

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 interests in certain roads and rights-of-way to
6 community development districts under specified
7 conditions; specifying duties of community development
8 districts relating to such roads and rights-of-way;
9 providing for traffic control jurisdiction of such
10 roads; specifying that the community development
11 district has all rights, title, and interest in such
12 roads and rights-of-way upon abandonment and
13 conveyance; requiring community development districts
14 to thereafter hold such roads and rights-of-way in
15 trust; providing construction; creating s. 287.05705,
16 F.S.; providing that governmental entities may not
17 prohibit certain vendors from responding to
18 competitive solicitations of certain contractual
19 services; providing applicability; amending s.
20 316.003, F.S.; revising the definitions of the terms
21 "autocycle" and "personal delivery device"; amending
22 s. 316.2397, F.S.; authorizing certain equipment to
23 show or display flashing lights; authorizing vehicles
24 to display flashing lights during certain periods
25 under certain conditions; amending s. 316.302, F.S.;

26 providing that the use of certain required motor
27 carrier safety improvements shall not be considered
28 when evaluating an individual's employment status;
29 defining the term "motor carrier safety improvement";
30 amending s. 319.30, F.S.; revising conditions under
31 which insurance companies may receive salvage
32 certificates of title or certificates of destruction
33 for motor vehicles and mobile homes from the
34 Department of Highway Safety and Motor Vehicles;
35 amending s. 320.06, F.S.; authorizing certain rental
36 vehicles to elect permanent registration; amending s.
37 320.27, F.S.; requiring motor vehicle dealer licensees
38 to deliver copies of renewed, continued, changed, or
39 new insurance policies and copies of renewed,
40 continued, changed, or new surety bonds or irrevocable
41 letters of credit to the department within specified
42 timeframes under certain conditions; amending s.
43 330.27, F.S.; defining the term "electric vertical
44 takeoff and landing aircraft"; amending s. 330.30,
45 F.S.; conforming cross-references; amending s.
46 337.025, F.S.; revising the application of the cap on
47 innovative transportation projects; amending s.
48 337.0262, F.S.; prohibiting the Department of
49 Transportation and contractors and subcontractors of
50 the department from purchasing or using specified

51 substances from a borrow pit unless specified
52 conditions are satisfied; requiring certain contracts,
53 subcontracts, and purchase orders to require
54 compliance with the prohibition; requiring the
55 department to cease acceptance of substances from a
56 borrow pit under certain conditions; authorizing the
57 department to resume acceptance of such substances
58 under certain conditions; amending s. 337.14, F.S.;
59 requiring contractors wishing to bid on certain
60 contracts to first be certified by the department as
61 qualified; revising requirements for applying for and
62 issuing a certificate of qualification; revising
63 provisions regarding interim financial statements;
64 providing construction with respect to submission and
65 approval of an application for such certificate;
66 exempting airports from certain restrictions regarding
67 entities performing design and construction
68 engineering and inspection services; amending s.
69 337.185, F.S.; revising and providing definitions;
70 revising requirements for arbitration of certain
71 contracts by the State Arbitration Board; revising
72 requirements regarding arbitration requests, hearings,
73 procedures, and awards; revising membership and
74 meeting requirements; revising compensation of board
75 members; amending s. 338.166, F.S.; authorizing the

76 use of specified toll revenue to support certain
77 public transportation projects; amending s. 339.175,
78 F.S.; deleting a provision prohibiting certain
79 metropolitan planning organizations from assessing any
80 fees for municipalities, counties, or other
81 governmental entities that are members of the
82 organization; renaming the Tampa Bay Area Regional
83 Transit Authority Metropolitan Planning Organization
84 Chairs Coordinating Committee as the Chairs
85 Coordinating Committee; deleting a requirement that
86 the Tampa Bay Area Regional Transit Authority provide
87 the committee with administrative support and
88 direction; repealing part III of ch. 343, F.S.,
89 relating to the creation and operation of the
90 Northwest Florida Transportation Corridor Authority;
91 dissolving the Northwest Florida Transportation
92 Corridor Authority and requiring the authority to
93 discharge its liabilities, settle and close its
94 activities and affairs, and provide for the
95 distribution of its assets; amending s. 343.92, F.S.;
96 providing that a mayor's designated alternate may be a
97 member of the governing board of the Tampa Bay Area
98 Regional Transit Authority; requiring that the
99 alternate be an elected member of the city council of
100 the mayor's municipality and be approved by the

101 municipality's city council; requiring a mayor's
102 designated alternate to attend meetings under certain
103 circumstances with full voting rights; providing that
104 a simple majority of board members constitutes a
105 quorum and that a simple majority of those members
106 present is necessary for any action to be taken;
107 deleting obsolete language; amending s. 343.922, F.S.;
108 revising a provision requiring the authority to
109 present the regional transit development plan and
110 updates to specified entities; deleting a provision
111 requiring that the authority coordinate plans and
112 projects with the TBARTA Metropolitan Planning
113 Organization Chairs Coordinating Committee and
114 participate in the regional M.P.O. planning process to
115 ensure regional comprehension of the authority's
116 mission, goals, and objectives; deleting a provision
117 requiring that the authority provide administrative
118 support and direction to the committee; amending s.
119 348.754, F.S.; prohibiting the Central Florida
120 Expressway Authority from performing certain
121 activities in Lake County without prior consultation
122 with the secretary of the department; amending s.
123 349.04, F.S.; increasing the maximum term of a lease
124 into which the Jacksonville Transportation Authority
125 may enter; amending s. 378.403, F.S.; defining the

126 term "borrow pit"; amending s. 378.801, F.S.;

127 prohibiting operation of a borrow pit at a new

128 location without notifying the secretary of the

129 Department of Environmental Protection of the intent

130 to extract; conforming provisions; amending s.

131 378.802, F.S.; revising application of provisions to

132 exclude existing mines; amending s. 479.07, F.S.;

133 requiring the Department of Transportation 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 providing an effective date.

