

By Senator Brandes

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1                   A bill to be entitled  
2       An act relating to transportation; amending s.  
3       260.0144, F.S.; providing that certain commercial  
4       sponsorship may be displayed on state greenway and  
5       trail facilities not included within the Shared-Use  
6       Nonmotorized Trail Network; deleting provisions  
7       relating to the authorization of sponsored state  
8       greenways and trails at specified facilities or  
9       property; amending s. 316.003, F.S.; making technical  
10      changes; amending s. 316.303, F.S.; providing  
11      exceptions to the prohibition of certain television-  
12      type receiving equipment and certain electronic  
13      displays in vehicles; amending s. 335.065, F.S.;  
14      deleting provisions relating to certain commercial  
15      sponsorship displays on multiuse trails and related  
16      facilities; deleting provisions relating to funding a  
17      statewide system of interconnected multiuse trails;  
18      creating s. 335.21, F.S.; requiring the governing body  
19      of any independent special district created to  
20      regulate the operation of public vehicles on public  
21      highways to consist of a certain number of members;  
22      providing appointment requirements for such members;  
23      amending s. 338.231, F.S.; deleting provisions  
24      relating to using the revenues from the turnpike  
25      system to pay the principal and interest of a  
26      specified series of bonds and certain expenses of the  
27      Sawgrass Expressway; amending s. 339.175, F.S.;  
28      requiring certain long-range transportation plans to  
29      include assessment of capital investment and other

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30 measures necessary to make the most efficient use of  
31 existing transportation facilities to improve safety;  
32 requiring the assessments to include consideration of  
33 infrastructure and technological improvements  
34 necessary to accommodate advances in vehicle  
35 technology; amending s. 339.64, F.S.; requiring the  
36 Department of Transportation to coordinate with  
37 certain partners and industry representatives to  
38 consider infrastructure and technological improvements  
39 necessary to accommodate advances in vehicle  
40 technology in Strategic Intermodal System facilities;  
41 requiring the Strategic Intermodal System Plan to  
42 include a needs assessment regarding such  
43 infrastructure and technological improvements;  
44 creating s. 339.81, F.S.; creating the Florida Shared-  
45 Use Nonmotorized Trail Network; specifying the  
46 composition, purpose, and requirements of the network;  
47 authorizing the department certain powers related to  
48 planning, development, operation, and maintenance of  
49 the network; creating s. 339.82, F.S.; requiring the  
50 department to develop a Shared-Use Nonmotorized Trail  
51 Network Plan; creating s. 339.83, F.S.; creating a  
52 trail sponsorship program, subject to certain  
53 requirements and restrictions; repealing s. 341.0532,  
54 F.S., relating to statewide transportation corridors;  
55 creating s. 341.1025, F.S.; authorizing a public  
56 transit provider to enter into agreements with a  
57 transportation network company for the provision of  
58 certain transit services; defining the term

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59 "transportation network company"; providing a  
60 directive to the Division of Law Revision and  
61 Information; creating s. 345.0001, F.S.; providing a  
62 short title; creating s. 345.0002, F.S.; defining  
63 terms; creating s. 345.0003, F.S.; authorizing certain  
64 counties to form the Northwest Florida Regional  
65 Transportation Finance Authority to construct,  
66 maintain, or operate transportation projects in a  
67 given region of the state; specifying procedural  
68 requirements; creating s. 345.0004, F.S.; specifying  
69 the powers and duties of the authority, subject to  
70 certain restrictions; requiring that the authority  
71 comply with certain reporting and documentation  
72 requirements; creating s. 345.0005, F.S.; authorizing  
73 the issuing of bonds on behalf of the authority under  
74 the State Bond Act and by the authority itself;  
75 specifying requirements and restrictions for such  
76 bonds under certain circumstances; creating s.  
77 345.0006, F.S.; providing rights and remedies of  
78 bondholders; creating s. 345.0007, F.S.; designating  
79 the Department of Transportation as the agent of the  
80 authority for specified purposes; authorizing the  
81 administration and management of projects by the  
82 department; limiting the powers of the department as  
83 an agent; establishing the fiscal responsibilities of  
84 the authority; creating s. 345.0008, F.S.; authorizing  
85 the department to provide for or commit its resources  
86 for the authority project or system, if approved by  
87 the Legislature, subject to legislative budget request

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88 procedures and prohibitions and appropriation  
89 procedures; authorizing the payment of expenses  
90 incurred by the department on behalf of the authority;  
91 requiring the department to receive a share of the  
92 revenue from the authority; providing calculations for  
93 disbursement of revenues; creating s. 345.0009, F.S.;  
94 authorizing the authority to acquire private or public  
95 property and property rights for a project or plan;  
96 establishing the rights and liabilities and remedial  
97 actions relating to property acquired for a  
98 transportation project or corridor; creating s.  
99 345.001, F.S.; authorizing contracts between  
100 governmental entities and the authority; creating s.  
101 345.0011, F.S.; pledging that the state will not limit  
102 or alter the vested rights of the authority or the  
103 department with regard to any issued bonds or other  
104 rights relating to the bonds if they affect the rights  
105 of bondholders; creating s. 345.0012, F.S.; exempting  
106 the authority from certain taxes and assessments;  
107 providing exceptions; creating s. 345.0013, F.S.;  
108 providing that bonds or obligations issued under this  
109 chapter are legal investments for specified entities;  
110 creating s. 345.0014, F.S.; providing applicability;  
111 directing the Commission for the Transportation  
112 Disadvantaged, in cooperation with the Center for  
113 Urban Transportation Research, to develop and  
114 implement a pilot program with at least one community  
115 transportation coordinator relating to the use of a  
116 transportation network company as a transportation

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117 operator; defining the term "transportation network  
118 company"; specifying requirements and restrictions of  
119 the pilot program; requiring the commission to present  
120 a report to the chairs of the appropriate Senate and  
121 House committees by a certain date; providing  
122 legislative findings and intent relating to  
123 transportation funding; directing the Center for Urban  
124 Transportation Research to establish a study on  
125 implementing a system in this state which charges  
126 drivers based on their vehicle miles traveled as an  
127 alternative to the present fuel tax structure to fund  
128 transportation projects; specifying requirements of  
129 the study; directing the Center for Urban  
130 Transportation Research to conduct a 6-month pilot  
131 project to study the feasibility and economic impact  
132 of implementing a system that charges drivers based on  
133 their vehicle miles traveled; specifying requirements  
134 for the pilot project; requiring that a report on the  
135 findings of the pilot project be made to the Governor,  
136 the Legislature, and the Metropolitan Planning  
137 Organization Advisory Council by a specified date;  
138 requiring that the report include legislative  
139 recommendations; providing an effective date.

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

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143 Section 1. Section 260.0144, Florida Statutes, is amended  
144 to read:

145 260.0144 Sponsorship of state greenways and trails.—The

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146 department may enter into a concession agreement with a not-for-  
147 profit entity or private sector business or entity for  
148 commercial sponsorship to be displayed on state greenway and  
149 trail facilities not included within the Shared-Use Nonmotorized  
150 Trail Network established in chapter 339 ~~or property specified~~  
151 ~~in this section~~. The department may establish the cost for  
152 entering into a concession agreement.

153 (1) A concession agreement shall be administered by the  
154 department and must include the requirements found in this  
155 section.

156 (2) (a) Space for a commercial sponsorship display may be  
157 provided through a concession agreement on certain state-owned  
158 greenway or trail facilities or property.

159 (b) Signage or displays erected under this section shall  
160 comply with the provisions of s. 337.407 and chapter 479, and  
161 shall be limited as follows:

162 1. One large sign or display, not to exceed 16 square feet  
163 in area, may be located at each trailhead or parking area.

164 2. One small sign or display, not to exceed 4 square feet  
165 in area, may be located at each designated trail public access  
166 point.

167 (c) Before installation, each name or sponsorship display  
168 must be approved by the department.

169 (d) The department shall ensure that the size, color,  
170 materials, construction, and location of all signs are  
171 consistent with the management plan for the property and the  
172 standards of the department, do not intrude on natural and  
173 historic settings, and contain only a logo selected by the  
174 sponsor and the following sponsorship wording:

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... (Name of the sponsor) ... proudly sponsors the costs of maintaining the ... (Name of the greenway or trail) ....

