



1                                   A bill to be entitled  
2           An act relating to the Department of Transportation;  
3           amending ss. 311.07 and 311.09, F.S.; revising the  
4           minimum amount of funds that the department must  
5           request for the Florida Seaport Transportation and  
6           Economic Development Program; amending s. 316.003,  
7           F.S.; defining the terms "driver-assistive truck  
8           platooning technology" and "port of entry"; directing  
9           the Department of Transportation to study the  
10          operation of driver-assistive truck platooning  
11          technology; authorizing the department to conduct a  
12          pilot project to test such operation; providing  
13          security requirements; requiring a report to the  
14          Governor and Legislature; amending s. 316.303, F.S.;  
15          revising the prohibition from operating, under certain  
16          circumstances, a motor vehicle that is equipped with  
17          television-type receiving equipment; providing  
18          exceptions to the prohibition against displaying  
19          moving television broadcast or pre-recorded video  
20          entertainment content in vehicles; amending s.  
21          316.545, F.S.; providing a specified penalty for  
22          drivers of commercial motor vehicles who obtain  
23          temporary registration permits entering the state at,  
24          or operating on designated routes to, a port-of-entry  
25          location; amending s. 316.85, F.S.; revising the  
26          circumstances under which a licensed driver is



27 | authorized to operate an autonomous vehicle in  
28 | autonomous mode; amending s. 316.86, F.S.; deleting a  
29 | provision authorizing the operation of vehicles  
30 | equipped with autonomous technology on roads in this  
31 | state for testing purposes by certain persons or  
32 | research organizations; deleting a requirement that a  
33 | human operator be present in an autonomous vehicle for  
34 | testing purposes; deleting certain financial  
35 | responsibility requirements for entities performing  
36 | such testing; amending s. 319.145, F.S.; revising  
37 | provisions relating to required equipment and  
38 | operation of autonomous vehicles; amending s. 334.044,  
39 | F.S.; authorizing the department to assume certain  
40 | responsibilities of the United States Department of  
41 | Transportation with respect to highway projects within  
42 | the state; authorizing the department to enter into  
43 | certain agreements related to the federal surface  
44 | transportation project delivery program under  
45 | specified federal law; authorizing the department to  
46 | adopt rules and relevant federal environmental  
47 | standards; providing a limited waiver of sovereign  
48 | immunity to civil suit in federal court; amending s.  
49 | 334.30, F.S.; revising requirements for the  
50 | development and approval of a proposal to finance or  
51 | refinance a transportation project; authorizing the  
52 | Division of Bond Finance of the State Board of



53 Administration to make certain recommendations to the  
54 Governor; creating s. 337.027, F.S., relating to  
55 highway project contracts; authorizing the department  
56 to establish a program that would assist small  
57 businesses; defining the term "small business";  
58 authorizing the department to adopt rules; amending s.  
59 338.165, F.S.; removing certain facilities from a list  
60 of facilities whose toll revenues may be used to  
61 secure bonds; authorizing the department's Pinellas  
62 Bayway System to be transferred by the department and  
63 become part of the turnpike system under the Florida  
64 Turnpike Enterprise Law; providing applicability;  
65 repealing chapter 85-364, Laws of Florida, as amended,  
66 relating to the Pinellas Bayway; creating s. 339.0809,  
67 F.S.; establishing the Florida Department of  
68 Transportation Financing Corporation; providing for a  
69 board of directors; providing for membership and  
70 organization; providing powers and duties of the  
71 corporation; authorizing the corporation to borrow  
72 money; providing for effect of dissolution with  
73 respect to property owned by the corporation; amending  
74 s. 339.135, F.S.; revising requirements for amendments  
75 to the department's adopted work program to be  
76 submitted to the Legislative Budget Commission;  
77 amending s. 339.175, F.S.; requiring certain long-  
78 range transportation plans to include assessment of



79 capital investment and other measures necessary to  
 80 make the most efficient use of existing transportation  
 81 facilities to improve safety; requiring the  
 82 assessments to include consideration of infrastructure  
 83 and technological improvements necessary to  
 84 accommodate advances in vehicle technology; amending  
 85 s. 339.64, F.S.; requiring the department to  
 86 coordinate with certain partners and industry  
 87 representatives to consider infrastructure and  
 88 technological improvements necessary to accommodate  
 89 advances in vehicle technology in Strategic Intermodal  
 90 System facilities; requiring the Strategic Intermodal  
 91 System Plan to include a needs assessment regarding  
 92 such infrastructure and technological improvements;  
 93 providing an effective date.