144

145 Be It Enacted by the Legislature of the State of Florida:

146

147 Section 1. Section 177.107, Florida Statutes, is created

148 to read:

149 177.107 Closing and abandonment of roads; optional

150 conveyance to a community development district; traffic control

151 jurisdiction.—

152 (1) The governing body of a municipality or county may
153 abandon the roads and rights-of-way dedicated in a recorded
154 residential subdivision plat and simultaneously convey its
155 interest in such roads, rights-of-way, and appurtenant drainage
156 facilities to a community development district established under
157 chapter 190 in which the subdivision is located if all of the
158 following conditions are met:

159 (a) The community development district has requested the
160 abandonment and conveyance by written resolution for the purpose
161 of converting the subdivision to a gated neighborhood with
162 monitored public access.

163 (b) The community development district has received
164 approval for the conveyance by a vote of two-thirds of the
165 landowners who are subject to the non-ad valorem assessments of
166 the community development district and who are present by person
167 or proxy at a properly noticed landowners' meeting.

168 (c) The community development district has executed an
169 interlocal agreement with the municipality or county, as
170 applicable, requiring the community development district to do
171 all of the following:

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

175 2. Every 5 years, conduct a reserve study of the roads and

176 any associated drainage, street lighting, or sidewalks
177 identified in the interlocal agreement.

178 3. Levy annual special assessments in amounts sufficient
179 to maintain the roads and any drainage, street lighting, or
180 sidewalks identified in the interlocal agreement to municipal or
181 county standards, as applicable.

182 4. Annually fund the amounts set forth in the reserve
183 study.

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

192 (3) Upon abandonment of the roads and rights-of-way and
193 the conveyance thereof to the community development district,
194 the community development district shall have all the rights,
195 title, and interest in the roads and rights-of-way, including
196 all appurtenant drainage facilities, as were previously vested
197 in the municipality or county. Thereafter, the community
198 development district shall hold the roads and rights-of-way in
199 trust for the benefit of the public and owners of the property
200 in the subdivision and shall operate, maintain, repair, and from

201 time to time replace and reconstruct the roads and any
202 associated street lighting, sidewalks, or drainage facilities
203 identified in the interlocal agreement as necessary to ensure
204 their use and enjoyment by the public and property owners,
205 tenants, and residents of the subdivision and their guests and
206 invitees.

207 (4) This section is supplemental and additional to the
208 powers of municipalities and counties.

209 Section 2. Section 287.05705, Florida Statutes, is created
210 to read:

211 287.05705 Procurements of road, bridge, and other
212 specified public construction services.—

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

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

225 Section 3. Subsection (2) and paragraph (b) of subsection

226 (56) of section 316.003, Florida Statutes, are amended to read:
 227 316.003 Definitions.—The following words and phrases, when
 228 used in this chapter, shall have the meanings respectively
 229 ascribed to them in this section, except where the context
 230 otherwise requires:

231 (2) AUTOCYCLE.—A three-wheeled motorcycle that has two
 232 wheels in the front and one wheel in the back; is equipped with
 233 a roll cage or roll hoops, a seat belt for each occupant,
 234 ~~antilock~~ brakes that meet the requirements of Federal Motor
 235 Vehicle Safety Standard No. 122, a steering mechanism ~~wheel~~, and
 236 seating that does not require the operator to straddle or sit
 237 astride it; and is manufactured in accordance with the
 238 applicable federal motorcycle safety standards in 49 C.F.R. part
 239 571 by a manufacturer registered with the National Highway
 240 Traffic Safety Administration.

241 (56) PERSONAL DELIVERY DEVICE.—An electrically powered
 242 device that:

243 (b) Weighs less than 550 ~~80~~ pounds, excluding cargo;

244
 245 A personal delivery device is not considered a vehicle unless
 246 expressly defined by law as a vehicle. A mobile carrier is not
 247 considered a personal delivery device.

248 Section 4. Subsections (5) and (7) of section 316.2397,
 249 Florida Statutes, are amended to read:

250 316.2397 Certain lights prohibited; exceptions.—

251 (5) Road maintenance and construction equipment and
252 vehicles may display flashing white lights or flashing white
253 strobe lights when in operation and where a hazard exists.
254 Construction equipment in a work zone on roadways with a posted
255 speed limit of 55 miles per hour or higher may show or display a
256 combination of flashing green, amber, and red lights in
257 conjunction with periods when workers are present. Additionally,
258 school buses and vehicles that are used to transport farm
259 workers may display flashing white strobe lights.

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

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

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

267 (c) During periods of extreme low visibility on roadways
268 with a posted speed limit of 55 mph or higher; and

269 (d)~~(e)~~ For the lamps authorized under subsections (1),
270 (2), (3), (4), and (9), s. 316.2065, or s. 316.235(6) which may
271 flash.

272 Section 5. Subsection (14) is added to section 316.302,
273 Florida Statutes, to read:

274 316.302 Commercial motor vehicles; safety regulations;
275 transporters and shippers of hazardous materials; enforcement;

276 motor carrier safety improvements.—

277 (14) (a) The deployment, implementation, or use of a motor
 278 carrier safety improvement by or as required by a motor carrier,
 279 its related entity, or a third party, including by contract,
 280 shall not be considered when evaluating an individual's status
 281 as an employee or independent contractor or as a jointly
 282 employed employee under any state law.

283 (b) For the purposes of this subsection, the term "motor
 284 carrier safety improvement" means any device, equipment,
 285 software, technology, procedure, training, policy, program, or
 286 operational practice intended and primarily used to improve or
 287 facilitate:

- 288 1. Compliance with traffic safety or motor carrier safety
- 289 laws;
- 290 2. Safety of a motor vehicle;
- 291 3. Safety of the operator of a motor vehicle; or
- 292 4. Safety of third-party users of public roadways.

