



1 A bill to be entitled
2 An act relating to transportation; amending s.
3 288.1097, F.S.; authorizing members of certain
4 qualified job training organizations to participate in
5 a self-insurance fund; amending s. 311.07, F.S.;
6 increasing the minimum amount that must be made
7 available annually from the State Transportation Trust
8 Fund to fund the Florida Seaport Transportation and
9 Economic Development Program; amending s. 311.09,
10 F.S.; increasing the amount per year the department
11 must include in its annual legislative budget request
12 for the Florida Seaport Transportation and Economic
13 Development Program; amending s. 311.12, F.S.;
14 establishing the Seaport Security Advisory Committee
15 under the direction of the Florida Seaport
16 Transportation and Economic Development Council;
17 providing membership and duties; directing the council
18 to establish a Seaport Security Grant Program to
19 assist in the implementation of security at specified
20 seaports; directing the council to review
21 applications, make recommendations to the council, and
22 adopt rules; amending s. 316.003, F.S.; revising and
23 providing definitions; amending s. 316.0745, F.S.;
24 revising the circumstances under which the Department
25 of Transportation is authorized to direct the removal
26 of certain traffic control devices; requiring the



27 public agency erecting or installing such a device to
28 bring it into compliance with certain requirements or
29 remove it upon the direction of the department;
30 creating s. 316.2069, F.S.; authorizing the governing
31 body of a municipality or a county to authorize the
32 operation of commercial megacycles on or across
33 streets or roads under the specified conditions;
34 authorizing the Department of Transportation to
35 prohibit the operation of commercial megacycles on or
36 across any road under its jurisdiction if it
37 determines that such prohibition is necessary in the
38 interest of safety; excluding commercial megacycle
39 passengers from certain provisions regarding
40 possession of open containers of alcoholic beverages
41 in vehicles under specified conditions; providing that
42 use of an auxiliary motor under certain circumstances
43 is not prohibited; amending s. 316.235, F.S.; revising
44 specifications for bus deceleration lighting systems;
45 amending s. 316.303, F.S.; revising the prohibition
46 from operating, under certain circumstances, a motor
47 vehicle that is equipped with television-type
48 receiving equipment; providing exceptions to the
49 prohibition against displaying moving television
50 broadcast or pre-recorded video entertainment content
51 in vehicles; amending s. 316.515, F.S.; extending the
52 allowable length of certain semitrailers authorized to



53 | operate on public roads under certain conditions;
54 | amending s. 316.640, F.S.; expanding the authority of
55 | a chartered municipal parking enforcement specialist
56 | to enforce state, county, and municipal parking laws
57 | and ordinances within the boundaries of certain
58 | counties pursuant to a memorandum of understanding;
59 | amending s. 316.85, F.S.; revising the circumstances
60 | under which a licensed driver is authorized to operate
61 | an autonomous vehicle in autonomous mode; amending s.
62 | 316.86, F.S.; deleting a provision authorizing the
63 | operation of vehicles equipped with autonomous
64 | technology on roads in this state for testing purposes
65 | by certain persons or research organizations; deleting
66 | a requirement that a human operator be present in an
67 | autonomous vehicle for testing purposes; deleting
68 | certain financial responsibility requirements for
69 | entities performing such testing; amending s. 319.145,
70 | F.S.; revising provisions relating to required
71 | equipment and operation of autonomous vehicles;
72 | amending s. 319.30, F.S.; authorizing insurance
73 | companies to receive a salvage certificate of title or
74 | certificate of destruction from the Department of
75 | Highway Safety and Motor Vehicles after a specified
76 | number of days after payment of a claim as of a
77 | specified date, subject to certain requirements;
78 | requiring insurance companies seeking such title or



79 certificate of destruction to follow a specified
80 procedure; providing requirements for the request;
81 amending s. 320.525, F.S.; revising the definition of
82 the term "port vehicles and equipment"; amending ss.
83 322.051 and 322.14, F.S.; authorizing the
84 international symbol for the deaf and hard of hearing
85 to be exhibited on the driver license or
86 identification card of a person who is deaf or hard of
87 hearing; providing applicability; amending s. 332.08,
88 F.S.; extending the authorized term of certain
89 airport-related leases; amending s. 333.01, F.S.;
90 defining and redefining terms; amending s. 333.025,
91 F.S.; revising the requirements relating to permits
92 required for obstructions; requiring certain existing,
93 planned, and proposed facilities to be protected from
94 airport hazards; requiring the local government to
95 provide a copy of a complete permit application to the
96 Department of Transportation's aviation office,
97 subject to certain requirements; requiring the
98 department to have a specified review period following
99 receipt of such application; providing exemptions from
100 such review under certain circumstances; revising the
101 circumstances under which the department issues or
102 denies a permit; revising the department's
103 requirements before a permit is issued; revising the
104 circumstances under which the department is prohibited



105 | from approving a permit; providing that the denial of
106 | a permit is subject to administrative review; amending
107 | s. 333.03, F.S.; conforming provisions to changes made
108 | by the act; revising the circumstances under which a
109 | political subdivision owning or controlling an airport
110 | and another political subdivision adopt, administer,
111 | and enforce airport protection zoning regulations or
112 | create a joint airport protection zoning board;
113 | revising the provisions relating to airport protection
114 | zoning regulations and joint airport protection zoning
115 | boards; requiring the department to be available to
116 | provide assistance to political subdivisions regarding
117 | federal obstruction standards; deleting provisions
118 | relating to certain duties of the department; revising
119 | provisions relating to airport land use compatibility
120 | zoning regulations; revising construction; providing
121 | applicability; amending s. 333.04, F.S.; authorizing
122 | certain airport zoning regulations to be incorporated
123 | in and made a part of comprehensive plans and
124 | policies, rather than a part of comprehensive zoning
125 | regulations, under certain circumstances; revising
126 | requirements relating to applicability; amending s.
127 | 333.05, F.S.; revising procedures for adoption of
128 | airport zoning regulations; amending s. 333.06, F.S.;
129 | revising airport zoning regulation requirements;
130 | repealing s. 333.065, F.S., relating to guidelines



131 regarding land use near airports; amending s. 333.07,
132 F.S.; revising requirements relating to local
133 government permitting of airspace obstructions;
134 requiring a person proposing to construct, alter, or
135 allow an airport obstruction to apply for a permit
136 under certain circumstances; revising the
137 circumstances under which a permit is prohibited from
138 being issued; revising the circumstances under which
139 the owner of a nonconforming structure is required to
140 alter such structure to conform to the current airport
141 protection zoning regulations; deleting provisions
142 relating to variances from zoning regulations;
143 requiring a political subdivision or its
144 administrative agency to consider specified criteria
145 in determining whether to issue or deny a permit;
146 revising the requirements for marking and lighting in
147 conformance with certain standards; repealing s.
148 333.08, F.S., relating to appeals of decisions
149 concerning airport zoning regulations; amending s.
150 333.09, F.S.; revising the requirements relating to
151 the administration of airport protection zoning
152 regulations; requiring all airport protection zoning
153 regulations to provide for the administration and
154 enforcement of such regulations by the political
155 subdivision or its administrative agency; requiring a
156 political subdivision adopting airport zoning



157 regulations to provide a permitting process, subject
158 to certain requirements; requiring a zoning board or
159 permitting body to implement the airport zoning
160 regulation permitting and appeals process if such
161 board or body already exists within a political
162 subdivision; authorizing a person, a political
163 subdivision or its administrative agency, or a
164 specified joint zoning board to use the process
165 established for an appeal, subject to certain
166 requirements; repealing s. 333.10, F.S., relating to
167 boards of adjustment provided for by airport zoning
168 regulations; amending s. 333.11, F.S.; revising the
169 requirements relating to judicial review; amending s.
170 333.12, F.S.; revising requirements relating to the
171 acquisition of air rights; amending s. 333.13, F.S.;
172 conforming provisions to changes made by the act;
173 creating s. 333.135, F.S.; requiring conflicting
174 airport zoning regulations in effect on a specified
175 date to be amended to conform to certain requirements;
176 requiring certain political subdivisions to adopt
177 certain airport zoning regulations by a specified
178 date; requiring the department to administer a
179 specified permitting process for certain political
180 subdivisions; repealing s. 333.14, F.S., relating to a
181 short title; creating s. 335.085, F.S.; providing a
182 short title; requiring the department to install



183 roadside barriers to shield water bodies contiguous
184 with state roads at certain locations by a specified
185 date under certain circumstances; providing
186 applicability; requiring the department to review
187 specified information related to certain motor vehicle
188 accidents on state roads contiguous with water bodies
189 which occurred during a specified timeframe, subject
190 to certain requirements; requiring the department to
191 submit a report to the Legislature by a specified
192 date, subject to certain requirements; amending s.
193 337.0261, F.S.; requiring local governments to
194 consider information provided by the department
195 regarding the effect that approving or denying certain
196 regulations may have on the cost of construction
197 aggregate materials in the local area, the region, and
198 the state; amending s. 337.18, F.S.; revising
199 conditions for waiver of a required surety bond;
200 amending s. 338.165, F.S.; deleting an authorization
201 to issue certain bonds secured by toll revenues
202 collected on the Beeline-East Expressway, the Navarre
203 Bridge, and the Pinellas Bayway; authorizing the
204 department's Pinellas Bayway System to be transferred
205 by the department and become part of the turnpike
206 system under the Florida Turnpike Enterprise Law;
207 providing applicability; requiring the department to
208 transfer certain funds to the Florida Turnpike



209 Enterprise for certain purposes; repealing chapter 85-
210 364, Laws of Florida, as amended, relating to the
211 Pinellas Bayway; amending s. 338.231, F.S.; deleting
212 provisions relating to the use of revenues from the
213 turnpike system to pay the principal and interest of a
214 specified series of bonds and certain expenses of the
215 Sawgrass Expressway; amending s. 339.175, F.S.,
216 relating to the Tampa Bay Area Regional Transportation
217 Authority; revising provisions for a coordinating
218 committee composed of metropolitan planning
219 organizations; designating the committee as the
220 "TBARTA Metropolitan Planning Organizations Chairs
221 Coordinating Committee"; revising membership of the
222 committee; providing duties of the authority,
223 M.P.O.'s, and the department; requiring certain long-
224 range transportation plans to include assessment of
225 capital investment and other measures necessary to
226 make the most efficient use of existing transportation
227 facilities to improve safety; requiring the
228 assessments to include consideration of infrastructure
229 and technological improvements necessary to
230 accommodate advances in vehicle technology; amending
231 s. 339.2818, F.S.; increasing the population ceiling
232 in the definition of the term "small county" for
233 purposes of the Small County Outreach Program;
234 deleting an alternative definition of the term "small



235 | county" for a specified fiscal year; amending s.
236 | 339.55, F.S.; revising the purpose of the state-funded
237 | infrastructure bank within the department to include
238 | constructing and improving ancillary facilities that
239 | produce or distribute natural gas or fuel; authorizing
240 | the department to consider applications for loans from
241 | the bank for development and construction of natural
242 | gas fuel production or distribution facilities used
243 | primarily to support transportation activities at
244 | seaports or intermodal facilities beginning on a
245 | specified date; authorizing use of such loans to
246 | refinance outstanding debt; amending s. 339.64, F.S.;
247 | requiring the department to coordinate with certain
248 | partners and industry representatives to consider
249 | infrastructure and technological improvements
250 | necessary to accommodate advances in vehicle
251 | technology in Strategic Intermodal System facilities;
252 | requiring the Strategic Intermodal System Plan to
253 | include a needs assessment regarding such
254 | infrastructure and technological improvements;
255 | repealing s. 341.0532, F.S., relating to statewide
256 | transportation corridors; amending s. 343.92, F.S.;
257 | revising the membership of the governing board of the
258 | Tampa Bay Area Regional Transportation Authority;
259 | requiring the secretary of the department to appoint
260 | two advisors to the board subject to certain



261 requirements, rather than appointing one nonvoting, ex
262 officio member of the board; amending s. 343.922,
263 F.S.; increasing the period of time in which a master
264 plan must be updated; requiring the authority to
265 present a certain master plan and updates to, and
266 coordinate projects and plans with, the Tampa Bay Area
267 Regional Transportation Authority (TBARTA)
268 Metropolitan Planning Organization Chairs Coordinating
269 Committee, rather than the West Central Florida M.P.O.
270 Chairs Coordinating Committee; requiring the authority
271 to provide certain administrative support and
272 direction to the TBARTA Metropolitan Planning
273 Organization Chairs Coordinating Committee; amending
274 s. 348.565, F.S.; expanding the list of projects of
275 the Tampa-Hillsborough County Expressway Authority
276 which are approved to be financed or refinanced by the
277 issuance of certain revenue bonds; amending s. 479.16,
278 F.S.; exempting certain signs from a specified permit,
279 subject to certain requirements and restrictions;
280 creating s. 563.13, F.S.; requiring the Department of
281 Transportation to install directional signs for
282 certain breweries on the rights-of-way of interstate
283 highways and primary and secondary roads, subject to
284 certain requirements; requiring a brewery that
285 requests a directional sign to pay certain costs;
286 directing the Department of Transportation to study



287 | the operation of driver-assistive truck platooning
288 | technology; authorizing the department to conduct a
289 | pilot project to test such operation; providing
290 | security requirements; requiring a report to the
291 | Governor and the Legislature; directing the Office of
292 | Economic and Demographic Research to determine the
293 | economic benefits of the Department of
294 | Transportation's adopted work program; directing the
295 | department to provide access to necessary data;
296 | creating s. 316.87, F.S.; providing that certain
297 | providers of nonemergency medical transportation
298 | services may not be required to use certain vehicles;
299 | providing applicability; amending s. 320.02, F.S.;
300 | increasing the timeframe within which the owner of any
301 | motor vehicle registered in the state must notify the
302 | department of a change of address; providing
303 | exceptions to such notification; amending s. 320.07,
304 | F.S.; prohibiting a law enforcement officer from
305 | issuing a citation for a specified violation until a
306 | certain date; amending s. 322.051, F.S.; requiring the
307 | department to issue or renew an identification card to
308 | certain juvenile offenders; requiring that the
309 | department's mobile issuing units process certain
310 | identification cards at no charge; amending s. 322.19,
311 | F.S.; increasing the timeframe within which certain
312 | persons must obtain a replacement driver license or



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313 identification card that reflects a change in his or
314 her legal name; providing exceptions to such
315 requirement; increasing the timeframe within which
316 certain persons must obtain a replacement driver
317 license or identification card that reflects a change
318 in the legal residence or mailing address in his or
319 her application, license, or card; amending s. 322.21,
320 F.S.; exempting certain juvenile offenders from a
321 specified fee for an original, renewal, or replacement
322 identification card; amending s. 765.521, F.S.;

323 requiring the department to maintain an integrated
324 link on its website referring certain visitors to a
325 donor registry; amending ss. 212.05, 316.1303,
326 316.545, 316.605, 316.6105, 316.613, 316.622, 316.650,
327 316.70, 320.01, 320.08, 320.0801, 320.38, and 322.031,
328 F.S.; conforming cross-references; reenacting s.
329 350.81(6), F.S., relating to the definition of the
330 term "airport layout plan," to incorporate the
331 amendment made to s. 333.01, F.S., in a reference
332 thereto; amending ss. 450.181, 559.903, 655.960,
333 732.402, and 860.065, F.S.; conforming cross-
334 references; providing an effective date.

335

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

337

338 Section 1. Subsection (5) is added to section 288.1097,



339 Florida Statutes, to read:

340 288.1097 Qualified job training organizations;
341 certification; duties.—

342 (5) Notwithstanding s. 624.4625(1)(b), any member of a
343 qualified job training organization that is both certified under
344 this section and has at least one roadside cleaning service
345 contract with a state agency among its membership may
346 participate in a self-insurance fund authorized under s.
347 624.4625.

348 Section 2. Subsection (2) of section 311.07, Florida
349 Statutes, is amended to read:

350 311.07 Florida seaport transportation and economic
351 development funding.—

352 (2) A minimum of \$25 ~~\$15~~ million per year shall be made
353 available from the State Transportation Trust Fund to fund the
354 Florida Seaport Transportation and Economic Development Program.
355 The Florida Seaport Transportation and Economic Development
356 Council created in s. 311.09 shall develop guidelines for
357 project funding. Council staff, the Department of
358 Transportation, and the Department of Economic Opportunity shall
359 work in cooperation to review projects and allocate funds in
360 accordance with the schedule required for the Department of
361 Transportation to include these projects in the tentative work
362 program developed pursuant to s. 339.135(4).

363 Section 3. Subsection (9) of section 311.09, Florida
364 Statutes, is amended to read:



365 | 311.09 Florida Seaport Transportation and Economic
366 | Development Council.—
367 | (9) The Department of Transportation shall include at
368 | least \$25 ~~no less than \$15~~ million per year in its annual
369 | legislative budget request for the Florida Seaport
370 | Transportation and Economic Development Program funded under s.
371 | 311.07. Such budget must ~~shall~~ include funding for projects
372 | approved by the council which have been determined by each
373 | agency to be consistent. The department shall include the
374 | specific approved Florida Seaport Transportation and Economic
375 | Development Program projects to be funded under s. 311.07 during
376 | the ensuing fiscal year in the tentative work program developed
377 | pursuant to s. 339.135(4). The total amount of funding to be
378 | allocated to Florida Seaport Transportation and Economic
379 | Development Program projects under s. 311.07 during the
380 | successive 4 fiscal years shall also be included in the
381 | tentative work program developed pursuant to s. 339.135(4). The
382 | council may submit to the department a list of approved projects
383 | that could be made production-ready within the next 2 years. The
384 | list shall be submitted by the department as part of the needs
385 | and project list prepared pursuant to s. 339.135(2)(b). However,
386 | the department shall, upon written request of the Florida
387 | Seaport Transportation and Economic Development Council, submit
388 | work program amendments pursuant to s. 339.135(7) to the
389 | Governor within 10 days after the later of the date the request
390 | is received by the department or the effective date of the



391 amendment, termination, or closure of the applicable funding
392 agreement between the department and the affected seaport, as
393 required to release the funds from the existing commitment.
394 Notwithstanding s. 339.135(7)(c), any work program amendment to
395 transfer prior year funds from one approved seaport project to
396 another seaport project is subject to the procedures in s.
397 339.135(7)(d). Notwithstanding any provision of law to the
398 contrary, the department may transfer unexpended budget between
399 the seaport projects as identified in the approved work program
400 amendments.

401 Section 4. Subsections (5) and (6) are added to section
402 311.12, Florida Statutes, to read:

403 311.12 Seaport security.—

404 (5) ADVISORY COMMITTEE.—

405 (a) There is created the Seaport Security Advisory
406 Committee, which shall be under the direction of the Florida
407 Seaport Transportation and Economic Development Council.

408 (b) The committee shall consist of the following members:

409 1. Five or more port security directors appointed by the
410 council chair shall serve as voting members. The council chair
411 shall designate one member of the committee to serve as
412 committee chair.

413 2. A designee from the United States Coast Guard shall
414 serve ex officio as a nonvoting member.

415 3. A designee from United States Customs and Border
416 Protection shall serve ex officio as a nonvoting member.



417 4. Two representatives from local law enforcement agencies
418 providing security services at a Florida seaport shall serve ex
419 officio as nonvoting members.

420 (c) The committee shall meet at the call of the chair but
421 at least annually. A majority of the voting members constitutes
422 a quorum for the purpose of transacting business of the
423 committee, and a vote of the majority of the voting members
424 present is required for official action by the committee.

425 (d) The committee shall provide a forum for discussion of
426 seaport security issues, including, but not limited to, matters
427 such as national and state security strategy and policy, actions
428 required to meet current and future security threats, statewide
429 cooperation on security issues, and security concerns of the
430 state's maritime industry.

431 (6) GRANT PROGRAM.—

432 (a) The Florida Seaport Transportation and Economic
433 Development Council shall establish a Seaport Security Grant
434 Program for the purpose of assisting in the implementation of
435 security plans and security measures at the seaports listed in
436 s. 311.09(1). Funds may be used for the purchase of equipment,
437 infrastructure needs, cybersecurity programs, and other security
438 measures identified in a seaport's approved federal security
439 plan. Such grants may not exceed 75 percent of the total cost of
440 the request and are subject to legislative appropriation.

441 (b) The Seaport Security Advisory Committee shall review
442 applications for the grant program and make recommendations to



443 the council for grant approvals. The council shall adopt by rule
444 criteria to implement this subsection.

445 Section 5. Section 316.003, Florida Statutes, is reordered
446 and amended to read:

447 316.003 Definitions.—The following words and phrases, when
448 used in this chapter, shall have the meanings respectively
449 ascribed to them in this section, except where the context
450 otherwise requires:

451 (1) AUTHORIZED EMERGENCY VEHICLES.—Vehicles of the fire
452 department (fire patrol), police vehicles, and such ambulances
453 and emergency vehicles of municipal departments, public service
454 corporations operated by private corporations, the Fish and
455 Wildlife Conservation Commission, the Department of
456 Environmental Protection, the Department of Health, the
457 Department of Transportation, and the Department of Corrections
458 as are designated or authorized by their respective department
459 or the chief of police of an incorporated city or any sheriff of
460 any of the various counties.

461 (2) ~~(90)~~ AUTONOMOUS VEHICLE.—Any vehicle equipped with
462 autonomous technology. The term "autonomous technology" means
463 technology installed on a motor vehicle that has the capability
464 to drive the vehicle on which the technology is installed
465 without the active control or monitoring by a human operator.
466 The term excludes a motor vehicle enabled with active safety
467 systems or driver assistance systems, including, without
468 limitation, a system to provide electronic blind spot



469 assistance, crash avoidance, emergency braking, parking
470 assistance, adaptive cruise control, lane keep assistance, lane
471 departure warning, or traffic jam and queuing assistant, unless
472 any such system alone or in combination with other systems
473 enables the vehicle on which the technology is installed to
474 drive without ~~the~~ active control or monitoring by a human
475 operator.

476 (3)~~(2)~~ BICYCLE.— Every vehicle propelled solely by human
477 power, and every motorized bicycle propelled by a combination of
478 human power and an electric helper motor capable of propelling
479 the vehicle at a speed of not more than 20 miles per hour on
480 level ground upon which any person may ride, having two tandem
481 wheels, and including any device generally recognized as a
482 bicycle though equipped with two front or two rear wheels. The
483 term does not include such a vehicle with a seat height of no
484 more than 25 inches from the ground when the seat is adjusted to
485 its highest position or a scooter or similar device. A ~~No~~ person
486 under the age of 16 may not operate or ride upon a motorized
487 bicycle.

488 (4)~~(63)~~ BICYCLE PATH.—Any road, path, or way that is open
489 to bicycle travel, which road, path, or way is physically
490 separated from motorized vehicular traffic by an open space or
491 by a barrier and is located either within the highway right-of-
492 way or within an independent right-of-way.

493 (5)~~(76)~~ BRAKE HORSEPOWER.—The actual unit of torque
494 developed per unit of time at the output shaft of an engine, as



495 measured by a dynamometer.

496 (6)~~(3)~~ BUS.—Any motor vehicle designed for carrying more
497 than 10 passengers and used for the transportation of persons
498 and any motor vehicle, other than a taxicab, designed and used
499 for the transportation of persons for compensation.

500 (7)~~(4)~~ BUSINESS DISTRICT.—The territory contiguous to, and
501 including, a highway when 50 percent or more of the frontage
502 thereon, for a distance of 300 feet or more, is occupied by
503 buildings in use for business.

504 (8)~~(5)~~ CANCELLATION.—Declaration of Cancellation means
505 ~~that~~ a license ~~which was~~ issued through error or fraud as is
506 ~~declared~~ void and terminated. A new license may be obtained only
507 as permitted in this chapter.

508 (9)~~(64)~~ CHIEF ADMINISTRATIVE OFFICER.—The head, or his or
509 her designee, of any law enforcement agency which is authorized
510 to enforce traffic laws.

511 (10)~~(65)~~ CHILD.—A child as defined in s. 39.01, s. 984.03,
512 or s. 985.03.

513 (11) COMMERCIAL MEGACYCLE.—A vehicle that has fully
514 operational pedals for propulsion entirely by human power and
515 meets all of the following requirements:

516 (a) Has four wheels and is operated in a manner similar to
517 a bicycle.

518 (b) Has at least five but no more than 15 seats for
519 passengers.

520 (c) Is primarily powered by pedaling but may have an



521 auxiliary motor capable of propelling the vehicle at no more
522 than 15 miles per hour.