~~(e) Sponsored state greenways and trails are authorized at the following facilities or property:~~

- ~~1. Florida Keys Overseas Heritage Trail.~~
- ~~2. Blackwater Heritage Trail.~~
- ~~3. Tallahassee-St. Marks Historic Railroad State Trail.~~
- ~~4. Nature Coast State Trail.~~
- ~~5. Withlacoochee State Trail.~~
- ~~6. General James A. Van Fleet State Trail.~~
- ~~7. Palatka Lake Butler State Trail.~~

(e)~~(f)~~ The department may enter into commercial sponsorship agreements for other state greenways or trails as authorized in this section. A qualified entity that desires to enter into a commercial sponsorship agreement shall apply to the department on forms adopted by department rule.

(f)~~(g)~~ All costs of a display, including development, construction, installation, operation, maintenance, and removal costs, shall be paid by the concessionaire.

(3) A concession agreement shall be for a minimum of 1 year, but may be for a longer period under a multiyear agreement, and may be terminated for just cause by the department upon 60 days' advance notice. Just cause for termination of a concession agreement includes, but is not limited to, violation of the terms of the concession agreement or any provision of this section.

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204 (4) Commercial sponsorship pursuant to a concession  
205 agreement is for public relations or advertising purposes of the  
206 not-for-profit entity or private sector business or entity, and  
207 may not be construed by that not-for-profit entity or private  
208 sector business or entity as having a relationship to any other  
209 actions of the department.

210 (5) This section does not create a proprietary or  
211 compensable interest in any sign, display site, or location.

212 (6) Proceeds from concession agreements shall be  
213 distributed as follows:

214 (a) Eighty-five percent shall be deposited into the  
215 appropriate department trust fund that is the source of funding  
216 for management and operation of state greenway and trail  
217 facilities and properties.

218 (b) Fifteen percent shall be deposited into the State  
219 Transportation Trust Fund for use in the Traffic and Bicycle  
220 Safety Education Program and the Safe Paths to School Program  
221 administered by the Department of Transportation.

222 (7) The department may adopt rules to administer this  
223 section.

224 Section 2. Subsection (90) of section 316.003, Florida  
225 Statutes, is amended, present subsections (91) through (93) of  
226 that section are redesignated as subsections (92) through (94),  
227 respectively, and a new subsection (91) is added to that  
228 section, to read:

229 316.003 Definitions.—The following words and phrases, when  
230 used in this chapter, shall have the meanings respectively  
231 ascribed to them in this section, except where the context  
232 otherwise requires:

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233 (90) AUTONOMOUS VEHICLE.—Any vehicle equipped with  
234 autonomous technology. ~~The term "autonomous technology" means~~  
235 ~~technology installed on a motor vehicle that has the capability~~  
236 ~~to drive the vehicle on which the technology is installed~~  
237 ~~without the active control or monitoring by a human operator.~~  
238 The term excludes a motor vehicle enabled with active safety  
239 systems or driver assistance systems, including, without  
240 limitation, a system to provide electronic blind spot  
241 assistance, crash avoidance, emergency braking, parking  
242 assistance, adaptive cruise control, lane keep assistance, lane  
243 departure warning, or traffic jam and queuing assistant, unless  
244 any such system alone or in combination with other systems  
245 enables the vehicle on which the technology is installed to  
246 drive without the active control or monitoring by a human  
247 operator.

248 (91) AUTONOMOUS TECHNOLOGY.—Technology installed on a motor  
249 vehicle that has the capability to drive the vehicle on which  
250 the technology is installed without the active control or  
251 monitoring by a human operator.

252 Section 3. Subsections (1) and (3) of section 316.303,  
253 Florida Statutes, are amended to read:

254 316.303 Television receivers.—

255 (1) No motor vehicle operated on the highways of this state  
256 shall be equipped with television-type receiving equipment so  
257 located that the viewer or screen is visible from the driver's  
258 seat, unless the vehicle is equipped with autonomous technology,  
259 as defined in s. 316.003(91), and is being operated in  
260 autonomous mode, as provided in s. 316.85(2).

261 (3) This section does not prohibit the use of an electronic

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262 display used in conjunction with a vehicle navigation system or  
263 an electronic display used by an operator of a vehicle equipped  
264 with autonomous technology, as defined in s. 316.003(91), while  
265 the vehicle is being operated in autonomous mode, as provided in  
266 s. 316.85(2).

267 Section 4. Subsections (3) and (4) of section 335.065,  
268 Florida Statutes, are amended to read:

269 335.065 Bicycle and pedestrian ways along state roads and  
270 transportation facilities.-

271 (3) The department, in cooperation with the Department of  
272 Environmental Protection, shall establish a statewide integrated  
273 system of bicycle and pedestrian ways in such a manner as to  
274 take full advantage of any such ways which are maintained by any  
275 governmental entity. ~~The department may enter into a concession~~  
276 ~~agreement with a not for profit entity or private sector~~  
277 ~~business or entity for commercial sponsorship displays on~~  
278 ~~multiuse trails and related facilities and use any concession~~  
279 ~~agreement revenues for the maintenance of the multiuse trails~~  
280 ~~and related facilities. Commercial sponsorship displays are~~  
281 ~~subject to the requirements of the Highway Beautification Act of~~  
282 ~~1965 and all federal laws and agreements, when applicable. For~~  
283 ~~the purposes of this section, bicycle facilities may be~~  
284 ~~established as part of or separate from the actual roadway and~~  
285 ~~may utilize existing road rights-of-way or other rights-of-way~~  
286 ~~or easements acquired for public use.~~

287 ~~(a) A concession agreement shall be administered by the~~  
288 ~~department and must include the requirements of this section.~~

289 ~~(b)1. Signage or displays erected under this section shall~~  
290 ~~comply with s. 337.407 and chapter 479 and shall be limited as~~

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291 follows:

292 ~~a. One large sign or display, not to exceed 16 square feet~~  
293 ~~in area, may be located at each trailhead or parking area.~~

294 ~~b. One small sign or display, not to exceed 4 square feet~~  
295 ~~in area, may be located at each designated trail public access~~  
296 ~~point.~~

297 ~~2. Before installation, each name or sponsorship display~~  
298 ~~must be approved by the department.~~

299 ~~3. The department shall ensure that the size, color,~~  
300 ~~materials, construction, and location of all signs are~~  
301 ~~consistent with the management plan for the property and the~~  
302 ~~standards of the department, do not intrude on natural and~~  
303 ~~historic settings, and contain only a logo selected by the~~  
304 ~~sponsor and the following sponsorship wording:~~

305  
306 ~~... (Name of the sponsor) ... proudly sponsors the costs~~  
307 ~~of maintaining the ... (Name of the greenway or~~  
308 ~~trail)....~~

309  
310 ~~4. All costs of a display, including development,~~  
311 ~~construction, installation, operation, maintenance, and removal~~  
312 ~~costs, shall be paid by the concessionaire.~~

313 ~~(c) A concession agreement shall be for a minimum of 1~~  
314 ~~year, but may be for a longer period under a multiyear~~  
315 ~~agreement, and may be terminated for just cause by the~~  
316 ~~department upon 60 days' advance notice. Just cause for~~  
317 ~~termination of a concession agreement includes, but is not~~  
318 ~~limited to, violation of the terms of the concession agreement~~  
319 ~~or this section.~~

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320 ~~(4)(a) The department may use appropriated funds to support~~  
 321 ~~the establishment of a statewide system of interconnected~~  
 322 ~~multiuse trails and to pay the costs of planning, land~~  
 323 ~~acquisition, design, and construction of such trails and related~~  
 324 ~~facilities. The department shall give funding priority to~~  
 325 ~~projects that:~~

326 ~~1. Are identified by the Florida Greenways and Trails~~  
 327 ~~Council as a priority within the Florida Greenways and Trails~~  
 328 ~~System under chapter 260.~~

329 ~~2. Support the transportation needs of bicyclists and~~  
 330 ~~pedestrians.~~

331 ~~3. Have national, statewide, or regional importance.~~

332 ~~4. Facilitate an interconnected system of trails by~~  
 333 ~~completing gaps between existing trails.~~

334 ~~(b) A project funded under this subsection shall:~~

335 ~~1. Be included in the department's work program developed~~  
 336 ~~in accordance with s. 339.135.~~

337 ~~2. Be operated and maintained by an entity other than the~~  
 338 ~~department upon completion of construction. The department is~~  
 339 ~~not obligated to provide funds for the operation and maintenance~~  
 340 ~~of the project.~~

341 Section 5. Section 335.21, Florida Statutes, is created to  
 342 read:

343 335.21 Governing bodies of independent special districts  
 344 regulating the operation of public vehicles on public highways.—  
 345 Notwithstanding any provision of local law, the membership of  
 346 the governing body of any independent special district created  
 347 for the purpose of regulating the operation of public vehicles  
 348 upon the public highways under the jurisdiction of any such

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349 independent special district shall consist of seven members.  
 350 Four members shall be appointed by the Governor, one member  
 351 shall be appointed by the governing body of the largest  
 352 municipality situated within the jurisdiction of the independent  
 353 special district, and two members shall be appointed by the  
 354 governing body of the county in which the independent special  
 355 district has jurisdiction. All appointees must be residents of  
 356 the county in which the independent special district has  
 357 jurisdiction.