293 Section 6. Paragraph (b) of subsection (3) of section
 294 319.30, Florida Statutes, is amended to read:

295 319.30 Definitions; dismantling, destruction, change of
 296 identity of motor vehicle or mobile home; salvage.—

297 (3)

298 (b) The owner, including persons who are self-insured, of
 299 a motor vehicle or mobile home that is considered to be salvage
 300 shall, within 72 hours after the motor vehicle or mobile home

301 becomes salvage, forward the title to the motor vehicle or
302 mobile home to the department for processing. However, an
303 insurance company that pays money as compensation for the total
304 loss of a motor vehicle or mobile home shall obtain the
305 certificate of title for the motor vehicle or mobile home, make
306 the required notification to the National Motor Vehicle Title
307 Information System, and, within 72 hours after receiving such
308 certificate of title, forward such title by the United States
309 Postal Service, by another commercial delivery service, or by
310 electronic means, when such means are made available by the
311 department, to the department for processing. The owner or
312 insurance company, as applicable, may not dispose of a vehicle
313 or mobile home that is a total loss before it obtains a salvage
314 certificate of title or certificate of destruction from the
315 department. ~~Effective January 1, 2020:~~

316 1. Thirty days after payment of a claim for compensation
317 pursuant to this paragraph, the insurance company may receive a
318 salvage certificate of title or certificate of destruction from
319 the department if the insurance company is unable to obtain a
320 properly assigned certificate of title from the owner or
321 lienholder of the motor vehicle or mobile home, if the motor
322 vehicle or mobile home does not carry an electronic lien on the
323 title and the insurance company:

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

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

329 c. Has attested on a form provided by the department and
330 ~~provided an affidavit on letterhead~~ signed by the insurance
331 company or its authorized agent that ~~stating~~ the attempts that
332 have been made to obtain the title from the owner or lienholder
333 and further stating that all attempts are to no avail. The form
334 ~~affidavit~~ must include a request that the salvage certificate of
335 title or certificate of destruction be issued in the insurance
336 company's name due to payment of a total loss claim to the owner
337 or lienholder. The attempts to contact the owner may be by
338 written request delivered in person or by first-class mail with
339 a certificate of mailing to the owner's or lienholder's last
340 known address.

341 2. If the owner or lienholder is notified of the request
342 for title in person, the insurance company must provide an
343 affidavit attesting to the in-person request for a certificate
344 of title.

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

349 Section 7. Paragraph (b) of subsection (1) of section
350 320.06, Florida Statutes, as amended by section 1 of chapter

351 2020-181, Laws of Florida, is amended to read:

352 320.06 Registration certificates, license plates, and
353 validation stickers generally.—

354 (1)

355 (b)1. Registration license plates bearing a graphic symbol
356 and the alphanumeric system of identification shall be issued
357 for a 10-year period. At the end of the 10-year period, upon
358 renewal, the plate shall be replaced. The department shall
359 extend the scheduled license plate replacement date from a 6-
360 year period to a 10-year period. The fee for such replacement is
361 \$28, \$2.80 of which shall be paid each year before the plate is
362 replaced, to be credited toward the next \$28 replacement fee.
363 The fees shall be deposited into the Highway Safety Operating
364 Trust Fund. A credit or refund may not be given for any prior
365 years' payments of the prorated replacement fee if the plate is
366 replaced or surrendered before the end of the 10-year period,
367 except that a credit may be given if a registrant is required by
368 the department to replace a license plate under s.

369 320.08056(8) (a). With each license plate, a validation sticker
370 shall be issued showing the owner's birth month, license plate
371 number, and the year of expiration or the appropriate renewal
372 period if the owner is not a natural person. The validation
373 sticker shall be placed on the upper right corner of the license
374 plate. The license plate and validation sticker shall be issued
375 based on the applicant's appropriate renewal period. The

376 registration period is 12 months, the extended registration
377 period is 24 months, and all expirations occur based on the
378 applicant's appropriate registration period. Rental vehicles
379 taxed pursuant to s. 320.08(6)(a) may elect a permanent
380 registration period, provided payment of the appropriate license
381 taxes and fees occurs annually. A vehicle that has an
382 apportioned registration shall be issued an annual license plate
383 and a cab card that denote the declared gross vehicle weight for
384 each apportioned jurisdiction in which the vehicle is authorized
385 to operate.

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

390 Section 8. Subsection (3) and paragraph (a) of subsection
391 (10) of section 320.27, Florida Statutes, are amended to read:

392 320.27 Motor vehicle dealers.—

393 (3) APPLICATION AND FEE.—The application for the license
394 shall be in such form as may be prescribed by the department and
395 shall be subject to such rules with respect thereto as may be so
396 prescribed by it. Such application shall be verified by oath or
397 affirmation and shall contain a full statement of the name and
398 birth date of the person or persons applying therefor; the name
399 of the firm or copartnership, with the names and places of
400 residence of all members thereof, if such applicant is a firm or

401 copartnership; the names and places of residence of the
402 principal officers, if the applicant is a body corporate or
403 other artificial body; the name of the state under whose laws
404 the corporation is organized; the present and former place or
405 places of residence of the applicant; and prior business in
406 which the applicant has been engaged and the location thereof.
407 Such application shall describe the exact location of the place
408 of business and shall state whether the place of business is
409 owned by the applicant and when acquired, or, if leased, a true
410 copy of the lease shall be attached to the application. The
411 applicant shall certify that the location provides an adequately
412 equipped office and is not a residence; that the location
413 affords sufficient unoccupied space upon and within which
414 adequately to store all motor vehicles offered and displayed for
415 sale; and that the location is a suitable place where the
416 applicant can in good faith carry on such business and keep and
417 maintain books, records, and files necessary to conduct such
418 business, which shall be available at all reasonable hours to
419 inspection by the department or any of its inspectors or other
420 employees. The applicant shall certify that the business of a
421 motor vehicle dealer is the principal business which shall be
422 conducted at that location. The application shall contain a
423 statement that the applicant is either franchised by a
424 manufacturer of motor vehicles, in which case the name of each
425 motor vehicle that the applicant is franchised to sell shall be