523 (12)~~(66)~~ COMMERCIAL MOTOR VEHICLE.—Any self-propelled or
524 towed vehicle used on the public highways in commerce to
525 transport passengers or cargo, if such vehicle:

526 (a) Has a gross vehicle weight rating of 10,000 pounds or
527 more;

528 (b) Is designed to transport more than 15 passengers,
529 including the driver; or

530 (c) Is used in the transportation of materials found to be
531 hazardous for the purposes of the Hazardous Materials
532 Transportation Act, as amended (49 U.S.C. ss. 1801 et seq.).

533
534 A vehicle that occasionally transports personal property to and
535 from a closed-course motorsport facility, as defined in s.
536 549.09(1)(a), is not a commercial motor vehicle if it is not
537 used for profit and corporate sponsorship is not involved. As
538 used in this subsection, the term "corporate sponsorship" means
539 a payment, donation, gratuity, in-kind service, or other benefit
540 provided to or derived by a person in relation to the underlying
541 activity, other than the display of product or corporate names,
542 logos, or other graphic information on the property being
543 transported.

544 (13)~~(67)~~ COURT.—The court having jurisdiction over traffic
545 offenses.

546 (14)~~(6)~~ CROSSWALK.—



547 (a) That part of a roadway at an intersection included
548 within the connections of the lateral lines of the sidewalks on
549 opposite sides of the highway, measured from the curbs or, in
550 the absence of curbs, from the edges of the traversable roadway.

551 (b) Any portion of a roadway at an intersection or
552 elsewhere distinctly indicated for pedestrian crossing by lines
553 or other markings on the surface.

554 ~~(15)(7)~~ DAYTIME.—The period from a half hour before
555 sunrise to a half hour after sunset. The term "nighttime" means
556 at any other hour.

557 ~~(16)(8)~~ DEPARTMENT.—The Department of Highway Safety and
558 Motor Vehicles as defined in s. 20.24. Any reference herein to
559 the Department of Transportation shall be construed as referring
560 to the Department of Transportation as defined in s. 20.23 or
561 the appropriate division thereof.

562 ~~(17)(9)~~ DIRECTOR.—The Director of the Division of the
563 Florida Highway Patrol of the Department of Highway Safety and
564 Motor Vehicles.

565 ~~(18)(10)~~ DRIVER.—Any person who drives or is in actual
566 physical control of a vehicle on a highway or who is exercising
567 control of a vehicle or steering a vehicle being towed by a
568 motor vehicle.

569 (19) DRIVER-ASSISTIVE TRUCK PLATOONING TECHNOLOGY.—Vehicle
570 automation and safety technology that integrates sensor array,
571 wireless vehicle-to-vehicle communications, active safety
572 systems, and specialized software to link safety systems and



573 synchronize acceleration and braking between two vehicles while
574 leaving each vehicle's steering control and systems command in
575 the control of the vehicle's driver in compliance with the
576 National Highway Traffic Safety Administration rules regarding
577 vehicle-to-vehicle communications.

578 (20)~~(83)~~ ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE.—Any
579 self-balancing, two-nontandem-wheeled device, designed to
580 transport only one person, with an electric propulsion system
581 with average power of 750 watts (1 horsepower), the maximum
582 speed of which, on a paved level surface when powered solely by
583 such a propulsion system while being ridden by an operator who
584 weighs 170 pounds, is less than 20 miles per hour. Electric
585 personal assistive mobility devices are not vehicles as defined
586 in this section.

587 (21)~~(11)~~ EXPLOSIVE.—Any chemical compound or mechanical
588 mixture that is commonly used or intended for the purpose of
589 producing an explosion and which contains any oxidizing and
590 combustive units or other ingredients in such proportions,
591 quantities, or packing that an ignition by fire, friction,
592 concussion, percussion, or detonator of any part of the compound
593 or mixture may cause such a sudden generation of highly heated
594 gases that the resultant gaseous pressures are capable of
595 producing destructive effect on contiguous objects or of
596 destroying life or limb.

597 (22)~~(62)~~ FARM LABOR VEHICLE.—Any vehicle equipped and used
598 for the transportation of nine or more migrant or seasonal farm



599 workers, in addition to the driver, to or from a place of
600 employment or employment-related activities. The term does not
601 include:

602 (a) Any vehicle carrying only members of the immediate
603 family of the owner or driver.

604 (b) Any vehicle being operated by a common carrier of
605 passengers.

606 (c) Any carpool as defined in s. 450.28(3).

607 (23)~~(12)~~ FARM TRACTOR.—Any motor vehicle designed and used
608 primarily as a farm implement for drawing plows, mowing
609 machines, and other implements of husbandry.

610 (24)~~(13)~~ FLAMMABLE LIQUID.—Any liquid which has a flash
611 point of 70 degrees Fahrenheit or less, as determined by a
612 Tagliabue or equivalent closed-cup test device.

613 (25)~~(68)~~ GOLF CART.—A motor vehicle designed and
614 manufactured for operation on a golf course for sporting or
615 recreational purposes.

616 (26)~~(14)~~ GROSS WEIGHT.—The weight of a vehicle without
617 load plus the weight of any load thereon.

618 (27)~~(69)~~ HAZARDOUS MATERIAL.—Any substance or material
619 which has been determined by the secretary of the United States
620 Department of Transportation to be capable of imposing an
621 unreasonable risk to health, safety, and property. This term
622 includes hazardous waste as defined in s. 403.703(13).

623 (28)~~(15)~~ HOUSE TRAILER.—

624 (a) A trailer or semitrailer which is designed,



625 constructed, and equipped as a dwelling place, living abode, or
626 sleeping place, and ~~either permanently or temporarily,~~ and is
627 equipped for use as a conveyance on streets and highways; or or

628 (b) A trailer or a semitrailer the chassis and exterior
629 shell of which is designed and constructed for use as a house
630 trailer, as defined in paragraph (a), but which is used instead,
631 permanently or temporarily, for the advertising, sales, display,
632 or promotion of merchandise or services or for any other
633 commercial purpose except the transportation of property for
634 hire or the transportation of property for distribution by a
635 private carrier.

636 (29) ~~(16)~~ IMPLEMENT OF HUSBANDRY.—Any vehicle designed and
637 adapted exclusively for agricultural, horticultural, or
638 livestock-raising operations or for lifting or carrying an
639 implement of husbandry and in either case not subject to
640 registration if used upon the highways.

641 (30) ~~(17)~~ INTERSECTION.—

642 (a) The area embraced within the prolongation or
643 connection of the lateral curblines; ~~or, if none, then the~~
644 lateral boundary lines of the roadways of two highways which
645 join one another at, or approximately at, right angles; or the
646 area within which vehicles traveling upon different highways
647 joining at any other angle may come in conflict.

648 (b) Where a highway includes two roadways 30 feet or more
649 apart, ~~then~~ every crossing of each roadway of such divided
650 highway by an intersecting highway shall be regarded as a



651 separate intersection. If the ~~In the event such~~ intersecting
652 highway also includes two roadways 30 feet or more apart, ~~then~~
653 every crossing of two roadways of such highways shall be
654 regarded as a separate intersection.

655 (31) ~~(18)~~ LANED HIGHWAY.—A highway the roadway of which is
656 divided into two or more clearly marked lanes for vehicular
657 traffic.

658 (32) ~~(19)~~ LIMITED ACCESS FACILITY.—A street or highway
659 especially designed for through traffic and over, from, or to
660 which owners or occupants of abutting land or other persons have
661 no right or easement, or only a limited right or easement, of
662 access, light, air, or view by reason of the fact that their
663 property abuts upon such limited access facility or for any
664 other reason. Such highways or streets may be parkways from
665 which trucks, buses, and other commercial vehicles are excluded,
666 or ~~they~~ may be freeways open to use by all customary forms of
667 street and highway traffic.

668 (33) ~~(20)~~ LOCAL AUTHORITIES.—~~Includes~~ All officers and
669 public officials of the several counties and municipalities of
670 this state.

671 (34) ~~(91)~~ LOCAL HEARING OFFICER.—The person, designated by
672 a department, county, or municipality that elects to authorize
673 traffic infraction enforcement officers to issue traffic
674 citations under s. 316.0083(1)(a), who is authorized to conduct
675 hearings related to a notice of violation issued pursuant to s.
676 316.0083. The charter county, noncharter county, or municipality



677 may use its currently appointed code enforcement board or
678 special magistrate to serve as the local hearing officer. The
679 department may enter into an interlocal agreement to use the
680 local hearing officer of a county or municipality.

681 (35)~~(80)~~ MAXI-CUBE VEHICLE.—A specialized combination
682 vehicle consisting of a truck carrying a separable cargo-
683 carrying unit combined with a semitrailer designed so that the
684 separable cargo-carrying unit is to be loaded and unloaded
685 through the semitrailer. The entire combination may not exceed
686 65 feet in length, and a single component of that combination
687 may not exceed 34 feet in length.

688 (36)~~(61)~~ MIGRANT OR SEASONAL FARM WORKER.—Any person
689 employed in hand labor operations in planting, cultivation, or
690 harvesting agricultural crops.

691 (37)~~(77)~~ MOPED.—Any vehicle with pedals to permit
692 propulsion by human power, having a seat or saddle for the use
693 of the rider and designed to travel on not more than three
694 wheels,~~+~~ with a motor rated not in excess of 2 brake horsepower
695 and not capable of propelling the vehicle at a speed greater
696 than 30 miles per hour on level ground~~+~~ and with a power-drive
697 system that functions directly or automatically without
698 clutching or shifting gears by the operator after the drive
699 system is engaged. If an internal combustion engine is used, the
700 displacement may not exceed 50 cubic centimeters.

701 (38)~~(86)~~ MOTOR CARRIER TRANSPORTATION CONTRACT.—

702 (a) A contract, agreement, or understanding covering:



703 1. The transportation of property for compensation or hire
704 by the motor carrier;

705 2. Entrance on property by the motor carrier for the
706 purpose of loading, unloading, or transporting property for
707 compensation or hire; or

708 3. A service incidental to activity described in
709 subparagraph 1. or subparagraph 2., including, but not limited
710 to, storage of property.

711 (b) "Motor carrier transportation contract" does not
712 include the Uniform Intermodal Interchange and Facilities Access
713 Agreement administered by the Intermodal Association of North
714 America or other agreements providing for the interchange, use,
715 or possession of intermodal chassis, containers, or other
716 intermodal equipment.

717 ~~(39)-(21)~~ MOTOR VEHICLE.—Except when used in s. 316.1001, a
718 self-propelled vehicle not operated upon rails or guideway, but
719 not including any bicycle, motorized scooter, electric personal
720 assistive mobility device, swamp buggy, or moped. For purposes
721 of s. 316.1001, "motor vehicle" has the same meaning as provided
722 in s. 320.01(1)(a).

723 ~~(40)-(22)~~ MOTORCYCLE.—Any motor vehicle having a seat or
724 saddle for the use of the rider and designed to travel on not
725 more than three wheels in contact with the ground, but excluding
726 a tractor or a moped.

727 ~~(41)-(82)~~ MOTORIZED SCOOTER.—Any vehicle not having a seat
728 or saddle for the use of the rider, designed to travel on not



729 more than three wheels, and not capable of propelling the
730 vehicle at a speed greater than 30 miles per hour on level
731 ground.

732 (42)~~(78)~~ NONPUBLIC SECTOR BUS.—Any bus which is used for
733 the transportation of persons for compensation and which is not
734 owned, leased, operated, or controlled by a municipal, county,
735 or state government or a governmentally owned or managed
736 nonprofit corporation.

737 (43)~~(23)~~ OFFICIAL TRAFFIC CONTROL DEVICES.—All signs,
738 signals, markings, and devices, not inconsistent with this
739 chapter, placed or erected by authority of a public body or
740 official having jurisdiction for the purpose of regulating,
741 warning, or guiding traffic.

742 (44)~~(24)~~ OFFICIAL TRAFFIC CONTROL SIGNAL.—Any device,
743 whether manually, electrically, or mechanically operated, by
744 which traffic is alternately directed to stop and permitted to
745 proceed.

746 (45)~~(25)~~ OPERATOR.—Any person who is in actual physical
747 control of a motor vehicle upon the highway~~7~~ or who is
748 exercising control over or steering a vehicle being towed by a
749 motor vehicle.

750 (46)~~(26)~~ OWNER.—A person who holds the legal title of a
751 vehicle. ~~If, or, in the event~~ a vehicle is the subject of an
752 agreement for the conditional sale or lease thereof with the
753 right of purchase upon performance of the conditions stated in
754 the agreement and with an immediate right of possession vested



755 in the conditional vendee or lessee, or if ~~in the event~~ a
756 mortgagor of a vehicle is entitled to possession, ~~then~~ such
757 conditional vendee~~r~~ or lessee~~r~~ or mortgagor shall be deemed the
758 owner~~r~~ for the purposes of this chapter.

759 (47)~~(27)~~ PARK OR PARKING.—The standing of a vehicle,
760 whether occupied or not occupied, otherwise than temporarily for
761 the purpose of and while actually engaged in loading or
762 unloading merchandise or passengers as may be permitted by law
763 under this chapter.

764 (48)~~(28)~~ PEDESTRIAN.—Any person afoot.

765 (49)~~(29)~~ PERSON.—Any natural person, firm, copartnership,
766 association, or corporation.

767 (50)~~(30)~~ PNEUMATIC TIRE.—Any tire in which compressed air
768 is designed to support the load.

769 (51)~~(31)~~ POLE TRAILER.—Any vehicle without motive power
770 designed to be drawn by another vehicle and attached to the
771 towing vehicle by means of a reach or pole, or by being boomed
772 or otherwise secured to the towing vehicle, and ordinarily used
773 for transporting long or irregularly shaped loads such as poles,
774 pipes, or structural members capable, generally, of sustaining
775 themselves as beams between the supporting connections.

776 (52)~~(32)~~ POLICE OFFICER.—Any officer authorized to direct
777 or regulate traffic or to make arrests for violations of traffic
778 regulations, including Florida highway patrol officers,
779 sheriffs, deputy sheriffs, and municipal police officers.

780 (53)~~(33)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise



781 provided in paragraph (75) (b) ~~(53) (b)~~, any privately owned way
782 or place used for vehicular travel by the owner and those having
783 express or implied permission from the owner, but not by other
784 persons.

785 (54) ~~(34)~~ RADIOACTIVE MATERIALS.—Any materials or
786 combination of materials which emit ionizing radiation
787 spontaneously in which the radioactivity per gram of material,
788 in any form, is greater than 0.002 microcuries.

789 (55) ~~(35)~~ RAILROAD.—A carrier of persons or property upon
790 cars operated upon stationary rails.

791 (56) ~~(36)~~ RAILROAD SIGN OR SIGNAL.—Any sign, signal, or
792 device erected by authority of a public body or official, or by
793 a railroad, and intended to give notice of the presence of
794 railroad tracks or the approach of a railroad train.

795 (57) ~~(37)~~ RAILROAD TRAIN.—A steam engine, electric or other
796 motor, with or without cars coupled thereto, operated upon
797 rails, except a streetcar.

798 (58) ~~(38)~~ RESIDENCE DISTRICT.—The territory contiguous to,
799 and including, a highway, not comprising a business district,
800 when the property on such highway, for a distance of 300 feet or
801 more, is, in the main, improved with residences or residences
802 and buildings in use for business.

803 (59) ~~(39)~~ REVOCATION.—Termination of ~~Revocation means that~~
804 a licensee's privilege to drive a motor vehicle ~~is terminated~~. A
805 new license may be obtained only as permitted by law.

806 (60) ~~(40)~~ RIGHT-OF-WAY.—The right of one vehicle or



807 pedestrian to proceed in a lawful manner in preference to
808 another vehicle or pedestrian approaching under such
809 circumstances of direction, speed, and proximity as to give rise
810 to danger of collision unless one grants precedence to the
811 other.

812 (61)~~(41)~~ ROAD TRACTOR.—Any motor vehicle designed and used
813 for drawing other vehicles and not so constructed as to carry
814 any load thereon, either independently or as any part of the
815 weight of a vehicle or load so drawn.

816 (62)~~(42)~~ ROADWAY.—That portion of a highway improved,
817 designed, or ordinarily used for vehicular travel, exclusive of
818 the berm or shoulder. If ~~In the event~~ a highway includes two or
819 more separate roadways, the term "roadway" ~~as used herein~~ refers
820 to any such roadway separately, but not to all such roadways
821 collectively.

822 (63)~~(43)~~ SADDLE MOUNT; FULL MOUNT.—An arrangement whereby
823 the front wheels of one vehicle rest in a secured position upon
824 another vehicle. All of the wheels of the towing vehicle are
825 upon the ground, and only the rear wheels of the towed vehicle
826 rest upon the ground. Such combinations may include one full
827 mount, whereby a smaller transport vehicle is placed completely
828 on the last towed vehicle.

829 (64)~~(44)~~ SAFETY ZONE.—The area or space officially set
830 apart within a roadway for the exclusive use of pedestrians and
831 protected or so marked by adequate signs or authorized pavement
832 markings as to be plainly visible at all times while set apart



833 as a safety zone.

834 (65)~~(92)~~ SANITATION VEHICLE.—A motor vehicle that bears an
835 emblem that is visible from the roadway and clearly identifies
836 that the vehicle belongs to or is under contract with a person,
837 entity, cooperative, board, commission, district, or unit of
838 local government that provides garbage, trash, refuse, or
839 recycling collection.

840 (66)~~(45)~~ SCHOOL BUS.—Any motor vehicle that complies with
841 the color and identification requirements of chapter 1006 and is
842 used to transport children to or from public or private school
843 or in connection with school activities, but not including buses
844 operated by common carriers in urban transportation of school
845 children. The term "school" includes all preelementary,
846 elementary, secondary, and postsecondary schools.

847 (67)~~(46)~~ SEMITRAILER.—Any vehicle with or without motive
848 power, other than a pole trailer, designed for carrying persons
849 or property and for being drawn by a motor vehicle and so
850 constructed that some part of its weight and that of its load
851 rests upon, or is carried by, another vehicle.

852 (68)~~(47)~~ SIDEWALK.—That portion of a street between the
853 curblines, or the lateral lines, of a roadway and the adjacent
854 property lines, intended for use by pedestrians.

855 (69)~~(48)~~ SPECIAL MOBILE EQUIPMENT.—Any vehicle not
856 designed or used primarily for the transportation of persons or
857 property and only incidentally operated or moved over a highway,
858 including, but not limited to, ditchdigging apparatus, well-



859 boring apparatus, and road construction and maintenance
860 machinery, such as asphalt spreaders, bituminous mixers, bucket
861 loaders, tractors other than truck tractors, ditchers, leveling
862 graders, finishing machines, motor graders, road rollers,
863 scarifiers, earthmoving carryalls and scrapers, power shovels
864 and draglines, and self-propelled cranes and earthmoving
865 equipment. The term does not include house trailers, dump
866 trucks, truck-mounted transit mixers, cranes or shovels, or
867 other vehicles designed for the transportation of persons or
868 property to which machinery has been attached.

869 ~~(70)(49)~~ STAND OR STANDING.—The halting of a vehicle,
870 whether occupied or not occupied, otherwise than temporarily,
871 for the purpose of, and while actually engaged in, receiving or
872 discharging passengers, as may be permitted by law under this
873 chapter.

874 ~~(71)(50)~~ STATE ROAD.—Any highway designated as a state-
875 maintained road by the Department of Transportation.

876 ~~(72)(51)~~ STOP.—When required, complete cessation from
877 movement.

878 ~~(73)(52)~~ STOP OR STOPPING.—When prohibited, any halting,
879 even momentarily, of a vehicle, whether occupied or not
880 occupied, except when necessary to avoid conflict with other
881 traffic or to comply with the directions of a law enforcement
882 officer or traffic control sign or signal.

883 ~~(74)(70)~~ STRAIGHT TRUCK.—Any truck on which the cargo unit
884 and the motive power unit are located on the same frame so as to



885 form a single, rigid unit.

886 (75)~~(53)~~ STREET OR HIGHWAY.—

887 (a) The entire width between the boundary lines of every
888 way or place of whatever nature when any part thereof is open to
889 the use of the public for purposes of vehicular traffic;

890 (b) The entire width between the boundary lines of any
891 privately owned way or place used for vehicular travel by the
892 owner and those having express or implied permission from the
893 owner, but not by other persons, or any limited access road
894 owned or controlled by a special district, whenever, by written
895 agreement entered into under s. 316.006(2)(b) or (3)(b), a
896 county or municipality exercises traffic control jurisdiction
897 over said way or place;

898 (c) Any area, such as a runway, taxiway, ramp, clear zone,
899 or parking lot, within the boundary of any airport owned by the
900 state, a county, a municipality, or a political subdivision,
901 which area is used for vehicular traffic but which is not open
902 for vehicular operation by the general public; or

903 (d) Any way or place used for vehicular traffic on a
904 controlled access basis within a mobile home park recreation
905 district which has been created under s. 418.30 and the
906 recreational facilities of which district are open to the
907 general public.

908 (76)~~(54)~~ SUSPENSION.—Temporary withdrawal of a licensee's
909 privilege to drive a motor vehicle.

910 (77)~~(89)~~ SWAMP BUGGY.—A motorized off-road vehicle that is



911 | designed or modified to travel over swampy or varied terrain and
 912 | that may use large tires or tracks operated from an elevated
 913 | platform. The term does not include any vehicle defined in
 914 | chapter 261 or otherwise defined or classified in this chapter.

915 | (78)~~(81)~~ TANDEM AXLE.—Any two axles the ~~whose~~ centers of
 916 | which are more than 40 inches but not more than 96 inches apart
 917 | and are individually attached to or articulated from, or both, a
 918 | common attachment to the vehicle, including a connecting
 919 | mechanism designed to equalize the load between axles.

920 | (79)~~(71)~~ TANDEM TRAILER TRUCK.—Any combination of a truck
 921 | tractor, semitrailer, and trailer coupled together so as to
 922 | operate as a complete unit.

923 | (80)~~(72)~~ TANDEM TRAILER TRUCK HIGHWAY NETWORK.—A highway
 924 | network consisting primarily of four or more lanes, including
 925 | all interstate highways; highways designated by the United
 926 | States Department of Transportation as elements of the National
 927 | Network; and any street or highway designated by the Florida
 928 | Department of Transportation for use by tandem trailer trucks,
 929 | in accordance with s. 316.515, except roads on which truck
 930 | traffic was specifically prohibited on January 6, 1983.

931 | (81)~~(73)~~ TERMINAL.—Any location where:

932 | (a) Freight ~~either~~ originates, terminates, or is handled
 933 | in the transportation process; or

934 | (b) Commercial motor carriers maintain operating
 935 | facilities.

936 | (82)~~(55)~~ THROUGH HIGHWAY.—Any highway or portion thereof



937 on which vehicular traffic is given the right-of-way and at the
 938 entrances to which vehicular traffic from intersecting highways
 939 is required to yield right-of-way to vehicles on such through
 940 highway in obedience to ~~either~~ a stop sign or yield sign, or
 941 otherwise in obedience to law.

942 (83)~~(56)~~ TIRE WIDTH.—~~The Tire width is that~~ width stated
 943 on the surface of the tire by the manufacturer of the tire, if
 944 the width stated does not exceed 2 inches more than the width of
 945 the tire contacting the surface.

946 (84)~~(57)~~ TRAFFIC.—Pedestrians, ridden or herded animals,
 947 and vehicles, streetcars, and other conveyances ~~either~~ singly or
 948 together while using any street or highway for purposes of
 949 travel.

950 (85)~~(87)~~ TRAFFIC INFRACTION DETECTOR.—A vehicle sensor
 951 installed to work in conjunction with a traffic control signal
 952 and a camera or cameras synchronized to automatically record two
 953 or more sequenced photographic or electronic images or streaming
 954 video of only the rear of a motor vehicle at the time the
 955 vehicle fails to stop behind the stop bar or clearly marked stop
 956 line when facing a traffic control signal steady red light. Any
 957 notification under s. 316.0083(1)(b) or traffic citation issued
 958 by the use of a traffic infraction detector must include a
 959 photograph or other recorded image showing both the license tag
 960 of the offending vehicle and the traffic control device being
 961 violated.

962 (86)~~(84)~~ TRAFFIC SIGNAL PREEMPTION SYSTEM.—Any system or



963 device with the capability of activating a control mechanism
964 mounted on or near traffic signals which alters a traffic
965 signal's timing cycle.

966 (87)~~(58)~~ TRAILER.—Any vehicle with or without motive
967 power, other than a pole trailer, designed for carrying persons
968 or property and for being drawn by a motor vehicle.

969 (88)~~(74)~~ TRANSPORTATION.—The conveyance or movement of
970 goods, materials, livestock, or persons from one location to
971 another on any road, street, or highway open to travel by the
972 public.

