(a) may elect a permanent
350 registration period, provided payment of the appropriate license
351 taxes and fees occurs annually. A vehicle that has an
352 apportioned registration shall be issued an annual license plate
353 and a cab card that denote the declared gross vehicle weight for
354 each apportioned jurisdiction in which the vehicle is authorized
355 to operate.

356 2. In order to retain the efficient administration of the
357 taxes and fees imposed by this chapter, the 80-cent fee increase
358 in the replacement fee imposed by chapter 2009-71, Laws of
359 Florida, is negated as provided in s. 320.0804.

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

362 320.27 Motor vehicle dealers.—

363 (3) APPLICATION AND FEE.—The application for the license
364 shall be in such form as may be prescribed by the department and
365 shall be subject to such rules with respect thereto as may be so
366 prescribed by it. Such application shall be verified by oath or
367 affirmation and shall contain a full statement of the name and
368 birth date of the person or persons applying therefor; the name
369 of the firm or copartnership, with the names and places of
370 residence of all members thereof, if such applicant is a firm or
371 copartnership; the names and places of residence of the
372 principal officers, if the applicant is a body corporate or
373 other artificial body; the name of the state under whose laws
374 the corporation is organized; the present and former place or
375 places of residence of the applicant; and prior business in
376 which the applicant has been engaged and the location thereof.
377 Such application shall describe the exact location of the place

20211194e2

378 of business and shall state whether the place of business is
379 owned by the applicant and when acquired, or, if leased, a true
380 copy of the lease shall be attached to the application. The
381 applicant shall certify that the location provides an adequately
382 equipped office and is not a residence; that the location
383 affords sufficient unoccupied space upon and within which
384 adequately to store all motor vehicles offered and displayed for
385 sale; and that the location is a suitable place where the
386 applicant can in good faith carry on such business and keep and
387 maintain books, records, and files necessary to conduct such
388 business, which shall be available at all reasonable hours to
389 inspection by the department or any of its inspectors or other
390 employees. The applicant shall certify that the business of a
391 motor vehicle dealer is the principal business which shall be
392 conducted at that location. The application shall contain a
393 statement that the applicant is either franchised by a
394 manufacturer of motor vehicles, in which case the name of each
395 motor vehicle that the applicant is franchised to sell shall be
396 included, or an independent (nonfranchised) motor vehicle
397 dealer. The application shall contain other relevant information
398 as may be required by the department, including evidence that
399 the applicant is insured under a garage liability insurance
400 policy or a general liability insurance policy coupled with a
401 business automobile policy, which shall include, at a minimum,
402 \$25,000 combined single-limit liability coverage including
403 bodily injury and property damage protection and \$10,000
404 personal injury protection. However, a salvage motor vehicle
405 dealer as defined in subparagraph (1)(c)5. is exempt from the
406 requirements for garage liability insurance and personal injury

20211194e2

407 protection insurance on those vehicles that cannot be legally
408 operated on roads, highways, or streets in this state. Franchise
409 dealers must submit a garage liability insurance policy, and all
410 other dealers must submit a garage liability insurance policy or
411 a general liability insurance policy coupled with a business
412 automobile policy. Such policy shall be for the license period,
413 and evidence of a new or continued policy shall be delivered to
414 the department at the beginning of each license period. A
415 licensee shall deliver to the department, in the manner
416 prescribed by the department, within 10 calendar days after any
417 renewal or continuation of or change in such policy or within 10
418 calendar days after any issuance of a new policy, a copy of the
419 renewed, continued, changed, or new policy. Upon making initial
420 application, the applicant shall pay to the department a fee of
421 \$300 in addition to any other fees required by law. Applicants
422 may choose to extend the licensure period for 1 additional year
423 for a total of 2 years. An initial applicant shall pay to the
424 department a fee of \$300 for the first year and \$75 for the
425 second year, in addition to any other fees required by law. An
426 applicant for renewal shall pay to the department \$75 for a 1-
427 year renewal or \$150 for a 2-year renewal, in addition to any
428 other fees required by law. Upon making an application for a
429 change of location, the person shall pay a fee of \$50 in
430 addition to any other fees now required by law. The department
431 shall, in the case of every application for initial licensure,
432 verify whether certain facts set forth in the application are
433 true. Each applicant, general partner in the case of a
434 partnership, or corporate officer and director in the case of a
435 corporate applicant, must file a set of fingerprints with the

20211194e2

436 department for the purpose of determining any prior criminal
437 record or any outstanding warrants. The department shall submit
438 the fingerprints to the Department of Law Enforcement for state
439 processing and forwarding to the Federal Bureau of Investigation
440 for federal processing. The actual cost of state and federal
441 processing shall be borne by the applicant and is in addition to
442 the fee for licensure. The department may issue a license to an
443 applicant pending the results of the fingerprint investigation,
444 which license is fully revocable if the department subsequently
445 determines that any facts set forth in the application are not
446 true or correctly represented.