426 included, or an independent (nonfranchised) motor vehicle
427 dealer. The application shall contain other relevant information
428 as may be required by the department, including evidence that
429 the applicant is insured under a garage liability insurance
430 policy or a general liability insurance policy coupled with a
431 business automobile policy, which shall include, at a minimum,
432 \$25,000 combined single-limit liability coverage including
433 bodily injury and property damage protection and \$10,000
434 personal injury protection. However, a salvage motor vehicle
435 dealer as defined in subparagraph (1)(c)5. is exempt from the
436 requirements for garage liability insurance and personal injury
437 protection insurance on those vehicles that cannot be legally
438 operated on roads, highways, or streets in this state. Franchise
439 dealers must submit a garage liability insurance policy, and all
440 other dealers must submit a garage liability insurance policy or
441 a general liability insurance policy coupled with a business
442 automobile policy. Such policy shall be for the license period,
443 and evidence of a new or continued policy shall be delivered to
444 the department at the beginning of each license period. A
445 licensee shall deliver to the department, in the manner
446 prescribed by the department, within 10 calendar days after any
447 renewal or continuation of or change in such policy or within 10
448 calendar days after any issuance of a new policy, a copy of the
449 renewed, continued, changed, or new policy. Upon making initial
450 application, the applicant shall pay to the department a fee of

451 \$300 in addition to any other fees required by law. Applicants
452 may choose to extend the licensure period for 1 additional year
453 for a total of 2 years. An initial applicant shall pay to the
454 department a fee of \$300 for the first year and \$75 for the
455 second year, in addition to any other fees required by law. An
456 applicant for renewal shall pay to the department \$75 for a 1-
457 year renewal or \$150 for a 2-year renewal, in addition to any
458 other fees required by law. Upon making an application for a
459 change of location, the person shall pay a fee of \$50 in
460 addition to any other fees now required by law. The department
461 shall, in the case of every application for initial licensure,
462 verify whether certain facts set forth in the application are
463 true. Each applicant, general partner in the case of a
464 partnership, or corporate officer and director in the case of a
465 corporate applicant, must file a set of fingerprints with the
466 department for the purpose of determining any prior criminal
467 record or any outstanding warrants. The department shall submit
468 the fingerprints to the Department of Law Enforcement for state
469 processing and forwarding to the Federal Bureau of Investigation
470 for federal processing. The actual cost of state and federal
471 processing shall be borne by the applicant and is in addition to
472 the fee for licensure. The department may issue a license to an
473 applicant pending the results of the fingerprint investigation,
474 which license is fully revocable if the department subsequently
475 determines that any facts set forth in the application are not

476 true or correctly represented.

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

479 (a) Annually, before any license shall be issued to a
480 motor vehicle dealer, the applicant-dealer of new or used motor
481 vehicles shall deliver to the department a good and sufficient
482 surety bond or irrevocable letter of credit, executed by the
483 applicant-dealer as principal, in the sum of \$25,000. A licensee
484 shall deliver to the department, in the manner prescribed by the
485 department, within 10 calendar days after any renewal or
486 continuation of or change in such surety bond or irrevocable
487 letter of credit or within 10 calendar days after any issuance
488 of a new surety bond or irrevocable letter of credit, a copy of
489 such renewed, continued, changed, or new surety bond or
490 irrevocable letter of credit.

491 Section 9. Subsections (4) through (8) of section 330.27,
492 Florida Statutes, are renumbered as subsections (5) through (9),
493 respectively, and a new subsection (4) is added to that section
494 to read:

495 330.27 Definitions, when used in ss. 330.29-330.39.—

496 (4) "Electric vertical takeoff and landing aircraft" means
497 a type of aircraft that uses electric power to hover, take off,
498 and land vertically.

499 Section 10. Paragraph (e) of subsection (3) and subsection
500 (4) of section 330.30, Florida Statutes, are amended to read:

501 330.30 Approval of airport sites; registration and
502 licensure of airports.—

503 (3) EXEMPTIONS.—The provisions of this section do not
504 apply to:

505 (e) An airport which meets the criteria of s. 330.27(8) ~~s.~~
506 ~~330.27(7)~~ used exclusively for aerial application or spraying of
507 crops on a seasonal basis, not to include any licensed airport
508 where permanent crop aerial application or spraying facilities
509 are installed, if the period of operation does not exceed 30
510 days per calendar year. Such proposed airports, which will be
511 located within 3 miles of existing airports or approved airport
512 sites, shall establish safe air-traffic patterns with such
513 existing airports or approved airport sites, by memorandums of
514 understanding, or by letters of agreement between the parties
515 representing the airports or sites.

516 (4) EXCEPTIONS.—Private airports with 10 or more based
517 aircraft may request to be inspected and licensed by the
518 department. Private airports licensed according to this
519 subsection shall be considered private airports as defined in s.
520 330.27 ~~s. 330.27(5)~~ in all other respects.

521 Section 11. Section 337.025, Florida Statutes, is amended
522 to read:

523 337.025 Innovative transportation projects; department to
524 establish program.—

525 (1) The department may establish a program for

526 transportation projects demonstrating innovative techniques of
527 highway and bridge design, construction, maintenance, and
528 finance which have the intended effect of measuring resiliency
529 and structural integrity and controlling time and cost increases
530 on construction projects. Such techniques may include, but are
531 not limited to, state-of-the-art technology for pavement,
532 safety, and other aspects of highway and bridge design,
533 construction, and maintenance; innovative bidding and financing
534 techniques; accelerated construction procedures; and those
535 techniques that have the potential to reduce project life cycle
536 costs. To the maximum extent practical, the department must use
537 the existing process to award and administer construction and
538 maintenance contracts. When specific innovative techniques are
539 to be used, the department is not required to adhere to those
540 provisions of law that would prevent, preclude, or in any way
541 prohibit the department from using the innovative technique.
542 However, before using an innovative technique that is
543 inconsistent with another provision of law, the department must
544 document in writing the need for the exception and identify what
545 benefits the traveling public and the affected community are
546 anticipated to receive. The department may enter into no more
547 than \$120 million in contracts annually for the purposes
548 authorized by this section.

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

551 (a) Turnpike enterprise projects, ~~and turnpike enterprise~~
 552 ~~projects shall not be counted toward the department's annual~~
 553 ~~cap.~~

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

557 Section 12. Section 337.0262, Florida Statutes, is created
 558 to read:

559 337.0262 Purchase and use of clay, peat, gravel, sand, or
 560 any other solid substance extracted from borrow pits.-

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

565 (a) Certification is provided to the department,
 566 contractor, or subcontractor by the operator of the borrow pit
 567 that it is in compliance with the notice requirements and
 568 substantive requirements of s. 378.801; and

569 (b) The operator of the borrow pit is in compliance with
 570 the performance standards in s. 378.803, including, but not
 571 limited to, providing proof of currently valid permits required
 572 by the Department of Environmental Protection and the
 573 appropriate water management district.