973 (89)~~(88)~~ TRI-VEHICLE.—An enclosed three-wheeled passenger
974 vehicle that:

975 (a) Is designed to operate with three wheels in contact
976 with the ground;

977 (b) Has a minimum unladen weight of 900 pounds;

978 (c) Has a single, completely enclosed, occupant
979 compartment;

980 (d) Is produced in a minimum quantity of 300 in any
981 calendar year;

982 (e) Is capable of a speed greater than 60 miles per hour
983 on level ground; and

984 (f) Is equipped with:

985 1. Seats that are certified by the vehicle manufacturer to
986 meet the requirements of Federal Motor Vehicle Safety Standard
987 No. 207, "Seating systems" (49 C.F.R. s. 571.207);

988 2. A steering wheel used to maneuver the vehicle;



989 3. A propulsion unit located forward or aft of the
 990 enclosed occupant compartment;

991 4. A seat belt for each vehicle occupant certified to meet
 992 the requirements of Federal Motor Vehicle Safety Standard No.
 993 209, "Seat belt assemblies" (49 C.F.R. s. 571.209);

994 5. A windshield and an appropriate windshield wiper and
 995 washer system that are certified by the vehicle manufacturer to
 996 meet the requirements of Federal Motor Vehicle Safety Standard
 997 No. 205, "Glazing materials" (49 C.F.R. s. 571.205) and Federal
 998 Motor Vehicle Safety Standard No. 104, "Windshield wiping and
 999 washing systems" (49 C.F.R. s. 571.104); and

1000 6. A vehicle structure certified by the vehicle
 1001 manufacturer to meet the requirements of Federal Motor Vehicle
 1002 Safety Standard No. 216, "Rollover crush resistance" (49 C.F.R.
 1003 s. 571.216).

1004 (90)~~(59)~~ TRUCK.—Any motor vehicle designed, used, or
 1005 maintained primarily for the transportation of property.

1006 (91)~~(60)~~ TRUCK TRACTOR.—Any motor vehicle designed and
 1007 used primarily for drawing other vehicles and not so constructed
 1008 as to carry a load other than a part of the weight of the
 1009 vehicle and load so drawn.

1010 (92)~~(93)~~ UTILITY SERVICE VEHICLE.—A motor vehicle that
 1011 bears an emblem that is visible from the roadway and clearly
 1012 identifies that the vehicle belongs to or is under contract with
 1013 a person, entity, cooperative, board, commission, district, or
 1014 unit of local government that provides electric, natural gas,



1015 water, wastewater, cable, telephone, or communications services.

1016 (93)~~(75)~~ VEHICLE.—Every device~~r~~ in, upon, or by which any
 1017 person or property is or may be transported or drawn upon a
 1018 highway, except ~~excepting~~ devices used exclusively upon
 1019 stationary rails or tracks.

1020 (94)~~(85)~~ VICTIM SERVICES PROGRAMS.—Any community-based
 1021 organization the ~~whose~~ primary purpose of which is to act as an
 1022 advocate for the victims and survivors of traffic crashes and
 1023 for their families. The victims services offered by these
 1024 programs may include grief and crisis counseling, assistance
 1025 with preparing victim compensation claims excluding third-party
 1026 legal action, or connecting persons with other service
 1027 providers, and providing emergency financial assistance.

1028 (95)~~(79)~~ WORK ZONE AREA.—The area and its approaches on
 1029 any state-maintained highway, county-maintained highway, or
 1030 municipal street where construction, repair, maintenance, or
 1031 other street-related or highway-related work is being performed
 1032 or where one or more lanes are ~~is~~ closed to traffic.

1033 Section 6. Subsection (7) of section 316.0745, Florida
 1034 Statutes, is amended to read:

1035 316.0745 Uniform signals and devices.—

1036 (7) The Department of Transportation may, upon receipt and
 1037 investigation of reported noncompliance and ~~is authorized,~~ after
 1038 hearing pursuant to 14 days' notice, ~~to~~ direct the removal of
 1039 any purported traffic control device that fails to meet the
 1040 requirements of this section, wherever the device is located and



1041 without regard to assigned responsibility under s. 316.1895
1042 ~~which fails to meet the requirements of this section.~~ The public
1043 agency erecting or installing the same shall immediately bring
1044 it into compliance with the requirements of this section or
1045 remove said device or signal upon the direction of the
1046 Department of Transportation and may not, for a period of 5
1047 years, install any replacement or new traffic control devices
1048 paid for in part or in full with revenues raised by the state
1049 unless written prior approval is received from the Department of
1050 Transportation. Any additional violation by a public body or
1051 official shall be cause for the withholding of state funds for
1052 traffic control purposes until such public body or official
1053 demonstrates to the Department of Transportation that it is
1054 complying with this section.

1055 Section 7. Section 316.2069, Florida Statutes, is created
1056 to read:

1057 316.2069 Commercial Megacycles.—The governing body of a
1058 municipality, or the governing board of a county with respect to
1059 an unincorporated portion of the county, may authorize the
1060 operation of a commercial megacycle on roads or streets within
1061 the respective jurisdictions if the requirements of subsections
1062 (1) through (3) are met:

1063 (1) Prior to authorizing such operation, the responsible
1064 local governmental entity must first determine that commercial
1065 megacycles may safely travel on or cross the public road or
1066 street, considering factors including, but not limited to, the



1067 speed, volume, and character of motor vehicle traffic using the
1068 road or street. Upon such determination, the responsible
1069 governmental entity shall post appropriate signs to indicate
1070 that such operation is allowed.

1071 (2) The authorization by the governing body must clearly
1072 identify the roads or streets under the governing body's
1073 jurisdiction on or across which operation of commercial
1074 megacycles is permitted.

1075 (3) The governing body's authorization, at a minimum, must
1076 require that a commercial megacycle be:

1077 (a) Operated at all times by its owner or lessee or an
1078 employee of the owner or lessee.

1079 (b) Operated by a driver at least 18 years of age who
1080 possess a Class E driver license.

1081 (c) Occupied by a safety monitor at least 18 years of age,
1082 who shall supervise the passengers while the commercial
1083 megacycle is in motion.

1084 (d) Insured with minimum commercial general liability
1085 insurance of not less than \$1,000,000, prior to and at all times
1086 of operation, satisfactory proof of which shall be provided to
1087 the appropriate governing body.

1088 (4) The Department of Transportation may prohibit the
1089 operation of commercial megacycles on or across any road under
1090 its jurisdiction if it determines that such prohibition is
1091 necessary in the interest of safety.

1092 (5) Section 316.1936 does not apply to the passengers



1093 being transported in a commercial megacycle while operating in
 1094 accordance with this section.

1095 (6) This section does not prohibit use of an auxiliary
 1096 motor to move the commercial megacycle from the roadway under
 1097 emergency circumstances or while no passenger is on board.

1098 Section 8. Subsection (5) of section 316.235, Florida
 1099 Statutes, is amended to read:

1100 316.235 Additional lighting equipment.—

1101 (5) A bus, ~~as defined in s. 316.003(3),~~ may be equipped
 1102 with a deceleration lighting system that ~~which~~ cautions
 1103 following vehicles that the bus is slowing, is preparing to
 1104 stop, or is stopped. Such lighting system shall consist of red
 1105 or amber lights mounted in horizontal alignment on the rear of
 1106 the vehicle at ~~or near~~ the vertical centerline of the vehicle,
 1107 no greater than 12 inches apart, not higher than the lower edge
 1108 of the rear window or, if the vehicle has no rear window, not
 1109 higher than 100 ~~72~~ inches from the ground. Such lights shall be
 1110 visible from a distance of not less than 300 feet to the rear in
 1111 normal sunlight. Lights are permitted to light and flash during
 1112 deceleration, braking, or standing and idling of the bus.

1113 Vehicular hazard warning flashers may be used in conjunction
 1114 with or in lieu of a rear-mounted deceleration lighting system.

1115 Section 9. Subsections (1) and (3) of section 316.303,
 1116 Florida Statutes, are amended to read:

1117 316.303 Television receivers.—

1118 (1) No motor vehicle may be operated on the highways of



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1119 | this state if the vehicle is actively displaying moving
1120 | television broadcast or pre-recorded video entertainment content
1121 | that is ~~shall be equipped with television-type receiving~~
1122 | ~~equipment so located that the viewer or screen is visible from~~
1123 | the driver's seat while the vehicle is in motion, unless the
1124 | vehicle is equipped with autonomous technology, as defined in s.
1125 | 316.003(2), and is being operated in autonomous mode, as
1126 | provided in s. 316.85(2).

1127 | (3) This section does not prohibit the use of an
1128 | electronic display used in conjunction with a vehicle navigation
1129 | system; an electronic display used by an operator of a vehicle
1130 | equipped with autonomous technology, as defined in s.
1131 | 316.003(2); or an electronic display used by an operator of a
1132 | vehicle equipped and operating with driver-assistive truck
1133 | platooning technology, as defined in s. 316.003(19).

1134 | Section 10. Paragraph (b) of subsection (3) of section
1135 | 316.515, Florida Statutes, is amended to read:

1136 | 316.515 Maximum width, height, length.—

1137 | (3) LENGTH LIMITATION.—Except as otherwise provided in
1138 | this section, length limitations apply solely to a semitrailer
1139 | or trailer, and not to a truck tractor or to the overall length
1140 | of a combination of vehicles. No combination of commercial motor
1141 | vehicles coupled together and operating on the public roads may
1142 | consist of more than one truck tractor and two trailing units.
1143 | Unless otherwise specifically provided for in this section, a
1144 | combination of vehicles not qualifying as commercial motor



1145 | vehicles may consist of no more than two units coupled together;
1146 | such nonqualifying combination of vehicles may not exceed a
1147 | total length of 65 feet, inclusive of the load carried thereon,
1148 | but exclusive of safety and energy conservation devices approved
1149 | by the department for use on vehicles using public roads.
1150 | Notwithstanding any other provision of this section, a truck
1151 | tractor-semitrailer combination engaged in the transportation of
1152 | automobiles or boats may transport motor vehicles or boats on
1153 | part of the power unit; and, except as may otherwise be mandated
1154 | under federal law, an automobile or boat transporter semitrailer
1155 | may not exceed 50 feet in length, exclusive of the load;
1156 | however, the load may extend up to an additional 6 feet beyond
1157 | the rear of the trailer. The 50-foot length limitation does not
1158 | apply to non-stinger-steered automobile or boat transporters
1159 | that are 65 feet or less in overall length, exclusive of the
1160 | load carried thereon, or to stinger-steered automobile or boat
1161 | transporters that are 75 feet or less in overall length,
1162 | exclusive of the load carried thereon. For purposes of this
1163 | subsection, a "stinger-steered automobile or boat transporter"
1164 | is an automobile or boat transporter configured as a semitrailer
1165 | combination wherein the fifth wheel is located on a drop frame
1166 | located behind and below the rearmost axle of the power unit.
1167 | Notwithstanding paragraphs (a) and (b), any straight truck or
1168 | truck tractor-semitrailer combination engaged in the
1169 | transportation of horticultural trees may allow the load to
1170 | extend up to an additional 10 feet beyond the rear of the



1171 vehicle, provided said trees are resting against a retaining bar
1172 mounted above the truck bed so that the root balls of the trees
1173 rest on the floor and to the front of the truck bed and the tops
1174 of the trees extend up over and to the rear of the truck bed,
1175 and provided the overhanging portion of the load is covered with
1176 protective fabric.

1177 (b) *Semitrailers.*—

1178 1. A semitrailer operating in a truck tractor-semitrailer
1179 combination may not exceed 48 feet in extreme overall outside
1180 dimension, measured from the front of the unit to the rear of
1181 the unit and the load carried thereon, exclusive of safety and
1182 energy conservation devices approved by the department for use
1183 on vehicles using public roads, unless it complies with
1184 subparagraph 2. A semitrailer which exceeds 48 feet in length
1185 and is used to transport divisible loads may operate in this
1186 state only if issued a permit under s. 316.550 and if such
1187 trailer meets the requirements of this chapter relating to
1188 vehicle equipment and safety. Except for highways on the tandem
1189 trailer truck highway network, public roads deemed unsafe for
1190 longer semitrailer vehicles or those roads on which such longer
1191 vehicles are determined not to be in the interest of public
1192 convenience shall, in conformance with s. 316.006, be restricted
1193 by the Department of Transportation or by the local authority to
1194 use by semitrailers not exceeding a length of 48 feet, inclusive
1195 of the load carried thereon but exclusive of safety and energy
1196 conservation devices approved by the department for use on



1197 vehicles using public roads. Truck tractor-semitrailer
 1198 combinations shall be afforded reasonable access to terminals;
 1199 facilities for food, fuel, repairs, and rest; and points of
 1200 loading and unloading.

1201 2. A semitrailer which is more than 48 feet but not more
 1202 than 57 ~~53~~ feet in extreme overall outside dimension, as
 1203 measured pursuant to subparagraph 1., may operate on public
 1204 roads, except roads on the State Highway System which are
 1205 restricted by the Department of Transportation or other roads
 1206 restricted by local authorities, if:

1207 a. The distance between the kingpin or other peg that
 1208 locks into the fifth wheel of a truck tractor and the center of
 1209 the rear axle or rear group of axles does not exceed 41 feet,
 1210 or, in the case of a semitrailer used exclusively or primarily
 1211 to transport vehicles in connection with motorsports competition
 1212 events, the distance does not exceed 46 feet from the kingpin to
 1213 the center of the rear axles; and

1214 b. It is equipped with a substantial rear-end underride
 1215 protection device meeting the requirements of 49 C.F.R. s.
 1216 393.86, "Rear End Protection."

1217 Section 11. Paragraph (c) of subsection (3) of section
 1218 316.640, Florida Statutes, is amended to read:

1219 316.640 Enforcement.—The enforcement of the traffic laws
 1220 of this state is vested as follows:

1221 (3) MUNICIPALITIES.—

1222 (c)1. A chartered municipality or its authorized agency or



1223 instrumentality may employ as a parking enforcement specialist
1224 any individual who successfully completes a training program
1225 established and approved by the Criminal Justice Standards and
1226 Training Commission for parking enforcement specialists, but who
1227 does not otherwise meet the uniform minimum standards
1228 established by the commission for law enforcement officers or
1229 auxiliary or part-time officers under s. 943.12.

1230 2. A parking enforcement specialist employed by a
1231 chartered municipality or its authorized agency or
1232 instrumentality is authorized to enforce all state, county, and
1233 municipal laws and ordinances governing parking within the
1234 boundaries of the municipality employing the specialist, or,
1235 pursuant to a memorandum of understanding between the county and
1236 the municipality, within the boundaries of the county in which
1237 the chartered municipality or its authorized agency or
1238 instrumentality is located, by appropriate state, county, or
1239 municipal traffic citation.

1240 3. A parking enforcement specialist employed pursuant to
1241 this subsection may not carry firearms or other weapons or have
1242 arrest authority.

1243 Section 12. Subsection (1) of section 316.85, Florida
1244 Statutes, is amended to read:

1245 316.85 Autonomous vehicles; operation.—

1246 (1) A person who possesses a valid driver license may
1247 operate an autonomous vehicle in autonomous mode on roads in
1248 this state if the vehicle is equipped with autonomous



1249 technology, as defined in s. 316.003(2).

1250 Section 13. Section 316.86, Florida Statutes, is amended
1251 to read:

1252 316.86 ~~Operation of vehicles equipped with autonomous~~
1253 ~~technology on roads for testing purposes; financial~~
1254 ~~responsibility; Exemption from liability for manufacturer when~~
1255 ~~third party converts vehicle.-~~

1256 ~~(1) Vehicles equipped with autonomous technology may be~~
1257 ~~operated on roads in this state by employees, contractors, or~~
1258 ~~other persons designated by manufacturers of autonomous~~
1259 ~~technology, or by research organizations associated with~~
1260 ~~accredited educational institutions, for the purpose of testing~~
1261 ~~the technology. For testing purposes, a human operator shall be~~
1262 ~~present in the autonomous vehicle such that he or she has the~~
1263 ~~ability to monitor the vehicle's performance and intervene, if~~
1264 ~~necessary, unless the vehicle is being tested or demonstrated on~~
1265 ~~a closed course. Before the start of testing in this state, the~~
1266 ~~entity performing the testing must submit to the department an~~
1267 ~~instrument of insurance, surety bond, or proof of self-insurance~~
1268 ~~acceptable to the department in the amount of \$5 million.~~

1269 ~~(2)~~ The original manufacturer of a vehicle converted by a
1270 third party into an autonomous vehicle is ~~shall~~ not be liable
1271 in, and shall have a defense to and be dismissed from, any legal
1272 action brought against the original manufacturer by any person
1273 injured due to an alleged vehicle defect caused by the
1274 conversion of the vehicle, or by equipment installed by the



1275 converter, unless the alleged defect was present in the vehicle
 1276 as originally manufactured.

1277 Section 14. Subsection (1) of section 319.145, Florida
 1278 Statutes, is amended to read:

1279 319.145 Autonomous vehicles.—

1280 (1) An autonomous vehicle registered in this state must
 1281 continue to meet applicable federal standards and regulations
 1282 for such a motor vehicle. The vehicle must ~~shall~~:

1283 (a) Have a system to safely alert the operator if an
 1284 autonomous technology failure is detected while the autonomous
 1285 technology is engaged. When an alert is given, the system must:

1286 1. Require the operator to take control of the autonomous
 1287 vehicle; or

1288 2. If the operator does not, or is not able to, take
 1289 control of the autonomous vehicle, be capable of bringing the
 1290 vehicle to a complete stop ~~Have a means to engage and disengage~~
 1291 ~~the autonomous technology which is easily accessible to the~~
 1292 ~~operator.~~

1293 (b) Have a means, inside the vehicle, to visually indicate
 1294 when the vehicle is operating in autonomous mode.

1295 ~~(c) Have a means to alert the operator of the vehicle if a~~
 1296 ~~technology failure affecting the ability of the vehicle to~~
 1297 ~~safely operate autonomously is detected while the vehicle is~~
 1298 ~~operating autonomously in order to indicate to the operator to~~
 1299 ~~take control of the vehicle.~~

1300 (c) ~~(d)~~ Be capable of being operated in compliance with the



1301 applicable traffic and motor vehicle laws of this state.

1302 Section 15. Paragraph (b) of subsection (3) of section
1303 319.30, Florida Statutes, is amended, and paragraph (c) is added
1304 to that subsection, to read:

1305 319.30 Definitions; dismantling, destruction, change of
1306 identity of motor vehicle or mobile home; salvage.—

1307 (3)

1308 (b) The owner, including persons who are self-insured, of
1309 a motor vehicle or mobile home that is considered to be salvage
1310 shall, within 72 hours after the motor vehicle or mobile home
1311 becomes salvage, forward the title to the motor vehicle or
1312 mobile home to the department for processing. However, an
1313 insurance company that pays money as compensation for the total
1314 loss of a motor vehicle or mobile home shall obtain the
1315 certificate of title for the motor vehicle or mobile home, make
1316 the required notification to the National Motor Vehicle Title
1317 Information System, and, within 72 hours after receiving such
1318 certificate of title, forward such title to the department for
1319 processing. The owner or insurance company, as applicable, may
1320 not dispose of a vehicle or mobile home that is a total loss
1321 before it obtains a salvage certificate of title or certificate
1322 of destruction from the department. Effective July 1, 2023:

1323 1. Thirty days after payment of a claim for compensation
1324 pursuant to this paragraph, the insurance company may receive a
1325 salvage certificate of title or certificate of destruction from
1326 the department if the insurance company is unable to obtain a



1327 properly assigned certificate of title from the owner or
1328 lienholder of the motor vehicle or mobile home, if the motor
1329 vehicle or mobile home does not carry an electronic lien on the
1330 title and the insurance company:

1331 a. Has obtained the release of all liens on the motor
1332 vehicle or mobile home;

1333 b. Has provided proof of payment of the total loss claim;
1334 and

1335 c. Has provided an affidavit on letterhead signed by the
1336 insurance company or its authorized agent stating the attempts
1337 that have been made to obtain the title from the owner or
1338 lienholder and further stating that all attempts are to no
1339 avail. The affidavit must include a request that the salvage
1340 certificate of title or certificate of destruction be issued in
1341 the insurance company's name due to payment of a total loss
1342 claim to the owner or lienholder. The attempts to contact the
1343 owner may be by written request delivered in person or by first-
1344 class mail with a certificate of mailing to the owner's or
1345 lienholder's last known address.

1346 2. If the owner or lienholder is notified of the request
1347 for title in person, the insurance company must provide an
1348 affidavit attesting to the in-person request for a certificate
1349 of title.

1350 3. The request to the owner or lienholder for the
1351 certificate of title must include a complete description of the
1352 motor vehicle or mobile home and the statement that a total loss



1353 | claim has been paid on the motor vehicle or mobile home.

1354 | (c) When applying for a salvage certificate of title or
1355 | certificate of destruction, the owner or insurance company must
1356 | provide the department with an estimate of the costs of
1357 | repairing the physical and mechanical damage suffered by the
1358 | vehicle for which a salvage certificate of title or certificate
1359 | of destruction is sought. If the estimated costs of repairing
1360 | the physical and mechanical damage to the mobile home are equal
1361 | to 80 percent or more of the current retail cost of the mobile
1362 | home, as established in any official used mobile home guide, the
1363 | department shall declare the mobile home unrebuildable and print
1364 | a certificate of destruction, which authorizes the dismantling
1365 | or destruction of the mobile home. For a late model vehicle with
1366 | a current retail cost of at least \$7,500 just prior to
1367 | sustaining the damage that resulted in the total loss, as
1368 | established in any official used car guide or valuation service,
1369 | if the owner or insurance company determines that the estimated
1370 | costs of repairing the physical and mechanical damage to the
1371 | vehicle are equal to 90 percent or more of the current retail
1372 | cost of the vehicle, as established in any official used motor
1373 | vehicle guide or valuation service, the department shall declare
1374 | the vehicle unrebuildable and print a certificate of
1375 | destruction, which authorizes the dismantling or destruction of
1376 | the motor vehicle. However, if the damaged motor vehicle is
1377 | equipped with custom-lowered floors for wheelchair access or a
1378 | wheelchair lift, the insurance company may, upon determining



1379 | that the vehicle is repairable to a condition that is safe for
1380 | operation on public roads, submit the certificate of title to
1381 | the department for reissuance as a salvage rebuildable title and
1382 | the addition of a title brand of "insurance-declared total
1383 | loss." The certificate of destruction shall be reassignable a
1384 | maximum of two times before dismantling or destruction of the
1385 | vehicle is required, and shall accompany the motor vehicle or
1386 | mobile home for which it is issued, when such motor vehicle or
1387 | mobile home is sold for such purposes, in lieu of a certificate
1388 | of title. The department may not issue a certificate of title
1389 | for that vehicle. This subsection is not applicable if a mobile
1390 | home is worth less than \$1,500 retail just prior to sustaining
1391 | the damage that resulted in the total loss in any official used
1392 | mobile home guide or when a stolen motor vehicle or mobile home
1393 | is recovered in substantially intact condition and is readily
1394 | resalable without extensive repairs to or replacement of the
1395 | frame or engine. If a motor vehicle has a current retail cost of
1396 | less than \$7,500 just prior to sustaining the damage that
1397 | resulted in the total loss, as established in any official used
1398 | motor vehicle guide or valuation service, or if the vehicle is
1399 | not a late model vehicle, the owner or insurance company that
1400 | pays money as compensation for the total loss of the motor
1401 | vehicle shall obtain a certificate of destruction, if the motor
1402 | vehicle is damaged, wrecked, or burned to the extent that the
1403 | only residual value of the motor vehicle is as a source of parts
1404 | or scrap metal, or if the motor vehicle comes into this state



1405 | under a title or other ownership document that indicates that
1406 | the motor vehicle is not repairable, is junked, or is for parts
1407 | or dismantling only. A person who knowingly violates this
1408 | paragraph or falsifies documentation to avoid the requirements
1409 | of this paragraph commits a misdemeanor of the first degree,
1410 | punishable as provided in s. 775.082 or s. 775.083.

1411 | Section 16. Subsection (1) of section 320.525, Florida
1412 | Statutes, is amended to read:

1413 | 320.525 Port vehicles and equipment; definition;
1414 | exemption.—

1415 | (1) As used in this section, the term "port vehicles and
1416 | equipment" means trucks, tractors, trailers, truck cranes, top
1417 | loaders, fork lifts, hostling tractors, chassis, or other
1418 | vehicles or equipment used for transporting cargo, containers,
1419 | or other equipment. The term includes motor vehicles being
1420 | relocated within a port facility or via designated port district
1421 | roads.