94  
 95 Be It Enacted by the Legislature of the State of Florida:  
 96

97 Section 1. Subsection (2) of section 311.07, Florida  
 98 Statutes, is amended to read:

99 311.07 Florida seaport transportation and economic  
 100 development funding.—

101 (2) A minimum of \$25 ~~\$15~~ million per year shall be made  
 102 available from the State Transportation Trust Fund to fund the  
 103 Florida Seaport Transportation and Economic Development Program.  
 104 The Florida Seaport Transportation and Economic Development



HB 7027, Engrossed 1

2016

105 Council created in s. 311.09 shall develop guidelines for  
106 project funding. Council staff, the Department of  
107 Transportation, and the Department of Economic Opportunity shall  
108 work in cooperation to review projects and allocate funds in  
109 accordance with the schedule required for the Department of  
110 Transportation to include these projects in the tentative work  
111 program developed pursuant to s. 339.135(4).

112 Section 2. Subsection (9) of section 311.09, Florida  
113 Statutes, is amended to read:

114 311.09 Florida Seaport Transportation and Economic  
115 Development Council.—

116 (9) The Department of Transportation shall include at  
117 least \$25 ~~no less than \$15~~ million per year in its annual  
118 legislative budget request for the Florida Seaport  
119 Transportation and Economic Development Program funded under s.  
120 311.07. Such budget shall include funding for projects approved  
121 by the council which have been determined by each agency to be  
122 consistent. The department shall include the specific approved  
123 Florida Seaport Transportation and Economic Development Program  
124 projects to be funded under s. 311.07 during the ensuing fiscal  
125 year in the tentative work program developed pursuant to s.  
126 339.135(4). The total amount of funding to be allocated to  
127 Florida Seaport Transportation and Economic Development Program  
128 projects under s. 311.07 during the successive 4 fiscal years  
129 shall also be included in the tentative work program developed  
130 pursuant to s. 339.135(4). The council may submit to the



HB 7027, Engrossed 1

2016

131 department a list of approved projects that could be made  
132 production-ready within the next 2 years. The list shall be  
133 submitted by the department as part of the needs and project  
134 list prepared pursuant to s. 339.135(2) (b). However, the  
135 department shall, upon written request of the Florida Seaport  
136 Transportation and Economic Development Council, submit work  
137 program amendments pursuant to s. 339.135(7) to the Governor  
138 within 10 days after the later of the date the request is  
139 received by the department or the effective date of the  
140 amendment, termination, or closure of the applicable funding  
141 agreement between the department and the affected seaport, as  
142 required to release the funds from the existing commitment.  
143 Notwithstanding s. 339.135(7) (c), any work program amendment to  
144 transfer prior year funds from one approved seaport project to  
145 another seaport project is subject to the procedures in s.  
146 339.135(7) (d). Notwithstanding any provision of law to the  
147 contrary, the department may transfer unexpended budget between  
148 the seaport projects as identified in the approved work program  
149 amendments.

150 Section 3. Subsections (94) and (95) are added to section  
151 316.003, Florida Statutes, to read:

152 316.003 Definitions.—The following words and phrases, when  
153 used in this chapter, shall have the meanings respectively  
154 ascribed to them in this section, except where the context  
155 otherwise requires:

156 (94) DRIVER-ASSISTIVE TRUCK PLATOONING TECHNOLOGY.—Vehicle



157 automation and safety technology that integrates sensor array,  
158 wireless vehicle-to-vehicle communications, active safety  
159 systems, and specialized software to link safety systems and  
160 synchronize acceleration and braking between two vehicles while  
161 leaving each vehicle's steering control and systems command in  
162 the control of the vehicle's driver in compliance with the  
163 National Highway Traffic Safety Administration rules regarding  
164 vehicle-to-vehicle communications.

165 (95) PORT OF ENTRY.—A designated location that allows  
166 drivers of commercial motor vehicles to purchase temporary  
167 registration permits necessary to operate legally within the  
168 state. The locations and the designated routes to such locations  
169 shall be determined by the Department of Transportation.