574 (2) All contracts and purchase orders executed by the
 575 department and all subcontracts and purchase orders executed by

576 contractors or subcontractors after July 1, 2021, must include
 577 specific requirements for compliance with this section.

578 (3) In the event that the department determines that
 579 substances are being obtained and used from a borrow pit that is
 580 not in compliance with this section, the department must cease
 581 to accept any substances from that borrow pit within 48 hours
 582 after such determination. The department may resume acceptance
 583 of substances from the borrow pit once the borrow pit is in
 584 compliance with this section.

585 Section 13. Subsections (1), (4), and (7) of section
 586 337.14, Florida Statutes, are amended to read:

587 337.14 Application for qualification; certificate of
 588 qualification; restrictions; request for hearing.—

589 (1) Any contractor desiring to bid for the performance of
 590 any construction contract in excess of \$250,000 which the
 591 department proposes to let must first be certified by the
 592 department as qualified pursuant to this section and rules of
 593 the department. The rules of the department must address the
 594 qualification of contractors to bid on construction contracts in
 595 excess of \$250,000 and must include requirements with respect to
 596 the equipment, past record, experience, financial resources, and
 597 organizational personnel of the applying contractor which are
 598 necessary to perform the specific class of work for which the
 599 contractor seeks certification. Any contractor who desires to
 600 bid on contracts in excess of \$50 million and who is not

601 qualified and in good standing with the department as of January
602 1, 2019, must first be certified by the department as qualified
603 ~~and desires to bid on contracts in excess of \$50 million~~ must
604 have satisfactorily completed two projects, each in excess of
605 \$15 million, for the department or for any other state
606 department of transportation. The department may limit the
607 dollar amount of any contract upon which a contractor is
608 qualified to bid or the aggregate total dollar volume of
609 contracts such contractor is allowed to have under contract at
610 any one time. Each applying contractor seeking qualification to
611 bid on construction contracts in excess of \$250,000 shall
612 furnish the department a statement under oath, on such forms as
613 the department may prescribe, setting forth detailed information
614 as required on the application. Each application for
615 certification must be accompanied by audited, certified
616 financial statements prepared in accordance with generally
617 accepted accounting principles and auditing standards by a
618 certified public accountant licensed in this state or another
619 state. The audited, certified financial statements must be for
620 the applying contractor and must have been prepared the latest
621 annual financial statement of the applying contractor completed
622 within the immediately preceding last 12 months. The department
623 may not consider any financial information of the parent entity
624 of the applying contractor, if any. The department may not
625 certify as qualified any applying contractor that fails to

626 submit the audited, certified financial statements required by
627 this subsection. If the application or the annual financial
628 statement shows the financial condition of the applying
629 contractor more than 4 months before ~~prior to~~ the date on which
630 the application is received by the department, a reviewed
631 interim financial statement or an interim audited, certified
632 financial statement prepared in accordance with generally
633 accepted accounting principles and auditing standards by a
634 certified public accountant licensed in this state or another
635 state may be requested by the department ~~statement and an~~
636 ~~updated application must be submitted.~~ The interim financial
637 statements, if requested, ~~statement~~ must cover the period from
638 the end date of the annual statement and must show the financial
639 condition of the applying contractor no more than 4 months
640 before ~~prior to~~ the date that the interim financial statements
641 are ~~statement is~~ received by the department. However, upon the
642 request of the applying contractor, an application and
643 accompanying annual or interim financial statement received by
644 the department within 15 days after either 4-month period under
645 this subsection shall be considered timely. ~~Each required annual~~
646 ~~or interim financial statement must be audited and accompanied~~
647 ~~by the opinion of a certified public accountant.~~ An applying
648 contractor desiring to bid exclusively for the performance of
649 construction contracts with proposed budget estimates of less
650 than \$1 million may submit reviewed annual or reviewed interim

651 financial statements prepared by a certified public accountant.
652 The information required by this subsection is confidential and
653 exempt from s. 119.07(1). The department shall act upon the
654 application for qualification within 30 days after the
655 department determines that the application is complete. The
656 department may waive the requirements of this subsection for
657 projects having a contract price of \$500,000 or less if the
658 department determines that the project is of a noncritical
659 nature and the waiver will not endanger public health, safety,
660 or property.

661 (4) If the applicant is found to possess the prescribed
662 qualifications, the department shall issue to him or her a
663 certificate of qualification that, unless thereafter revoked by
664 the department for good cause, will be valid for a period of 18
665 months after the date of the applicant's financial statement or
666 such shorter period as the department prescribes. Submission of
667 an application and subsequent approval do ~~shall~~ not affect
668 expiration of the certificate of qualification, the ability
669 factor of the applicant, or the maximum capacity rating of the
670 applicant. If the department finds that an application is
671 incomplete or contains inadequate information or information
672 that cannot be verified, the department may request in writing
673 that the applicant provide the necessary information to complete
674 the application or provide the source from which any information
675 in the application may be verified. If the applicant fails to

676 | comply with the initial written request within a reasonable
677 | period of time as specified therein, the department shall
678 | request the information a second time. If the applicant fails to
679 | comply with the second request within a reasonable period of
680 | time as specified therein, the application shall be denied.

681 | (7) A "contractor" as defined in s. 337.165(1)(d) or his
682 | or her "affiliate" as defined in s. 337.165(1)(a) qualified with
683 | the department under this section may not also qualify under s.
684 | 287.055 or s. 337.105 to provide testing services, construction,
685 | engineering, and inspection services to the department. This
686 | limitation does not apply to any design-build prequalification
687 | under s. 337.11(7) and does not apply when the department
688 | otherwise determines by written order entered at least 30 days
689 | before advertisement that the limitation is not in the best
690 | interests of the public with respect to a particular contract
691 | for testing services, construction, engineering, and inspection
692 | services. This subsection does not authorize a contractor to
693 | provide testing services, or provide construction, engineering,
694 | and inspection services, to the department in connection with a
695 | construction contract under which the contractor is performing
696 | any work. Notwithstanding any other provision of law to the
697 | contrary, for a project that is wholly or partially funded by
698 | the department and administered by a local governmental entity,
699 | except for a seaport listed in s. 311.09 or an airport as
700 | defined in s. 332.004, the entity performing design and

701 construction engineering and inspection services may not be the
702 same entity.