358 Section 6. Subsections (5) and (6) of section 338.231,  
 359 Florida Statutes, are amended to read:

360 338.231 Turnpike tolls, fixing; pledge of tolls and other  
 361 revenues.—The department shall at all times fix, adjust, charge,  
 362 and collect such tolls and amounts for the use of the turnpike  
 363 system as are required in order to provide a fund sufficient  
 364 with other revenues of the turnpike system to pay the cost of  
 365 maintaining, improving, repairing, and operating such turnpike  
 366 system; to pay the principal of and interest on all bonds issued  
 367 to finance or refinance any portion of the turnpike system as  
 368 the same become due and payable; and to create reserves for all  
 369 such purposes.

370 ~~(5) In each fiscal year while any of the bonds of the~~  
 371 ~~Broward County Expressway Authority series 1984 and series 1986~~  
 372 ~~A remain outstanding, the department is authorized to pledge~~  
 373 ~~revenues from the turnpike system to the payment of principal~~  
 374 ~~and interest of such series of bonds and the operation and~~  
 375 ~~maintenance expenses of the Sawgrass Expressway, to the extent~~  
 376 ~~gross toll revenues of the Sawgrass Expressway are insufficient~~  
 377 ~~to make such payments. The terms of an agreement relative to the~~

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378 ~~pledge of turnpike system revenue will be negotiated with the~~  
379 ~~parties of the 1984 and 1986 Broward County Expressway Authority~~  
380 ~~lease-purchase agreements, and subject to the covenants of those~~  
381 ~~agreements. The agreement must establish that the Sawgrass~~  
382 ~~Expressway is subject to the planning, management, and operating~~  
383 ~~control of the department limited only by the terms of the~~  
384 ~~lease-purchase agreements. The department shall provide for the~~  
385 ~~payment of operation and maintenance expenses of the Sawgrass~~  
386 ~~Expressway until such agreement is in effect. This pledge of~~  
387 ~~turnpike system revenues is subordinate to the debt service~~  
388 ~~requirements of any future issue of turnpike bonds, the payment~~  
389 ~~of turnpike system operation and maintenance expenses, and~~  
390 ~~subject to any subsequent resolution or trust indenture relating~~  
391 ~~to the issuance of such turnpike bonds.~~

392 (5)~~(6)~~ The use and disposition of revenues pledged to bonds  
393 are subject to ss. 338.22-338.241 and such regulations as the  
394 resolution authorizing the issuance of the bonds or such trust  
395 agreement may provide.

396 Section 7. Paragraph (c) of subsection (7) of section  
397 339.175, Florida Statutes, is amended to read:

398 339.175 Metropolitan planning organization.-

399 (7) LONG-RANGE TRANSPORTATION PLAN.-Each M.P.O. must  
400 develop a long-range transportation plan that addresses at least  
401 a 20-year planning horizon. The plan must include both long-  
402 range and short-range strategies and must comply with all other  
403 state and federal requirements. The prevailing principles to be  
404 considered in the long-range transportation plan are: preserving  
405 the existing transportation infrastructure; enhancing Florida's  
406 economic competitiveness; and improving travel choices to ensure

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407 mobility. The long-range transportation plan must be consistent,  
408 to the maximum extent feasible, with future land use elements  
409 and the goals, objectives, and policies of the approved local  
410 government comprehensive plans of the units of local government  
411 located within the jurisdiction of the M.P.O. Each M.P.O. is  
412 encouraged to consider strategies that integrate transportation  
413 and land use planning to provide for sustainable development and  
414 reduce greenhouse gas emissions. The approved long-range  
415 transportation plan must be considered by local governments in  
416 the development of the transportation elements in local  
417 government comprehensive plans and any amendments thereto. The  
418 long-range transportation plan must, at a minimum:

419 (c) Assess capital investment and other measures necessary  
420 to:

421 1. Ensure the preservation of the existing metropolitan  
422 transportation system including requirements for the operation,  
423 resurfacing, restoration, and rehabilitation of major roadways  
424 and requirements for the operation, maintenance, modernization,  
425 and rehabilitation of public transportation facilities; and

426 2. Make the most efficient use of existing transportation  
427 facilities to relieve vehicular congestion, improve safety, and  
428 maximize the mobility of people and goods. Such efforts shall  
429 include, but not be limited to, consideration of infrastructure  
430 and technological improvements necessary to accommodate advances  
431 in vehicle technology, such as autonomous vehicle technology and  
432 other developments.

433

434 In the development of its long-range transportation plan, each  
435 M.P.O. must provide the public, affected public agencies,

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436 representatives of transportation agency employees, freight  
437 shippers, providers of freight transportation services, private  
438 providers of transportation, representatives of users of public  
439 transit, and other interested parties with a reasonable  
440 opportunity to comment on the long-range transportation plan.  
441 The long-range transportation plan must be approved by the  
442 M.P.O.

443 Section 8. Paragraph (c) is added to subsection (3) of  
444 section 339.64, Florida Statutes, and paragraph (a) of  
445 subsection (4) of that section is amended, to read:

446 339.64 Strategic Intermodal System Plan.—

447 (3)

448 (c) The department also shall coordinate with federal,  
449 regional, and local partners, as well as industry  
450 representatives, to consider infrastructure and technological  
451 improvements necessary to accommodate advances in vehicle  
452 technology, such as autonomous vehicle technology and other  
453 developments, in Strategic Intermodal System facilities.

454 (4) The Strategic Intermodal System Plan shall include the  
455 following:

456 (a) A needs assessment. Such assessment shall include, but  
457 not be limited to, consideration of infrastructure and  
458 technological improvements necessary to accommodate advances in  
459 vehicle technology, such as autonomous vehicle technology and  
460 other developments.

461 Section 9. Section 339.81, Florida Statutes, is created to  
462 read:

463 339.81 Florida Shared-Use Nonmotorized Trail Network.—

464 (1) The Florida Shared-Use Nonmotorized Trail Network is

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465 created as a component of the Florida Greenways and Trails  
466 System established in chapter 260. The network consists of  
467 multiuse trails or shared-use paths physically separated from  
468 motor vehicle traffic and constructed with asphalt, concrete, or  
469 another hard surface which, by virtue of design, location,  
470 extent of connectivity or potential connectivity, and allowable  
471 uses, provides nonmotorized transportation opportunities for  
472 bicyclists and pedestrians between and within a wide range of  
473 points of origin and destinations, including, but not limited  
474 to, communities, conservation areas, state parks, beaches, and  
475 other natural or cultural attractions for a variety of trip  
476 purposes, including work, school, shopping, and other personal  
477 business, as well as social, recreational, and personal fitness  
478 purposes.

479 (2) Network components do not include sidewalks, nature  
480 trails, loop trails wholly within a single park or natural area,  
481 or on-road facilities, such as bicycle lanes or routes other  
482 than:

483 (a) On-road facilities that are no greater than one-half  
484 mile in length connecting two or more nonmotorized trails, if  
485 the provision of non-road facilities is unfeasible and if such  
486 on-road facilities are signed and marked for nonmotorized use;  
487 or

488 (b) On-road components of the Florida Keys Overseas  
489 Heritage Trail.

490 (3) The department shall include a project to be  
491 constructed as part of the Shared-Use Nonmotorized Trail Network  
492 in its work program developed pursuant to s. 339.135.

493 (4) The planning, development, operation, and maintenance

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494 of the Shared-Use Nonmotorized Trail Network is declared to be a  
495 public purpose, and the department, together with other agencies  
496 of this state and all counties, municipalities, and special  
497 districts of this state, may spend public funds for such  
498 purposes and may accept gifts and grants of funds, property, or  
499 property rights from public or private sources to be used for  
500 such purposes.

501 (5) The department may enter into a memorandum of agreement  
502 with a local government or other agency of the state to transfer  
503 maintenance responsibilities of an individual network component.  
504 The department may contract with a not-for-profit entity or  
505 private sector business or entity to provide maintenance  
506 services on an individual network component.

507 (6) The department may adopt rules to aid in the  
508 development and maintenance of components of the network.