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

448 (a) Annually, before any license shall be issued to a motor
449 vehicle dealer, the applicant-dealer of new or used motor
450 vehicles shall deliver to the department a good and sufficient
451 surety bond or irrevocable letter of credit, executed by the
452 applicant-dealer as principal, in the sum of \$25,000. A licensee
453 shall deliver to the department, in the manner prescribed by the
454 department, within 10 calendar days after any renewal or
455 continuation of or change in such surety bond or irrevocable
456 letter of credit or within 10 calendar days after any issuance
457 of a new surety bond or irrevocable letter of credit, a copy of
458 such renewed, continued, changed, or new surety bond or
459 irrevocable letter of credit.

460 Section 8. Section 337.025, Florida Statutes, is amended to
461 read:

462 337.025 Innovative transportation projects; department to
463 establish program.—

464 (1) The department may establish a program for

20211194e2

465 transportation projects demonstrating innovative techniques of
466 highway and bridge design, construction, maintenance, and
467 finance which have the intended effect of measuring resiliency
468 and structural integrity and controlling time and cost increases
469 on construction projects. Such techniques may include, but are
470 not limited to, state-of-the-art technology for pavement,
471 safety, and other aspects of highway and bridge design,
472 construction, and maintenance; innovative bidding and financing
473 techniques; accelerated construction procedures; and those
474 techniques that have the potential to reduce project life cycle
475 costs. To the maximum extent practical, the department must use
476 the existing process to award and administer construction and
477 maintenance contracts. When specific innovative techniques are
478 to be used, the department is not required to adhere to those
479 provisions of law that would prevent, preclude, or in any way
480 prohibit the department from using the innovative technique.
481 However, before using an innovative technique that is
482 inconsistent with another provision of law, the department must
483 document in writing the need for the exception and identify what
484 benefits the traveling public and the affected community are
485 anticipated to receive. The department may enter into no more
486 than \$120 million in contracts awarded annually for the purposes
487 authorized by this section.

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

490 (a) Turnpike enterprise projects, ~~and turnpike enterprise~~
491 ~~projects shall not be counted toward the department's annual~~
492 ~~cap.~~

493 (b) Low-bid design-build milling and resurfacing contracts

20211194e2

494 ~~Transportation projects funded by the American Recovery and~~
495 ~~Reinvestment Act of 2009.~~

496 Section 9. Section 337.0262, Florida Statutes, is created
497 to read:

498 337.0262 Purchase and use of clay, peat, gravel, sand, or
499 any other solid substance extracted from borrow pits.—

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

504 (a) Certification is provided to the department,
505 contractor, or subcontractor by the operator of the borrow pit
506 that it is in compliance with the notice requirements and
507 substantive requirements of s. 378.801; and

508 (b) The operator of the borrow pit is in compliance with
509 the performance standards in s. 378.803, including, but not
510 limited to, providing proof of currently valid permits required
511 by the Department of Environmental Protection and the
512 appropriate water management district.

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

517 (3) In the event that the department determines that
518 substances are being obtained and used from a borrow pit that is
519 not in compliance with this section, the department must cease
520 to accept any substances from that borrow pit within 48 hours
521 after such determination. The department may resume acceptance
522 of substances from the borrow pit once the borrow pit is in

20211194e2

523 compliance with this section.