170 Section 4. The Department of Transportation, in  
171 consultation with the Department of Highway Safety and Motor  
172 Vehicles, shall study the use and safe operation of driver-  
173 assistive truck platooning technology, as defined in s. 316.003,  
174 Florida Statutes, for the purpose of developing a pilot project  
175 to test vehicles that are equipped to operate using driver-  
176 assistive truck platooning technology.

177 (1) Upon conclusion of the study, the Department of  
178 Transportation, in consultation with the Department of Highway  
179 Safety and Motor Vehicles, may conduct a pilot project to test  
180 the use and safe operation of vehicles equipped with driver-  
181 assistive truck platooning technology.

182 (2) Notwithstanding ss. 316.0895 and 316.303, Florida



HB 7027, Engrossed 1

2016

183 Statutes, the Department of Transportation may conduct the pilot  
184 project in such a manner and at such locations as determined by  
185 the Department of Transportation based on the study.

186 (3) Before the start of the pilot project, manufacturers  
187 of driver-assistive truck platooning technology being tested in  
188 the pilot project must submit to the Department of Highway  
189 Safety and Motor Vehicles an instrument of insurance, surety  
190 bond, or proof of self-insurance acceptable to the department in  
191 the amount of \$5 million.

192 (4) Upon conclusion of the pilot project, the Department  
193 of Transportation, in consultation with the Department of  
194 Highway Safety and Motor Vehicles, shall submit the results of  
195 the study and any findings or recommendations from the pilot  
196 project to the Governor, the President of the Senate, and the  
197 Speaker of the House of Representatives.

198 Section 5. Subsections (1) and (3) of section 316.303,  
199 Florida Statutes, are amended to read:

200 316.303 Television receivers.—

201 (1) No motor vehicle may be operated on the highways of  
202 this state if the vehicle is actively displaying moving  
203 television broadcast or pre-recorded video entertainment content  
204 that is ~~shall be equipped with television-type receiving~~  
205 ~~equipment so located that the viewer or screen is~~ visible from  
206 the driver's seat while the vehicle is in motion, unless the  
207 vehicle is equipped with autonomous technology, as defined in s.  
208 316.003(90), and is being operated in autonomous mode, as





HB 7027, Engrossed 1

2016

209 provided in s. 316.85(2).

210 (3) This section does not prohibit the use of an  
211 electronic display used in conjunction with a vehicle navigation  
212 system; an electronic display used by an operator of a vehicle  
213 equipped with autonomous technology, as defined in s. 316.003;  
214 or an electronic display used by an operator of a vehicle  
215 equipped and operating with driver-assistive truck platooning  
216 technology, as defined in s. 316.003.

217 Section 6. Paragraph (b) of subsection (2) of section  
218 316.545, Florida Statutes, is amended to read:

219 316.545 Weight and load unlawful; special fuel and motor  
220 fuel tax enforcement; inspection; penalty; review.—

221 (2)

222 (b) The officer or inspector shall inspect the license  
223 plate or registration certificate of the commercial vehicle, as  
224 defined in s. 316.003(66), to determine if its gross weight is  
225 in compliance with the declared gross vehicle weight. If its  
226 gross weight exceeds the declared weight, the penalty shall be 5  
227 cents per pound on the difference between such weights. In those  
228 cases when the commercial vehicle, as defined in s. 316.003(66),  
229 is being operated over the highways of the state with an expired  
230 registration or with no registration from this or any other  
231 jurisdiction or is not registered under the applicable  
232 provisions of chapter 320, the penalty herein shall apply on the  
233 basis of 5 cents per pound on that scaled weight which exceeds  
234 35,000 pounds on laden truck tractor-semitrailer combinations or



HB 7027, Engrossed 1

2016

235 tandem trailer truck combinations, 10,000 pounds on laden  
236 straight trucks or straight truck-trailer combinations, or  
237 10,000 pounds on any unladen commercial motor vehicle. A driver  
238 of a commercial motor vehicle entering the state at a designated  
239 port-of-entry location, as defined in s. 316.003(94), or  
240 operating on designated routes to a port-of-entry location, who  
241 obtains a temporary registration permit shall be assessed a  
242 penalty limited to the difference between its gross weight and  
243 the declared gross vehicle weight at 5 cents per pound. If the  
244 license plate or registration has not been expired for more than  
245 90 days, the penalty imposed under this paragraph may not exceed  
246 \$1,000. In the case of special mobile equipment as defined in s.  
247 316.003(48), which qualifies for the license tax provided for in  
248 s. 320.08(5)(b), being operated on the highways of the state  
249 with an expired registration or otherwise not properly  
250 registered under the applicable provisions of chapter 320, a  
251 penalty of \$75 shall apply in addition to any other penalty  
252 which may apply in accordance with this chapter. A vehicle found  
253 in violation of this section may be detained until the owner or  
254 operator produces evidence that the vehicle has been properly  
255 registered. Any costs incurred by the retention of the vehicle  
256 shall be the sole responsibility of the owner. A person who has  
257 been assessed a penalty pursuant to this paragraph for failure  
258 to have a valid vehicle registration certificate pursuant to the  
259 provisions of chapter 320 is not subject to the delinquent fee  
260 authorized in s. 320.07 if such person obtains a valid