509 Section 10. Section 339.82, Florida Statutes, is created to  
510 read:

511 339.82 Shared-Use Nonmotorized Trail Network Plan.—

512 (1) The department shall develop a Shared-Use Nonmotorized  
513 Trail Network Plan in coordination with the Department of  
514 Environmental Protection, metropolitan planning organizations,  
515 affected local governments and public agencies, and the Florida  
516 Greenways and Trails Council. The plan must be consistent with  
517 the Florida Greenways and Trails Plan developed under s. 260.014  
518 and must be updated at least once every 5 years.

519 (2) The Shared-Use Nonmotorized Trail Network Plan must  
520 include all of the following:

521 (a) A needs assessment, including, but not limited to, a  
522 comprehensive inventory and analysis of existing trails that may

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523 be considered for inclusion in the Shared-Use Nonmotorized Trail  
524 Network.

525 (b) A project prioritization process that includes  
526 assigning funding priority to projects that:

527 1. Are identified by the Florida Greenways and Trails  
528 Council as a priority within the Florida Greenways and Trails  
529 System under chapter 260;

530 2. Facilitate an interconnected network of trails by  
531 completing gaps between existing facilities; and

532 3. Maximize use of federal, local, and private funding and  
533 support mechanisms, including, but not limited to, donation of  
534 funds, real property, and maintenance responsibilities.

535 (c) A map illustrating existing and planned facilities and  
536 identifying critical gaps between facilities.

537 (d) A finance plan based on reasonable projections of  
538 anticipated revenues, including both 5-year and 10-year cost-  
539 feasible components.

540 (e) Performance measures that include quantifiable  
541 increases in trail network access and connectivity.

542 (f) A timeline for the completion of the base network using  
543 new and existing data from the department, the Department of  
544 Environmental Protection, and other sources.

545 (g) A marketing plan prepared in consultation with the  
546 Florida Tourism Industry Marketing Corporation.

547 Section 11. Section 339.83, Florida Statutes, is created to  
548 read:

549 339.83 Sponsorship of Shared-Use Nonmotorized Trails.—

550 (1) The department may enter into a concession agreement  
551 with a not-for-profit entity or private sector business or

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552 entity for commercial sponsorship signs, pavement markings, and  
553 exhibits on nonmotorized trails and related facilities  
554 constructed as part of the Shared-Use Nonmotorized Trail  
555 Network. The concession agreement may also provide for  
556 recognition of trail sponsors in any brochure, map, or website  
557 providing trail information. Trail websites may provide links to  
558 sponsors. Revenue from such agreements may be used for the  
559 maintenance of the nonmotorized trails and related facilities.

560 (a) A concession agreement shall be administered by the  
561 department.

562 (b)1. Signage, pavement markings, or exhibits erected  
563 pursuant to this section must comply with s. 337.407 and chapter  
564 479 and are limited as follows:

565 a. One large sign, pavement marking, or exhibit, not to  
566 exceed 16 square feet in area, may be located at each trailhead  
567 or parking area.

568 b. One small sign, pavement marking, or exhibit, not to  
569 exceed 4 square feet in area, may be located at each designated  
570 trail public access point where parking is not provided.

571 c. Pavement markings denoting specified distances must be  
572 located at least 1 mile apart.

573 2. Before installation, each sign, pavement marking, or  
574 exhibit must be approved by the department.

575 3. The department shall ensure that the size, color,  
576 materials, construction, and location of all signs, pavement  
577 markings, and exhibits are consistent with the management plan  
578 for the property and the standards of the department, do not  
579 intrude on natural and historic settings, and contain a logo  
580 selected by the sponsor and the following sponsorship wording:

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581

582 ...(Name of the sponsor)... proudly sponsors the costs  
583 of maintaining the ...(Name of the greenway or  
584 trail)....

585

586 4. Exhibits may provide additional information and  
587 materials including, but not limited to, maps and brochures for  
588 trail user services related or proximate to the trail. Pavement  
589 markings may display mile marker information.

590 5. The costs of a sign, pavement marking, or exhibit,  
591 including development, construction, installation, operation,  
592 maintenance, and removal costs, shall be paid by the  
593 concessionaire.

594 (c) A concession agreement shall be for a minimum of 1  
595 year, but may be for a longer period under a multiyear  
596 agreement, and may be terminated for just cause by the  
597 department upon 60 days' advance notice. Just cause for  
598 termination of a concession agreement includes, but is not  
599 limited to, violation of the terms of the concession agreement  
600 or this section.

601 (2) Pursuant to s. 287.057, the department may contract for  
602 the provision of services related to the trail sponsorship  
603 program, including recruitment and qualification of businesses,  
604 review of applications, permit issuance, and fabrication,  
605 installation, and maintenance of signs, pavement markings, and  
606 exhibits. The department may reject all proposals and seek  
607 another request for proposals or otherwise perform the work. The  
608 contract may allow the contractor to retain a portion of the  
609 annual fees as compensation for its services.

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610       (3) This section does not create a proprietary or  
611 compensable interest in any sponsorship site or location for any  
612 permittee, and the department may terminate permits or change  
613 locations of sponsorship sites as it determines necessary for  
614 construction or improvement of facilities.

615       (4) The department may adopt rules to establish  
616 requirements for qualification of businesses, qualification and  
617 location of sponsorship sites, and permit applications and  
618 processing. The department may adopt rules to establish other  
619 criteria necessary to implement this section and to provide for  
620 variances when necessary to serve the interest of the public or  
621 when required to ensure equitable treatment of program  
622 participants.

623       Section 12. Section 341.0532, Florida Statutes, is  
624 repealed.

625       Section 13. Section 341.1025, Florida Statutes, is created  
626 to read:

627       341.1025 Public transit providers; transportation network  
628 company agreements for the provision of public transit service.—  
629 A public transit provider may enter into agreements with a  
630 transportation network company under which the transportation  
631 network company provides paratransit or public transit service  
632 on behalf of the provider. As used in this section, the term  
633 “transportation network company” means an entity that uses a  
634 digital or software application to connect passengers to  
635 services provided by transportation network company drivers.

636       Section 14. The Division of Law Revision and Information is  
637 directed to create chapter 345, Florida Statutes, consisting of  
638 ss. 345.0001-345.0014, Florida Statutes, to be entitled the

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639 "Northwest Florida Regional Transportation Finance Authority."

640 Section 15. Section 345.0001, Florida Statutes, is created  
641 to read:

642 345.0001 Short title.—This act may be cited as the  
643 "Northwest Florida Regional Transportation Finance Authority  
644 Act."

645 Section 16. Section 345.0002, Florida Statutes, is created  
646 to read:

647 345.0002 Definitions.—As used in this chapter, the term:

648 (1) "Agency of the state" means the state and any  
649 department of, or any corporation, agency, or instrumentality  
650 created, designated, or established by, the state.

651 (2) "Area served" means Escambia County. However, upon a  
652 contiguous county's consent to inclusion within the area served  
653 by the authority and with the agreement of the authority, the  
654 term shall also include the geographical area of such county  
655 contiguous to Escambia County.

656 (3) "Authority" means the Northwest Florida Regional  
657 Transportation Finance Authority, a body politic and corporate,  
658 and an agency of the state, established under this chapter.

659 (4) "Bonds" means the notes, bonds, refunding bonds, or  
660 other evidences of indebtedness or obligations, in temporary or  
661 definitive form, which the authority may issue under this  
662 chapter.

663 (5) "Department" means the Department of Transportation.

664 (6) "Division" means the Division of Bond Finance of the  
665 State Board of Administration.

666 (7) "Federal agency" means the United States, the President  
667 of the United States, and any department of, or any bureau,

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668 corporation, agency, or instrumentality created, designated, or  
669 established by, the United States Government.

670 (8) "Members" means the governing body of the authority,  
671 and the term "member" means one of the individuals constituting  
672 such governing body.

673 (9) "Regional system" or "system" means, generally, a  
674 modern system of roads, bridges, causeways, tunnels, and mass  
675 transit services within the area of the authority, with access  
676 limited or unlimited as the authority may determine, and the  
677 buildings and structures and appurtenances and facilities  
678 related to the system, including all approaches, streets, roads,  
679 bridges, and avenues of access for the system.

680 (10) "Revenues" means the tolls, revenues, rates, fees,  
681 charges, receipts, rentals, contributions, and other income  
682 derived from or in connection with the operation or ownership of  
683 a regional system, including the proceeds of any use and  
684 occupancy insurance on any portion of the system, but excluding  
685 state funds available to the authority and any other municipal  
686 or county funds available to the authority under an agreement  
687 with a municipality or county.

688 Section 17. Section 345.0003, Florida Statutes, is created  
689 to read:

690 345.0003 Regional transportation finance authority  
691 formation and membership.—

692 (1) Escambia County, alone or together with any consenting  
693 contiguous county, may form a regional finance authority for the  
694 purposes of constructing, maintaining, and operating  
695 transportation projects in the northwest region of this state.  
696 The authority shall be governed in accordance with this chapter.