703 Section 14. Section 337.185, Florida Statutes, is amended
704 to read:

705 (Substantial rewording of section. See
706 s. 337.185, F.S., for present text.)
707 337.185 State Arbitration Board.—

708 (1) To facilitate the prompt resolution of claims arising
709 out of or in connection with a construction or maintenance
710 contract with the department, the Legislature has established
711 the State Arbitration Board, referred to in this section as the
712 "board."

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

714 (a) "Claim" means the aggregate of all outstanding written
715 requests for additional monetary compensation, time, or other
716 adjustments to the contract, the entitlement or impact of which
717 is disputed with the department and could not be resolved by
718 negotiations between the department and the contractor.

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

722 (c) "Final acceptance" means that the contractor has
723 completely performed the work provided for under the contract,
724 the department or its agent has determined that the contractor
725 has satisfactorily completed the work provided for under the

726 contract, and the department or its agent has submitted written
727 notice of final acceptance to the contractor.

728 (3) Every claim in an amount of up to \$250,000 per
729 contract that could not be resolved by negotiations between the
730 department and the contractor shall be arbitrated by the board.
731 An award issued by the board pursuant to this subsection is
732 final and enforceable by a court of competent jurisdiction.

733 (4) The contractor may submit a claim greater than
734 \$250,000 up to \$1 million per contract or, upon agreement of the
735 parties, up to \$2 million per contract to be arbitrated by the
736 board. An award issued by the board pursuant to this subsection
737 is final if a request for a trial de novo is not filed within
738 the time provided by Rule 1.830, Florida Rules of Civil
739 Procedure. At the trial de novo, the court may not admit
740 evidence that there has been an arbitration proceeding, the
741 nature or amount of the award, or any other matter concerning
742 the conduct of the arbitration proceeding, except that testimony
743 given at an arbitration hearing may be used for any purpose
744 otherwise permitted by the Florida Evidence Code. If a request
745 for trial de novo is not filed within the time provided, the
746 award issued by the board is final and enforceable by a court of
747 competent jurisdiction.

748 (5) An arbitration request may not be made to the board
749 before final acceptance but must be made to the board within 820
750 days after final acceptance.

751 (6) The board shall schedule a hearing within 45 days
752 after an arbitration request and, if possible, shall conduct the
753 hearing within 90 days after the request. The board may
754 administer oaths and conduct the proceedings as provided by the
755 Florida Rules of Civil Procedure and the Florida Evidence Code.
756 The hearing may be conducted informally. Presentation of
757 testimony and evidence shall be kept to a minimum, and matters
758 shall be presented to the board primarily through the statements
759 and arguments of counsel. The board shall address the scope of
760 discovery, presentation of testimony, and evidence at a
761 preliminary hearing by considering the size, subject matter, and
762 complexity of the dispute. Any party to the arbitration may
763 petition the board, for good cause shown, to issue subpoenas for
764 the attendance of witnesses and the production of books,
765 records, documents, and other evidence at the arbitration and
766 may petition the board for orders compelling such attendance and
767 production at the arbitration. Subpoenas shall be served and are
768 enforceable in the manner provided in the Florida Rules of Civil
769 Procedure.

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

774 (8) The board shall be composed of three members. The
775 first member shall be appointed by the Secretary of

776 Transportation, and the second member shall be elected by those
777 construction or maintenance companies that are under contract
778 with the department. The third member shall be chosen by
779 agreement of the first and second members. If the first or
780 second member has a conflict of interest regarding affiliation
781 with one of the parties to an arbitration hearing, the
782 appointing entity shall appoint an alternate member for that
783 hearing. If the third member has such a conflict of interest,
784 the first and second members shall select an alternate member.
785 Each member shall serve a 4-year term. The board shall elect a
786 chair for each term, who shall be the administrator of the board
787 and custodian of its records.

788 (9) The presence of all board members is required to
789 conduct a meeting either in person or by means of communications
790 media technology used in accordance with rules adopted by the
791 Administration Commission under s. 120.54(5).

792 (10) The members of the board may receive compensation for
793 the performance of their duties from deposits made by the
794 parties based on an estimate of compensation by the board,
795 except that no employee of the department may receive
796 compensation from the board. All deposits shall be held in
797 escrow in advance of the hearing. Each member eligible for
798 compensation shall be compensated at a rate of \$200 per hour, up
799 to a maximum of \$1,500 per day. Members of the board are
800 entitled to receive per diem and travel expenses pursuant to s.

801 112.061. The board may allocate funds annually for clerical and
 802 other administrative services.

803 (11) To cover the cost of administration and initial
 804 compensation of the board, the party requesting arbitration
 805 shall pay a filing fee to the board, according to a schedule
 806 established by the board, of:

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

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

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

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

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

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

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

819
 820 The board may apportion the filing fees and the cost of
 821 recording and preparing a transcript of the hearing among the
 822 parties in its award.

823 Section 15. Subsection (3) of section 338.166, Florida
 824 Statutes, is amended to read:

825 338.166 High-occupancy toll lanes or express lanes.—

826 (3) Any remaining toll revenue from the high-occupancy
 827 toll lanes or express lanes shall be used by the department for
 828 the construction, maintenance, or improvement of any road or to
 829 support public transportation projects that benefit the
 830 operation of high-occupancy toll lanes or express lanes on the
 831 State Highway System within the county or counties in which the
 832 toll revenues were collected or to support express bus service
 833 on the facility where the toll revenues were collected.