261 registration certificate within 10 working days after such  
 262 penalty was assessed.

263 Section 7. Subsection (1) of section 316.85, Florida  
 264 Statutes, is amended to read:

265 316.85 Autonomous vehicles; operation.—

266 (1) A person who possesses a valid driver license may  
 267 operate an autonomous vehicle in autonomous mode on roads in  
 268 this state if the vehicle is equipped with autonomous  
 269 technology, as defined in s. 316.003.

270 Section 8. Section 316.86, Florida Statutes, is amended to  
 271 read:

272 316.86 ~~Operation of vehicles equipped with autonomous~~  
 273 ~~technology on roads for testing purposes; financial~~  
 274 ~~responsibility; Exemption from liability for manufacturer when~~  
 275 ~~third party converts vehicle.—~~

276 ~~(1) Vehicles equipped with autonomous technology may be~~  
 277 ~~operated on roads in this state by employees, contractors, or~~  
 278 ~~other persons designated by manufacturers of autonomous~~  
 279 ~~technology, or by research organizations associated with~~  
 280 ~~accredited educational institutions, for the purpose of testing~~  
 281 ~~the technology. For testing purposes, a human operator shall be~~  
 282 ~~present in the autonomous vehicle such that he or she has the~~  
 283 ~~ability to monitor the vehicle's performance and intervene, if~~  
 284 ~~necessary, unless the vehicle is being tested or demonstrated on~~  
 285 ~~a closed course. Before the start of testing in this state, the~~  
 286 ~~entity performing the testing must submit to the department an~~



HB 7027, Engrossed 1

2016

287 ~~instrument of insurance, surety bond, or proof of self-insurance~~  
288 ~~acceptable to the department in the amount of \$5 million.~~

289       ~~(2)~~ The original manufacturer of a vehicle converted by a  
290 third party into an autonomous vehicle is ~~shall~~ not be liable  
291 in, and shall have a defense to and be dismissed from, any legal  
292 action brought against the original manufacturer by any person  
293 injured due to an alleged vehicle defect caused by the  
294 conversion of the vehicle, or by equipment installed by the  
295 converter, unless the alleged defect was present in the vehicle  
296 as originally manufactured.

297       Section 9. Subsection (1) of section 319.145, Florida  
298 Statutes, is amended to read:

299       319.145 Autonomous vehicles.—

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

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

306       1. Require the operator to take control of the autonomous  
307 vehicle; or

308       2. If the operator does not, or is not able to, take  
309 control of the autonomous vehicle, be capable of bringing the  
310 vehicle to a complete stop ~~Have a means to engage and disengage~~  
311 ~~the autonomous technology which is easily accessible to the~~  
312 ~~operator.~~



HB 7027, Engrossed 1

2016

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

315 ~~(c) Have a means to alert the operator of the vehicle if a~~  
316 ~~technology failure affecting the ability of the vehicle to~~  
317 ~~safely operate autonomously is detected while the vehicle is~~  
318 ~~operating autonomously in order to indicate to the operator to~~  
319 ~~take control of the vehicle.~~

320 (c) ~~(d)~~ Be capable of being operated in compliance with the  
321 applicable traffic and motor vehicle laws of this state.