1422 | Section 17. Paragraph (c) is added to subsection (8) of
1423 | section 322.051, Florida Statutes, to read:

1424 | 322.051 Identification cards.—

1425 | (8)

1426 | (c) The international symbol for the deaf and hard of
1427 | hearing shall be exhibited on the identification card of a
1428 | person who is deaf or hard of hearing upon the payment of an
1429 | additional \$1 fee for the identification card and the
1430 | presentation of sufficient proof that the person is deaf or hard



1431 of hearing as determined by the department. Until a person's
1432 identification card is next renewed, the person may have the
1433 symbol added to his or her identification card upon surrender of
1434 his or her current identification card, payment of a \$2 fee to
1435 be deposited into the Highway Safety Operating Trust Fund, and
1436 presentation of sufficient proof that the person is deaf or hard
1437 of hearing as determined by the department. If the applicant is
1438 not conducting any other transaction affecting the
1439 identification card, a replacement identification card may be
1440 issued with the symbol without payment of the fee required in s.
1441 322.21(1)(f)3. For purposes of this paragraph, the international
1442 symbol for the deaf and hard of hearing is substantially as
1443 follows:

1444
1445 ... (International Symbol of Access for Hearing Loss) ...

1446
1447 Section 18. Paragraph (c) of subsection (1) of section
1448 322.14, Florida Statutes, is redesignated as paragraph (d), and
1449 a new paragraph (c) is added to that subsection to read:

1450 322.14 Licenses issued to drivers.—

1451 (1)

1452 (c) The international symbol for the deaf and hard of
1453 hearing provided in s. 322.051(8)(c) shall be exhibited on the
1454 driver license of a person who is deaf or hard of hearing upon
1455 the payment of an additional \$1 fee for the license and the
1456 presentation of sufficient proof that the person is deaf or hard



1457 of hearing as determined by the department. Until a person's
1458 license is next renewed, the person may have the symbol added to
1459 his or her license upon the surrender of his or her current
1460 license, payment of a \$2 fee to be deposited into the Highway
1461 Safety Operating Trust Fund, and presentation of sufficient
1462 proof that the person is deaf or hard of hearing as determined
1463 by the department. If the applicant is not conducting any other
1464 transaction affecting the driver license, a replacement license
1465 may be issued with the symbol without payment of the fee
1466 required in s. 322.21(1)(e).

1467 Section 19. The amendments made by this act to ss. 322.051
1468 and 322.14, Florida Statutes, shall apply upon implementation of
1469 new designs for the driver license and identification card by
1470 the Department of Highway Safety and Motor Vehicles.

1471 Section 20. Paragraph (c) of subsection (1) of section
1472 332.08, Florida Statutes, is amended to read:

1473 332.08 Additional powers.—

1474 (1) In addition to the general powers in ss. 332.01-332.12
1475 conferred and without limitation thereof, a municipality that
1476 has established or may hereafter establish airports, restricted
1477 landing areas, or other air navigation facilities, or that has
1478 acquired or set apart or may hereafter acquire or set apart real
1479 property for such purposes, is authorized:

1480 (c) To lease for a term not exceeding 50 ~~30~~ years such
1481 airports or other air navigation facilities, or real property
1482 acquired or set apart for airport purposes, to private parties,



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1483 any municipal or state government or the national government, or
1484 any department of either thereof, for operation; to lease or
1485 assign for a term not exceeding 50 ~~30~~ years to private parties,
1486 any municipal or state government or the national government, or
1487 any department of either thereof, for operation or use
1488 consistent with the purposes of ss. 332.01-332.12, space, area,
1489 improvements, or equipment on such airports; to sell any part of
1490 such airports, other air navigation facilities, or real property
1491 to any municipal or state government, or the United States or
1492 any department or instrumentality thereof, for aeronautical
1493 purposes or purposes incidental thereto, and to confer the
1494 privileges of concessions of supplying upon its airports goods,
1495 commodities, things, services, and facilities; provided, that in
1496 each case in so doing the public is not deprived of its rightful
1497 equal and uniform use thereof.

1498 Section 21. Section 333.01, Florida Statutes, is amended
1499 to read:

1500 333.01 Definitions.—As used in ~~For the purpose of this~~
1501 chapter, the term ~~following words, terms, and phrases shall have~~
1502 ~~the meanings herein given, unless otherwise specifically~~
1503 ~~defined, or unless another intention clearly appears, or the~~
1504 ~~context otherwise requires:~~

1505 (1) "Aeronautical study" means a Federal Aviation
1506 Administration study, conducted in accordance with the standards
1507 of 14 C.F.R. part 77, subpart C, and Federal Aviation
1508 Administration policy and guidance, on the effect of proposed



1509 construction or alteration upon the operation of air navigation
 1510 facilities and the safe and efficient use of navigable airspace.

1511 ~~(1) "Aeronautics" means transportation by aircraft; the~~
 1512 ~~operation, construction, repair, or maintenance of aircraft,~~
 1513 ~~aircraft power plants and accessories, including the repair,~~
 1514 ~~packing, and maintenance of parachutes; the design,~~
 1515 ~~establishment, construction, extension, operation, improvement,~~
 1516 ~~repair, or maintenance of airports, restricted landing areas, or~~
 1517 ~~other air navigation facilities, and air instruction.~~

1518 (2) "Airport" means any area of land or water designed and
 1519 set aside for the landing and taking off of aircraft and used
 1520 utilized or to be used utilized in the interest of the public
 1521 for such purpose.

1522 (3) "Airport hazard" means an obstruction to air
 1523 navigation which affects the safe and efficient use of navigable
 1524 airspace or the operation of planned or existing air navigation
 1525 and communication facilities ~~any structure or tree or use of~~
 1526 ~~land which would exceed the federal obstruction standards as~~
 1527 ~~contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29~~
 1528 ~~and which obstructs the airspace required for the flight of~~
 1529 ~~aircraft in taking off, maneuvering, or landing or is otherwise~~
 1530 ~~hazardous to such taking off, maneuvering, or landing of~~
 1531 ~~aircraft and for which no person has previously obtained a~~
 1532 ~~permit or variance pursuant to s. 333.025 or s. 333.07.~~

1533 (4) "Airport hazard area" means any area of land or water
 1534 upon which an airport hazard might be established ~~if not~~



1535 ~~prevented as provided in this chapter.~~

1536 (5) "Airport land use compatibility zoning" means airport
1537 zoning regulations governing ~~restricting~~ the use of land on,
1538 adjacent to, or in the immediate vicinity of airports ~~in the~~
1539 ~~manner enumerated in s. 333.03(2) to activities and purposes~~
1540 ~~compatible with the continuation of normal airport operations~~
1541 ~~including landing and takeoff of aircraft in order to promote~~
1542 ~~public health, safety, and general welfare.~~

1543 (6) "Airport layout plan" means a set of scaled drawings
1544 that provide a graphic representation of the existing and future
1545 development plan for the airport and demonstrate the
1546 preservation and continuity of safety, utility, and efficiency
1547 of the airport ~~detailed, scale engineering drawing, including~~
1548 ~~pertinent dimensions, of an airport's current and planned~~
1549 ~~facilities, their locations, and runway usage.~~

1550 (7) "Airport master plan" means a comprehensive plan of an
1551 airport which typically describes current and future plans for
1552 airport development designed to support existing and future
1553 aviation demand.

1554 (8) "Airport protection zoning regulations" means airport
1555 zoning regulations governing airport hazards.

1556 (9) "Department" means the Department of Transportation as
1557 created under s. 20.23.

1558 (10) "Educational facility" means any structure, land, or
1559 use that includes a public or private kindergarten through 12th
1560 grade school, charter school, magnet school, college campus, or



1561 university campus. The term does not include space used for
1562 educational purposes within a multi-tenant building.

1563 (11) "Landfill" has the same meaning as provided in s.
1564 403.703.

1565 (12)~~(7)~~ "Obstruction" means any existing or proposed
1566 ~~manmade object or object, of natural growth or terrain, or~~
1567 structure construction or alteration that exceeds ~~violates~~ the
1568 federal obstruction standards contained in 14 C.F.R. part 77,
1569 subpart C ss. 77.21, 77.23, 77.25, 77.28, and 77.29. The term
1570 includes:

1571 (a) Any object of natural growth or terrain;

1572 (b) Permanent or temporary construction or alteration,
1573 including equipment or materials used and any permanent or
1574 temporary apparatus; or

1575 (c) Alteration of any permanent or temporary existing
1576 structure by a change in the structure's height, including
1577 appurtenances, lateral dimensions, and equipment or materials
1578 used in the structure.

1579 (13)~~(8)~~ "Person" means any individual, firm,
1580 copartnership, corporation, company, association, joint-stock
1581 association, or body politic, and includes any trustee,
1582 receiver, assignee, or other similar representative thereof.

1583 (14)~~(9)~~ "Political subdivision" means the local government
1584 of any county, municipality ~~city~~, town, village, or other
1585 subdivision or agency thereof, or any district or special
1586 district, port commission, port authority, or other such agency



1587 authorized to establish or operate airports in the state.

1588 (15) "Public-use airport" means an airport, publicly or
1589 privately owned, licensed by the state, which is open for use by
1590 the public.

1591 (16)~~(10)~~ "Runway protection clear zone" means an area at
1592 ground level beyond the runway end to enhance the safety and
1593 protection of people and property on the ground ~~a runway clear~~
1594 ~~zone as defined in 14 C.F.R. s. 151.9(b).~~

1595 (17)~~(11)~~ "Structure" means any object~~,~~ constructed,
1596 erected, altered, or installed by humans, including, but not
1597 limited to ~~without limitation thereof,~~ buildings, towers,
1598 smokestacks, utility poles, power generation equipment, and
1599 overhead transmission lines.

1600 (18) "Substantial modification" means any repair,
1601 reconstruction, rehabilitation, or improvement of a structure
1602 when the actual cost of the repair, reconstruction,
1603 rehabilitation, or improvement of the structure equals or
1604 exceeds 50 percent of the market value of the structure.

1605 Section 22. Section 333.025, Florida Statutes, is amended
1606 to read:

1607 333.025 Permit required for obstructions ~~structures~~
1608 ~~exceeding federal obstruction standards.~~

1609 (1) A person proposing the construction or alteration ~~In~~
1610 ~~order to prevent the erection of an obstruction must obtain a~~
1611 permit from the department ~~structures dangerous to air~~
1612 ~~navigation, subject to the provisions of subsections (2), (3),~~



1613 and (4), ~~each person shall secure from the Department of~~
1614 ~~Transportation a permit for the erection, alteration, or~~
1615 ~~modification of any structure the result of which would exceed~~
1616 ~~the federal obstruction standards as contained in 14 C.F.R. ss.~~
1617 ~~77.21, 77.23, 77.25, 77.28, and 77.29.~~ However, permits from the
1618 ~~department of Transportation~~ will be required only within an
1619 airport hazard area where federal obstruction standards are
1620 exceeded and if the proposed construction or alteration is
1621 within a 10-nautical-mile radius of the airport reference point,
1622 located at the approximate geometric geographical center of all
1623 usable runways of a public-use airport or a publicly owned or
1624 operated airport, a military airport, or an airport licensed by
1625 the state for public use.

1626 (2) Existing, planned, and proposed ~~Affected airports will~~
1627 ~~be considered as having those facilities on public-use airports~~
1628 contained in an ~~which are shown on the~~ airport master plan, in
1629 ~~or~~ an airport layout plan submitted to the Federal Aviation
1630 Administration, Airport District Office or in comparable
1631 military documents shall, ~~and will be so~~ protected from airport
1632 hazards. ~~Planned or proposed public-use airports which are the~~
1633 ~~subject of a notice or proposal submitted to the Federal~~
1634 ~~Aviation Administration or to the Department of Transportation~~
1635 ~~shall also be protected.~~

1636 (3) A permit is not required for existing structures that
1637 ~~requirements of subsection (1) shall not apply to projects which~~
1638 received construction permits from the Federal Communications



1639 Commission for structures exceeding federal obstruction
 1640 standards before ~~prior to~~ May 20, 1975, ~~provided such structures~~
 1641 ~~now exist; a permit is not required for nor shall it apply to~~
 1642 ~~previously approved structures now existing, or any necessary~~
 1643 replacement or repairs to such existing structures if, so long
 1644 ~~as~~ the height and location are ~~is~~ unchanged.

1645 (4) If ~~When~~ political subdivisions have, in compliance
 1646 with this chapter, adopted adequate airport airspace protection
 1647 zoning regulations, placed in compliance with s. 333.03, and
 1648 such regulations ~~are~~ on file with the department's aviation
 1649 office, and established a permitting process ~~Department of~~
 1650 Transportation, a permit for the construction or alteration of
 1651 an obstruction is ~~such structure shall not be required from the~~
 1652 ~~department of Transportation. Upon receipt of a complete permit~~
 1653 application, the local government shall provide a copy of the
 1654 application to the department's aviation office by certified
 1655 mail, return receipt requested, or by a delivery service that
 1656 provides a receipt evidencing delivery. To evaluate technical
 1657 consistency with this subsection, the department shall have a
 1658 15-day review period following receipt of the application, which
 1659 must run concurrently with the local government permitting
 1660 process. Cranes, construction equipment, and other temporary
 1661 structures in use or in place for a period not to exceed 18
 1662 consecutive months are exempt from the department's review,
 1663 unless such review is requested by the department.

1664 (5) The department ~~of Transportation~~ shall, within 30 days



1665 ~~after of the~~ receipt of an application for a permit, issue or
1666 deny a permit for the construction or erection, alteration, ~~or~~
1667 ~~modification of an obstruction any structure the result of which~~
1668 ~~would exceed federal obstruction standards as contained in 14~~
1669 ~~C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29.~~ The department
1670 shall review permit applications in conformity with s. 120.60.

1671 (6) In determining whether to issue or deny a permit, the
1672 department shall consider:

1673 (a) The safety of persons on the ground and in the air.

1674 (b) The safe and efficient use of navigable airspace.

1675 (c) ~~(a)~~ The nature of the terrain and height of existing
1676 structures.

1677 ~~(b) Public and private interests and investments.~~

1678 (d) The effect of the construction or alteration of an
1679 obstruction on the state licensing standards for a public-use
1680 airport contained in chapter 330 and rules adopted thereunder.

1681 (e) ~~(e)~~ The character of existing and planned flight flying
1682 operations and planned developments at public-use of airports.

1683 (f) ~~(d)~~ Federal airways, visual flight rules, flyways and
1684 corridors, and instrument approaches as designated by the
1685 Federal Aviation Administration.

1686 (g) ~~(e)~~ The effect of whether the construction or
1687 alteration of an obstruction on the proposed structure would
1688 cause an increase in the minimum descent altitude or the
1689 decision height at the affected airport.

1690 ~~(f) Technological advances.~~



1691 ~~(g) The safety of persons on the ground and in the air.~~
1692 ~~(h) Land use density.~~
1693 ~~(i) The safe and efficient use of navigable airspace.~~
1694 (h) (j) The cumulative effects on navigable airspace of all
1695 existing obstructions structures, ~~proposed structures identified~~
1696 ~~in the applicable jurisdictions' comprehensive plans~~, and all
1697 ~~other~~ known proposed obstructions structures in the area.

1698 (7) When issuing a permit under this section, the
1699 department ~~of Transportation~~ shall, ~~as a specific condition of~~
1700 ~~such permit~~, require the owner ~~obstruction marking and lighting~~
1701 of the obstruction to install, operate, and maintain, at the
1702 owner's expense, marking and lighting in conformance with the
1703 specific standards established by the Federal Aviation
1704 Administration ~~permitted structure as provided in s.~~
1705 ~~333.07(3)(b).~~

1706 (8) The department may ~~of Transportation~~ shall not approve
1707 a permit for the construction or alteration ~~erection~~ of an
1708 obstruction ~~a structure~~ unless the applicant submits ~~both~~
1709 documentation showing both compliance with the federal
1710 requirement for notification of proposed construction or
1711 alteration and a valid aeronautical study. ~~A evaluation, and no~~
1712 permit may not ~~shall~~ be approved solely on the basis that the
1713 Federal Aviation Administration determined that the such
1714 proposed construction or alteration of an obstruction was not an
1715 airport hazard ~~structure will not exceed federal obstruction~~
1716 ~~standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25,~~



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1717 ~~77.28, or 77.29, or any other federal aviation regulation.~~

1718 (9) The denial of a permit under this section is subject
1719 to administrative review pursuant to chapter 120.

1720 Section 23. Section 333.03, Florida Statutes, is amended
1721 to read:

1722 333.03 Requirement ~~Power~~ to adopt airport zoning
1723 regulations.-

1724 (1) (a) ~~In order to prevent the creation or establishment~~
1725 ~~of airport hazards,~~ Every political subdivision having an
1726 airport hazard area within its territorial limits shall, ~~by~~
1727 ~~October 1, 1977,~~ adopt, administer, and enforce, under the
1728 police power and in the manner and upon the conditions
1729 ~~hereinafter~~ prescribed in this section, airport protection
1730 zoning regulations for such airport hazard area.

1731 (b) ~~If where~~ if an airport is owned or controlled by a
1732 political subdivision and if any other political subdivision has
1733 land upon which an obstruction may be constructed or altered
1734 which underlies any surface of the airport as provided in 14
1735 C.F.R. part 77, subpart C, the political subdivisions ~~airport~~
1736 ~~hazard area appertaining to such airport is located wholly or~~
1737 ~~partly outside the territorial limits of said political~~
1738 ~~subdivision, the political subdivision owning or controlling the~~
1739 ~~airport and the political subdivision within which the airport~~
1740 ~~hazard area is located,~~ shall either:

1741 1. By interlocal agreement, ~~in accordance with the~~
1742 ~~provisions of chapter 163,~~ adopt, administer, and enforce a set



1743 ~~of airport protection zoning regulations applicable to the~~
1744 ~~airport hazard area in question; or~~

1745 2. By ordinance, regulation, or resolution duly adopted,
1746 create a joint airport protection zoning board ~~that, which board~~
1747 ~~shall have the same power to~~ adopt, administer, and enforce a
1748 set of airport protection zoning regulations applicable to the
1749 ~~airport hazard area in question as that vested in paragraph (a)~~
1750 ~~in the political subdivision within which such area is located.~~
1751 The ~~Each such~~ joint airport protection zoning board shall have
1752 as voting members two representatives appointed by each
1753 participating political subdivision ~~participating in its~~
1754 ~~creation and in addition~~ a chair elected by a majority of the
1755 members so appointed. ~~However,~~ The airport manager or a
1756 representative of each airport in ~~managers of~~ the affected
1757 participating political subdivisions shall serve on the board in
1758 a nonvoting capacity.

1759 (c) Airport protection zoning regulations adopted under
1760 paragraph (a) must shall, at as a minimum, require:

1761 1. A permit ~~variance~~ for the construction or erection,
1762 ~~alteration, or modification~~ of any obstruction ~~structure which~~
1763 ~~would cause the structure to exceed the federal obstruction~~
1764 ~~standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25,~~
1765 ~~77.28, and 77.29;~~

1766 2. Obstruction marking and lighting for obstructions
1767 ~~structures as specified in s. 333.07(3);~~

1768 3. Documentation showing compliance with the federal



1769 requirement for notification of proposed construction or
 1770 alteration of structures and a valid aeronautical study
 1771 ~~evaluation~~ submitted by each person applying for a permit
 1772 variance;

1773 4. Consideration of the criteria in s. 333.025(6), when
 1774 determining whether to issue or deny a permit variance; and

1775 5. That approval of a permit not be based ~~no variance~~
 1776 ~~shall be approved~~ solely on the determination by the Federal
 1777 Aviation Administration ~~basis~~ that the such proposed structure
 1778 is not an airport hazard ~~will not exceed federal obstruction~~
 1779 ~~standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25,~~
 1780 ~~77.28, or 77.29, or any other federal aviation regulation.~~

1781 (d) The department shall be available to provide
 1782 assistance to political subdivisions regarding federal
 1783 obstruction standards ~~shall issue copies of the federal~~
 1784 ~~obstruction standards as contained in 14 C.F.R. ss. 77.21,~~
 1785 ~~77.23, 77.25, 77.28, and 77.29 to each political subdivision~~
 1786 ~~having airport hazard areas and, in cooperation with political~~
 1787 ~~subdivisions, shall issue appropriate airport zoning maps~~
 1788 ~~depicting within each county the maximum allowable height of any~~
 1789 ~~structure or tree. Material distributed pursuant to this~~
 1790 ~~subsection shall be at no cost to authorized recipients.~~

1791 (2) In the manner provided in subsection (1), political
 1792 subdivisions shall adopt, administer, and enforce interim
 1793 airport land use compatibility zoning regulations ~~shall be~~
 1794 ~~adopted.~~ Airport land use compatibility zoning ~~When political~~



1795 ~~subdivisions have adopted land development regulations shall, at~~
 1796 ~~a minimum, in accordance with the provisions of chapter 163~~
 1797 ~~which address the use of land in the manner consistent with the~~
 1798 ~~provisions herein, adoption of airport land use compatibility~~
 1799 ~~regulations pursuant to this subsection shall not be required.~~
 1800 ~~Interim airport land use compatibility zoning regulations shall~~
 1801 ~~consider the following:~~

1802 (a) The prohibition of new landfills and the restriction
 1803 of existing landfills ~~Whether sanitary landfills are located~~
 1804 ~~within the following areas:~~

1805 1. Within 10,000 feet from the nearest point of any runway
 1806 used or planned to be used by turbine ~~turbojet or turboprop~~
 1807 ~~aircraft.~~

1808 2. Within 5,000 feet from the nearest point of any runway
 1809 used ~~only~~ by only nonturbine piston-type ~~piston-type~~ aircraft.

1810 3. Outside the perimeters defined in subparagraphs 1. and
 1811 2., but still within the lateral limits of the civil airport
 1812 imaginary surfaces defined in 14 C.F.R. s. 77.19 ~~part 77.25~~.
 1813 Case-by-case review of such landfills is advised.

1814 (b) Where ~~Whether~~ any landfill is located and constructed
 1815 in a manner ~~so~~ that ~~it~~ attracts or sustains hazardous bird
 1816 movements from feeding, water, or roosting areas into, or
 1817 across, the runways or approach and departure patterns of
 1818 aircraft. The landfill operator must ~~political subdivision shall~~
 1819 ~~request from the airport authority or other governing body~~
 1820 ~~operating the airport a report on such bird feeding or roosting~~



1821 ~~areas that at the time of the request are known to the airport.~~
1822 ~~In preparing its report, the authority, or other governing body,~~
1823 ~~shall consider whether the landfill will incorporate bird~~
1824 ~~management techniques or other practices to minimize bird~~
1825 ~~hazards to airborne aircraft. The airport authority or other~~
1826 ~~governing body shall respond to the political subdivision no~~
1827 ~~later than 30 days after receipt of such request.~~

1828 (c) Where an airport authority or other governing body
1829 operating a ~~publicly owned,~~ public-use airport has conducted a
1830 noise study in accordance with ~~the provisions of 14 C.F.R. part~~
1831 150, or where a public-use airport owner has established noise
1832 contours pursuant to another public study approved by the
1833 Federal Aviation Administration, the prohibition of incompatible
1834 uses, as established in the noise study in 14 C.F.R. part 150,
1835 Appendix A or as a part of an alternative Federal Aviation
1836 Administration-approved public study, within the noise contours
1837 established by any of these studies, except if such uses are
1838 specifically contemplated by such study with appropriate
1839 mitigation or similar techniques described in the study ~~neither~~
1840 ~~residential construction nor any educational facility as defined~~
1841 ~~in chapter 1013, with the exception of aviation school~~
1842 ~~facilities, shall be permitted within the area contiguous to the~~
1843 ~~airport defined by an outer noise contour that is considered~~
1844 ~~incompatible with that type of construction by 14 C.F.R. part~~
1845 ~~150, Appendix A or an equivalent noise level as established by~~
1846 ~~other types of noise studies.~~



1847 (d) Where an airport authority or other governing body
1848 operating a ~~publicly owned,~~ public-use airport has not conducted
1849 a noise study, the prohibition of ~~neither~~ residential
1850 construction and ~~nor~~ any educational facility ~~as defined in~~
1851 ~~chapter 1013,~~ with the exception of aviation school facilities,
1852 ~~shall be permitted~~ within an area contiguous to the airport
1853 measuring one-half the length of the longest runway on either
1854 side of and at the end of each runway centerline.