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697 The area served by the authority may not be expanded beyond  
698 Escambia County without the approval of the county commission of  
699 each contiguous county that will be a part of the authority.

700 (2) The governing body of the authority shall consist of a  
701 board of voting members as follows:

702 (a) The county commission of each county in the area served  
703 by the authority shall appoint two members. Each member must be  
704 a resident of the county from which he or she is appointed and,  
705 if possible, must represent the business and civic interests of  
706 the community.

707 (b) The Governor shall appoint an equal number of members  
708 to the board as those appointed by the county commissions. The  
709 members appointed by the Governor must be residents of the area  
710 served by the authority.

711 (c) The district secretary of the department serving in the  
712 district that includes Escambia County.

713 (3) The term of office of each member shall be for 4 years  
714 or until his or her successor is appointed and qualified.

715 (4) A member may not hold an elected office during the term  
716 of his or her membership.

717 (5) A vacancy occurring in the governing body before the  
718 expiration of the member's term shall be filled for the  
719 remainder of the unexpired term by the respective appointing  
720 authority in the same manner as the original appointment.

721 (6) Before entering upon his or her official duties, each  
722 member must take and subscribe to an oath before an official  
723 authorized by law to administer oaths that he or she will  
724 honestly, faithfully, and impartially perform the duties of his  
725 or her office as a member of the governing body of the authority

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726 and that he or she will not neglect any duties imposed on him or  
727 her by this chapter.

728 (7) The Governor may remove from office a member of the  
729 authority for misconduct, malfeasance, misfeasance, or  
730 nonfeasance in office.

731 (8) Members of the authority shall designate a chair from  
732 among the membership.

733 (9) Members of the authority shall serve without  
734 compensation, but are entitled to reimbursement for per diem and  
735 other expenses in accordance with s. 112.061 while in  
736 performance of their official duties.

737 (10) A majority of the members of the authority shall  
738 constitute a quorum, and resolutions enacted or adopted by a  
739 vote of a majority of the members present and voting at any  
740 meeting are effective without publication, posting, or any  
741 further action of the authority.

742 Section 18. Section 345.0004, Florida Statutes, is created  
743 to read:

744 345.0004 Powers and duties.—

745 (1) The authority shall plan, develop, finance, construct,  
746 reconstruct, improve, own, operate, and maintain a regional  
747 system in the area served by the authority. The authority may  
748 not exercise these powers with respect to an existing system for  
749 transporting people and goods by any means that is owned by  
750 another entity without the consent of that entity. If the  
751 authority acquires, purchases, or inherits an existing entity,  
752 the authority shall inherit and assume all rights, assets,  
753 appropriations, privileges, and obligations of the existing  
754 entity.

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755       (2) The authority may exercise all powers necessary,  
756 appurtenant, convenient, or incidental to the carrying out of  
757 the purposes of this section, including, but not limited to, the  
758 following rights and powers:

759       (a) To sue and be sued, implead and be impleaded, and  
760 complain and defend in all courts in its own name.

761       (b) To adopt and use a corporate seal.

762       (c) To have the power of eminent domain, including the  
763 procedural powers granted under chapters 73 and 74.

764       (d) To acquire, purchase, hold, lease as a lessee, and use  
765 any property, real, personal, or mixed, tangible or intangible,  
766 or any interest therein, necessary or desirable for carrying out  
767 the purposes of the authority.

768       (e) To sell, convey, exchange, lease, or otherwise dispose  
769 of any real or personal property acquired by the authority,  
770 including air rights, which the authority and the department  
771 have determined is not needed for the construction, operation,  
772 and maintenance of the system.

773       (f) To fix, alter, charge, establish, and collect rates,  
774 fees, rentals, and other charges for the use of any system owned  
775 or operated by the authority, which rates, fees, rentals, and  
776 other charges must be sufficient to comply with any covenants  
777 made with the holders of any bonds issued under this act. This  
778 right and power may be assigned or delegated by the authority to  
779 the department.

780       (g) To borrow money; to make and issue negotiable notes,  
781 bonds, refunding bonds, and other evidences of indebtedness or  
782 obligations, in temporary or definitive form, to finance all or  
783 part of the improvement of the authority's system and

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784 appurtenant facilities, including the approaches, streets,  
785 roads, bridges, and avenues of access for the system and for any  
786 other purpose authorized by this chapter, the bonds to mature no  
787 more than 30 years after the date of the issuance; to secure the  
788 payment of such bonds or any part thereof by a pledge of its  
789 revenues, rates, fees, rentals, or other charges, including  
790 municipal or county funds received by the authority under an  
791 agreement between the authority and a municipality or county;  
792 and, in general, to provide for the security of the bonds and  
793 the rights and remedies of the holders of the bonds. However,  
794 municipal or county funds may not be pledged for the  
795 construction of a project for which a toll is to be charged  
796 unless the anticipated tolls are reasonably estimated by the  
797 governing board of the municipality or county, on the date of  
798 its resolution pledging the funds, to be sufficient to cover the  
799 principal and interest of such obligations during the period  
800 when the pledge of funds is in effect.

801 1. The authority shall reimburse a municipality or county  
802 for sums spent from municipal or county funds used for the  
803 payment of the bond obligations.

804 2. If the authority elects to fund or refund bonds issued  
805 by the authority before the maturity of the bonds, the proceeds  
806 of the funding or refunding bonds, pending the prior redemption  
807 of the bonds to be funded or refunded, shall be invested in  
808 direct obligations of the United States, and the outstanding  
809 bonds may be funded or refunded by the issuance of bonds under  
810 this chapter.

811 (h) To make contracts of every name and nature, including,  
812 but not limited to, partnerships providing for participation in

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813 ownership and revenues, and to execute each instrument necessary  
814 or convenient for the conduct of its business.

815 (i) Without limitation of the foregoing, to cooperate with,  
816 to accept grants from, and to enter into contracts or other  
817 transactions with any federal agency, the state, or any agency  
818 or any other public body of the state.

819 (j) To employ an executive director, attorney, staff, and  
820 consultants. Upon the request of the authority, the department  
821 shall furnish the services of a department employee to act as  
822 the executive director of the authority.

823 (k) To accept funds or other property from private  
824 donations.

825 (l) To act and do things necessary or convenient for the  
826 conduct of its business and the general welfare of the  
827 authority, in order to carry out the powers granted to it by  
828 this act or any other law.

829 (3) The authority may not pledge the credit or taxing power  
830 of the state or a political subdivision or agency of the state.  
831 Obligations of the authority may not be considered to be  
832 obligations of the state or of any other political subdivision  
833 or agency of the state. Except for the authority, the state or  
834 any political subdivision or agency of the state is not liable  
835 for the payment of the principal of or interest on such  
836 obligations.

837 (4) The authority may not, other than by consent of the  
838 affected county or an affected municipality, enter into an  
839 agreement that would legally prohibit the construction of a road  
840 by the county or the municipality.

841 (5) The authority shall comply with the statutory

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842 requirements of general application which relate to the filing  
843 of a report or documentation required by law, including the  
844 requirements of ss. 189.015, 189.016, 189.051, and 189.08.

845 Section 19. Section 345.0005, Florida Statutes, is created  
846 to read:

847 345.0005 Bonds.—

848 (1) Bonds may be issued on behalf of the authority pursuant  
849 to the State Bond Act in such principal amount as the authority  
850 determines is necessary to achieve its corporate purposes,  
851 including construction, reconstruction, improvement, extension,  
852 and repair of the regional system; the acquisition cost of real  
853 property; interest on bonds during construction and for a  
854 reasonable period thereafter; and establishment of reserves to  
855 secure bonds.

856 (2) Bonds issued on behalf of the authority under  
857 subsection (1) must:

858 (a) Be authorized by resolution of the members of the  
859 authority and bear such date or dates; mature at such time or  
860 times not exceeding 30 years after their respective dates; bear  
861 interest at a rate or rates not exceeding the maximum rate fixed  
862 by general law for authorities; be in such denominations; be in  
863 such form, either coupon or fully registered; carry such  
864 registration, exchangeability, and interchangeability  
865 privileges; be payable in such medium of payment and at such  
866 place or places; be subject to such terms of redemption; and be  
867 entitled to such priorities of lien on the revenues and other  
868 available moneys as such resolution or any resolution after the  
869 bonds' issuance provides.

870 (b) Be sold at public sale in the manner provided in the

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871 State Bond Act. Temporary bonds or interim certificates may be  
872 issued to the purchaser or purchasers of such bonds pending the  
873 preparation of definitive bonds and may contain such terms and  
874 conditions as determined by the authority.