322 Section 10. Subsection (34) is added to section 334.044,  
323 Florida Statutes, to read:

324 334.044 Powers and duties of the department; ~~powers and~~  
325 ~~duties.~~—The department shall have the following general powers  
326 and duties:

327 (34) To assume the responsibilities of the United States  
328 Department of Transportation with respect to highway projects  
329 within the state under the National Environmental Policy Act of  
330 1969, 42 U.S.C. ss. 4321 et seq., and with respect to related  
331 responsibilities for environmental review, consultation, or  
332 other action required under any federal environmental law  
333 pertaining to review or approval of a highway project within the  
334 state. The department may assume responsibilities under 23  
335 U.S.C. s. 327 and enter into one or more agreements, including  
336 memoranda of understanding, with the United States Secretary of  
337 Transportation related to the federal surface transportation  
338 project delivery program for the delivery of highway projects,



HB 7027, Engrossed 1

2016

339 as provided by 23 U.S.C. s. 327. The department may adopt rules  
340 to implement this subsection and may adopt relevant federal  
341 environmental standards as the standards for this state for a  
342 program described in this subsection. Sovereign immunity from  
343 civil suit in federal court is waived consistent with 23 U.S.C.  
344 s. 327 and limited to the compliance, discharge, or enforcement  
345 of a responsibility assumed by the department under this  
346 subsection.

347 Section 11. Subsection (13) is added to section 334.30,  
348 Florida Statutes, to read:

349 334.30 Public-private transportation facilities.—The  
350 Legislature finds and declares that there is a public need for  
351 the rapid construction of safe and efficient transportation  
352 facilities for the purpose of traveling within the state, and  
353 that it is in the public's interest to provide for the  
354 construction of additional safe, convenient, and economical  
355 transportation facilities.

356 (13) In connection with a proposal to finance or refinance  
357 a transportation facility pursuant to this section, the  
358 department shall consult with the Division of Bond Finance of  
359 the State Board of Administration. The department shall provide  
360 the division with the information necessary to provide timely  
361 consultation and recommendations. The Division of Bond Finance  
362 may make an independent recommendation to the Executive Office  
363 of the Governor.

364 Section 12. Section 337.027, Florida Statutes, is created



365 to read:

366 337.027 Authority to implement a business development  
367 program.—

368 (1) The department may establish a program for highway  
369 projects which would assist small businesses. The purpose of  
370 this program is to increase competition, lower prices, and  
371 provide increased support to meet the department's future work  
372 program. The program may include, but is not limited to, setting  
373 aside contracts, providing preference points for the use of  
374 small businesses, providing special assistance in bidding and  
375 contract completion, waiving bond requirements, and implementing  
376 other strategies that would increase competition.

377 (2) For purposes of this section, the term "small  
378 business" means a business with yearly average gross receipts of  
379 less than \$15 million for road and bridge contracts and less  
380 than \$6.5 million for professional and nonprofessional services  
381 contracts. A business' average gross receipts is determined by  
382 averaging its annual gross receipts over the last 3 years,  
383 including the receipts of any affiliate as defined in s.  
384 337.165.

385 (3) The department may adopt rules to implement this  
386 section.

387 Section 13. Subsection (4) of section 338.165, Florida  
388 Statutes, is amended, and subsection (11) is added to that  
389 section, to read:

390 338.165 Continuation of tolls.—



HB 7027, Engrossed 1

2016

391 (4) Notwithstanding any other law to the contrary,  
392 pursuant to s. 11, Art. VII of the State Constitution, and  
393 subject to the requirements of subsection (2), the Department of  
394 Transportation may request the Division of Bond Finance to issue  
395 bonds secured by toll revenues collected on the Alligator Alley  
396 and, the Sunshine Skyway Bridge, ~~the Beeline East Expressway,~~  
397 ~~the Navarre Bridge, and the Pinellas Bayway~~ to fund  
398 transportation projects located within the county or counties in  
399 which the project is located and contained in the adopted work  
400 program of the department.

401 (11) The department's Pinellas Bayway System may be  
402 transferred by the department and become part of the turnpike  
403 system under the Florida Turnpike Enterprise Law. The transfer  
404 does not affect the rights of the parties, or their successors  
405 in interest, under the settlement agreement and final judgment  
406 in Leonard Lee Ratner, Esther Ratner, and Leeco Gas and Oil Co.  
407 v. State Road Department of the State of Florida, No. 67-1081  
408 (Fla. 2nd Cir. Ct. 1968). Upon transfer of the Pinellas Bayway  
409 System to the turnpike system, the department shall also  
410 transfer to the Florida Turnpike Enterprise the funds deposited  
411 in the reserve account established by chapter 85-364, Laws of  
412 Florida, as amended by chapters 95-382 and 2014-223, Laws of  
413 Florida, which funds shall be used by the Florida Turnpike  
414 Enterprise solely to help fund the costs of repair or  
415 replacement of the transferred facilities.