524 Section 10. Subsections (1), (4), and (7) of section
525 337.14, Florida Statutes, are amended to read:

526 337.14 Application for qualification; certificate of
527 qualification; restrictions; request for hearing.—

528 (1) Any contractor desiring to bid for the performance of
529 any construction contract in excess of \$250,000 which the
530 department proposes to let must first be certified by the
531 department as qualified pursuant to this section and rules of
532 the department. The rules of the department must address the
533 qualification of contractors to bid on construction contracts in
534 excess of \$250,000 and must include requirements with respect to
535 the equipment, past record, experience, financial resources, and
536 organizational personnel of the applying contractor which are
537 necessary to perform the specific class of work for which the
538 contractor seeks certification. Any contractor who desires to
539 bid on contracts in excess of \$50 million and who is not
540 qualified and in good standing with the department as of January
541 1, 2019, must first be certified by the department as qualified
542 ~~and desires to bid on contracts in excess of \$50 million~~ must
543 have satisfactorily completed two projects, each in excess of
544 \$15 million, for the department or for any other state
545 department of transportation. The department may limit the
546 dollar amount of any contract upon which a contractor is
547 qualified to bid or the aggregate total dollar volume of
548 contracts such contractor is allowed to have under contract at
549 any one time. Each applying contractor seeking qualification to
550 bid on construction contracts in excess of \$250,000 shall
551 furnish the department a statement under oath, on such forms as

20211194e2

552 the department may prescribe, setting forth detailed information
553 as required on the application. Each application for
554 certification must be accompanied by audited, certified
555 financial statements prepared in accordance with generally
556 accepted accounting principles and auditing standards by a
557 certified public accountant licensed in this state or another
558 state. The audited, certified financial statements must be for
559 the applying contractor and must have been prepared the latest
560 annual financial statement of the applying contractor completed
561 within the immediately preceding last 12 months. The department
562 may not consider any financial information of the parent entity
563 of the applying contractor, if any. The department may not
564 certify as qualified any applying contractor who fails to submit
565 the audited, certified financial statements required by this
566 subsection. If the application or the annual financial statement
567 shows the financial condition of the applying contractor more
568 than 4 months before prior to the date on which the application
569 is received by the department, the applicant must also submit an
570 interim audited, certified financial statements prepared in
571 accordance with generally accepted accounting principles and
572 auditing standards by a certified public accountant licensed in
573 this state or another state statement and an updated application
574 must be submitted. The interim financial statements statement
575 must cover the period from the end date of the annual statement
576 and must show the financial condition of the applying contractor
577 no more than 4 months before prior to the date that the interim
578 financial statements are statement is received by the
579 department. However, upon the request of the applying
580 contractor, an application and accompanying annual or interim

20211194e2

581 financial statement received by the department within 15 days
582 after either 4-month period under this subsection shall be
583 considered timely. ~~Each required annual or interim financial~~
584 ~~statement must be audited and accompanied by the opinion of a~~
585 ~~certified public accountant.~~ An applying contractor desiring to
586 bid exclusively for the performance of construction contracts
587 with proposed budget estimates of less than \$1 million may
588 submit reviewed annual or reviewed interim financial statements
589 prepared by a certified public accountant. The information
590 required by this subsection is confidential and exempt from s.
591 119.07(1). The department shall act upon the application for
592 qualification within 30 days after the department determines
593 that the application is complete. The department may waive the
594 requirements of this subsection for projects having a contract
595 price of \$500,000 or less if the department determines that the
596 project is of a noncritical nature and the waiver will not
597 endanger public health, safety, or property.

598 (4) If the applicant is found to possess the prescribed
599 qualifications, the department shall issue to him or her a
600 certificate of qualification that, unless thereafter revoked by
601 the department for good cause, will be valid for a period of 18
602 months after the date of the applicant's financial statement or
603 such shorter period as the department prescribes. Submission of
604 an application and subsequent approval do ~~shall~~ not affect
605 expiration of the certificate of qualification, the ability
606 factor of the applicant, or the maximum capacity rating of the
607 applicant. If the department finds that an application is
608 incomplete or contains inadequate information or information
609 that cannot be verified, the department may request in writing

20211194e2

610 that the applicant provide the necessary information to complete
611 the application or provide the source from which any information
612 in the application may be verified. If the applicant fails to
613 comply with the initial written request within a reasonable
614 period of time as specified therein, the department shall
615 request the information a second time. If the applicant fails to
616 comply with the second request within a reasonable period of
617 time as specified therein, the application shall be denied.