875 (3) A resolution that authorizes bonds may specify  
876 provisions that must be part of the contract with the holders of  
877 the bonds as to:

878 (a) The pledging of all or any part of the revenues,  
879 available municipal or county funds, or other charges or  
880 receipts of the authority derived from the regional system.

881 (b) The construction, reconstruction, improvement,  
882 extension, repair, maintenance, and operation of the system, or  
883 any part or parts of the system, and the duties and obligations  
884 of the authority with reference thereto.

885 (c) Limitations on the purposes to which the proceeds of  
886 the bonds, then or thereafter issued, or of any loan or grant by  
887 any federal agency or the state or any political subdivision of  
888 the state may be applied.

889 (d) The fixing, charging, establishing, revising,  
890 increasing, reducing, and collecting of tolls, rates, fees,  
891 rentals, or other charges for use of the services and facilities  
892 of the system or any part of the system.

893 (e) The setting aside of reserves or sinking funds and the  
894 regulation and disposition of such reserves or sinking funds.

895 (f) Limitations on the issuance of additional bonds.

896 (g) The terms of any deed of trust or indenture securing  
897 the bonds, or under which the bonds may be issued.

898 (h) Any other or additional matters, of like or different  
899 character, which in any way affect the security or protection of

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900 the bonds.

901 (4) The authority may enter into deeds of trust,  
902 indentures, or other agreements with banks or trust companies  
903 within or without the state, as security for such bonds, and  
904 may, under such agreements, assign and pledge any of the  
905 revenues and other available moneys, including any available  
906 municipal or county funds, under the terms of this chapter. The  
907 deed of trust, indenture, or other agreement may contain  
908 provisions that are customary in such instruments or that the  
909 authority may authorize, including, but without limitation,  
910 provisions that:

911 (a) Pledge any part of the revenues or other moneys  
912 lawfully available.

913 (b) Apply funds and safeguard funds on hand or on deposit.

914 (c) Provide for the rights and remedies of the trustee and  
915 the holders of the bonds.

916 (d) Provide for the terms of the bonds or for resolutions  
917 authorizing the issuance of the bonds.

918 (e) Provide for any additional matters, of like or  
919 different character, which affect the security or protection of  
920 the bonds.

921 (5) Bonds issued under this act are negotiable instruments  
922 and have the qualities and incidents of negotiable instruments  
923 under the law merchant and the negotiable instruments law of the  
924 state.

925 (6) A resolution that authorizes the issuance of authority  
926 bonds and pledges the revenues of the system must require that  
927 revenues of the system be periodically deposited into  
928 appropriate accounts in sufficient sums to pay the costs of

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929 operation and maintenance of the system for the current fiscal  
930 year as set forth in the annual budget of the authority and to  
931 reimburse the department for any unreimbursed costs of operation  
932 and maintenance of the system from prior fiscal years before  
933 revenues of the system are deposited into accounts for the  
934 payment of interest or principal owing or that may become owing  
935 on such bonds.

936 (7) State funds may not be used or pledged to pay the  
937 principal of or interest on any authority bonds, and all such  
938 bonds must contain a statement on their face to this effect.

939 Section 20. Section 345.0006, Florida Statutes, is created  
940 to read:

941 345.0006 Remedies of bondholders.—

942 (1) The rights and the remedies granted to authority  
943 bondholders under this chapter are in addition to and not in  
944 limitation of any rights and remedies lawfully granted to such  
945 bondholders by the resolution or indenture providing for the  
946 issuance of bonds, or by any deed of trust, indenture, or other  
947 agreement under which the bonds may be issued or secured. If the  
948 authority defaults in the payment of the principal or interest  
949 on the bonds issued under this chapter after such principal or  
950 interest becomes due, whether at maturity or upon call for  
951 redemption, as provided in the resolution or indenture, and such  
952 default continues for 30 days, or if the authority fails or  
953 refuses to comply with this chapter or any agreement made with,  
954 or for the benefit of, the holders of the bonds, the holders of  
955 25 percent in aggregate principal amount of the bonds then  
956 outstanding are entitled as of right to the appointment of a  
957 trustee to represent such bondholders for the purposes of the

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958 default if the holders of 25 percent in aggregate principal  
959 amount of the bonds then outstanding first give written notice  
960 to the authority and to the department of their intention to  
961 appoint a trustee.

962 (2) The trustee and a trustee under a deed of trust,  
963 indenture, or other agreement may, or upon the written request  
964 of the holders of 25 percent or such other percentages specified  
965 in any deed of trust, indenture, or other agreement, in  
966 principal amount of the bonds then outstanding, shall, in any  
967 court of competent jurisdiction, in its own name:

968 (a) By mandamus or other suit, action, or proceeding at  
969 law, or in equity, enforce all rights of the bondholders,  
970 including the right to require the authority to fix, establish,  
971 maintain, collect, and charge rates, fees, rentals, and other  
972 charges, adequate to carry out any agreement as to, or pledge  
973 of, the revenues, and to require the authority to carry out any  
974 other covenants and agreements with or for the benefit of the  
975 bondholders, and to perform its and their duties under this  
976 chapter.

977 (b) Bring suit upon the bonds.

978 (c) By action or suit in equity, require the authority to  
979 account as if it were the trustee of an express trust for the  
980 bondholders.

981 (d) By action or suit in equity, enjoin any acts or things  
982 that may be unlawful or in violation of the rights of the  
983 bondholders.

984 (3) A trustee, if appointed under this section or acting  
985 under a deed of trust, indenture, or other agreement, and  
986 regardless of whether all bonds have been declared due and

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987 payable, is entitled to the appointment of a receiver. The  
988 receiver may enter upon and take possession of the system or the  
989 facilities or any part or parts of the system, the revenues, and  
990 other pledged moneys, for and on behalf of and in the name of,  
991 the authority and the bondholders. The receiver may collect and  
992 receive revenues and other pledged moneys in the same manner as  
993 the authority. The receiver shall deposit such revenues and  
994 moneys in a separate account and apply all such revenues and  
995 moneys remaining after allowance for payment of all costs of  
996 operation and maintenance of the system in such manner as the  
997 court directs. In a suit, action, or proceeding by the trustee,  
998 the fees, counsel fees, and expenses of the trustee, and the  
999 receiver, if any, and all costs and disbursements allowed by the  
1000 court must be a first charge on any revenues after payment of  
1001 the costs of operation and maintenance of the system. The  
1002 trustee also has all other powers necessary or appropriate for  
1003 the exercise of any functions specifically described in this  
1004 section or incident to the representation of the bondholders in  
1005 the enforcement and protection of their rights.

1006 (4) A receiver appointed pursuant to this section to  
1007 operate and maintain the system or a facility or a part of a  
1008 facility may not sell, assign, mortgage, or otherwise dispose of  
1009 any of the assets belonging to the authority. The powers of the  
1010 receiver are limited to the operation and maintenance of the  
1011 system or any facility or part of a facility and to the  
1012 collection and application of revenues and other moneys due the  
1013 authority, in the name and for and on behalf of the authority  
1014 and the bondholders. A holder of bonds or a trustee does not  
1015 have the right in any suit, action, or proceeding, at law or in

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1016 equity, to compel a receiver, or a receiver may not be  
1017 authorized or a court may not direct a receiver, to sell,  
1018 assign, mortgage, or otherwise dispose of any assets of whatever  
1019 kind or character belonging to the authority.

1020 Section 21. Section 345.0007, Florida Statutes, is created  
1021 to read:

1022 345.0007 Department to construct, operate, and maintain  
1023 facilities.-

1024 (1) The department is the agent of the authority for the  
1025 purpose of performing all phases of a project, including, but  
1026 not limited to, constructing improvements and extensions to the  
1027 system, with the exception of the transit facilities. The  
1028 division and the authority shall provide to the department  
1029 complete copies of the documents, agreements, resolutions,  
1030 contracts, and instruments that relate to the project and shall  
1031 request that the department perform the construction work,  
1032 including the planning, surveying, design, and actual  
1033 construction of the completion of, extensions of, and  
1034 improvements to the system. After the issuance of bonds to  
1035 finance construction of an improvement or addition to the  
1036 system, the division and the authority shall transfer to the  
1037 credit of an account of the department in the State Treasury the  
1038 necessary funds for construction. The department shall proceed  
1039 with construction and use the funds for the purpose authorized  
1040 by law for construction of roads and bridges. The authority may  
1041 alternatively, with the consent and approval of the department,  
1042 elect to appoint a local agency certified by the department to  
1043 administer federal aid projects in accordance with federal law  
1044 as the authority's agent for the purpose of performing each

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1045 phase of a project.