416 Section 14. Chapter 85-364, Laws of Florida, as amended by





417 chapters 95-382 and section 48 of 2014-223, Laws of Florida, is  
418 repealed.

419 Section 15. Section 339.0809, Florida Statutes, is created  
420 to read:

421 339.0809 Florida Department of Transportation Financing  
422 Corporation.—

423 (1) The Florida Department of Transportation Financing  
424 Corporation is created as a nonprofit corporation for the  
425 purpose of financing or refinancing projects for the department  
426 as provided in subsection (4).

427 (2) The Florida Department of Transportation Financing  
428 Corporation shall be governed by a board of directors consisting  
429 of the director of the Office of Policy and Budget within the  
430 Executive Office of the Governor, the director of the Division  
431 of Bond Finance, and the Secretary of Transportation. The  
432 director of the Division of Bond Finance shall be the chief  
433 executive officer of the corporation and shall direct and  
434 supervise the administrative affairs of the corporation and  
435 shall control, direct, and supervise the operation of the  
436 corporation. The corporation shall have such other officers as  
437 may be determined by the board of directors.

438 (3) The Florida Department of Transportation Financing  
439 Corporation shall have all the powers of a corporate body under  
440 the laws of the state to the extent not inconsistent with or  
441 restricted by this section, including, but not limited to, the  
442 power to:



- 443        (a) Adopt, amend, and repeal bylaws.
- 444        (b) Sue and be sued.
- 445        (c) Adopt and use a common seal.
- 446        (d) Acquire, purchase, hold, lease, and convey such real  
447 and personal property as may be proper or expedient to carry out  
448 the purposes of the corporation and this section and to sell,  
449 lease, or otherwise dispose of such property.
- 450        (e) Elect or appoint and employ such other officers,  
451 agents, and employees as the corporation deems advisable to  
452 operate and manage the affairs of the corporation, which  
453 officers, agents, and employees may be officers or employees of  
454 the department and the state agencies represented on the board  
455 of directors of the corporation.
- 456        (f) Borrow money and issue notes, bonds, certificates of  
457 indebtedness, or other obligations or evidences of indebtedness  
458 necessary to finance or refinance projects as provided in  
459 subsection (4).
- 460        (g) Make and execute any and all contracts, trust  
461 agreements, and other instruments and agreements necessary or  
462 convenient to accomplish the purposes of the corporation and  
463 this section.
- 464        (h) Select, retain, and employ professionals, contractors,  
465 or agents, which may include the Division of Bond Finance, as  
466 necessary or convenient to enable or assist the corporation in  
467 carrying out the purposes of the corporation and this section.
- 468        (i) Take any action necessary or convenient to carry out



469 the purposes of the corporation and this section and the powers  
470 provided in this section.

471 (4) The Florida Department of Transportation Financing  
472 Corporation may enter into one or more service contracts with  
473 the department to provide services to the department in  
474 connection with projects approved in the department's work  
475 program, which approval specifically provides that the  
476 department may enter into a service contract for the project  
477 pursuant to this section. The department may enter into one or  
478 more such service contracts with the corporation and provide for  
479 payments under such contracts, subject to annual appropriation  
480 by the Legislature. The proceeds from such service contracts may  
481 be used for the corporation's administrative costs and expenses  
482 after payments under subsection (5). Each service contract may  
483 have a term of up to 35 years. In compliance with s. 287.0641  
484 and other applicable law, the obligations of the department  
485 under such service contracts do not constitute a general  
486 obligation of the state or a pledge of the full faith and credit  
487 or taxing power of the state, and such obligations are not an  
488 obligation of the State Board of Administration or entities for  
489 which it invests funds, other than the department as provided in  
490 this section, but are payable solely from amounts available in  
491 the State Transportation Trust Fund, subject to annual  
492 appropriation. In compliance with this subsection and s.  
493 287.0582, the service contract must expressly include the  
494 following statement: "The State of Florida's performance and



495 obligation to pay under this contract is contingent upon an  
496 annual appropriation by the Legislature."

