

1 A bill to be entitled

2 An act relating to construction materials mining
3 activities; amending s. 552.30, F.S.; specifying a
4 ground vibration limit for construction materials
5 mining activities in Miami-Dade County; authorizing
6 the Chief Financial Officer to direct the State Fire
7 Marshal to modify the standards, limits, and
8 regulations for the use of explosives in connection
9 with construction materials mining activities in
10 Miami-Dade County; providing a legislative declaration
11 regarding venues for alleged damages due to the use of
12 explosives in connection with construction materials
13 mining activities; repealing s. 552.34, F.S., relating
14 to legislative findings and public purpose; repealing
15 s. 552.36, F.S., relating to exclusive jurisdiction of
16 the Division of Administrative Hearings over claims
17 for damages due to the use of explosives in connection
18 with construction materials mining activities;
19 amending s. 552.38, F.S.; conforming provisions to
20 changes made by the act; repealing s. 552.40, F.S.,
21 relating to administrative remedies for alleged
22 damages due to the use of explosives in connection
23 with construction materials mining activities;
24 repealing s. 552.42, F.S., relating to the appeal of
25 final orders on claims for damages due to the use of

26 explosives in connection with construction materials
27 mining activities; providing an effective date.
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29 Be It Enacted by the Legislature of the State of Florida:
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31 Section 1. Subsection (5) is added to section 552.30,
32 Florida Statutes, to read:

33 552.30 Construction materials mining activities.—

34 (5) (a) Beginning July 1, 2021, and notwithstanding any
35 other law, rule, or ordinance, the ground vibration limit in
36 Miami-Dade County for construction materials mining activities
37 may not exceed .15 inches per second.

38 (b) Notwithstanding this section or any other law, the
39 Chief Financial Officer may direct the State Fire Marshal to
40 modify the standards, limits, and regulations for the use of
41 explosives in connection with construction materials mining
42 activities in Miami-Dade County, including, but not limited to,
43 the temporary cessation of blasting.

44 (c) Notwithstanding this section or any other law, the
45 Legislature declares that there is not a special or required
46 venue through which claims of alleged damage due to the use of
47 explosives in connection with construction materials mining
48 activities are to be resolved.

49 Section 2. Section 552.34, Florida Statutes, is repealed.

50 Section 3. Section 552.36, Florida Statutes, is repealed.

51 Section 4. Subsection (2) of section 552.38, Florida
52 Statutes, is amended to read:

53 552.38 Security requirement.—

54 (2) The bond or letter of credit required under subsection
55 (1) must be in an amount not less than \$100,000, ~~notwithstanding~~
56 ~~an award made by an administrative law judge under s. 552.40(7).~~
57 In the case of a multiple licenseholder or multiple
58 permitholder, a single bond in the aggregate amount of not less
59 than \$100,000 may be provided as security for the individual
60 permits or licenses. If the user of explosives has not been
61 identified as a respondent in any pending claim for damages
62 under this chapter, and if renewal of the license or permit is
63 not sought, the bond required under this section may be released
64 upon the expiration of the license or permit or 181 days after
65 the final use of explosives under the license, whichever occurs
66 later, if the bond to be released is not security for other
67 permits.

68 Section 5. Section 552.40, Florida Statutes, is repealed.

69 Section 6. Section 552.42, Florida Statutes, is repealed.

70 Section 7. This act shall take effect July 1, 2021.