1046 (2) Notwithstanding subsection (1), the department is the  
1047 agent of the authority for the purpose of operating and  
1048 maintaining the system, with the exception of transit  
1049 facilities. The costs incurred by the department for operation  
1050 and maintenance shall be reimbursed from revenues of the system.  
1051 The appointment of the department as agent for the authority  
1052 does not create an independent obligation on the part of the  
1053 department to operate and maintain a system. The authority shall  
1054 remain obligated as principal to operate and maintain its  
1055 system, and the authority's bondholders do not have an  
1056 independent right to compel the department to operate or  
1057 maintain the authority's system.

1058 (3) The authority shall fix, alter, charge, establish, and  
1059 collect tolls, rates, fees, rentals, and other charges for the  
1060 authority's facilities, as otherwise provided in this chapter.

1061 Section 22. Section 345.0008, Florida Statutes, is created  
1062 to read:

1063 345.0008 Department contributions to authority projects.-

1064 (1) Subject to appropriation by the Legislature, the  
1065 department may, at the request of the authority, pay all or part  
1066 of the cost of financial, engineering, or traffic feasibility  
1067 studies or of the design, financing, acquisition, or  
1068 construction of an authority project or portion of the system  
1069 that is included in the 10-year Strategic Intermodal Plan.

1070 (a) Pursuant to chapter 216, the department shall include  
1071 funding for such payments in its legislative budget request. The  
1072 request for funding may be included in the 5-year Tentative Work  
1073 Program developed under s. 339.135; however, it must appear as a

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1074 distinct funding item in the legislative budget request and must  
1075 be supported by a financial feasibility test provided by the  
1076 department.

1077 (b) Funding provided for authority projects shall appear in  
1078 the General Appropriations Act as a distinct fixed capital  
1079 outlay item and must clearly identify the related authority  
1080 project.

1081 (c) The department may not make a budget request to fund  
1082 the acquisition or construction of a proposed authority project  
1083 unless the estimated net revenues of the proposed project will  
1084 be sufficient to pay at least 50 percent of the annual debt  
1085 service on the bonds associated with the project by the end of  
1086 12 years of operation and at least 100 percent of the debt  
1087 service on the bonds by the end of 30 years of operation.

1088 (2) The department may use its engineers and other  
1089 personnel, including consulting engineers and traffic engineers,  
1090 to conduct the feasibility studies authorized under subsection  
1091 (1).

1092 (3) The department may participate in authority-funded  
1093 projects that, at a minimum:

1094 (a) Serve national, statewide, or regional functions and  
1095 function as part of an integrated regional transportation  
1096 system.

1097 (b) Are identified in the capital improvements element of a  
1098 comprehensive plan that has been determined to be in compliance  
1099 with part II of chapter 163. Further, the project shall be in  
1100 compliance with local government comprehensive plan policies  
1101 relative to corridor management.

1102 (c) Are consistent with the Strategic Intermodal System

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- 1103 Plan developed under s. 339.64.
- 1104 (d) Have a commitment for local, regional, or private  
1105 financial matching funds as a percentage of the overall project  
1106 cost.
- 1107 (4) Before approval, the department must determine that the  
1108 proposed project:
- 1109 (a) Is in the public's best interest;
- 1110 (b) Does not require state funding, unless the project is  
1111 on the State Highway System;
- 1112 (c) Has adequate safeguards in place to ensure that no  
1113 additional costs will be imposed on or service disruptions will  
1114 affect the traveling public and residents of this state if the  
1115 department cancels or defaults on the agreement; and
- 1116 (d) Has adequate safeguards in place to ensure that the  
1117 department and the authority have the opportunity to add  
1118 capacity to the proposed project and other transportation  
1119 facilities serving similar origins and destinations.
- 1120 (5) An obligation or expense incurred by the department  
1121 under this section is a part of the cost of the authority  
1122 project for which the obligation or expense was incurred. The  
1123 department may require that money contributed by the department  
1124 under this section be repaid from tolls of the project on which  
1125 the money was spent, other revenue of the authority, or other  
1126 sources of funds.
- 1127 (6) The department shall receive from the authority a share  
1128 of the authority's net revenues equal to the ratio of the  
1129 department's total contributions to the authority under this  
1130 section to the sum of: the department's total contributions  
1131 under this section; contributions by any local government to the

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1132 cost of revenue-producing authority projects; and the sale  
1133 proceeds of authority bonds after payment of costs of issuance.  
1134 For the purpose of this subsection, the net revenues of the  
1135 authority are determined by deducting from gross revenues the  
1136 payment of debt service, administrative expenses, operations and  
1137 maintenance expenses, and all reserves required to be  
1138 established under any resolution under which authority bonds are  
1139 issued.

1140 Section 23. Section 345.0009, Florida Statutes, is created  
1141 to read:

1142 345.0009 Acquisition of lands and property.-

1143 (1) For the purposes of this chapter, the authority may  
1144 acquire private or public property and property rights,  
1145 including rights of access, air, view, and light, by gift,  
1146 devise, purchase, condemnation by eminent domain proceedings, or  
1147 transfer from another political subdivision of the state, as the  
1148 authority may find necessary for any of the purposes of this  
1149 chapter, including, but not limited to, any lands reasonably  
1150 necessary for securing applicable permits, areas necessary for  
1151 management of access, borrow pits, drainage ditches, water  
1152 retention areas, rest areas, replacement access for landowners  
1153 whose access is impaired due to the construction of a facility,  
1154 and replacement rights-of-way for relocated rail and utility  
1155 facilities; for existing, proposed, or anticipated  
1156 transportation facilities on the system or in a transportation  
1157 corridor designated by the authority; or for the purposes of  
1158 screening, relocation, removal, or disposal of junkyards and  
1159 scrap metal processing facilities. Each authority shall also  
1160 have the power to condemn any material and property necessary

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1161 for such purposes.

1162 (2) The authority shall exercise the right of eminent  
1163 domain conferred under this section in the manner provided by  
1164 law.

1165 (3) An authority that acquires property for a  
1166 transportation facility or in a transportation corridor is not  
1167 liable under chapter 376 or chapter 403 for preexisting soil or  
1168 groundwater contamination due solely to its ownership. This  
1169 section does not affect the rights or liabilities of any past or  
1170 future owners of the acquired property or the liability of any  
1171 governmental entity for the results of its actions which create  
1172 or exacerbate a pollution source. The authority and the  
1173 Department of Environmental Protection may enter into  
1174 interagency agreements for the performance, funding, and  
1175 reimbursement of the investigative and remedial acts necessary  
1176 for property acquired by the authority.

1177 Section 24. Section 345.001, Florida Statutes, is created  
1178 to read:

1179 345.001 Cooperation with other units, boards, agencies, and  
1180 individuals.—A county, municipality, drainage district, road and  
1181 bridge district, school district, or any other political  
1182 subdivision, board, commission, or individual in, or of, the  
1183 state may make and enter into a contract, lease, conveyance,  
1184 partnership, or other agreement with the authority which  
1185 complies with this chapter. The authority may make and enter  
1186 into contracts, leases, conveyances, partnerships, and other  
1187 agreements with any political subdivision, agency, or  
1188 instrumentality of the state and any federal agency,  
1189 corporation, or individual to carry out the purposes of this

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1190 chapter.

1191 Section 25. Section 345.0011, Florida Statutes, is created  
1192 to read:

1193 345.0011 Covenant of the state.—The state pledges to, and  
1194 agrees with, any person, firm, or corporation, or federal or  
1195 state agency subscribing to or acquiring the bonds to be issued  
1196 by the authority for the purposes of this chapter that the state  
1197 will not limit or alter the rights vested by this chapter in the  
1198 authority and the department until all bonds at any time issued,  
1199 together with the interest thereon, are fully paid and  
1200 discharged insofar as the rights vested in the authority and the  
1201 department affect the rights of the holders of bonds issued  
1202 under this chapter. The state further pledges to, and agrees  
1203 with, the United States that if a federal agency constructs or  
1204 contributes any funds for the completion, extension, or  
1205 improvement of the system, or any parts of the system, the state  
1206 will not alter or limit the rights and powers of the authority  
1207 and the department in any manner that is inconsistent with the  
1208 continued maintenance and operation of the system or the  
1209 completion, extension, or improvement of the system, or that  
1210 would be inconsistent with the due performance of any agreements  
1211 between the authority and any such federal agency, and the  
1212 authority and the department shall continue to have and may  
1213 exercise all powers granted in this section, so long as the  
1214 powers are necessary or desirable to carry out the purposes of  
1215 this chapter and the purposes of the United States in the  
1216 completion, extension, or improvement of the system, or any part  
1217 of the system.