618 (7) A "contractor" as defined in s. 337.165(1)(d) or his or
619 her "affiliate" as defined in s. 337.165(1)(a) qualified with
620 the department under this section may not also qualify under s.
621 287.055 or s. 337.105 to provide testing services, construction,
622 engineering, and inspection services to the department. This
623 limitation does not apply to any design-build prequalification
624 under s. 337.11(7) and does not apply when the department
625 otherwise determines by written order entered at least 30 days
626 before advertisement that the limitation is not in the best
627 interests of the public with respect to a particular contract
628 for testing services, construction, engineering, and inspection
629 services. This subsection does not authorize a contractor to
630 provide testing services, or provide construction, engineering,
631 and inspection services, to the department in connection with a
632 construction contract under which the contractor is performing
633 any work. Notwithstanding any other provision of law to the
634 contrary, for a project that is wholly or partially funded by
635 the department and administered by a local governmental entity,
636 except for a seaport listed in s. 311.09 or an airport as
637 defined in s. 332.004, the entity performing design and
638 construction engineering and inspection services may not be the

20211194e2

639 same entity.

640 Section 11. Section 337.185, Florida Statutes, is amended
641 to read:

642 (Substantial rewording of section. See
643 s. 337.185, F.S., for present text.)

644 337.185 State Arbitration Board.—

645 (1) To facilitate the prompt resolution of claims arising
646 out of or in connection with a construction or maintenance
647 contract with the department, the Legislature establishes the
648 State Arbitration Board, referred to in this section as the
649 “board.”

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

651 (a) “Claim” means the aggregate of all outstanding written
652 requests for additional monetary compensation, time, or other
653 adjustments to the contract, the entitlement or impact of which
654 is disputed by the department and could not be resolved by
655 negotiation between the department and the contractor.

656 (b) “Contractor” means a person or firm having a contract
657 for rendering services to the department relating to the
658 construction or maintenance of a transportation facility.

659 (c) “Final acceptance” means that the contractor has
660 completely performed the work provided for under the contract,
661 the department or its agent has determined that the contractor
662 has satisfactorily completed the work provided for under the
663 contract, and the department or its agent has submitted written
664 notice of final acceptance to the contractor.

665 (3) Every claim in an amount of up to \$250,000 per contract
666 that could not be resolved by negotiation between the department
667 and the contractor must be arbitrated by the board. An award

20211194e2

668 issued by the board pursuant to this section is final and
669 enforceable by a court of law.

670 (4) The contractor may submit a claim greater than \$250,000
671 up to \$1 million per contract or, upon agreement of the parties,
672 up to \$2 million per contract to be arbitrated by the board. An
673 award issued by the board pursuant to this subsection is final
674 if a request for a trial de novo is not filed within the time
675 provided by Rule 1.830, Florida Rules of Civil Procedure. At the
676 trial de novo, the court may not admit evidence that there has
677 been an arbitration proceeding, the nature or amount of the
678 award, or any other matter concerning the conduct of the
679 arbitration proceeding, except that testimony given at an
680 arbitration hearing may be used for any purpose otherwise
681 permitted by the Florida Evidence Code. If a request for trial
682 de novo is not filed within the time provided, the award issued
683 by the board is final and enforceable by a court of law.

684 (5) An arbitration request may not be made to the board
685 before final acceptance but must be made to the board within 820
686 days after final acceptance.

687 (6) The board shall schedule a hearing within 45 days after
688 an arbitration request and, if possible, shall conduct the
689 hearing within 90 days after the request. The board may
690 administer oaths and conduct the proceedings as provided by the
691 rules of the court. The hearing shall be conducted informally.
692 Presentation of testimony and evidence shall be kept to a
693 minimum, and matters shall be presented to the arbitrators
694 primarily through the statements and arguments of counsel. The
695 board shall address the scope of discovery, presentation of
696 testimony, and evidence at a preliminary hearing by considering

20211194e2

697 the size, subject matter, and complexity of the dispute. Any
698 party to the arbitration may petition the board, for good cause
699 shown, to issue subpoenas for the attendance of witnesses and
700 the production of books, records, documents, and other evidence
701 at the arbitration and may petition the board for orders
702 compelling such attendance and production at the arbitration.
703 Subpoenas shall be served and are enforceable in the manner
704 provided by law.

705 (7) The board must issue an award within 45 days after the
706 conclusion of the arbitration hearing. If all three members of
707 the board do not agree, the award agreed to by the majority
708 shall constitute the award of the board.

709 (8) The board shall be composed of three members. The first
710 member shall be appointed by the Secretary of Transportation,
711 and the second member shall be elected by those construction or
712 maintenance companies that are under contract with the
713 department. The third member shall be chosen by agreement of the
714 first and second members. If the first or second member has a
715 conflict of interest regarding affiliation with one of the
716 parties to an arbitration hearing, the appointing entity shall
717 appoint an alternate member for that hearing. If the third
718 member has such a conflict of interest, the first and second
719 members shall select an alternate member. Each member shall
720 serve a 4-year term. The board shall elect a chair for each
721 term, who shall be the administrator of the board and custodian
722 of its records.