497 (5) The Florida Department of Transportation Financing  
498 Corporation may issue and incur notes, bonds, certificates of  
499 indebtedness, and other obligations or evidences of indebtedness  
500 payable from and secured by amounts payable to the corporation  
501 by the department under a service contract entered into under  
502 subsection (4) for the purpose of financing or refinancing  
503 projects approved as provided in subsection (4). The duration of  
504 any such note, bond, certificate of indebtedness, or other  
505 obligation or evidence of indebtedness may not exceed 30 annual  
506 maturities. The corporation may select its financing team and  
507 issue its obligations through competitive bidding or negotiated  
508 contracts, whichever is most cost-effective. Indebtedness of the  
509 corporation does not constitute a debt or obligation of the  
510 state or a pledge of the full faith and credit or taxing power  
511 of the state but is payable from and secured by payments made by  
512 the department under the service contract.

513 (6) The fulfillment of the purposes of the Florida  
514 Department of Transportation Financing Corporation promotes the  
515 health, safety, and general welfare of the people of the state  
516 and serves as essential governmental functions and a paramount  
517 public purpose.

518 (7) The Florida Department of Transportation Financing  
519 Corporation is exempt from taxation and assessments on its  
520 income, property, and assets or revenues acquired, received, or



521 used in the furtherance of the purposes provided in this  
522 chapter. The obligations of the corporation incurred under  
523 subsection (5) and the interest and income on such obligations  
524 and all security agreements, letters of credit, liquidity  
525 facilities, or other obligations or instruments arising out of,  
526 entered into in connection with, or given to secure payment of  
527 such obligations are exempt from taxation; however, such  
528 exemption does not apply to any tax imposed under chapter 220 on  
529 the interest, income, or profits on debt obligations owned by  
530 corporations.

531 (8) The Florida Department of Transportation Financing  
532 Corporation may validate obligations to be incurred under  
533 subsection (5) and the validity and enforceability of any  
534 service contracts providing for payments pledged to the payment  
535 of such obligations by proceedings under chapter 75. The  
536 validation complaint may be filed only in the circuit court of  
537 the Second Judicial Circuit in and for Leon County. The notice  
538 required to be published by s. 75.06 must be published in Leon  
539 County, and the complaint and order of the circuit court may be  
540 served only on the State Attorney for the Second Judicial  
541 Circuit. Sections 75.04(2) and 75.06(2) do not apply to a  
542 complaint for validation filed under this subsection.

543 (9) The Florida Department of Transportation Financing  
544 Corporation is not a special district for purposes of chapter  
545 189 or a unit of local government for purposes of part III of  
546 chapter 218. Chapters 120 and 215, except the limitation on the



547 interest rates provided by s. 215.84, which applies to  
548 obligations of the corporation issued pursuant to this section,  
549 and part I of chapter 287, except ss. 287.0582 and 287.0641, do  
550 not apply to this section, the corporation, the service  
551 contracts entered into pursuant to this section, or debt  
552 obligations issued by the corporation as contemplated in this  
553 section.

554 (10) The benefits and earnings of the Florida Department  
555 of Transportation Financing Corporation may not inure to the  
556 benefit of any private person.

557 (11) Upon dissolution of the Florida Department of  
558 Transportation Financing Corporation, title to all property  
559 owned by the corporation shall revert to the state.

560 (12) The Florida Department of Transportation Financing  
561 Corporation may contract with the State Board of Administration  
562 to serve as a trustee with respect to debt obligations issued by  
563 the corporation as contemplated by this section; to hold,  
564 administer, and invest proceeds of such debt obligations and  
565 other funds of the corporation; and to perform other services  
566 required by the corporation. The State Board of Administration  
567 may perform such services and may contract with others to  
568 provide all or a part of such services and to recover its and  
569 such other costs and expenses thereof.

570 (13) The department may enter into a service contract in  
571 conjunction with the issuance of debt obligations as provided in  
572 this section which provides for periodic payments for debt



HB 7027, Engrossed 1

2016

573 service or other amounts payable with respect to debt  
574 obligations, plus any administrative expenses of the Florida  
575 Department of Transportation Financing Corporation.