1855 (e)-(3) The restriction of ~~In the manner provided in~~
1856 ~~subsection (1), airport zoning regulations shall be adopted~~
1857 ~~which restrict~~ new incompatible uses, activities, or substantial
1858 modifications to existing incompatible uses ~~construction~~ within
1859 runway protection clear zones, ~~including uses, activities, or~~
1860 ~~construction in runway clear zones which are incompatible with~~
1861 ~~normal airport operations or endanger public health, safety, and~~
1862 ~~welfare by resulting in congregations of people, emissions of~~
1863 ~~light or smoke, or attraction of birds. Such regulations shall~~
1864 ~~prohibit the construction of an educational facility of a public~~
1865 ~~or private school at either end of a runway of a publicly owned,~~
1866 ~~public-use airport within an area which extends 5 miles in a~~
1867 ~~direct line along the centerline of the runway, and which has a~~
1868 ~~width measuring one-half the length of the runway. Exceptions~~
1869 ~~approving construction of an educational facility within the~~
1870 ~~delineated area shall only be granted when the political~~
1871 ~~subdivision administering the zoning regulations makes specific~~
1872 ~~findings detailing how the public policy reasons for allowing~~



1873 ~~the construction outweigh health and safety concerns prohibiting~~
1874 ~~such a location.~~

1875 ~~(4) The procedures outlined in subsections (1), (2), and~~
1876 ~~(3) for the adoption of such regulations are supplemental to any~~
1877 ~~existing procedures utilized by political subdivisions in the~~
1878 ~~adoption of such regulations.~~

1879 ~~(3)(5) Political subdivisions shall provide The Department~~
1880 ~~of Transportation shall provide technical assistance to any~~
1881 ~~political subdivision requesting assistance in the preparation~~
1882 ~~of an airport zoning code. a copy of all local airport~~
1883 ~~protection zoning codes, rules, and regulations and airport land~~
1884 ~~use compatibility zoning regulations, and any related amendments~~
1885 ~~and proposed and granted variances thereto, to shall be filed~~
1886 ~~with the department's aviation office within 30 days after~~
1887 ~~adoption department.~~

1888 ~~(4)(6) Nothing in Subsection (2) may not or subsection (3)~~
1889 ~~shall be construed to require the removal, alteration, sound~~
1890 ~~conditioning, or other change, or to interfere with the~~
1891 ~~continued use or adjacent expansion of any educational facility~~
1892 ~~structure or site in existence on July 1, 1993, or be construed~~
1893 ~~to prohibit the construction of any new structure for which a~~
1894 ~~site has been determined as provided in former s. 235.19, as of~~
1895 ~~July 1, 1993.~~

1896 ~~(5) This section does not prohibit an airport authority, a~~
1897 ~~political subdivision or its administrative agency, or any other~~
1898 ~~governing body operating a public-use airport from establishing~~



1899 | airport zoning regulations more restrictive than prescribed in
 1900 | this section in order to protect the health, safety, and welfare
 1901 | of the public in the air and on the ground.

1902 | Section 24. Section 333.04, Florida Statutes, is amended
 1903 | to read:

1904 | 333.04 Comprehensive zoning regulations; most stringent to
 1905 | prevail where conflicts occur.—

1906 | (1) INCORPORATION.—In the event that a political
 1907 | subdivision has adopted, or hereafter adopts, a comprehensive
 1908 | plan or policy ~~zoning ordinance~~ regulating, among other things,
 1909 | the height of buildings, structures, and natural objects, and
 1910 | uses of property, any airport zoning regulations applicable to
 1911 | the same area or portion thereof may be incorporated in and made
 1912 | a part of such comprehensive plan or policy ~~zoning regulations~~,
 1913 | and be administered and enforced in connection therewith.

1914 | (2) CONFLICT.—In the event of conflict between any airport
 1915 | zoning regulations adopted under this chapter and any other
 1916 | regulations applicable to the same area, whether the conflict be
 1917 | with respect to the height of structures or vegetation ~~trees~~,
 1918 | the use of land, or any other matter, and whether such
 1919 | regulations were adopted by the political subdivision that ~~which~~
 1920 | adopted the airport zoning regulations or by some other
 1921 | political subdivision, the more stringent limitation or
 1922 | requirement shall govern and prevail.

1923 | Section 25. Section 333.05, Florida Statutes, is amended
 1924 | to read:



1925 333.05 Procedure for adoption of airport zoning
 1926 regulations.-
 1927 (1) NOTICE AND HEARING.-~~No~~ Airport zoning regulations may
 1928 not shall be adopted, amended, or repealed ~~changed~~ under this
 1929 chapter except by action of the legislative body of the
 1930 political subdivision or affected subdivisions ~~in question~~, or
 1931 the joint board provided in s. 333.03(1)(b)2. ~~s. 333.03(1)(b)~~ by
 1932 the political subdivisions ~~bodies~~ therein provided and set
 1933 forth, after a public hearing in relation thereto, at which
 1934 parties in interest and citizens shall have an opportunity to be
 1935 heard. Notice of the hearing shall be published at least once a
 1936 week for 2 consecutive weeks in a newspaper ~~an official paper,~~
 1937 ~~or a paper~~ of general circulation, ~~7~~ in the political subdivision
 1938 or subdivisions where ~~in which are located~~ the airport zoning
 1939 regulations are areas to be adopted, amended, or repealed ~~zoned~~.
 1940 (2) AIRPORT ZONING COMMISSION.-Before ~~Prior to~~ the initial
 1941 zoning of any airport area under this chapter, the political
 1942 subdivision or joint airport zoning board that ~~which~~ is to
 1943 adopt, administer, and enforce the regulations must ~~shall~~
 1944 appoint a commission, to be known as the airport zoning
 1945 commission, to recommend the boundaries of the various zones to
 1946 be established and the regulations to be adopted therefor. Such
 1947 commission shall make a preliminary report and hold public
 1948 hearings thereon before submitting its final report, and the
 1949 legislative body of the political subdivision or the joint
 1950 airport zoning board may ~~shall~~ not hold its public hearings or



1951 take any action until it has received the final report of such
 1952 commission, and at least 15 days shall elapse between the
 1953 receipt of the final report of the commission and the hearing to
 1954 be held by the latter board. If ~~Where~~ a planning city plan
 1955 commission, an airport commission, or a comprehensive zoning
 1956 commission already exists, it may be appointed as the airport
 1957 zoning commission.

1958 Section 26. Section 333.06, Florida Statutes, is amended
 1959 to read:

1960 333.06 Airport zoning regulation requirements.-

1961 (1) REASONABLENESS.-All airport zoning regulations adopted
 1962 under this chapter shall be reasonable and may not ~~none shall~~
 1963 impose any requirement or restriction which is not reasonably
 1964 necessary to effectuate the purposes of this chapter. In
 1965 determining what regulations it may adopt, each political
 1966 subdivision and joint airport zoning board shall consider, among
 1967 other things, the character of the flying operations expected to
 1968 be conducted at the airport, the nature of the terrain within
 1969 the airport hazard area and runway protection ~~clear~~ zones, the
 1970 character of the neighborhood, the uses to which the property to
 1971 be zoned is put and adaptable, and the impact of any new use,
 1972 activity, or construction on the airport's operating capability
 1973 and capacity.

1974 (2) INDEPENDENT JUSTIFICATION.-The purpose of all airport
 1975 zoning regulations adopted under this chapter is to provide both
 1976 airspace protection and land uses ~~use~~ compatible with airport



1977 operations. Each aspect of this purpose requires independent
1978 justification in order to promote the public interest in safety,
1979 health, and general welfare. Specifically, construction in a
1980 runway protection ~~clear~~ zone which does not exceed airspace
1981 height restrictions is not conclusive ~~evidence per se~~ that such
1982 use, activity, or construction is compatible with airport
1983 operations.

1984 (3) NONCONFORMING USES.—An ~~no~~ airport protection zoning
1985 regulation ~~regulations~~ adopted under this chapter may not ~~shall~~
1986 require the removal, lowering, or other change or alteration of
1987 any obstruction ~~structure or tree~~ not conforming to the
1988 regulation ~~regulations~~ when adopted or amended, or otherwise
1989 interfere with the continuance of any nonconforming use, except
1990 as provided in s. 333.07(1) and (3).

1991 (4) ADOPTION OF AIRPORT MASTER PLAN AND NOTICE TO AFFECTED
1992 LOCAL GOVERNMENTS.—An airport master plan shall be prepared by
1993 each public-use ~~publicly owned and operated~~ airport licensed by
1994 the department ~~of Transportation~~ under chapter 330. The
1995 authorized entity having responsibility for governing the
1996 operation of the airport, when either requesting from or
1997 submitting to a state or federal governmental agency with
1998 funding or approval jurisdiction a "finding of no significant
1999 impact," an environmental assessment, a site-selection study, an
2000 airport master plan, or any amendment to an airport master plan,
2001 shall submit simultaneously a copy of said request, submittal,
2002 assessment, study, plan, or amendments by certified mail to all



2003 affected local governments. As used in ~~For the purposes of~~ this
2004 subsection, the term "affected local government" is defined as
2005 any municipality ~~city~~ or county having jurisdiction over the
2006 airport and any municipality ~~city~~ or county located within 2
2007 miles of the boundaries of the land subject to the airport
2008 master plan.

2009 Section 27. Section 333.065, Florida Statutes, is
2010 repealed.

2011 Section 28. Section 333.07, Florida Statutes, is amended
2012 to read:

2013 333.07 Local government permitting of airspace
2014 obstructions ~~Permits and variances.~~—

2015 (1) PERMITS.—

2016 (a) A person proposing to construct, alter, or allow an
2017 airport obstruction in an airport hazard area in violation of
2018 the airport protection zoning regulations adopted under this
2019 chapter must apply for a permit. ~~A Any airport zoning~~
2020 ~~regulations adopted under this chapter may require that a permit~~
2021 ~~be obtained before any new structure or use may be constructed~~
2022 ~~or established and before any existing use or structure may be~~
2023 ~~substantially changed or substantially altered or repaired. In~~
2024 ~~any event, however, all such regulations shall provide that~~
2025 ~~before any nonconforming structure or tree may be replaced,~~
2026 ~~substantially altered or repaired, rebuilt, allowed to grow~~
2027 ~~higher, or replanted, a permit must be secured from the~~
2028 ~~administrative agency authorized to administer and enforce the~~



2029 ~~regulations, authorizing such replacement, change, or repair. No~~
 2030 permit may not ~~shall~~ be issued if it ~~granted that~~ would allow
 2031 the establishment or creation of an airport hazard or if it
 2032 would permit a nonconforming obstruction ~~structure or tree or~~
 2033 ~~nonconforming use to be made or become higher or to become a~~
 2034 greater hazard to air navigation than it was when the applicable
 2035 airport protection zoning regulation was adopted which allowed
 2036 the establishment or creation of the obstruction, or than it is
 2037 when the application for a permit is made.

2038 (b) ~~If whenever~~ the political subdivision or its
 2039 administrative agency determines that a nonconforming
 2040 obstruction ~~use or nonconforming structure or tree~~ has been
 2041 abandoned or is more than 80 percent torn down, destroyed,
 2042 deteriorated, or decayed, a ~~no~~ permit may not ~~shall~~ be granted
 2043 if it ~~that~~ would allow the obstruction ~~said structure or tree~~ to
 2044 exceed the applicable height limit or otherwise deviate from the
 2045 airport protection zoning regulations. ~~and,~~ Whether or not an
 2046 application is made for a permit under this subsection ~~or not,~~
 2047 ~~the said agency may by appropriate action, compel~~ the owner of
 2048 the nonconforming obstruction may be required ~~structure or tree,~~
 2049 at his or her own expense, to lower, remove, reconstruct, alter,
 2050 or equip such obstruction ~~object~~ as may be necessary to conform
 2051 to the current airport protection zoning regulations. If the
 2052 owner of the nonconforming obstruction neglects or refuses
 2053 ~~structure or tree shall neglect or refuse~~ to comply with such
 2054 requirement ~~order~~ for 10 days after notice ~~thereof,~~ the



2055 administrative ~~said~~ agency may report the violation to the
2056 political subdivision involved ~~therein~~, which subdivision,
2057 through its appropriate agency, may proceed to have the
2058 obstruction ~~object~~ so lowered, removed, reconstructed, altered,
2059 or equipped, and assess the cost and expense thereof upon the
2060 owner of the obstruction ~~object~~ or the land whereon it is or was
2061 located, and, unless such an assessment is paid within 90 days
2062 from the service of notice thereof on the owner or the owner's
2063 agent, of such object or land, the sum shall be a lien on said
2064 land, and shall bear interest thereafter at the rate of 6
2065 percent per annum until paid, and shall be collected in the same
2066 manner as taxes on real property are collected by said political
2067 subdivision, or, at the option of said political subdivision,
2068 said lien may be enforced in the manner provided for enforcement
2069 of liens by chapter 85.

2070 ~~(c) Except as provided herein, applications for permits~~
2071 ~~shall be granted, provided the matter applied for meets the~~
2072 ~~provisions of this chapter and the regulations adopted and in~~
2073 ~~force hereunder.~~

2074 (2) CONSIDERATIONS WHEN ISSUING OR DENYING PERMITS.—In
2075 determining whether to issue or deny a permit, the political
2076 subdivision or its administrative agency must consider the
2077 following, as applicable:

2078 (a) The safety of persons on the ground and in the air.

2079 (b) The safe and efficient use of navigable airspace.

2080 (c) The nature of the terrain and height of existing



2081 structures.

2082 (d) The effect of the construction or alteration on the
2083 state licensing standards for a public-use airport contained in
2084 chapter 330 and rules adopted thereunder.

2085 (e) The character of existing and planned flight
2086 operations and developments at public-use airports.

2087 (f) Federal airways, visual flight rules, flyways and
2088 corridors, and instrument approaches as designated by the
2089 Federal Aviation Administration.

2090 (g) The effect of the construction or alteration of the
2091 proposed structure on the minimum descent altitude or the
2092 decision height at the affected airport.

2093 (h) The cumulative effects on navigable airspace of all
2094 existing structures and all other known proposed structures in
2095 the area.

2096 (i) Additional requirements adopted by the political
2097 subdivision or administrative agency pertinent to evaluation and
2098 protection of airspace and airport operations.

2099 ~~(2) VARIANCES.—~~

2100 ~~(a) Any person desiring to erect any structure, increase~~
2101 ~~the height of any structure, permit the growth of any tree, or~~
2102 ~~otherwise use his or her property in violation of the airport~~
2103 ~~zoning regulations adopted under this chapter or any land~~
2104 ~~development regulation adopted pursuant to the provisions of~~
2105 ~~chapter 163 pertaining to airport land use compatibility, may~~
2106 ~~apply to the board of adjustment for a variance from the zoning~~



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2107 ~~regulations in question. At the time of filing the application,~~
2108 ~~the applicant shall forward to the department by certified mail,~~
2109 ~~return receipt requested, a copy of the application. The~~
2110 ~~department shall have 45 days from receipt of the application to~~
2111 ~~comment and to provide its comments or waiver of that right to~~
2112 ~~the applicant and the board of adjustment. The department shall~~
2113 ~~include its explanation for any objections stated in its~~
2114 ~~comments. If the department fails to provide its comments within~~
2115 ~~45 days of receipt of the application, its right to comment is~~
2116 ~~waived. The board of adjustment may proceed with its~~
2117 ~~consideration of the application only upon the receipt of the~~
2118 ~~department's comments or waiver of that right as demonstrated by~~
2119 ~~the filing of a copy of the return receipt with the board.~~
2120 ~~Noncompliance with this section shall be grounds to appeal~~
2121 ~~pursuant to s. 333.08 and to apply for judicial relief pursuant~~
2122 ~~to s. 333.11. Such variances may only be allowed where a literal~~
2123 ~~application or enforcement of the regulations would result in~~
2124 ~~practical difficulty or unnecessary hardship and where the~~
2125 ~~relief granted would not be contrary to the public interest but~~
2126 ~~would do substantial justice and be in accordance with the~~
2127 ~~spirit of the regulations and this chapter. However, any~~
2128 ~~variance may be allowed subject to any reasonable conditions~~
2129 ~~that the board of adjustment may deem necessary to effectuate~~
2130 ~~the purposes of this chapter.~~

2131 ~~(b) The Department of Transportation shall have the~~
2132 ~~authority to appeal any variance granted under this chapter~~



2133 ~~pursuant to s. 333.08, and to apply for judicial relief pursuant~~
 2134 ~~to s. 333.11.~~

2135 (3) OBSTRUCTION MARKING AND LIGHTING.—

2136 ~~(a) In issuing a granting any permit or variance under~~
 2137 ~~this section, the political subdivision or its administrative~~
 2138 ~~agency or board of adjustment shall require the owner of the~~
 2139 ~~obstruction structure or tree in question to install, operate,~~
 2140 ~~and maintain thereon, at his or her own expense, ~~such~~ marking~~
 2141 ~~and lighting in conformance with the specific standards~~
 2142 ~~established by the Federal Aviation Administration as may be~~
 2143 ~~necessary to indicate to aircraft pilots the presence of an~~
 2144 ~~obstruction.~~

2145 ~~(b) Such marking and lighting shall conform to the~~
 2146 ~~specific standards established by rule by the Department of~~
 2147 ~~Transportation.~~

2148 ~~(c) Existing structures not in compliance on October 1,~~
 2149 ~~1988, shall be required to comply whenever the existing marking~~
 2150 ~~requires refurbishment, whenever the existing lighting requires~~
 2151 ~~replacement, or within 5 years of October 1, 1988, whichever~~
 2152 ~~occurs first.~~

2153 Section 29. Section 333.08, Florida Statutes, is repealed.

2154 Section 30. Section 333.09, Florida Statutes, is amended
 2155 to read:

2156 333.09 Administration of airport protection zoning
 2157 regulations.—

2158 (1) ADMINISTRATION.—All airport protection zoning



2159 regulations adopted under this chapter shall provide for the
 2160 administration and enforcement of such regulations by the
 2161 political subdivision or its administrative agency ~~an~~
 2162 ~~administrative agency which may be an agency created by such~~
 2163 ~~regulations or any official, board, or other existing agency of~~
 2164 ~~the political subdivision adopting the regulations or of one of~~
 2165 ~~the political subdivisions which participated in the creation of~~
 2166 ~~the joint airport zoning board adopting the regulations, if~~
 2167 ~~satisfactory to that political subdivision, but in no case shall~~
 2168 ~~such administrative agency be or include any member of the board~~
 2169 ~~of adjustment.~~ The duties of any administrative agency
 2170 designated pursuant to this chapter must ~~shall~~ include that of
 2171 hearing and deciding all permits under s. 333.07 ~~s. 333.07(1),~~
 2172 ~~deciding all matters under s. 333.07(3),~~ as they pertain to such
 2173 agency, and all other matters under this chapter applying to
 2174 said agency, ~~but such agency shall not have or exercise any of~~
 2175 ~~the powers herein delegated to the board of adjustment.~~

2176 (2) LOCAL GOVERNMENT PROCESS.-

2177 (a) A political subdivision required to adopt airport
 2178 zoning regulations under this chapter shall provide a process
 2179 to:

2180 1. Issue or deny permits consistent with s. 333.07.

2181 2. Provide the department with a copy of a complete
 2182 application consistent with s. 333.025(4).

2183 3. Enforce the issuance or denial of a permit or other
 2184 determination made by the administrative agency with respect to



2185 airport zoning regulations.

2186 (b) If a zoning board or permitting body already exists
2187 within a political subdivision, the zoning board or permitting
2188 body may implement the airport zoning regulation permitting and
2189 appeals processes.

2190 (3) APPEALS.—

2191 (a) A person, a political subdivision or its
2192 administrative agency, or a joint airport zoning board that
2193 contends a decision made by a political subdivision or its
2194 administrative agency is an improper application of airport
2195 zoning regulations may use the process established for an
2196 appeal.

2197 (b) All appeals taken under this section must be taken
2198 within a reasonable time, as provided by the political
2199 subdivision or its administrative agency, by filing with the
2200 entity from which the appeal is taken a notice of appeal
2201 specifying the grounds for appeal.

2202 (c) An appeal shall stay all proceedings in the underlying
2203 action appealed from, unless the entity from which the appeal is
2204 taken certifies pursuant to the rules for appeal that by reason
2205 of the facts stated in the certificate a stay would, in its
2206 opinion, cause imminent peril to life or property. In such
2207 cases, proceedings may not be stayed except by order of the
2208 political subdivision or its administrative agency on notice to
2209 the entity from which the appeal is taken and for good cause
2210 shown.



2211 (d) The political subdivision or its administrative agency
 2212 shall set a reasonable time for the hearing of appeals, give
 2213 public notice and due notice to the parties in interest, and
 2214 decide the same within a reasonable time. Upon the hearing, any
 2215 party may appear in person, by agent, or by attorney.

2216 (e) The political subdivision or its administrative agency
 2217 may, in conformity with this chapter, affirm, reverse, or modify
 2218 the decision on the permit or other determination from which the
 2219 appeal is taken.

2220 Section 31. Section 333.10, Florida Statutes, is repealed.

2221 Section 32. Section 333.11, Florida Statutes, is amended
 2222 to read:

2223 333.11 Judicial review.—

2224 (1) Any person, ~~aggrieved, or taxpayer affected, by any~~
 2225 ~~decision of a board of adjustment, or any governing body of a~~
 2226 ~~political subdivision, or the Department of Transportation or~~
 2227 ~~any joint airport zoning board~~ affected by a decision of a
 2228 political subdivision, or its ~~of any~~ administrative agency
 2229 ~~hereunder,~~ may apply for judicial relief to the circuit court in
 2230 the judicial circuit where the political subdivision ~~board of~~
 2231 ~~adjustment~~ is located within 30 days after rendition of the
 2232 decision ~~by the board of adjustment.~~ Review shall be by petition
 2233 for writ of certiorari, which shall be governed by the Florida
 2234 Rules of Appellate Procedure.

2235 ~~(2) Upon presentation of such petition to the court, it~~
 2236 ~~may allow a writ of certiorari, directed to the board of~~



2237 ~~adjustment, to review such decision of the board. The allowance~~
 2238 ~~of the writ shall not stay the proceedings upon the decision~~
 2239 ~~appealed from, but the court may, on application, on notice to~~
 2240 ~~the board, on due hearing and due cause shown, grant a~~
 2241 ~~restraining order.~~

2242 ~~(3) The board of adjustment shall not be required to~~
 2243 ~~return the original papers acted upon by it, but it shall be~~
 2244 ~~sufficient to return certified or sworn copies thereof or of~~
 2245 ~~such portions thereof as may be called for by the writ. The~~
 2246 ~~return shall concisely set forth such other facts as may be~~
 2247 ~~pertinent and material to show the grounds of the decision~~
 2248 ~~appealed from and shall be verified.~~

2249 ~~(2)-(4)~~ The court ~~has~~ shall have exclusive jurisdiction to
 2250 affirm, reverse, or modify, ~~or set aside~~ the decision on the
 2251 permit or other determination from which the appeal is taken
 2252 ~~brought up for review, in whole or in part, and, if appropriate~~
 2253 ~~need be, to order further proceedings by the~~ political
 2254 subdivision or its administrative agency board of adjustment.
 2255 The findings of fact by the political subdivision or its
 2256 administrative agency board, if supported by substantial
 2257 evidence, shall be accepted by the court as conclusive, and an
 2258 ~~no~~ objection to a decision of the political subdivision or its
 2259 administrative agency may not ~~board shall~~ be considered by the
 2260 court unless such objection was raised in the underlying
 2261 proceeding ~~shall have been urged before the board, or, if it was~~
 2262 ~~not so urged, unless there were reasonable grounds for failure~~



2263 ~~to do so.~~

2264 (3)~~(5)~~ If ~~In any case in which~~ airport zoning regulations
 2265 adopted under this chapter, ~~although generally reasonable,~~ are
 2266 held by a court to interfere with the use and enjoyment of a
 2267 particular structure or parcel of land to such an extent, or to
 2268 be so onerous in their application to such a structure or parcel
 2269 of land, as to constitute a taking or deprivation of that
 2270 property in violation of the State Constitution or the
 2271 Constitution of the United States, such holding shall not affect
 2272 the application of such regulations to other structures and
 2273 parcels of land, or such regulations as are not involved in the
 2274 particular decision.