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

725 (10) The members of the board shall receive compensation

20211194e2

726 for the performance of their duties from deposits made by the
727 parties based on an estimate of compensation by the board,
728 except that an employee of the department may not receive
729 compensation from the board. All deposits will be held in escrow
730 by the chair in advance of the hearing. Each member eligible for
731 compensation shall be compensated at \$200 per hour, up to a
732 maximum of \$1,500 per day. A member shall be reimbursed for the
733 actual cost of his or her travel expenses. The board may
734 allocate funds annually for clerical and other administrative
735 services.

736 (11) To cover the cost of administration and initial
737 compensation of the board, the party requesting arbitration
738 shall pay a filing fee to the board, according to a schedule
739 established by the board, of:

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

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

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

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

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

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

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

752

753 The board may apportion the filing fees and the cost of
754 recording and preparing a transcript of the hearing among the

20211194e2

755 parties in its award.

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

758 338.166 High-occupancy toll lanes or express lanes.—

759 (3) Any remaining toll revenue from the high-occupancy toll
760 lanes or express lanes shall be used by the department for the
761 construction, maintenance, or improvement of any road or to
762 support public transportation projects that benefit the
763 operation of high-occupancy toll lanes or express lanes on the
764 State Highway System within the county or counties in which the
765 toll revenues were collected or to support express bus service
766 on the facility where the toll revenues were collected.

767 Section 13. Paragraphs (f) and (i) of subsection (6) of
768 section 339.175, Florida Statutes, are amended to read:

769 339.175 Metropolitan planning organization.—

770 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,
771 privileges, and authority of an M.P.O. are those specified in
772 this section or incorporated in an interlocal agreement
773 authorized under s. 163.01. Each M.P.O. shall perform all acts
774 required by federal or state laws or rules, now and subsequently
775 applicable, which are necessary to qualify for federal aid. It
776 is the intent of this section that each M.P.O. shall be involved
777 in the planning and programming of transportation facilities,
778 including, but not limited to, airports, intercity and high-
779 speed rail lines, seaports, and intermodal facilities, to the
780 extent permitted by state or federal law.

781 (f) ~~1.~~ The department shall allocate to each M.P.O., for the
782 purpose of accomplishing its transportation planning and
783 programming duties, an appropriate amount of federal

20211194e2

784 transportation planning funds.

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

788 (i) There is created the Tampa Bay Area Regional Transit
789 Authority Metropolitan Planning Organization Chairs Coordinating
790 Committee is created within the Tampa Bay Area Regional Transit
791 Authority, composed of the M.P.O.'s serving Citrus, Hernando,
792 Hillsborough, Manatee, Pasco, Pinellas, Polk, and Sarasota
793 Counties. ~~The authority shall provide administrative support and~~
794 ~~direction to the committee.~~ The committee must, at a minimum:

795 1. Coordinate transportation projects deemed to be
796 regionally significant by the committee.

797 2. Review the impact of regionally significant land use
798 decisions on the region.

799 3. Review all proposed regionally significant
800 transportation projects in the respective transportation
801 improvement programs which affect more than one of the M.P.O.'s
802 represented on the committee.

803 4. Institute a conflict resolution process to address any
804 conflict that may arise in the planning and programming of such
805 regionally significant projects.

806 Section 14. Paragraph (b) of subsection (2) and subsections
807 (8) and (9) of section 343.92, Florida Statutes, are amended to
808 read:

809 343.92 Tampa Bay Area Regional Transit Authority.—

810 (2) The governing board of the authority shall consist of
811 13 voting members appointed no later than 45 days after the
812 creation of the authority.

20211194e2

813 (b) The 13 voting members of the board shall be as follows:

814 1. The county commissions of Hernando, Hillsborough,
815 Manatee, Pasco, and Pinellas Counties shall each appoint one
816 county commissioner to the board. Members appointed under this
817 subparagraph shall serve 2-year terms with not more than three
818 consecutive terms being served by any person. If a member under
819 this subparagraph leaves elected office, a vacancy exists on the
820 board to be filled as provided in this subparagraph within 90
821 days.