1218 Section 26. Section 345.0012, Florida Statutes, is created

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1219 to read:

1220 345.0012 Exemption from taxation.—The authority created  
1221 under this chapter is for the benefit of the people of the  
1222 state, for the increase of their commerce and prosperity, and  
1223 for the improvement of their health and living conditions. The  
1224 authority performs essential governmental functions under this  
1225 chapter, therefore, the authority is not required to pay any  
1226 taxes or assessments of any kind or nature upon any property  
1227 acquired or used by it for such purposes, or upon any rates,  
1228 fees, rentals, receipts, income, or charges received by it.  
1229 Also, the bonds issued by the authority, their transfer and the  
1230 income from their issuance, including any profits made on the  
1231 sale of the bonds, shall be free from taxation by the state or  
1232 by any political subdivision, taxing agency, or instrumentality  
1233 of the state. The exemption granted by this section does not  
1234 apply to any tax imposed by chapter 220 on interest, income, or  
1235 profits on debt obligations owned by corporations.

1236 Section 27. Section 345.0013, Florida Statutes, is created  
1237 to read:

1238 345.0013 Eligibility for investments and security.—Bonds or  
1239 other obligations issued under this chapter are legal  
1240 investments for banks, savings banks, trustees, executors,  
1241 administrators, and all other fiduciaries, and for all state,  
1242 municipal, and other public funds, and are also securities  
1243 eligible for deposit as security for all state, municipal, or  
1244 other public funds, notwithstanding any other law to the  
1245 contrary.

1246 Section 28. Section 345.0014, Florida Statutes, is created  
1247 to read:

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1248 345.0014 Applicability.—

1249 (1) The powers conferred by this chapter are in addition to  
1250 the powers conferred by other laws and do not repeal any other  
1251 general or special law or local ordinance, but supplement them,  
1252 and provide a complete method for the exercise of the powers  
1253 granted in this chapter. The extension and improvement of a  
1254 system, and the issuance of bonds under this chapter to finance  
1255 all or part of the cost of such extension or improvement, may be  
1256 accomplished through compliance with this chapter without regard  
1257 to or necessity for compliance with the limitations or  
1258 restrictions contained in any other general, special, or local  
1259 law, including, but not limited to, s. 215.821. Approval of any  
1260 bonds issued under this act by the qualified electors or  
1261 qualified electors who are freeholders in the state or in any  
1262 political subdivision of the state is not required for the  
1263 issuance of such bonds under this chapter.

1264 (2) This act does not repeal, rescind, or modify any other  
1265 law relating to the State Board of Administration, the  
1266 Department of Transportation, or the Division of Bond Finance of  
1267 the State Board of Administration; however, this chapter  
1268 supersedes any other law that is inconsistent with its  
1269 provisions, including, but not limited to, s. 215.821.

1270 Section 29. (1) The Commission for the Transportation  
1271 Disadvantaged, in cooperation with the Center for Urban  
1272 Transportation Research, shall develop and implement a pilot  
1273 program with at least one community transportation coordinator  
1274 to assess the potential for increasing accessibility and cost  
1275 effectiveness made possible through use of a transportation  
1276 network company as a transportation operator. As used in this

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1277 section, the term "transportation network company" means an  
1278 entity that uses a digital or software application to connect  
1279 passengers to services provided by transportation network  
1280 company drivers.

1281 (2) The pilot program must allow for one or more  
1282 transportation network companies to provide all or some  
1283 nonsponsored paratransit services to eligible transportation  
1284 disadvantaged persons for no less than 6 months. A participating  
1285 transportation network company shall comply with all relevant  
1286 standards for transportation operators as required under s.  
1287 427.013(9), Florida Statutes.

1288 (3) Contingent upon legislative appropriation, the  
1289 commission may expend up to \$750,000 for the pilot program.

1290 (4) The commission shall present the findings of the pilot  
1291 program in a report to the chairs of the appropriate Senate and  
1292 House Committees by October 1, 2016.

1293 Section 30. (1) LEGISLATIVE FINDINGS AND INTENT.—The  
1294 Legislature recognizes that the existing fuel tax structure used  
1295 to derive revenues for the funding of transportation projects in  
1296 this state is no longer adequate to meet the state's needs. To  
1297 this end the Legislature directs the Center for Urban  
1298 Transportation Research to establish an extensive study on the  
1299 impact of implementing a system that charges drivers based on  
1300 the vehicle miles traveled as an alternative, sustainable source  
1301 of transportation funding. The Legislature recognizes that, over  
1302 time, the current fuel tax structure has become less viable as  
1303 the primary funding source for transportation projects. While  
1304 the fuel tax has functioned as a true user fee for decades,  
1305 significant increases in mandated vehicle fuel efficiency and

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1306 the introduction of electric and hybrid vehicles have  
1307 significantly eroded the revenues derived from this tax. The  
1308 Legislature also recognizes that there are legitimate privacy  
1309 concerns related to a tax mechanism that would charge users of  
1310 the highway system on the basis of miles traveled. Other  
1311 concerns include the cost of implementing such a system and  
1312 institutional issues associated with revenue sharing. Therefore,  
1313 it is the intent of the Legislature that this study will, at a  
1314 minimum, address these issues. To accomplish this task, the  
1315 Center for Urban Transportation Research shall establish a pilot  
1316 project to assist the center in analyzing the concept and in  
1317 developing a business plan for transitioning Florida to a  
1318 transportation funding system based on vehicle miles traveled.

1319 (2) VEHICLE-MILES-TRAVELED STUDY.—The Center for Urban  
1320 Transportation Research shall conduct a study on the viability  
1321 of implementing a system in this state that charges drivers  
1322 based on their vehicle miles traveled as an alternative to the  
1323 present fuel tax structure to fund transportation projects. The  
1324 study must examine the types of vehicles being operated on  
1325 Florida's state and local highways and recommend an appropriate  
1326 charge for various modes of private and public transportation.  
1327 This examination must include, but need not be limited to, all  
1328 vehicles in private use; including automobiles, motorcycles,  
1329 light trucks, and vehicles that are towing boats or trailers;  
1330 and all commercial vehicles. In determining the charge, the  
1331 Center for Urban Transportation Research shall take into  
1332 consideration vehicle weight, number of axles, type of roadway  
1333 being used, and other factors determined to be relevant. The  
1334 study must also identify the purpose of the trips, such as

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1335 commuting to work, running errands, vacation driving,  
1336 transportation of commodities, and commercial and business  
1337 purposes.

1338 (3) VEHICLE-MILES-TRAVELED PILOT PROJECT.-

1339 (a) In the course of the study, the Center for Urban  
1340 Transportation Research shall establish a 6-month pilot project  
1341 to study the feasibility and economic impact to this state of  
1342 implementing a system that charges drivers based on their  
1343 vehicle miles traveled.

1344 (b) In advance of the pilot project, the Center for Urban  
1345 Transportation Research shall also identify at least three  
1346 vendors who have the capability to operate and administer a  
1347 vehicle-miles-traveled program. Each participating vendor must  
1348 demonstrate interoperability with other service providers and  
1349 must have sophisticated privacy protections in place. Each  
1350 participating vendor shall also submit a business model for  
1351 statewide implementation of a vehicle-miles-traveled  
1352 transportation funding system, which must include plans for the  
1353 assessment and collection of fees.

1354 (c) The pilot project must be conducted within the  
1355 Department of Transportation district that has the greatest  
1356 diversity of traffic and a combination of rural and urban  
1357 roadways.

1358 (d) The pilot project must be operated in all ways as if a  
1359 vehicle-miles-traveled funding mechanism were in place. Vendors  
1360 shall issue statements to vehicle operators that show a history  
1361 of miles traveled per vehicle, however, no charges shall be  
1362 assessed or collected from pilot project participants. Vendors  
1363 shall track the miles traveled by participating vehicles and

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1364 shall conduct an extensive survey of private and public  
1365 operators to determine whether they have privacy concerns and  
1366 whether they have experienced glitches with billing software and  
1367 mock statements.

1368 (4) REPORT.-By December 31, 2016, the Center for Urban  
1369 Transportation Research shall submit a report to the Governor,  
1370 the President of the Senate, the Speaker of the House of  
1371 Representatives, and the Metropolitan Planning Organization  
1372 Advisory Council detailing the findings of the study and pilot  
1373 project and making recommendations regarding the feasibility and  
1374 means of implementing a vehicle-miles-traveled funding mechanism  
1375 for transportation projects.

1376 Section 31. This act shall take effect July 1, 2015.