2275 (4)~~(6)~~ A judicial ~~No~~ appeal to any court may not ~~shall~~ be
 2276 ~~or is~~ permitted under this section until the appellant has
 2277 exhausted all of its remedies through application for local
 2278 government permits, exceptions, and appeals, ~~to any courts, as~~
 2279 ~~herein provided, save and except an appeal from a decision of~~
 2280 ~~the board of adjustment, the appeal herein provided being from~~
 2281 ~~such final decision of such board only, the appellant being~~
 2282 ~~hereby required to exhaust his or her remedies hereunder of~~
 2283 ~~application for permits, exceptions and variances, and appeal to~~
 2284 ~~the board of adjustment, and gaining a determination by said~~
 2285 ~~board, before being permitted to appeal to the court hereunder.~~

2286 Section 33. Section 333.12, Florida Statutes, is amended
 2287 to read:

2288 333.12 Acquisition of air rights. ~~-If In any case which: it~~



2289 ~~is desired to remove, lower or otherwise terminate a~~
 2290 ~~nonconforming obstruction is determined to be an airport hazard~~
 2291 ~~and the owner will not remove, lower, or otherwise eliminate it~~
 2292 ~~structure or use; or~~ the approach protection necessary cannot,
 2293 because of constitutional limitations, be provided by airport
 2294 zoning regulations under this chapter; or it appears advisable
 2295 that the necessary approach protection be provided by
 2296 acquisition of property rights rather than by airport zoning
 2297 regulations, the political subdivision within which the property
 2298 or nonconforming obstruction ~~use~~ is located, or the political
 2299 subdivision owning or operating the airport or being served by
 2300 it, may acquire, by purchase, grant, or condemnation in the
 2301 manner provided by chapter 73, such property, air right,
 2302 avigation ~~navigation~~ easement, or other estate, portion, or
 2303 interest in the property or nonconforming obstruction ~~structure~~
 2304 ~~or use~~ or such interest in the air above such property, ~~tree,~~
 2305 ~~structure, or use,~~ in question, as may be necessary to
 2306 effectuate the purposes of this chapter, and in so doing, if by
 2307 condemnation, to have the right to take immediate possession of
 2308 the property, interest in property, air right, or other right
 2309 sought to be condemned, at the time, and in the manner and form,
 2310 and as authorized by chapter 74. In the case of the purchase of
 2311 any property, ~~or any~~ easement, or estate or interest therein or
 2312 the acquisition of the same by the power of eminent domain, the
 2313 political subdivision making such purchase or exercising such
 2314 power shall, in addition to the damages for the taking, injury,



2315 or destruction of property, also pay the cost of the removal and
 2316 relocation of any structure or any public utility that ~~which~~ is
 2317 required to be moved to a new location.

2318 Section 34. Section 333.13, Florida Statutes, is amended
 2319 to read:

2320 333.13 Enforcement and remedies.—

2321 (1) Each violation of this chapter or of any airport
 2322 zoning regulations, orders, or rulings adopted ~~promulgated~~ or
 2323 made pursuant to this chapter shall constitute a misdemeanor of
 2324 the second degree, punishable as provided in s. 775.082 or s.
 2325 775.083, and each day a violation continues to exist shall
 2326 constitute a separate offense.

2327 (2) In addition, the political subdivision or agency
 2328 adopting the airport zoning regulations under this chapter may
 2329 institute in any court of competent jurisdiction an action to
 2330 prevent, restrain, correct, or abate any violation of this
 2331 chapter or of airport zoning regulations adopted under this
 2332 chapter or of any order or ruling made in connection with their
 2333 administration or enforcement, and the court shall adjudge to
 2334 the plaintiff such relief, by way of injunction, which ~~which may be~~
 2335 ~~mandatory,~~ or otherwise, as may be proper under all the facts
 2336 and circumstances of the case in order to fully effectuate the
 2337 purposes of this chapter and of the regulations adopted and
 2338 orders and rulings made pursuant thereto.

2339 (3) The department ~~of Transportation~~ may institute a civil
 2340 action for injunctive relief in the appropriate circuit court to



2341 prevent violation of any provision of this chapter.

2342 Section 35. Section 333.135, Florida Statutes, is created
2343 to read:

2344 333.135 Transition provisions.—

2345 (1) Any airport zoning regulation in effect on July 1,
2346 2016, which includes provisions in conflict with this chapter
2347 shall be amended to conform to the requirements of this chapter
2348 by July 1, 2017.

2349 (2) Any political subdivision having an airport within its
2350 territorial limits which has not adopted airport zoning
2351 regulations shall, by July 1, 2017, adopt airport zoning
2352 regulations consistent with this chapter.

2353 (3) For those political subdivisions that have not yet
2354 adopted airport zoning regulations pursuant to this chapter, the
2355 department shall administer the permitting process as provided
2356 in s. 333.025.

2357 Section 36. Section 333.14, Florida Statutes, is repealed.

2358 Section 37. Section 335.085, Florida Statutes, is created
2359 to read:

2360 335.085 Installation of roadside barriers along certain
2361 water bodies contiguous with state roads.—

2362 (1) This section shall be cited as "Chloe's Law."

2363 (2) By June 30, 2018, the department shall install
2364 roadside barriers to shield water bodies contiguous with state
2365 roads at locations where a death due to drowning resulted from a
2366 motor vehicle accident in which a vehicle departed the adjacent



2367 state road during the period between July 1, 2006, and July 1,
2368 2016. This requirement does not apply to any location at which
2369 the department's chief engineer determines, based on engineering
2370 principles, that installation of a barrier would increase the
2371 risk of injury to motorists traveling on the adjacent state
2372 road.

2373 Section 38. The Department of Transportation shall review
2374 all motor vehicle accidents that resulted in death due to
2375 drowning in a water body contiguous with a state road and that
2376 occurred during the period between July 1, 2006, and July 1,
2377 2016. The department shall use the reconciled crash data
2378 received from the Department of Highway Safety and Motor
2379 Vehicles and shall submit a report to the President of the
2380 Senate and the Speaker of the House of Representatives by
2381 January 3, 2017, providing recommendations regarding any
2382 necessary changes to state laws and department rules to enhance
2383 traffic safety.

2384 Section 39. Subsection (3) of section 337.0261, Florida
2385 Statutes, is amended to read:

2386 337.0261 Construction aggregate materials.—

2387 (3) LOCAL GOVERNMENT DECISIONMAKING.—A ~~No~~ local government
2388 may not shall approve or deny a proposed land use zoning change,
2389 comprehensive plan amendment, land use permit, ordinance, or
2390 order regarding construction aggregate materials without
2391 considering any information provided by the Department of
2392 Transportation regarding the effect such change, amendment,



2393 permit decision, ordinance, or order would have on the
2394 availability, transportation, cost, and potential extraction of
2395 construction aggregate materials on the local area, the region,
2396 and the state. The failure of the Department of Transportation
2397 to provide this information shall not be a basis for delay or
2398 invalidation of the local government action. A ~~No~~ local
2399 government may not impose a moratorium, or combination of
2400 moratoria, of more than 12 months' duration on the mining or
2401 extraction of construction aggregate materials, commencing on
2402 the date the vote was taken to impose the moratorium. January 1,
2403 2007, shall serve as the commencement of the 12-month period for
2404 moratoria already in place as of July 1, 2007.

2405 Section 40. Paragraph (a) of subsection (1) of section
2406 337.18, Florida Statutes, is amended to read:

2407 337.18 Surety bonds for construction or maintenance
2408 contracts; requirement with respect to contract award; bond
2409 requirements; defaults; damage assessments.-

2410 (1) (a) A surety bond shall be required of the successful
2411 bidder in an amount equal to the awarded contract price.
2412 However, the department may choose, in its discretion and
2413 applicable only to multiyear maintenance contracts, to allow for
2414 incremental annual contract bonds that cumulatively total the
2415 full, awarded, multiyear contract price.

2416 1. The department may waive the requirement for all or a
2417 portion of a surety bond if:

2418 a. ~~For a project for which~~ The contract price is \$250,000



2419 | or less ~~and~~, the department ~~may waive the requirement for all or~~
2420 | ~~a portion of a surety bond if it~~ determines that the project is
2421 | of a noncritical nature and that nonperformance will not
2422 | endanger public health, safety, or property;

2423 | b. The prime contractor is a qualified nonprofit agency
2424 | for the blind or for the other severely handicapped under s.
2425 | 413.036(2); or

2426 | c. The prime contractor is using a subcontractor that is a
2427 | qualified nonprofit agency for the blind or for the other
2428 | severely handicapped under s. 413.036(2). However, the
2429 | department may not waive more than the amount of the
2430 | subcontract.

2431 | 2. If the Secretary of Transportation or the secretary's
2432 | designee determines that it is in the best interests of the
2433 | department to reduce the bonding requirement for a project and
2434 | that to do so will not endanger public health, safety, or
2435 | property, the department may waive the requirement of a surety
2436 | bond in an amount equal to the awarded contract price for a
2437 | project having a contract price of \$250 million or more and, in
2438 | its place, may set a surety bond amount that is a portion of the
2439 | total contract price and provide an alternate means of security
2440 | for the balance of the contract amount that is not covered by
2441 | the surety bond or provide for incremental surety bonding and
2442 | provide an alternate means of security for the balance of the
2443 | contract amount that is not covered by the surety bond. Such
2444 | alternative means of security may include letters of credit,



2445 United States bonds and notes, parent company guarantees, and
2446 cash collateral. The department may require alternate means of
2447 security if a surety bond is waived. The surety on such bond
2448 shall be a surety company authorized to do business in the
2449 state. All bonds shall be payable to the department and
2450 conditioned for the prompt, faithful, and efficient performance
2451 of the contract according to plans and specifications and within
2452 the time period specified, and for the prompt payment of all
2453 persons defined in s. 713.01 furnishing labor, material,
2454 equipment, and supplies for work provided in the contract;
2455 however, whenever an improvement, demolition, or removal
2456 contract price is \$25,000 or less, the security may, in the
2457 discretion of the bidder, be in the form of a cashier's check,
2458 bank money order of any state or national bank, certified check,
2459 or postal money order. The department shall adopt rules to
2460 implement this subsection. Such rules shall include provisions
2461 under which the department shall refuse to accept bonds on
2462 contracts when a surety wrongfully fails or refuses to settle or
2463 provide a defense for claims or actions arising under a contract
2464 for which the surety previously furnished a bond.

2465 Section 41. Subsection (4) of section 338.165, Florida
2466 Statutes, is amended, and subsection (11) is added to that
2467 section, to read:

2468 338.165 Continuation of tolls.—

2469 (4) Notwithstanding any other law to the contrary,
2470 pursuant to s. 11, Art. VII of the State Constitution, and



2471 subject to the requirements of subsection (2), the Department of
2472 Transportation may request the Division of Bond Finance to issue
2473 bonds secured by toll revenues collected on the Alligator Alley
2474 ~~and~~ the Sunshine Skyway Bridge, ~~the Beeline-East Expressway,~~
2475 ~~the Navarre Bridge, and the Pinellas Bayway~~ to fund
2476 transportation projects located within the county or counties in
2477 which the project is located and contained in the adopted work
2478 program of the department.

2479 (11) The department's Pinellas Bayway System may be
2480 transferred by the department and become part of the turnpike
2481 system under the Florida Turnpike Enterprise Law. The transfer
2482 does not affect the rights of the parties, or their successors
2483 in interest, under the settlement agreement and final judgment
2484 in Leonard Lee Ratner, Esther Ratner, and Leeco Gas and Oil Co.
2485 v. State Road Department of the State of Florida, No. 67-1081
2486 (Fla. 2nd Cir. Ct. 1968). Upon transfer of the Pinellas Bayway
2487 System to the turnpike system, the department shall also
2488 transfer to the Florida Turnpike Enterprise the funds deposited
2489 in the reserve account established by chapter 85-364, Laws of
2490 Florida, as amended by chapters 95-382 and 2014-223, Laws of
2491 Florida, which funds shall be used by the Florida Turnpike
2492 Enterprise solely to help fund the costs of repair or
2493 replacement of the transferred facilities.

2494 Section 42. Chapter 85-364, Laws of Florida, as amended by
2495 chapter 95-382 and section 48 of chapter 2014-223, Laws of
2496 Florida, is repealed.



2497 Section 43. Subsections (5) and (6) of section 338.231,
 2498 Florida Statutes, are amended to read:

2499 338.231 Turnpike tolls, fixing; pledge of tolls and other
 2500 revenues.—The department shall at all times fix, adjust, charge,
 2501 and collect such tolls and amounts for the use of the turnpike
 2502 system as are required in order to provide a fund sufficient
 2503 with other revenues of the turnpike system to pay the cost of
 2504 maintaining, improving, repairing, and operating such turnpike
 2505 system; to pay the principal of and interest on all bonds issued
 2506 to finance or refinance any portion of the turnpike system as
 2507 the same become due and payable; and to create reserves for all
 2508 such purposes.

2509 ~~(5) In each fiscal year while any of the bonds of the~~
 2510 ~~Broward County Expressway Authority series 1984 and series 1986~~
 2511 ~~A remain outstanding, the department is authorized to pledge~~
 2512 ~~revenues from the turnpike system to the payment of principal~~
 2513 ~~and interest of such series of bonds and the operation and~~
 2514 ~~maintenance expenses of the Sawgrass Expressway, to the extent~~
 2515 ~~gross toll revenues of the Sawgrass Expressway are insufficient~~
 2516 ~~to make such payments. The terms of an agreement relative to the~~
 2517 ~~pledge of turnpike system revenue will be negotiated with the~~
 2518 ~~parties of the 1984 and 1986 Broward County Expressway Authority~~
 2519 ~~lease purchase agreements, and subject to the covenants of those~~
 2520 ~~agreements. The agreement must establish that the Sawgrass~~
 2521 ~~Expressway is subject to the planning, management, and operating~~
 2522 ~~control of the department limited only by the terms of the~~



2523 ~~lease-purchase agreements. The department shall provide for the~~
2524 ~~payment of operation and maintenance expenses of the Sawgrass~~
2525 ~~Expressway until such agreement is in effect. This pledge of~~
2526 ~~turnpike system revenues is subordinate to the debt service~~
2527 ~~requirements of any future issue of turnpike bonds, the payment~~
2528 ~~of turnpike system operation and maintenance expenses, and~~
2529 ~~subject to any subsequent resolution or trust indenture relating~~
2530 ~~to the issuance of such turnpike bonds.~~

2531 (5)~~(6)~~ The use and disposition of revenues pledged to
2532 bonds are subject to ss. 338.22-338.241 and such regulations as
2533 the resolution authorizing the issuance of the bonds or such
2534 trust agreement may provide.

2535 Section 44. Paragraph (i) of subsection (6) and paragraph
2536 (c) of subsection (7) of section 339.175, Florida Statutes, are
2537 amended to read:

2538 339.175 Metropolitan planning organization.—

2539 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,
2540 privileges, and authority of an M.P.O. are those specified in
2541 this section or incorporated in an interlocal agreement
2542 authorized under s. 163.01. Each M.P.O. shall perform all acts
2543 required by federal or state laws or rules, now and subsequently
2544 applicable, which are necessary to qualify for federal aid. It
2545 is the intent of this section that each M.P.O. shall be involved
2546 in the planning and programming of transportation facilities,
2547 including, but not limited to, airports, intercity and high-
2548 speed rail lines, seaports, and intermodal facilities, to the



2549 extent permitted by state or federal law.

2550 (i) The Tampa Bay Area Regional Transportation Authority
2551 Metropolitan Planning Organization Chairs ~~A chair's~~ Coordinating
2552 Committee is created within the Tampa Bay Area Regional
2553 Transportation Authority, composed of the M.P.O.'s serving
2554 Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, Polk,
2555 and Sarasota Counties. The authority shall provide
2556 administrative support and direction to the committee. The
2557 committee must, at a minimum:

2558 1. Coordinate transportation projects deemed to be
2559 regionally significant by the committee.

2560 2. Review the impact of regionally significant land use
2561 decisions on the region.

2562 3. Review all proposed regionally significant
2563 transportation projects in the respective transportation
2564 improvement programs which affect more than one of the M.P.O.'s
2565 represented on the committee.

2566 4. Institute a conflict resolution process to address any
2567 conflict that may arise in the planning and programming of such
2568 regionally significant projects.

2569 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must
2570 develop a long-range transportation plan that addresses at least
2571 a 20-year planning horizon. The plan must include both long-
2572 range and short-range strategies and must comply with all other
2573 state and federal requirements. The prevailing principles to be
2574 considered in the long-range transportation plan are: preserving



2575 | the existing transportation infrastructure; enhancing Florida's
2576 | economic competitiveness; and improving travel choices to ensure
2577 | mobility. The long-range transportation plan must be consistent,
2578 | to the maximum extent feasible, with future land use elements
2579 | and the goals, objectives, and policies of the approved local
2580 | government comprehensive plans of the units of local government
2581 | located within the jurisdiction of the M.P.O. Each M.P.O. is
2582 | encouraged to consider strategies that integrate transportation
2583 | and land use planning to provide for sustainable development and
2584 | reduce greenhouse gas emissions. The approved long-range
2585 | transportation plan must be considered by local governments in
2586 | the development of the transportation elements in local
2587 | government comprehensive plans and any amendments thereto. The
2588 | long-range transportation plan must, at a minimum:

2589 | (c) Assess capital investment and other measures necessary
2590 | to:

- 2591 | 1. Ensure the preservation of the existing metropolitan
2592 | transportation system including requirements for the operation,
2593 | resurfacing, restoration, and rehabilitation of major roadways
2594 | and requirements for the operation, maintenance, modernization,
2595 | and rehabilitation of public transportation facilities; and
- 2596 | 2. Make the most efficient use of existing transportation
2597 | facilities to relieve vehicular congestion, improve safety, and
2598 | maximize the mobility of people and goods. Such efforts must
2599 | include, but are not limited to, consideration of infrastructure
2600 | and technological improvements necessary to accommodate advances



2601 in vehicle technology, such as autonomous technology and other
2602 developments.

2603
2604 In the development of its long-range transportation plan, each
2605 M.P.O. must provide the public, affected public agencies,
2606 representatives of transportation agency employees, freight
2607 shippers, providers of freight transportation services, private
2608 providers of transportation, representatives of users of public
2609 transit, and other interested parties with a reasonable
2610 opportunity to comment on the long-range transportation plan.
2611 The long-range transportation plan must be approved by the
2612 M.P.O.

2613 Section 45. Subsection (2) of section 339.2818, Florida
2614 Statutes, is amended to read:

2615 339.2818 Small County Outreach Program.—

2616 (2)(a) For the purposes of this section, the term "small
2617 county" means any county that has a population of 170,000
2618 ~~150,000~~ or less as determined by the most recent official
2619 estimate pursuant to s. 186.901.

2620 ~~(b) Notwithstanding paragraph (a), for the 2015-2016~~
2621 ~~fiscal year, for purposes of this section, the term "small~~
2622 ~~county" means any county that has a population of 165,000 or~~
2623 ~~less as determined by the most recent official estimate pursuant~~
2624 ~~to s. 186.901. This paragraph expires July 1, 2016.~~

2625 Section 46. Subsections (1) and (2) of section 339.55,
2626 Florida Statutes, are amended to read:



2627 | 339.55 State-funded infrastructure bank.—

2628 | (1) There is created within the Department of
2629 | Transportation a state-funded infrastructure bank for the
2630 | purpose of providing loans and credit enhancements to government
2631 | units and private entities for use in constructing and improving
2632 | transportation facilities or ancillary facilities that produce
2633 | or distribute natural gas or fuel.

2634 | (2) The bank may lend capital costs or provide credit
2635 | enhancements for:

2636 | (a) A transportation facility project that is on the State
2637 | Highway System or that provides for increased mobility on the
2638 | state's transportation system or provides intermodal
2639 | connectivity with airports, seaports, rail facilities, and other
2640 | transportation terminals, pursuant to s. 341.053, for the
2641 | movement of people and goods.

2642 | (b) Projects of the Transportation Regional Incentive
2643 | Program which are identified pursuant to s. 339.2819(4).

2644 | (c)1. Emergency loans for damages incurred to public-use
2645 | commercial deepwater seaports, public-use airports, and other
2646 | public-use transit and intermodal facilities that are within an
2647 | area that is part of an official state declaration of emergency
2648 | pursuant to chapter 252 and all other applicable laws. Such
2649 | loans:

2650 | a. May not exceed 24 months in duration except in extreme
2651 | circumstances, for which the Secretary of Transportation may
2652 | grant up to 36 months upon making written findings specifying



2653 the conditions requiring a 36-month term.

2654 b. Require application from the recipient to the
2655 department that includes documentation of damage claims filed
2656 with the Federal Emergency Management Agency or an applicable
2657 insurance carrier and documentation of the recipient's overall
2658 financial condition.

2659 c. Are subject to approval by the Secretary of
2660 Transportation and the Legislative Budget Commission.

2661 2. Loans provided under this paragraph must be repaid upon
2662 receipt by the recipient of eligible program funding for damages
2663 in accordance with the claims filed with the Federal Emergency
2664 Management Agency or an applicable insurance carrier, but no
2665 later than the duration of the loan.

2666 (d) Beginning July 1, 2017, applications for the
2667 development and construction of natural gas fuel production or
2668 distribution facilities used primarily to support the
2669 transportation activities at seaports or intermodal facilities.
2670 Loans under this paragraph may be used to refinance outstanding
2671 debt.

2672 Section 47. Paragraph (c) is added to subsection (3) of
2673 section 339.64, Florida Statutes, and paragraph (a) of
2674 subsection (4) of that section is amended, to read:

2675 339.64 Strategic Intermodal System Plan.—

2676 (3)

2677 (c) The department shall coordinate with federal,
2678 regional, and local partners, as well as industry



2679 representatives, to consider infrastructure and technological
2680 improvements necessary to accommodate advances in vehicle
2681 technology, such as autonomous technology and other
2682 developments, in Strategic Intermodal System facilities.

2683 (4) The Strategic Intermodal System Plan shall include the
2684 following:

2685 (a) A needs assessment that must include, but is not
2686 limited to, consideration of infrastructure and technological
2687 improvements necessary to accommodate advances in vehicle
2688 technology, such as autonomous technology and other
2689 developments.

2690 Section 48. Section 341.0532, Florida Statutes, is
2691 repealed.

2692 Section 49. Paragraphs (a) and (b) of subsection (2) of
2693 section 343.92, Florida Statutes, are amended to read:

2694 343.92 Tampa Bay Area Regional Transportation Authority.—

2695 (2) The governing board of the authority shall consist of
2696 15 voting ~~16~~ members.

2697 ~~(a) There shall be one nonvoting, ex officio member of the~~
2698 ~~board who shall be appointed by~~ The secretary of the department
2699 shall appoint two advisors to the board ~~but~~ who must be the
2700 district secretary for each ~~one~~ of the department districts
2701 within the seven-county area of the authority, ~~at the discretion~~
2702 ~~of the secretary of the department.~~

2703 (b) ~~The~~ There shall be 15 voting members of the board
2704 shall be as follows:



2705 | 1. The county commissions of Citrus, Hernando,
 2706 | Hillsborough, Pasco, Pinellas, Manatee, and Sarasota Counties
 2707 | shall each appoint one elected official to the board. Members
 2708 | appointed under this subparagraph shall serve 2-year terms with
 2709 | not more than three consecutive terms being served by any
 2710 | person. If a member under this subparagraph leaves elected
 2711 | office, a vacancy exists on the board to be filled as provided
 2712 | in this subparagraph.

2713 | 2. The Tampa Bay Area Regional Transportation Authority
 2714 | (TBARTA) Metropolitan Planning Organization ~~West Central Florida~~
 2715 | ~~M.P.O.~~ Chairs Coordinating Committee shall appoint one member to
 2716 | the board who must be a chair of one of the six metropolitan
 2717 | planning organizations in the region. The member appointed under
 2718 | this subparagraph shall serve a 2-year term with not more than
 2719 | three consecutive terms being served by any person.

2720 | 3.a. Two members of the board shall be the mayor, or the
 2721 | mayor's designee, of the largest municipality within the service
 2722 | area of each of the following independent transit agencies or
 2723 | their legislatively created successor agencies: Pinellas
 2724 | Suncoast Transit Authority and Hillsborough Area Regional
 2725 | Transit Authority. The largest municipality is that municipality
 2726 | with the largest population as determined by the most recent
 2727 | United States Decennial Census.

2728 | b. Should a mayor choose not to serve, his or her designee
 2729 | must be an elected official selected by the mayor from that
 2730 | largest municipality's city council or city commission. A mayor



2731 or his or her designee shall serve a 2-year term with not more
2732 than three consecutive terms being served by any person.

2733 c. A designee's term ends if the mayor leaves office for
2734 any reason. If a designee leaves elected office on the city
2735 council or commission, a vacancy exists on the board to be
2736 filled by the mayor of that municipality as provided in sub-
2737 subparagraph a.

2738 d. A mayor who has served three consecutive terms on the
2739 board must designate an elected official from that largest
2740 municipality's city council or city commission to serve on the
2741 board for at least one term.

2742 4.a. One membership on the board shall rotate every 2
2743 years between the mayor, or his or her designee, of the largest
2744 municipality within Manatee County and the mayor, or his or her
2745 designee, of the largest municipality within Sarasota County.
2746 The mayor, or his or her designee, from the largest municipality
2747 within Manatee County shall serve the first 2-year term. The
2748 largest municipality is that municipality with the largest
2749 population as determined by the most recent United States
2750 Decennial Census.