822 2.a. Two members of the board shall be the mayor, or the
823 mayor's designated alternate, of the largest municipality within
824 the service area of each of the following independent transit
825 agencies or their legislatively created successor agencies:
826 Pinellas Suncoast Transit Authority and Hillsborough Area
827 Regional Transit Authority. The largest municipality is that
828 municipality with the largest population as determined by the
829 most recent United States Decennial Census.

830 b. The mayor's designated alternate must be an elected
831 member of the municipality's city council and approved as the
832 mayor's designated alternate by the municipality's city council.
833 In the event the mayor is unable to attend a meeting, the
834 mayor's designated alternate shall attend the meeting on the
835 mayor's behalf and has the full right to vote.

836 3. The following independent transit agencies or their
837 legislatively created successor agencies shall each appoint from
838 the membership of their governing bodies one member to the
839 board: Pinellas Suncoast Transit Authority and Hillsborough Area
840 Regional Transit Authority. Each member appointed under this
841 subparagraph shall serve a 2-year term with not more than three

20211194e2

842 consecutive terms being served by any person. If a member no
843 longer meets the transit authority's criteria for appointment, a
844 vacancy exists on the board, which must be filled as provided in
845 this subparagraph within 90 days.

846 4. The Governor shall appoint to the board four members
847 from the regional business community, each of whom must reside
848 in one of the counties governed by the authority and may not be
849 an elected official. Of the members initially appointed under
850 this subparagraph, one shall serve a 1-year term, two shall
851 serve 2-year terms, and one shall serve a term as the initial
852 chair as provided in subsection (5). Thereafter, a member
853 appointed under this subparagraph shall serve a 2-year term with
854 not more than three consecutive terms being served by any
855 person.

856

857 Appointments may be staggered to avoid mass turnover at the end
858 of any 2-year or 4-year period. A vacancy during a term shall be
859 filled within 90 days in the same manner as the original
860 appointment for the remainder of the unexpired term.

861 (8) A simple majority ~~Seven members~~ of the board shall
862 constitute a quorum, and a simple majority of the voting members
863 present shall be necessary for any action to be taken by the
864 board ~~the vote of seven members is necessary for any action to~~
865 ~~be taken by the authority.~~ The authority may meet upon the
866 constitution of a quorum. A vacancy does not impair the right of
867 a quorum of the board to exercise all rights and the ability to
868 perform all duties of the authority.

869 ~~(9) Beginning July 1, 2017, the board must evaluate the~~
870 ~~abolishment, continuance, modification, or establishment of the~~

20211194e2

871 ~~following committees:~~

872 ~~(a) Planning committee.~~

873 ~~(b) Policy committee.~~

874 ~~(c) Finance committee.~~

875 ~~(d) Citizens advisory committee.~~

876 ~~(e) Tampa Bay Area Regional Transit Authority Metropolitan~~
877 ~~Planning Organization Chairs Coordinating Committee.~~

878 ~~(f) Transit management committee.~~

879 ~~(g) Technical advisory committee.~~

880

881 ~~The board must submit its recommendations for abolishment,~~
882 ~~continuance, modification, or establishment of the committees to~~
883 ~~the President of the Senate and the Speaker of the House of~~
884 ~~Representatives before the beginning of the 2018 Regular~~
885 ~~Session.~~

886 Section 15. Paragraphs (e), (f), and (g) of subsection (3)
887 of section 343.922, Florida Statutes, are amended to read:

888 343.922 Powers and duties.—

889 (3)

890 (e) The authority shall present the ~~original~~ regional
891 transit development plan and updates to the governing bodies of
892 the counties within the designated region, ~~to the TBARTA~~
893 ~~Metropolitan Planning Organization Chairs Coordinating~~
894 ~~Committee,~~ and to the legislative delegation members
895 representing those counties within 90 days after adoption.

896 ~~(f) The authority shall coordinate plans and projects with~~
897 ~~the TBARTA Metropolitan Planning Organization Chairs~~
898 ~~Coordinating Committee, to the extent practicable, and~~
899 ~~participate in the regional M.P.O. planning process to ensure~~

20211194e2

900 ~~regional comprehension of the authority's mission, goals, and~~
901 ~~objectives.~~

902 ~~(g) The authority shall provide administrative support and~~
903 ~~direction to the TBARTA Metropolitan Planning Organization~~
904 ~~Chairs Coordinating Committee as provided in s. 339.175(6)(i).~~

905 Section 16. Part III of chapter 343, Florida Statutes,
906 consisting of sections 343.80, 343.805, 343.81, 343.82, 343.83,
907 343.835, 343.836, 343.84, 343.85, 343.87, 343.875, 343.88,
908 343.881, 343.884, and 343.89, Florida Statutes, is repealed.