834 Section 16. Paragraphs (f) and (i) of subsection (6) of
 835 section 339.175, Florida Statutes, are amended to read:

836 339.175 Metropolitan planning organization.—

837 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,
 838 privileges, and authority of an M.P.O. are those specified in
 839 this section or incorporated in an interlocal agreement
 840 authorized under s. 163.01. Each M.P.O. shall perform all acts
 841 required by federal or state laws or rules, now and subsequently
 842 applicable, which are necessary to qualify for federal aid. It
 843 is the intent of this section that each M.P.O. shall be involved
 844 in the planning and programming of transportation facilities,
 845 including, but not limited to, airports, intercity and high-
 846 speed rail lines, seaports, and intermodal facilities, to the
 847 extent permitted by state or federal law.

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

851 transportation planning funds.

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

855 (i) There is created the ~~Tampa Bay Area Regional Transit~~
 856 ~~Authority Metropolitan Planning Organization~~ Chairs Coordinating
 857 Committee is created within the ~~Tampa Bay Area Regional Transit~~
 858 ~~Authority~~, composed of the M.P.O.'s serving Citrus, Hernando,
 859 Hillsborough, Manatee, Pasco, Pinellas, Polk, and Sarasota
 860 Counties. ~~The authority shall provide administrative support and~~
 861 ~~direction to the committee.~~ The committee must, at a minimum:

862 1. Coordinate transportation projects deemed to be
 863 regionally significant by the committee.

864 2. Review the impact of regionally significant land use
 865 decisions on the region.

866 3. Review all proposed regionally significant
 867 transportation projects in the respective transportation
 868 improvement programs which affect more than one of the M.P.O.'s
 869 represented on the committee.

870 4. Institute a conflict resolution process to address any
 871 conflict that may arise in the planning and programming of such
 872 regionally significant projects.

873 Section 17. Part III of chapter 343, Florida Statutes,
 874 consisting of sections 343.80, 343.805, 343.81, 343.82, 343.83,
 875 343.835, 343.836, 343.84, 343.85, 343.87, 343.875, 343.88,

876 343.881, 343.884, and 343.89, Florida Statutes, is repealed.

877 Section 18. Notwithstanding any other law, the Northwest
878 Florida Transportation Corridor Authority is dissolved. The
879 authority shall discharge or make provision for the authority's
880 debts, obligations, and other liabilities; settle and close the
881 authority's activities and affairs; and provide for distribution
882 of the authority's assets, or the proceeds of such assets, such
883 that each local general-purpose government represented on the
884 authority's board receives a distribution generally in
885 proportion to each entity's contribution to the acquisition of
886 the assets.

887 Section 19. Paragraph (b) of subsection (2) and
888 subsections (8) and (9) of section 343.92, Florida Statutes, are
889 amended to read:

890 343.92 Tampa Bay Area Regional Transit Authority.—

891 (2) The governing board of the authority shall consist of
892 13 voting members appointed no later than 45 days after the
893 creation of the authority.

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

896 1. The county commissions of Hernando, Hillsborough,
897 Manatee, Pasco, and Pinellas Counties shall each appoint one
898 county commissioner to the board. Members appointed under this
899 subparagraph shall serve 2-year terms with not more than three
900 consecutive terms being served by any person. If a member under

901 this subparagraph leaves elected office, a vacancy exists on the
902 board to be filled as provided in this subparagraph within 90
903 days.

904 2.a. Two members of the board shall be the mayor, or the
905 mayor's designated alternate, of the largest municipality within
906 the service area of each of the following independent transit
907 agencies or their legislatively created successor agencies:
908 Pinellas Suncoast Transit Authority and Hillsborough Area
909 Regional Transit Authority. The largest municipality is that
910 municipality with the largest population as determined by the
911 most recent United States Decennial Census.

912 b. The mayor's designated alternate must be an elected
913 member of the municipality's city council and approved as the
914 mayor's designated alternate by the municipality's city council.
915 In the event the mayor is unable to attend a meeting, the
916 mayor's designated alternate shall attend the meeting on the
917 mayor's behalf and has the full right to vote.

918 3. The following independent transit agencies or their
919 legislatively created successor agencies shall each appoint from
920 the membership of their governing bodies one member to the
921 board: Pinellas Suncoast Transit Authority and Hillsborough Area
922 Regional Transit Authority. Each member appointed under this
923 subparagraph shall serve a 2-year term with not more than three
924 consecutive terms being served by any person. If a member no
925 longer meets the transit authority's criteria for appointment, a

926 | vacancy exists on the board, which must be filled as provided in
927 | this subparagraph within 90 days.

928 | 4. The Governor shall appoint to the board four members
929 | from the regional business community, each of whom must reside
930 | in one of the counties governed by the authority and may not be
931 | an elected official. Of the members initially appointed under
932 | this subparagraph, one shall serve a 1-year term, two shall
933 | serve 2-year terms, and one shall serve a term as the initial
934 | chair as provided in subsection (5). Thereafter, a member
935 | appointed under this subparagraph shall serve a 2-year term with
936 | not more than three consecutive terms being served by any
937 | person.

938 |
939 | Appointments may be staggered to avoid mass turnover at the end
940 | of any 2-year or 4-year period. A vacancy during a term shall be
941 | filled within 90 days in the same manner as the original
942 | appointment for the remainder of the unexpired term.

943 | (8) A simple majority ~~Seven members~~ of the board shall
944 | constitute a quorum, and a simple majority of the voting members
945 | present shall be necessary for any action to be taken by the
946 | board ~~the vote of seven members is necessary for any action to~~
947 | ~~be taken by the authority.~~ The authority may meet upon the
948 | constitution of a quorum. A vacancy does not impair the right of
949 | a quorum of the board to exercise all rights and the ability to
950 | perform all duties of the authority.

951 ~~(9) Beginning July 1, 2017, the board must evaluate the~~
 952 ~~abolishment, continuance, modification, or establishment of the~~
 953 ~~following committees:~~

954 ~~(a) Planning committee.~~

955 ~~(b) Policy committee.~~

956 ~~(c) Finance committee.~~

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

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

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

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

962

963 ~~The board must submit its recommendations for abolishment,~~
 964 ~~continuance, modification, or establishment of the committees to~~
 965 ~~the President of the Senate and the Speaker of the House of~~
 966 ~~Representatives before the beginning of the 2018 Regular~~
 967 ~~Session.~~

968 Section 20. Paragraphs (e), (f), and (g) of subsection (3)
 969 of section 343.922, Florida Statutes, are amended to read:

970 343.922 Powers and duties.—

971 (3)

972 (e) The authority shall present the ~~original~~ regional
 973 transit development plan and updates to the governing bodies of
 974 the counties within the designated region, ~~to the TBARTA~~
 975 ~~Metropolitan Planning Organization Chairs Coordinating~~

976 ~~Committee,~~ and to the legislative delegation members
977 representing those counties within 90 days after adoption.