2751 b. Should a mayor choose not to serve, his or her designee
2752 must be an elected official selected by the mayor from that
2753 municipality's city council or city commission.

2754 5. The Governor shall appoint to the board four business
2755 representatives, each of whom must reside in one of the seven
2756 counties governed by the authority, none of whom may be elected



2757 officials, and at least one but not more than two of whom shall
 2758 represent counties within the federally designated Tampa Bay
 2759 Transportation Management Area. Members appointed by the
 2760 Governor shall serve 3-year terms with not more than two
 2761 consecutive terms being served by any person.

2762 Section 50. Paragraphs (d), (e), and (f) of subsection (3)
 2763 of section 343.922, Florida Statutes, are amended, and paragraph
 2764 (g) is added to that subsection, to read:

2765 343.922 Powers and duties.—

2766 (3)

2767 (d) After its adoption, the master plan shall be updated
 2768 every 5 ~~2~~ years before July 1.

2769 (e) The authority shall present the original master plan
 2770 and updates to the governing bodies of the counties within the
 2771 seven-county region, to the TBARTA Metropolitan Planning
 2772 Organization ~~West Central Florida M.P.O.~~ Chairs Coordinating
 2773 Committee, and to the legislative delegation members
 2774 representing those counties within 90 days after adoption.

2775 (f) The authority shall coordinate plans and projects with
 2776 the TBARTA Metropolitan Planning Organization ~~West Central~~
 2777 ~~Florida M.P.O.~~ Chairs Coordinating Committee, to the extent
 2778 practicable, and participate in the regional M.P.O. planning
 2779 process to ensure regional comprehension of the authority's
 2780 mission, goals, and objectives.

2781 (g) The authority shall provide administrative support and
 2782 direction to the TBARTA Metropolitan Planning Organization



2783 Chairs Coordinating Committee as provided in s. 339.175(6)(i).

2784 Section 51. Subsection (3) of section 348.565, Florida
 2785 Statutes, is amended, and subsection (5) is added to that
 2786 section, to read:

2787 348.565 Revenue bonds for specified projects.—The existing
 2788 facilities that constitute the Tampa-Hillsborough County
 2789 Expressway System are hereby approved to be refinanced by
 2790 revenue bonds issued by the Division of Bond Finance of the
 2791 State Board of Administration pursuant to s. 11(f), Art. VII of
 2792 the State Constitution and the State Bond Act or by revenue
 2793 bonds issued by the authority pursuant to s. 348.56(1)(b). In
 2794 addition, the following projects of the Tampa-Hillsborough
 2795 County Expressway Authority are approved to be financed or
 2796 refinanced by the issuance of revenue bonds in accordance with
 2797 this part and s. 11(f), Art. VII of the State Constitution:

2798 (3) Lee Roy Selmon Crosstown Expressway System widening,
 2799 and any extensions thereof.

2800 (5) Capital projects that the authority is authorized to
 2801 acquire, construct, reconstruct, equip, operate, and maintain
 2802 pursuant to this part, including, without limitation, s.
 2803 348.54(15), provided that any financing of such projects does
 2804 not pledge the full faith and credit of the state.

2805 Section 52. Subsection (20) is added to section 479.16,
 2806 Florida Statutes, to read:

2807 479.16 Signs for which permits are not required.—The
 2808 following signs are exempt from the requirement that a permit



2809 for a sign be obtained under this chapter but are required to
2810 comply with s. 479.11(4)-(8), and ~~the provisions of subsections~~
2811 (15)-(20) ~~(15)-(19)~~ may not be implemented or continued if the
2812 Federal Government notifies the department that implementation
2813 or continuation will adversely affect the allocation of federal
2814 funds to the department:

2815 (20) Signs that are located within the controlled area of
2816 a federal-aid primary highway but that are on a parcel adjacent
2817 to an off-ramp to the termination point of a turnpike system, if
2818 there is no directional decision to be made by a driver, the
2819 signs are primarily facing the off-ramp, and the signs have been
2820 in existence since at least 1995.

2821
2822 If the exemptions in subsections (15)-(20) ~~(15)-(19)~~ are not
2823 implemented or continued due to notification from the Federal
2824 Government that the allocation of federal funds to the
2825 department will be adversely impacted, the department shall
2826 provide notice to the sign owner that the sign must be removed
2827 within 30 days after receipt of the notice. If the sign is not
2828 removed within 30 days after receipt of the notice by the sign
2829 owner, the department may remove the sign, and the costs
2830 incurred in connection with the sign removal shall be assessed
2831 against and collected from the sign owner.

2832 Section 53. Section 563.13, Florida Statutes, is created
2833 to read:

2834 563.13 Florida brewery directional signs; fees.—Upon the



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2835 request of a brewery licensed under s. 561.221(2) or (3) which
2836 produces a minimum of 2,500 barrels per year on the premises, is
2837 open to the public at least 30 hours per week, and is available
2838 for tours, the Department of Transportation shall install
2839 directional signs for the brewery on the rights-of-way of
2840 interstate highways and primary and secondary roads in
2841 accordance with Florida's Highway Guide Sign Program as provided
2842 in chapter 14-51, Florida Administrative Code. A brewery
2843 licensed in this state which requests placement of a directional
2844 sign through the department's permit process shall pay all
2845 associated costs.

2846 Section 54. The Department of Transportation, in
2847 consultation with the Department of Highway Safety and Motor
2848 Vehicles, shall study the use and safe operation of driver-
2849 assistive truck platooning technology, as defined in s. 316.003,
2850 Florida Statutes, for the purpose of developing a pilot project
2851 to test vehicles that are equipped to operate using driver-
2852 assistive truck platooning technology.

2853 (1) Upon conclusion of the study, the Department of
2854 Transportation, in consultation with the Department of Highway
2855 Safety and Motor Vehicles, may conduct a pilot project to test
2856 the use and safe operation of vehicles equipped with driver-
2857 assistive truck platooning technology.

2858 (2) Notwithstanding ss. 316.0895 and 316.303, Florida
2859 Statutes, the Department of Transportation may conduct the pilot
2860 project in such a manner and at such locations as determined by



2861 the Department of Transportation based on the study.

2862 (3) Before the start of the pilot project, manufacturers
2863 of driver-assistive truck platooning technology being tested in
2864 the pilot project must submit to the Department of Highway
2865 Safety and Motor Vehicles an instrument of insurance, a surety
2866 bond, or proof of self-insurance acceptable to the department in
2867 the amount of \$5 million.

2868 (4) Upon conclusion of the pilot project, the Department
2869 of Transportation, in consultation with the Department of
2870 Highway Safety and Motor Vehicles, shall submit the results of
2871 the study and any findings or recommendations from the pilot
2872 project to the Governor, the President of the Senate, and the
2873 Speaker of the House of Representatives.

2874 Section 55. (1)(a) The Office of Economic and Demographic
2875 Research shall evaluate and determine the economic benefits, as
2876 defined in s. 288.005(1), Florida Statutes, of the state's
2877 investment in the Department of Transportation's adopted work
2878 program developed in accordance with s. 339.135(5), Florida
2879 Statutes, for fiscal year 2016-2017 and the following 4 fiscal
2880 years. At a minimum, a separate return on investment shall be
2881 projected for each of the following areas:

- 2882 1. Roads and highways.
- 2883 2. Rails.
- 2884 3. Public transit.
- 2885 4. Aviation.
- 2886 5. Seaports.



2887 (b) The evaluation shall be limited to the funding
2888 anticipated by the adopted work program but may address the
2889 continuing economic impact for those transportation projects in
2890 the 5 years after the conclusion of the adopted work program.
2891 The evaluation must also determine the number of jobs created,
2892 the increase or decrease in personal income, and the impact on
2893 gross domestic product from the direct, indirect, and induced
2894 effects on the state's investment in each area.

2895 (2) The Department of Transportation and each of its
2896 district offices shall provide the Office of Economic and
2897 Demographic Research full access to all data necessary to
2898 complete the evaluation, including any confidential data.

2899 (3) The Office of Economic and Demographic Research shall
2900 submit the evaluation to the President of the Senate and the
2901 Speaker of the House of Representatives by January 1, 2017.

2902 Section 56. Section 316.87, Florida Statutes, is created
2903 to read:

2904 316.87 Nonemergency medical transportation services.—To
2905 ensure the availability of nonemergency medical transportation
2906 services throughout the state, a provider licensed by the county
2907 or operating under a permit issued by the county may not be
2908 required to use a vehicle that is larger than needed to
2909 transport the number of persons being transported or that is
2910 inconsistent with the medical condition of the individuals
2911 receiving the nonemergency medical transportation services. This
2912 section does not apply to the procurement, contracting, or



2913 provision of paratransit transportation services, directly or
2914 indirectly, by a county or an authority, pursuant to the
2915 Americans with Disabilities Act of 1990, as amended.

2916 Section 57. Subsection (4) of section 320.02, Florida
2917 Statutes, is amended to read:

2918 320.02 Registration required; application for
2919 registration; forms.—

2920 (4) Except as provided in ss. 775.21, 775.261, 943.0435,
2921 944.607, and 985.4815, the owner of any motor vehicle registered
2922 in the state shall notify the department in writing of any
2923 change of address within 30 ~~20~~ days of such change. The
2924 notification shall include the registration license plate
2925 number, the vehicle identification number (VIN) or title
2926 certificate number, year of vehicle make, and the owner's full
2927 name.

2928 Section 58. Paragraph (a) of subsection (3) of section
2929 320.07, Florida Statutes, is amended to read:

2930 320.07 Expiration of registration; renewal required;
2931 penalties.—

2932 (3) The operation of any motor vehicle without having
2933 attached thereto a registration license plate and validation
2934 stickers, or the use of any mobile home without having attached
2935 thereto a mobile home sticker, for the current registration
2936 period shall subject the owner thereof, if he or she is present,
2937 or, if the owner is not present, the operator thereof to the
2938 following penalty provisions:



2939 (a) Any person whose motor vehicle or mobile home
2940 registration has been expired for a period of 6 months or less
2941 commits a noncriminal traffic infraction, punishable as a
2942 nonmoving violation as provided in chapter 318. However, a law
2943 enforcement officer may not issue a citation for a violation
2944 under this paragraph until midnight on the last day of the
2945 owner's birth month of the year the registration expires.

2946 Section 59. Subsection (9) of section 322.051, Florida
2947 Statutes, is amended to read:

2948 322.051 Identification cards.—

2949 (9) Notwithstanding any other provision of this section or
2950 s. 322.21 to the contrary, the department shall issue or renew a
2951 card at no charge to a person who presents evidence satisfactory
2952 to the department that he or she is homeless as defined in s.
2953 414.0252(7), to a juvenile offender who is in the custody or
2954 under the supervision of the Department of Juvenile Justice and
2955 receiving services pursuant to s. 985.461, to an inmate
2956 receiving a card issued pursuant to s. 944.605(7), or, if
2957 necessary, to an inmate receiving a replacement card if the
2958 department determines that he or she has a valid state
2959 identification card. If the replacement state identification
2960 card is scheduled to expire within 6 months, the department may
2961 also issue a temporary permit valid for at least 6 months after
2962 the release date. The department's mobile issuing units shall
2963 process the identification cards for juvenile offenders and
2964 inmates at no charge, as provided by s. 944.605 (7) (a) and (b).



2965 Section 60. Subsections (1) and (2) of section 322.19,
 2966 Florida Statutes, are amended to read:

2967 322.19 Change of address or name.—

2968 (1) Except as provided in ss. 775.21, 775.261, 943.0435,
 2969 944.607, and 985.4815, whenever any person, after applying for
 2970 or receiving a driver license or identification card, changes
 2971 his or her legal name, that person must within 30 ~~10~~ days
 2972 thereafter obtain a replacement license or card that reflects
 2973 the change.

2974 (2) If a ~~Whenever any~~ person, after applying for or
 2975 receiving a driver license or identification card, changes the
 2976 legal residence or mailing address in the application, ~~or~~
 2977 license, or card, the person must, within 30 ~~10~~ calendar days
 2978 after making the change, obtain a replacement license or card
 2979 that reflects the change. A written request to the department
 2980 must include the old and new addresses and the driver license or
 2981 identification card number. Any person who has a valid, current
 2982 student identification card issued by an educational institution
 2983 in this state is presumed not to have changed his or her legal
 2984 residence or mailing address. This subsection does not affect
 2985 any person required to register a permanent or temporary address
 2986 change pursuant to s. 775.13, s. 775.21, s. 775.25, or s.
 2987 943.0435.

2988 Section 61. Paragraph (f) of subsection (1) of section
 2989 322.21, Florida Statutes, is amended to read:

2990 322.21 License fees; procedure for handling and collecting



2991 fees.—

2992 (1) Except as otherwise provided herein, the fee for:

2993 (f) An original, renewal, or replacement identification
2994 card issued pursuant to s. 322.051 is \$25, except that an
2995 applicant who presents evidence satisfactory to the department
2996 that he or she is homeless as defined in s. 414.0252(7); ~~or~~ his
2997 or her annual income is at or below 100 percent of the federal
2998 poverty level; or he or she is a juvenile offender who is in the
2999 custody or under the supervision of the Department of Juvenile
3000 Justice, is receiving services pursuant to s. 985.461, and whose
3001 identification card is issued by the department's mobile issuing
3002 units is exempt from such fee. Funds collected from fees for
3003 original, renewal, or replacement identification cards shall be
3004 distributed as follows:

3005 1. For an original identification card issued pursuant to
3006 s. 322.051, the fee shall be deposited into the General Revenue
3007 Fund.

3008 2. For a renewal identification card issued pursuant to s.
3009 322.051, \$6 shall be deposited into the Highway Safety Operating
3010 Trust Fund, and \$19 shall be deposited into the General Revenue
3011 Fund.

3012 3. For a replacement identification card issued pursuant
3013 to s. 322.051, \$9 shall be deposited into the Highway Safety
3014 Operating Trust Fund, and \$16 shall be deposited into the
3015 General Revenue Fund. Beginning July 1, 2015, or upon completion
3016 of the transition of the driver license issuance services, if



3017 the replacement identification card is issued by the tax
3018 collector, the tax collector shall retain the \$9 that would
3019 otherwise be deposited into the Highway Safety Operating Trust
3020 Fund and the remaining revenues shall be deposited into the
3021 General Revenue Fund.

3022 Section 62. Present subsections (2) and (3) of section
3023 765.521, Florida Statutes, are redesignated as subsections (3)
3024 and (4), respectively, and a new subsection (2) is added to that
3025 section, to read:

3026 765.521 Donations as part of driver license or
3027 identification card process.—

3028 (2) The department shall maintain an integrated link on
3029 its website referring a visitor renewing a driver license or
3030 conducting other business to the donor registry operated under
3031 s. 765.5155.

3032 Section 63. Paragraph (c) of subsection (1) of section
3033 212.05, Florida Statutes, is amended to read:

3034 212.05 Sales, storage, use tax.—It is hereby declared to
3035 be the legislative intent that every person is exercising a
3036 taxable privilege who engages in the business of selling
3037 tangible personal property at retail in this state, including
3038 the business of making mail order sales, or who rents or
3039 furnishes any of the things or services taxable under this
3040 chapter, or who stores for use or consumption in this state any
3041 item or article of tangible personal property as defined herein
3042 and who leases or rents such property within the state.



3043 (1) For the exercise of such privilege, a tax is levied on
3044 each taxable transaction or incident, which tax is due and
3045 payable as follows:

3046 (c) At the rate of 6 percent of the gross proceeds derived
3047 from the lease or rental of tangible personal property, as
3048 defined herein; however, the following special provisions apply
3049 to the lease or rental of motor vehicles:

3050 1. When a motor vehicle is leased or rented for a period
3051 of less than 12 months:

3052 a. If the motor vehicle is rented in Florida, the entire
3053 amount of such rental is taxable, even if the vehicle is dropped
3054 off in another state.

3055 b. If the motor vehicle is rented in another state and
3056 dropped off in Florida, the rental is exempt from Florida tax.

3057 2. Except as provided in subparagraph 3., for the lease or
3058 rental of a motor vehicle for a period of not less than 12
3059 months, sales tax is due on the lease or rental payments if the
3060 vehicle is registered in this state; provided, however, that no
3061 tax shall be due if the taxpayer documents use of the motor
3062 vehicle outside this state and tax is being paid on the lease or
3063 rental payments in another state.

3064 3. The tax imposed by this chapter does not apply to the
3065 lease or rental of a commercial motor vehicle as defined in s.
3066 316.003(12)(a) ~~316.003(66)(a)~~ to one lessee or rentee for a
3067 period of not less than 12 months when tax was paid on the
3068 purchase price of such vehicle by the lessor. To the extent tax



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3069 | was paid with respect to the purchase of such vehicle in another
3070 | state, territory of the United States, or the District of
3071 | Columbia, the Florida tax payable shall be reduced in accordance
3072 | with the provisions of s. 212.06(7). This subparagraph shall
3073 | only be available when the lease or rental of such property is
3074 | an established business or part of an established business or
3075 | the same is incidental or germane to such business.

3076 | Section 64. Subsection (1) of section 316.1303, Florida
3077 | Statutes, is amended to read:

3078 | 316.1303 Traffic regulations to assist mobility-impaired
3079 | persons.—

3080 | (1) Whenever a pedestrian who is mobility impaired is in
3081 | the process of crossing a public street or highway with the
3082 | assistance of a guide dog or service animal designated as such
3083 | with a visible means of identification, a walker, a crutch, an
3084 | orthopedic cane, or a wheelchair, the driver of a vehicle
3085 | approaching the intersection, ~~as defined in s. 316.003(17),~~
3086 | shall bring his or her vehicle to a full stop before arriving at
3087 | the intersection and, before proceeding, shall take precautions
3088 | necessary to avoid injuring the pedestrian.

3089 | Section 65. Paragraph (b) of subsection (2) and paragraph
3090 | (a) of subsection (4) of section 316.545, Florida Statutes, are
3091 | amended to read:

3092 | 316.545 Weight and load unlawful; special fuel and motor
3093 | fuel tax enforcement; inspection; penalty; review.—

3094 | (2)



3095 (b) The officer or inspector shall inspect the license
3096 plate or registration certificate of the commercial vehicle,~~as~~
3097 ~~defined in s. 316.003(66),~~ to determine whether ~~if~~ its gross
3098 weight is in compliance with the declared gross vehicle weight.
3099 If its gross weight exceeds the declared weight, the penalty
3100 shall be 5 cents per pound on the difference between such
3101 weights. In those cases when the commercial vehicle,~~as defined~~
3102 ~~in s. 316.003(66),~~ is being operated over the highways of the
3103 state with an expired registration or with no registration from
3104 this or any other jurisdiction or is not registered under the
3105 applicable provisions of chapter 320, the penalty herein shall
3106 apply on the basis of 5 cents per pound on that scaled weight
3107 which exceeds 35,000 pounds on laden truck tractor-semitrailer
3108 combinations or tandem trailer truck combinations, 10,000 pounds
3109 on laden straight trucks or straight truck-trailer combinations,
3110 or 10,000 pounds on any unladen commercial motor vehicle. If the
3111 license plate or registration has not been expired for more than
3112 90 days, the penalty imposed under this paragraph may not exceed
3113 \$1,000. In the case of special mobile equipment ~~as defined in s.~~
3114 ~~316.003(48),~~ which qualifies for the license tax provided for in
3115 s. 320.08(5)(b), being operated on the highways of the state
3116 with an expired registration or otherwise not properly
3117 registered under the applicable provisions of chapter 320, a
3118 penalty of \$75 shall apply in addition to any other penalty
3119 which may apply in accordance with this chapter. A vehicle found
3120 in violation of this section may be detained until the owner or



3121 operator produces evidence that the vehicle has been properly
3122 registered. Any costs incurred by the retention of the vehicle
3123 shall be the sole responsibility of the owner. A person who has
3124 been assessed a penalty pursuant to this paragraph for failure
3125 to have a valid vehicle registration certificate pursuant to the
3126 provisions of chapter 320 is not subject to the delinquent fee
3127 authorized in s. 320.07 if such person obtains a valid
3128 registration certificate within 10 working days after such
3129 penalty was assessed.

3130 (4) (a) A ~~Ne~~ commercial vehicle may not, ~~as defined in s.~~
3131 ~~316.003(66)~~, ~~shall~~ be operated over the highways of this state
3132 unless it has been properly registered under ~~the provisions of~~
3133 s. 207.004. Whenever any law enforcement officer identified in
3134 s. 207.023(1), upon inspecting the vehicle or combination of
3135 vehicles, determines that the vehicle is in violation of s.
3136 207.004, a penalty in the amount of \$50 shall be assessed, and
3137 the vehicle may be detained until payment is collected by the
3138 law enforcement officer.

3139 Section 66. Subsection (2) of section 316.605, Florida
3140 Statutes, is amended to read:

3141 316.605 Licensing of vehicles.—

3142 (2) Any commercial motor vehicle, ~~as defined in s.~~
3143 ~~316.003(66)~~, operating over the highways of this state with an
3144 expired registration, with no registration from this or any
3145 other jurisdiction, or with no registration under the applicable
3146 provisions of chapter 320 shall be in violation of s. 320.07(3)



3147 and shall subject the owner or operator of such vehicle to the
 3148 penalty provided. In addition, a commercial motor vehicle found
 3149 in violation of this section may be detained by any law
 3150 enforcement officer until the owner or operator produces
 3151 evidence that the vehicle has been properly registered and that
 3152 any applicable delinquent penalties have been paid.

3153 Section 67. Subsection (6) of section 316.6105, Florida
 3154 Statutes, is amended to read:

3155 316.6105 Violations involving operation of motor vehicle
 3156 in unsafe condition or without required equipment; procedure for
 3157 disposition.—

3158 (6) This section does not apply to commercial motor
 3159 vehicles ~~as defined in s. 316.003(66)~~ or transit buses owned or
 3160 operated by a governmental entity.

3161 Section 68. Paragraph (a) of subsection (2) of section
 3162 316.613, Florida Statutes, is amended to read:

3163 316.613 Child restraint requirements.—

3164 (2) As used in this section, the term "motor vehicle"
 3165 means a motor vehicle as defined in s. 316.003 that is operated
 3166 on the roadways, streets, and highways of the state. The term
 3167 does not include:

3168 (a) A school bus as defined in s. 316.003(66) ~~316.003(45)~~.

3169 Section 69. Subsection (8) of section 316.622, Florida
 3170 Statutes, is amended to read:

3171 316.622 Farm labor vehicles.—

3172 (8) The department shall provide to the Department of



3173 Business and Professional Regulation each quarter a copy of each
3174 accident report involving a farm labor vehicle, ~~as defined in s.~~
3175 ~~316.003(62), commencing with the first quarter of the 2006-2007~~
3176 ~~fiscal year.~~

3177 Section 70. Paragraph (b) of subsection (1) of section
3178 316.650, Florida Statutes, is amended to read:

3179 316.650 Traffic citations.—

3180 (1)

3181 (b) The department shall prepare, and supply to every
3182 traffic enforcement agency in the state, an appropriate
3183 affidavit-of-compliance form that shall be issued along with the
3184 form traffic citation for any violation of s. 316.610 and that
3185 indicates the specific defect needing to be corrected. However,
3186 such affidavit of compliance may ~~shall~~ not be issued in the case
3187 of a violation of s. 316.610 by a commercial motor vehicle ~~as~~
3188 ~~defined in s. 316.003(66)~~. Such affidavit-of-compliance form
3189 shall be distributed in the same manner and to the same parties
3190 as is the form traffic citation.

3191 Section 71. Subsection (1) of section 316.70, Florida
3192 Statutes, is amended to read:

3193 316.70 Nonpublic sector buses; safety rules.—

3194 (1) The Department of Transportation shall establish and
3195 revise standards to ensure ~~assure~~ the safe operation of
3196 nonpublic sector buses, ~~as defined in s. 316.003(78)~~, which
3197 standards shall be those contained in 49 C.F.R. parts 382, 385,
3198 and 390-397 and which shall be directed toward ensuring ~~towards~~



3199 ~~assuring~~ that:

3200 (a) Nonpublic sector buses are safely maintained,
3201 equipped, and operated.

3202 (b) Nonpublic sector buses are carrying the insurance
3203 required by law and carrying liability insurance on the checked
3204 baggage of passengers not to exceed the standard adopted by the
3205 United States Department of Transportation.

3206 (c) Florida license tags are purchased for nonpublic
3207 sector buses pursuant to s. 320.38.

3208 (d) The driving records of drivers of nonpublic sector
3209 buses are checked by their employers at least once each year to
3210 ascertain whether the driver has a suspended or revoked driver
3211 license.