909 Section 17. Section 311.25, Florida Statutes, is created to
910 read:

911 311.25 Florida seaports; local ballot initiatives and
912 referendums.—

913 (1) With respect to any port that has received or is
914 eligible to apply for or receive state funding under this
915 chapter, a local ballot initiative or referendum may not
916 restrict maritime commerce in such a port, including, but not
917 limited to, restricting such commerce based on any of the
918 following:

919 (a) Vessel type, size, number, or capacity.

920 (b) Number, origin, nationality, embarkation, or
921 disembarkation of passengers or crew or their entry into this
922 state or any local jurisdiction.

923 (c) Source, type, loading, or unloading of cargo.

924 (d) Environmental or health records of a particular vessel
925 or vessel line.

926 (2) Any local ballot initiative or referendum that is in
927 conflict with subsection (1) and that was adopted before, on, or
928 after July 1, 2021, and any local law, charter amendment,

20211194e2

929 ordinance, resolution, regulation, or policy adopted in such an
930 initiative or referendum, is prohibited, void, and expressly
931 preempted to the state.

932 Section 18. If any provision of this act or its application
933 to any person or circumstance is held invalid, the invalidity
934 does not affect other provisions or applications of this act
935 which can be given effect without the invalid provision or
936 application, and to this end the provisions of this act are
937 severable.

938 Section 19. Paragraphs (a) and (b) of subsection (2) of
939 section 348.0304, Florida Statutes, are amended to read:

940 348.0304 Greater Miami Expressway Agency.—

941 (2) (a) The governing body of the agency shall consist of
942 nine voting members. Except for the district secretary of the
943 department, each member must be a permanent resident of the
944 county and may not hold, or have held in the previous 2 years,
945 elected or appointed office in the county. Each member may only
946 serve two terms of 4 years each. Four ~~Three~~ members shall be
947 appointed by the Governor, one of whom must be a member of the
948 metropolitan planning organization for the county. Two members,
949 who must be residents of an unincorporated portion of the county
950 residing within 15 miles of an area with the highest amount of
951 agency toll roads, shall be appointed by the board of county
952 commissioners of the county. Two ~~Three~~ members, who must be
953 residents of incorporated municipalities within the county,
954 shall be appointed by the metropolitan planning organization for
955 the county. The district secretary of the department serving in
956 the district that contains the county shall serve as an ex
957 officio voting member of the governing body.

20211194e2

958 (b) Initial appointments to the governing body of the
959 agency shall be made by July 31, 2019. For the initial
960 appointments:

961 1. The Governor shall appoint one member for a term of 1
962 year, one member for a term of 2 years, one member for a term of
963 3 years, and one member for a term of 4 years.

964 2. The board of county commissioners shall appoint one
965 member for a term of 1 year and one member for a term of 3
966 years.

967 3. The metropolitan planning organization shall appoint ~~one~~
968 ~~member for a term of 1 year~~, one member for a term of 2 years,
969 and one member for a term of 4 years.

970 Section 20. Paragraph (c) of subsection (1) of section
971 348.754, Florida Statutes, is amended to read:

972 348.754 Purposes and powers.—

973 (1)

974 (c) Notwithstanding any other provision of this section to
975 the contrary, to ensure the continued financial feasibility of
976 the portion of the Wekiva Parkway to be constructed by the
977 department, the authority may not, without ~~the~~ prior
978 consultation with consent of the secretary of the department,
979 construct any extensions, additions, or improvements to the
980 expressway system in Lake County.

981 Section 21. Paragraph (d) of subsection (2) of section
982 349.04, Florida Statutes, is amended to read:

983 349.04 Purposes and powers.—

984 (2) The authority is hereby granted, and shall have and may
985 exercise all powers necessary, appurtenant, convenient, or
986 incidental to the carrying out of the aforesaid purposes,

20211194e2

987 including, but without being limited to, the right and power:

988 (d) To enter into and make leases for terms not exceeding
989 99 ~~40~~ years, as either lessee or lessor, in order to carry out
990 the right to lease as set forth in this chapter.