576 Section 16. Paragraph (g) of subsection (7) of section  
577 339.135, Florida Statutes, is amended, and paragraph (h) is  
578 added to that subsection, to read:

579 339.135 Work program; legislative budget request;  
580 definitions; preparation, adoption, execution, and amendment.—

581 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

582 (g) Any work program amendment which also requires the  
583 transfer of fixed capital outlay appropriations between  
584 categories within the department or the increase of an  
585 appropriation category is subject to the approval of the  
586 Legislative Budget Commission. ~~If a meeting of the Legislative~~  
587 ~~Budget Commission cannot be held within 30 days of the~~  
588 ~~department submitting an amendment to the Legislative Budget~~  
589 ~~Commission, then the chair and vice chair of the Legislative~~  
590 ~~Budget Commission may authorize such amendment to be approved~~  
591 ~~pursuant to the provisions of s. 216.177.~~

592 (h) Any work program amendment that also adds a new  
593 project, or phase thereof, to the adopted work program in excess  
594 of \$3 million is subject to approval by the Legislative Budget  
595 Commission. Any work program amendment submitted under this  
596 paragraph must include, as supplemental information, a list of  
597 projects, or phases thereof, in the current 5-year adopted work  
598 program which are eligible for the funds within the



HB 7027, Engrossed 1

2016

599 appropriation category being used for the proposed amendment.  
600 The department shall provide a narrative with the rationale for  
601 not advancing an existing project, or phase thereof, in lieu of  
602 the proposed amendment.

603 Section 17. Paragraph (c) of subsection (7) of section  
604 339.175, Florida Statutes, is amended to read:

605 339.175 Metropolitan planning organization.—

606 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must  
607 develop a long-range transportation plan that addresses at least  
608 a 20-year planning horizon. The plan must include both long-  
609 range and short-range strategies and must comply with all other  
610 state and federal requirements. The prevailing principles to be  
611 considered in the long-range transportation plan are: preserving  
612 the existing transportation infrastructure; enhancing Florida's  
613 economic competitiveness; and improving travel choices to ensure  
614 mobility. The long-range transportation plan must be consistent,  
615 to the maximum extent feasible, with future land use elements  
616 and the goals, objectives, and policies of the approved local  
617 government comprehensive plans of the units of local government  
618 located within the jurisdiction of the M.P.O. Each M.P.O. is  
619 encouraged to consider strategies that integrate transportation  
620 and land use planning to provide for sustainable development and  
621 reduce greenhouse gas emissions. The approved long-range  
622 transportation plan must be considered by local governments in  
623 the development of the transportation elements in local  
624 government comprehensive plans and any amendments thereto. The





HB 7027, Engrossed 1

2016

625 long-range transportation plan must, at a minimum:

626 (c) Assess capital investment and other measures necessary  
627 to:

- 628 1. Ensure the preservation of the existing metropolitan  
629 transportation system including requirements for the operation,  
630 resurfacing, restoration, and rehabilitation of major roadways  
631 and requirements for the operation, maintenance, modernization,  
632 and rehabilitation of public transportation facilities; and
- 633 2. Make the most efficient use of existing transportation  
634 facilities to relieve vehicular congestion, improve safety, and  
635 maximize the mobility of people and goods. Such efforts must  
636 include, but are not limited to, consideration of infrastructure  
637 and technological improvements necessary to accommodate advances  
638 in vehicle technology, such as autonomous technology and other  
639 developments.

640

641 In the development of its long-range transportation plan,  
642 each M.P.O. must provide the public, affected public agencies,  
643 representatives of transportation agency employees, freight  
644 shippers, providers of freight transportation services, private  
645 providers of transportation, representatives of users of public  
646 transit, and other interested parties with a reasonable  
647 opportunity to comment on the long-range transportation plan.  
648 The long-range transportation plan must be approved by the  
649 M.P.O.

650 Section 18. Paragraph (c) is added to subsection (3) of



HB 7027, Engrossed 1

2016

651 section 339.64, Florida Statutes, and paragraph (a) of  
652 subsection (4) of that section is amended to read:

653 339.64 Strategic Intermodal System Plan.—

654 (3)

655 (c) The department shall coordinate with federal,  
656 regional, and local partners, as well as industry  
657 representatives, to consider infrastructure and technological  
658 improvements necessary to accommodate advances in vehicle  
659 technology, such as autonomous technology and other  
660 developments, in Strategic Intermodal System facilities.

661 (4) The Strategic Intermodal System Plan shall include the  
662 following:

663 (a) A needs assessment that must include, but is not  
664 limited to, consideration of infrastructure and technological  
665 improvements necessary to accommodate advances in vehicle  
666 technology, such as autonomous technology and other  
667 developments.

668 Section 19. This act shall take effect July 1, 2016.