978 ~~(f) The authority shall coordinate plans and projects with~~
979 ~~the TBARTA Metropolitan Planning Organization Chairs~~
980 ~~Coordinating Committee, to the extent practicable, and~~
981 ~~participate in the regional M.P.O. planning process to ensure~~
982 ~~regional comprehension of the authority's mission, goals, and~~
983 ~~objectives.~~

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

987 Section 21. Paragraph (c) of subsection (1) of section
988 348.754, Florida Statutes, is amended to read:

989 348.754 Purposes and powers.—

990 (1)

991 (c) Notwithstanding any other provision of this section to
992 the contrary, to ensure the continued financial feasibility of
993 the portion of the Wekiva Parkway to be constructed by the
994 department, the authority may not, without ~~the~~ prior
995 consultation with consent of the secretary of the department,
996 construct any extensions, additions, or improvements to the
997 expressway system in Lake County.

998 Section 22. Paragraph (d) of subsection (2) of section
999 349.04, Florida Statutes, is amended to read:

1000 349.04 Purposes and powers.—

1001 (2) The authority is hereby granted, and shall have and
 1002 may exercise all powers necessary, appurtenant, convenient, or
 1003 incidental to the carrying out of the aforesaid purposes,
 1004 including, but without being limited to, the right and power:

1005 (d) To enter into and make leases for terms not exceeding
 1006 99 ~~40~~ years, as either lessee or lessor, in order to carry out
 1007 the right to lease as set forth in this chapter.

1008 Section 23. Subsections (3) through (19) of section
 1009 378.403, Florida Statutes, are renumbered as subsections (4)
 1010 through (20), respectively, and a new subsection (3) is added to
 1011 that section to read:

1012 378.403 Definitions.—As used in this part, the term:

1013 (3) "Borrow pit" means an area of land upon which
 1014 excavation of surface resources has been conducted, is being
 1015 conducted, or is planned to be conducted, as the term is
 1016 commonly used in the trade, and is not considered a mine. Such
 1017 resources are limited to soil, organic soil, sand, or clay that
 1018 can be removed with construction excavating equipment and loaded
 1019 on a haul truck with no additional processing.

1020 Section 24. Section 378.801, Florida Statutes, is amended
 1021 to read:

1022 378.801 Other resources; notice of intent to extract ~~mine~~
 1023 required.—

1024 (1) An ~~Ne~~ operator may not begin the operation of a borrow
 1025 pit, or the process of extracting clay, peat, gravel, sand, or

1026 any other solid substance of commercial value found in natural
 1027 deposits or in the earth, except fuller's earth clay, heavy
 1028 minerals, limestone, or phosphate, which are regulated elsewhere
 1029 in this chapter, at a new location ~~mine~~ without notifying the
 1030 secretary of the intention to extract ~~mine~~.

1031 (2) The operator's notice of intent to extract ~~mine~~ shall
 1032 consist of the operator's estimated life of the extraction
 1033 location ~~mine~~ and the operator's signed acknowledgment of the
 1034 performance standards provided by s. 378.803.

1035 Section 25. Section 378.802, Florida Statutes, is amended
 1036 to read:

1037 378.802 Existing extraction locations ~~mines~~.—After January
 1038 1, 1989, all operators of existing locations ~~mines~~ for the
 1039 extraction of resources as described in s. 378.801 shall meet
 1040 the performance standards provided by s. 378.803 for any new
 1041 surface area disturbed at such locations ~~mines~~.

1042 Section 26. Subsection (5) of section 479.07, Florida
 1043 Statutes, is amended to read:

1044 479.07 Sign permits.—

1045 (5) (a) For each permit issued, the department shall
 1046 furnish to the applicant a serially numbered permanent metal
 1047 permit tag. The permittee is responsible for maintaining a valid
 1048 permit tag on each permitted sign facing at all times. The tag
 1049 shall be securely attached to the upper 50 percent of the sign
 1050 structure, and attached in such a manner as to be plainly

1051 visible from the main-traveled way. The permit tag must be
1052 properly and permanently displayed at the permitted site within
1053 30 days after the date of permit issuance. If the permittee
1054 fails to erect a completed sign on the permitted site within 270
1055 days after the date on which the permit was issued, the permit
1056 will be void, and the department may not issue a new permit to
1057 that permittee for the same location for 270 days after the date
1058 on which the permit becomes void.

1059 (b) If a permit tag is lost, stolen, or destroyed, the
1060 permittee to whom the tag was issued must apply to the
1061 department for a replacement tag. The department shall establish
1062 a service fee for replacement tags in an amount that will
1063 recover the actual cost of providing the replacement tag. Upon
1064 receipt of the application accompanied by the service fee, the
1065 department shall issue a replacement permit tag.

1066 (c)1. As soon as practicable, the department shall create
1067 and implement a publicly accessible electronic database to
1068 include all permits issued by the department. At a minimum, the
1069 database must include the name and contact information of the
1070 permit operator, the structure identification number or numbers,
1071 the panel or face identification number or numbers, the latitude
1072 and longitude of the permitted sign, the compass bearing, images
1073 of the permitted sign once constructed, and the most recent date
1074 the department visually inspected the permitted sign.

1075 2. Once the department creates and implements the publicly

1076 | accessible electronic database:

1077 | a. The department may not furnish permanent metal permit
1078 | tags or replacement tags to permittees;

1079 | b. The department may not enforce the provisions relating
1080 | to permanent metal permit tags or replacement tags specified in
1081 | paragraphs (a) and (b); and

1082 | c. Permittees are not required to return permit tags to
1083 | the department as provided in subsection (8).

1084 | Section 27. This act shall take effect July 1, 2021.