3212 Section 72. Paragraph (a) of subsection (1) of section
3213 320.01, Florida Statutes, is amended to read:

3214 320.01 Definitions, general.—As used in the Florida
3215 Statutes, except as otherwise provided, the term:

3216 (1) "Motor vehicle" means:

3217 (a) An automobile, motorcycle, truck, trailer,
3218 semitrailer, truck tractor and semitrailer combination, or any
3219 other vehicle operated on the roads of this state, used to
3220 transport persons or property, and propelled by power other than
3221 muscular power, but the term does not include traction engines,
3222 road rollers, special mobile equipment as defined in s. 316.003
3223 ~~316.003(48)~~, vehicles that run only upon a track, bicycles,
3224 swamp buggies, or mopeds.



3225 Section 73. Section 320.08, Florida Statutes, is amended
3226 to read:

3227 320.08 License taxes.—Except as otherwise provided herein,
3228 there are hereby levied and imposed annual license taxes for the
3229 operation of motor vehicles, mopeds, motorized bicycles as
3230 defined in s. 316.003(2) ~~316.003(2)~~, tri-vehicles as defined in
3231 s. 316.003, and mobile homes~~7~~ as defined in s. 320.01, which
3232 shall be paid to and collected by the department or its agent
3233 upon the registration or renewal of registration of the
3234 following:

3235 (1) MOTORCYCLES AND MOPEDS.—

3236 (a) Any motorcycle: \$10 flat.

3237 (b) Any moped: \$5 flat.

3238 (c) Upon registration of a motorcycle, motor-driven cycle,
3239 or moped, in addition to the license taxes specified in this
3240 subsection, a nonrefundable motorcycle safety education fee in
3241 the amount of \$2.50 shall be paid. The proceeds of such
3242 additional fee shall be deposited in the Highway Safety
3243 Operating Trust Fund to fund a motorcycle driver improvement
3244 program implemented pursuant to s. 322.025, the Florida
3245 Motorcycle Safety Education Program established in s. 322.0255,
3246 or the general operations of the department.

3247 (d) An ancient or antique motorcycle: \$7.50 flat, of which
3248 \$2.50 shall be deposited into the General Revenue Fund.

3249 (2) AUTOMOBILES OR TRI-VEHICLES FOR PRIVATE USE.—

3250 (a) An ancient or antique automobile, as defined in s.



3251 320.086, or a street rod, as defined in s. 320.0863: \$7.50 flat.

3252 (b) Net weight of less than 2,500 pounds: \$14.50 flat.

3253 (c) Net weight of 2,500 pounds or more, but less than
3254 3,500 pounds: \$22.50 flat.

3255 (d) Net weight of 3,500 pounds or more: \$32.50 flat.

3256 (3) TRUCKS.—

3257 (a) Net weight of less than 2,000 pounds: \$14.50 flat.

3258 (b) Net weight of 2,000 pounds or more, but not more than
3259 3,000 pounds: \$22.50 flat.

3260 (c) Net weight more than 3,000 pounds, but not more than
3261 5,000 pounds: \$32.50 flat.

3262 (d) A truck defined as a "goat," or other vehicle if used
3263 in the field by a farmer or in the woods for the purpose of
3264 harvesting a crop, including naval stores, during such
3265 harvesting operations, and which is not principally operated
3266 upon the roads of the state: \$7.50 flat. The term "goat" means a
3267 motor vehicle designed, constructed, and used principally for
3268 the transportation of citrus fruit within citrus groves or for
3269 the transportation of crops on farms, and which can also be used
3270 for hauling associated equipment or supplies, including required
3271 sanitary equipment, and the towing of farm trailers.

3272 (e) An ancient or antique truck, as defined in s. 320.086:
3273 \$7.50 flat.

3274 (4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS
3275 VEHICLE WEIGHT.—

3276 (a) Gross vehicle weight of 5,001 pounds or more, but less



3277 | than 6,000 pounds: \$60.75 flat, of which \$15.75 shall be
 3278 | deposited into the General Revenue Fund.

3279 | (b) Gross vehicle weight of 6,000 pounds or more, but less
 3280 | than 8,000 pounds: \$87.75 flat, of which \$22.75 shall be
 3281 | deposited into the General Revenue Fund.

3282 | (c) Gross vehicle weight of 8,000 pounds or more, but less
 3283 | than 10,000 pounds: \$103 flat, of which \$27 shall be deposited
 3284 | into the General Revenue Fund.

3285 | (d) Gross vehicle weight of 10,000 pounds or more, but
 3286 | less than 15,000 pounds: \$118 flat, of which \$31 shall be
 3287 | deposited into the General Revenue Fund.

3288 | (e) Gross vehicle weight of 15,000 pounds or more, but
 3289 | less than 20,000 pounds: \$177 flat, of which \$46 shall be
 3290 | deposited into the General Revenue Fund.

3291 | (f) Gross vehicle weight of 20,000 pounds or more, but
 3292 | less than 26,001 pounds: \$251 flat, of which \$65 shall be
 3293 | deposited into the General Revenue Fund.

3294 | (g) Gross vehicle weight of 26,001 pounds or more, but
 3295 | less than 35,000: \$324 flat, of which \$84 shall be deposited
 3296 | into the General Revenue Fund.

3297 | (h) Gross vehicle weight of 35,000 pounds or more, but
 3298 | less than 44,000 pounds: \$405 flat, of which \$105 shall be
 3299 | deposited into the General Revenue Fund.

3300 | (i) Gross vehicle weight of 44,000 pounds or more, but
 3301 | less than 55,000 pounds: \$773 flat, of which \$201 shall be
 3302 | deposited into the General Revenue Fund.



3303 (j) Gross vehicle weight of 55,000 pounds or more, but
 3304 less than 62,000 pounds: \$916 flat, of which \$238 shall be
 3305 deposited into the General Revenue Fund.

3306 (k) Gross vehicle weight of 62,000 pounds or more, but
 3307 less than 72,000 pounds: \$1,080 flat, of which \$280 shall be
 3308 deposited into the General Revenue Fund.

3309 (l) Gross vehicle weight of 72,000 pounds or more: \$1,322
 3310 flat, of which \$343 shall be deposited into the General Revenue
 3311 Fund.

3312 (m) Notwithstanding the declared gross vehicle weight, a
 3313 truck tractor used within a 150-mile radius of its home address
 3314 is eligible for a license plate for a fee of \$324 flat if:

3315 1. The truck tractor is used exclusively for hauling
 3316 forestry products; or

3317 2. The truck tractor is used primarily for the hauling of
 3318 forestry products, and is also used for the hauling of
 3319 associated forestry harvesting equipment used by the owner of
 3320 the truck tractor.

3321
 3322 Of the fee imposed by this paragraph, \$84 shall be deposited
 3323 into the General Revenue Fund.

3324 (n) A truck tractor or heavy truck, not operated as a for-
 3325 hire vehicle, which is engaged exclusively in transporting raw,
 3326 unprocessed, and nonmanufactured agricultural or horticultural
 3327 products within a 150-mile radius of its home address, is
 3328 eligible for a restricted license plate for a fee of:



3329 1. If such vehicle's declared gross vehicle weight is less
 3330 than 44,000 pounds, \$87.75 flat, of which \$22.75 shall be
 3331 deposited into the General Revenue Fund.

3332 2. If such vehicle's declared gross vehicle weight is
 3333 44,000 pounds or more and such vehicle only transports from the
 3334 point of production to the point of primary manufacture; to the
 3335 point of assembling the same; or to a shipping point of a rail,
 3336 water, or motor transportation company, \$324 flat, of which \$84
 3337 shall be deposited into the General Revenue Fund.

3338
 3339 Such not-for-hire truck tractors and heavy trucks used
 3340 exclusively in transporting raw, unprocessed, and
 3341 nonmanufactured agricultural or horticultural products may be
 3342 incidentally used to haul farm implements and fertilizers
 3343 delivered direct to the growers. The department may require any
 3344 documentation deemed necessary to determine eligibility prior to
 3345 issuance of this license plate. For the purpose of this
 3346 paragraph, "not-for-hire" means the owner of the motor vehicle
 3347 must also be the owner of the raw, unprocessed, and
 3348 nonmanufactured agricultural or horticultural product, or the
 3349 user of the farm implements and fertilizer being delivered.

3350 (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT;
 3351 SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

3352 (a)1. A semitrailer drawn by a GVW truck tractor by means
 3353 of a fifth-wheel arrangement: \$13.50 flat per registration year
 3354 or any part thereof, of which \$3.50 shall be deposited into the



3355 General Revenue Fund.

3356 2. A semitrailer drawn by a GVW truck tractor by means of
3357 a fifth-wheel arrangement: \$68 flat per permanent registration,
3358 of which \$18 shall be deposited into the General Revenue Fund.

3359 (b) A motor vehicle equipped with machinery and designed
3360 for the exclusive purpose of well drilling, excavation,
3361 construction, spraying, or similar activity, and which is not
3362 designed or used to transport loads other than the machinery
3363 described above over public roads: \$44 flat, of which \$11.50
3364 shall be deposited into the General Revenue Fund.

3365 (c) A school bus used exclusively to transport pupils to
3366 and from school or school or church activities or functions
3367 within their own county: \$41 flat, of which \$11 shall be
3368 deposited into the General Revenue Fund.

3369 (d) A wrecker, as defined in s. 320.01, which is used to
3370 tow a vessel as defined in s. 327.02, a disabled, abandoned,
3371 stolen-recovered, or impounded motor vehicle as defined in s.
3372 320.01, or a replacement motor vehicle as defined in s. 320.01:
3373 \$41 flat, of which \$11 shall be deposited into the General
3374 Revenue Fund.

3375 (e) A wrecker that is used to tow any nondisabled motor
3376 vehicle, a vessel, or any other cargo unless used as defined in
3377 paragraph (d), as follows:

3378 1. Gross vehicle weight of 10,000 pounds or more, but less
3379 than 15,000 pounds: \$118 flat, of which \$31 shall be deposited
3380 into the General Revenue Fund.



3381 2. Gross vehicle weight of 15,000 pounds or more, but less
3382 than 20,000 pounds: \$177 flat, of which \$46 shall be deposited
3383 into the General Revenue Fund.

3384 3. Gross vehicle weight of 20,000 pounds or more, but less
3385 than 26,000 pounds: \$251 flat, of which \$65 shall be deposited
3386 into the General Revenue Fund.

3387 4. Gross vehicle weight of 26,000 pounds or more, but less
3388 than 35,000 pounds: \$324 flat, of which \$84 shall be deposited
3389 into the General Revenue Fund.

3390 5. Gross vehicle weight of 35,000 pounds or more, but less
3391 than 44,000 pounds: \$405 flat, of which \$105 shall be deposited
3392 into the General Revenue Fund.

3393 6. Gross vehicle weight of 44,000 pounds or more, but less
3394 than 55,000 pounds: \$772 flat, of which \$200 shall be deposited
3395 into the General Revenue Fund.

3396 7. Gross vehicle weight of 55,000 pounds or more, but less
3397 than 62,000 pounds: \$915 flat, of which \$237 shall be deposited
3398 into the General Revenue Fund.

3399 8. Gross vehicle weight of 62,000 pounds or more, but less
3400 than 72,000 pounds: \$1,080 flat, of which \$280 shall be
3401 deposited into the General Revenue Fund.

3402 9. Gross vehicle weight of 72,000 pounds or more: \$1,322
3403 flat, of which \$343 shall be deposited into the General Revenue
3404 Fund.

3405 (f) A hearse or ambulance: \$40.50 flat, of which \$10.50
3406 shall be deposited into the General Revenue Fund.



3407 (6) MOTOR VEHICLES FOR HIRE.—
 3408 (a) Under nine passengers: \$17 flat, of which \$4.50 shall
 3409 be deposited into the General Revenue Fund; plus \$1.50 per cwt,
 3410 of which 50 cents shall be deposited into the General Revenue
 3411 Fund.
 3412 (b) Nine passengers and over: \$17 flat, of which \$4.50
 3413 shall be deposited into the General Revenue Fund; plus \$2 per
 3414 cwt, of which 50 cents shall be deposited into the General
 3415 Revenue Fund.
 3416 (7) TRAILERS FOR PRIVATE USE.—
 3417 (a) Any trailer weighing 500 pounds or less: \$6.75 flat
 3418 per year or any part thereof, of which \$1.75 shall be deposited
 3419 into the General Revenue Fund.
 3420 (b) Net weight over 500 pounds: \$3.50 flat, of which \$1
 3421 shall be deposited into the General Revenue Fund; plus \$1 per
 3422 cwt, of which 25 cents shall be deposited into the General
 3423 Revenue Fund.
 3424 (8) TRAILERS FOR HIRE.—
 3425 (a) Net weight under 2,000 pounds: \$3.50 flat, of which \$1
 3426 shall be deposited into the General Revenue Fund; plus \$1.50 per
 3427 cwt, of which 50 cents shall be deposited into the General
 3428 Revenue Fund.
 3429 (b) Net weight 2,000 pounds or more: \$13.50 flat, of which
 3430 \$3.50 shall be deposited into the General Revenue Fund; plus
 3431 \$1.50 per cwt, of which 50 cents shall be deposited into the
 3432 General Revenue Fund.



3433 (9) RECREATIONAL VEHICLE-TYPE UNITS.—
 3434 (a) A travel trailer or fifth-wheel trailer, as defined by
 3435 s. 320.01(1)(b), that does not exceed 35 feet in length: \$27
 3436 flat, of which \$7 shall be deposited into the General Revenue
 3437 Fund.
 3438 (b) A camping trailer, as defined by s. 320.01(1)(b)2.:
 3439 \$13.50 flat, of which \$3.50 shall be deposited into the General
 3440 Revenue Fund.
 3441 (c) A motor home, as defined by s. 320.01(1)(b)4.:
 3442 1. Net weight of less than 4,500 pounds: \$27 flat, of
 3443 which \$7 shall be deposited into the General Revenue Fund.
 3444 2. Net weight of 4,500 pounds or more: \$47.25 flat, of
 3445 which \$12.25 shall be deposited into the General Revenue Fund.
 3446 (d) A truck camper as defined by s. 320.01(1)(b)3.:
 3447 1. Net weight of less than 4,500 pounds: \$27 flat, of
 3448 which \$7 shall be deposited into the General Revenue Fund.
 3449 2. Net weight of 4,500 pounds or more: \$47.25 flat, of
 3450 which \$12.25 shall be deposited into the General Revenue Fund.
 3451 (e) A private motor coach as defined by s. 320.01(1)(b)5.:
 3452 1. Net weight of less than 4,500 pounds: \$27 flat, of
 3453 which \$7 shall be deposited into the General Revenue Fund.
 3454 2. Net weight of 4,500 pounds or more: \$47.25 flat, of
 3455 which \$12.25 shall be deposited into the General Revenue Fund.
 3456 (10) PARK TRAILERS; TRAVEL TRAILERS; FIFTH-WHEEL TRAILERS;
 3457 35 FEET TO 40 FEET.—
 3458 (a) Park trailers.—Any park trailer, as defined in s.



3459 | 320.01(1)(b)7.: \$25 flat.
 3460 | (b) A travel trailer or fifth-wheel trailer, as defined in
 3461 | s. 320.01(1)(b), that exceeds 35 feet: \$25 flat.
 3462 | (11) MOBILE HOMES.—
 3463 | (a) A mobile home not exceeding 35 feet in length: \$20
 3464 | flat.
 3465 | (b) A mobile home over 35 feet in length, but not
 3466 | exceeding 40 feet: \$25 flat.
 3467 | (c) A mobile home over 40 feet in length, but not
 3468 | exceeding 45 feet: \$30 flat.
 3469 | (d) A mobile home over 45 feet in length, but not
 3470 | exceeding 50 feet: \$35 flat.
 3471 | (e) A mobile home over 50 feet in length, but not
 3472 | exceeding 55 feet: \$40 flat.
 3473 | (f) A mobile home over 55 feet in length, but not
 3474 | exceeding 60 feet: \$45 flat.
 3475 | (g) A mobile home over 60 feet in length, but not
 3476 | exceeding 65 feet: \$50 flat.
 3477 | (h) A mobile home over 65 feet in length: \$80 flat.
 3478 | (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised
 3479 | motor vehicle dealer, independent motor vehicle dealer, marine
 3480 | boat trailer dealer, or mobile home dealer and manufacturer
 3481 | license plate: \$17 flat, of which \$4.50 shall be deposited into
 3482 | the General Revenue Fund.
 3483 | (13) EXEMPT OR OFFICIAL LICENSE PLATES.—Any exempt or
 3484 | official license plate: \$4 flat, of which \$1 shall be deposited



3485 into the General Revenue Fund.

3486 (14) LOCALLY OPERATED MOTOR VEHICLES FOR HIRE.—A motor
 3487 vehicle for hire operated wholly within a city or within 25
 3488 miles thereof: \$17 flat, of which \$4.50 shall be deposited into
 3489 the General Revenue Fund; plus \$2 per cwt, of which 50 cents
 3490 shall be deposited into the General Revenue Fund.

3491 (15) TRANSPORTER.—Any transporter license plate issued to
 3492 a transporter pursuant to s. 320.133: \$101.25 flat, of which
 3493 \$26.25 shall be deposited into the General Revenue Fund.

3494 Section 74. Subsection (1) of section 320.0801, Florida
 3495 Statutes, is amended to read:

3496 320.0801 Additional license tax on certain vehicles.—

3497 (1) In addition to the license taxes specified in s.
 3498 320.08 and in subsection (2), there is hereby levied and imposed
 3499 an annual license tax of 10 cents for the operation of a motor
 3500 vehicle, as defined in s. 320.01, and moped, as defined in s.
 3501 316.003 ~~316.003(77)~~, which tax shall be paid to the department
 3502 or its agent upon the registration or renewal of registration of
 3503 the vehicle. Notwithstanding ~~the provisions of~~ s. 320.20,
 3504 revenues collected from the tax imposed in this subsection shall
 3505 be deposited in the Emergency Medical Services Trust Fund and
 3506 used solely for the purpose of carrying out ~~the provisions of~~
 3507 ss. 395.401, 395.4015, 395.404, and 395.4045 and s. 11, chapter
 3508 87-399, Laws of Florida.

3509 Section 75. Section 320.38, Florida Statutes, is amended
 3510 to read:



3511 320.38 When nonresident exemption not allowed.—The
3512 provisions of s. 320.37 authorizing the operation of motor
3513 vehicles over the roads of this state by nonresidents of this
3514 state when such vehicles are duly registered or licensed under
3515 the laws of some other state or foreign country do not apply to
3516 any nonresident who accepts employment or engages in any trade,
3517 profession, or occupation in this state, except a nonresident
3518 migrant or seasonal farm worker as defined in s. 316.003
3519 ~~316.003(61)~~. In every case in which a nonresident, except a
3520 nonresident migrant or seasonal farm worker as defined in s.
3521 316.003 ~~316.003(61)~~, accepts employment or engages in any trade,
3522 profession, or occupation in this state or enters his or her
3523 children to be educated in the public schools of this state,
3524 such nonresident shall, within 10 days after the commencement of
3525 such employment or education, register his or her motor vehicles
3526 in this state if such motor vehicles are proposed to be operated
3527 on the roads of this state. Any person who is enrolled as a
3528 student in a college or university and who is a nonresident but
3529 who is in this state for a period of up to 6 months engaged in a
3530 work-study program for which academic credits are earned from a
3531 college whose credits or degrees are accepted for credit by at
3532 least three accredited institutions of higher learning, as
3533 defined in s. 1005.02, is not required to have a Florida
3534 registration for the duration of the work-study program if the
3535 person's vehicle is properly registered in another jurisdiction.
3536 Any nonresident who is enrolled as a full-time student in such



3537 institution of higher learning is also exempt for the duration
3538 of such enrollment.

3539 Section 76. Subsection (1) of section 322.031, Florida
3540 Statutes, is amended to read:

3541 322.031 Nonresident; when license required.—

3542 (1) In each case in which a nonresident, except a
3543 nonresident migrant or seasonal farm worker as defined in s.
3544 316.003 ~~316.003(61)~~, accepts employment or engages in a trade,
3545 profession, or occupation in this state or enters his or her
3546 children to be educated in the public schools of this state,
3547 such nonresident shall, within 30 days after beginning such
3548 employment or education, be required to obtain a Florida driver
3549 license if such nonresident operates a motor vehicle on the
3550 highways of this state. The spouse or dependent child of such
3551 nonresident shall also be required to obtain a Florida driver
3552 license within that 30-day period before operating a motor
3553 vehicle on the highways of this state.

3554 Section 77. For the purpose of incorporating the amendment
3555 made by this act to section 333.01, Florida Statutes, in a
3556 reference thereto, subsection (6) of section 350.81, Florida
3557 Statutes, is reenacted to read:

3558 350.81 Communications services offered by governmental
3559 entities.—

3560 (6) To ensure the safe and secure transportation of
3561 passengers and freight through an airport facility, as defined
3562 in s. 159.27(17), an airport authority or other governmental



3563 entity that provides or is proposing to provide communications
3564 services only within the boundaries of its airport layout plan,
3565 as defined in s. 333.01(6), to subscribers which are integral
3566 and essential to the safe and secure transportation of
3567 passengers and freight through the airport facility, is exempt
3568 from this section. An airport authority or other governmental
3569 entity that provides or is proposing to provide shared-tenant
3570 service under s. 364.339, but not dial tone enabling subscribers
3571 to complete calls outside the airport layout plan, to one or
3572 more subscribers within its airport layout plan which are not
3573 integral and essential to the safe and secure transportation of
3574 passengers and freight through the airport facility is exempt
3575 from this section. An airport authority or other governmental
3576 entity that provides or is proposing to provide communications
3577 services to one or more subscribers within its airport layout
3578 plan which are not integral and essential to the safe and secure
3579 transportation of passengers and freight through the airport
3580 facility, or to one or more subscribers outside its airport
3581 layout plan, is not exempt from this section. By way of example
3582 and not limitation, the integral, essential subscribers may
3583 include airlines and emergency service entities, and the
3584 nonintegral, nonessential subscribers may include retail shops,
3585 restaurants, hotels, or rental car companies.

3586 Section 78. Subsection (3) of section 450.181, Florida
3587 Statutes, is amended to read:

3588 450.181 Definitions.—As used in part II, unless the



3589 context clearly requires a different meaning:

3590 (3) The term "migrant laborer" has the same meaning as
3591 migrant or seasonal farm worker ~~workers~~ as defined in s. 316.003
3592 ~~316.003(61)~~.

3593 Section 79. Subsection (5) of section 559.903, Florida
3594 Statutes, is amended to read:

3595 559.903 Definitions.—As used in this act:

3596 (5) "Motor vehicle" means any automobile, truck, bus,
3597 recreational vehicle, motorcycle, motor scooter, or other motor
3598 powered vehicle, but does not include trailers, mobile homes,
3599 travel trailers, trailer coaches without independent motive
3600 power, watercraft or aircraft, or special mobile equipment as
3601 defined in s. 316.003 ~~316.003(48)~~.

3602 Section 80. Subsection (1) of section 655.960, Florida
3603 Statutes, is amended to read:

3604 655.960 Definitions; ss. 655.960-655.965.—As used in this
3605 section and ss. 655.961-655.965, unless the context otherwise
3606 requires:

3607 (1) "Access area" means any paved walkway or sidewalk
3608 which is within 50 feet of any automated teller machine. The
3609 term does not include any street or highway open to the use of
3610 the public, as defined in s. 316.003(76)(a) ~~316.003(53)(a)~~ or
3611 (b), including any adjacent sidewalk, as defined in s. 316.003
3612 ~~316.003(47)~~.

3613 Section 81. Paragraph (b) of subsection (2) of section
3614 732.402, Florida Statutes, is amended to read:



3615 732.402 Exempt property.—

3616 (2) Exempt property shall consist of:

3617 (b) Two motor vehicles as defined in s. 316.003

3618 ~~316.003(21)~~, which do not, individually as to either such motor
 3619 vehicle, have a gross vehicle weight in excess of 15,000 pounds,
 3620 held in the decedent's name and regularly used by the decedent
 3621 or members of the decedent's immediate family as their personal
 3622 motor vehicles.

3623 Section 82. Subsection (1) of section 860.065, Florida
 3624 Statutes, is amended to read:

3625 860.065 Commercial transportation; penalty for use in
 3626 commission of a felony.—

3627 (1) It is unlawful for any person to attempt to obtain,
 3628 solicit to obtain, or obtain any means of public or commercial
 3629 transportation or conveyance, including vessels, aircraft,
 3630 railroad trains, or commercial vehicles as defined in s. 316.003
 3631 ~~316.003(66)~~, with the intent to use such public or commercial
 3632 transportation or conveyance to commit any felony or to
 3633 facilitate the commission of any felony.

3634 Section 83. This act shall take effect July 1, 2016.