991 Section 22. Present subsections (3) through (19) of section
992 378.403, Florida Statutes, are redesignated as subsections (4)
993 through (20), respectively, and a new subsection (3) is added to
994 that section, to read:

995 378.403 Definitions.—As used in this part, the term:

996 (3) "Borrow pit" means an area of land upon which
997 excavation of surface resources has been conducted, is being
998 conducted, or is planned to be conducted, as the term is
999 commonly used in the mining trade, and is not considered a mine.
1000 Such resources are limited to soil, organic soil, sand, or clay
1001 that can be removed with construction excavating equipment and
1002 loaded on a haul truck with no additional processing.

1003 Section 23. Section 378.801, Florida Statutes, is amended
1004 to read:

1005 378.801 Other resources; notice of intent to extract ~~mine~~
1006 required.—

1007 (1) An ~~No~~ operator may not begin the operation of a borrow
1008 pit, or the process of extracting clay, peat, gravel, sand, or
1009 any other solid substance of commercial value found in natural
1010 deposits or in the earth, except fuller's earth clay, heavy
1011 minerals, limestone, or phosphate, which are regulated elsewhere
1012 in this chapter, at a new location ~~mine~~ without notifying the
1013 secretary of the intention to extract ~~mine~~.

1014 (2) The operator's notice of intent to extract ~~mine~~ shall
1015 consist of the operator's estimated life of the extraction

20211194e2

1016 location ~~mine~~ and the operator's signed acknowledgment of the
1017 performance standards provided by s. 378.803.

1018 Section 24. Section 378.802, Florida Statutes, is amended
1019 to read:

1020 378.802 Existing extraction locations ~~mines~~.—After January
1021 1, 1989, all operators of existing locations ~~mines~~ for the
1022 extraction of resources as described in s. 378.801 shall meet
1023 the performance standards provided by s. 378.803 for any new
1024 surface area disturbed at such locations ~~mines~~.

1025 Section 25. Subsection (5) of section 479.07, Florida
1026 Statutes, is amended to read:

1027 479.07 Sign permits.—

1028 (5) (a) For each permit issued, the department shall furnish
1029 to the applicant a serially numbered permanent metal permit tag.
1030 The permittee is responsible for maintaining a valid permit tag
1031 on each permitted sign facing at all times. The tag shall be
1032 securely attached to the upper 50 percent of the sign structure,
1033 and attached in such a manner as to be plainly visible from the
1034 main-traveled way. The permit tag must be properly and
1035 permanently displayed at the permitted site within 30 days after
1036 the date of permit issuance. If the permittee fails to erect a
1037 completed sign on the permitted site within 270 days after the
1038 date on which the permit was issued, the permit will be void,
1039 and the department may not issue a new permit to that permittee
1040 for the same location for 270 days after the date on which the
1041 permit becomes void.

1042 (b) If a permit tag is lost, stolen, or destroyed, the
1043 permittee to whom the tag was issued must apply to the
1044 department for a replacement tag. The department shall establish

20211194e2

1045 a service fee for replacement tags in an amount that will
1046 recover the actual cost of providing the replacement tag. Upon
1047 receipt of the application accompanied by the service fee, the
1048 department shall issue a replacement permit tag.

1049 (c)1. As soon as practicable, the department shall create
1050 and implement a publicly accessible electronic database to
1051 include all permits issued by the department. At a minimum, the
1052 database must include the name and contact information of the
1053 permit operator, the structure identification number or numbers,
1054 the panel or face identification number or numbers, the latitude
1055 and longitude of the permitted sign, the compass bearing, images
1056 of the permitted sign once constructed, and the most recent date
1057 the department visually inspected the permitted sign.

1058 2. Once the department creates and implements the publicly
1059 accessible electronic database:

1060 a. The department may not furnish permanent metal permit
1061 tags or replacement tags to permittees;

1062 b. The department may not enforce the provisions relating
1063 to permanent metal permit tags or replacement tags specified in
1064 paragraphs (a) and (b); and

1065 c. Permittees are not required to return permit tags to the
1066 department as provided in subsection (8).

1067 Section 26. Notwithstanding any other law, the Northwest
1068 Florida Transportation Corridor Authority is dissolved. The
1069 authority shall discharge or make provision for the authority's
1070 debts, obligations, and other liabilities; settle and close the
1071 authority's activities and affairs; and provide for distribution
1072 of the authority's assets, or the proceeds of such assets, such
1073 that each local general-purpose government represented on the

20211194e2

1074 authority's board receives a distribution generally in
1075 proportion to each entity's contribution to the acquisition of
1076 the assets.

1077 Section 27. This act shall take effect July 1, 2021.