

Legislative Update for the week ending 03/04/2016

One week from today, the legislature is expected to adjourn sine die. Sine die is Latin for *without day* and means that the legislature will adjourn without another day of meeting. The past weekend and this week saw several larger and controversial issues resolved. That means there will be fewer distractions for members and the likelihood of an on-time adjournment seems more and more likely. Another telling sign of a not too distant adjournment, term-limited and retiring members are being honored with tributes on the floor of the House and Senate Chambers. Over the weekend, the budget spending amounts for general categories were established which allowed the finer details of the budget to move towards completion, the bill for establishing regulations for fracking died, the Governor's push to set-aside \$250 Million within Enterprise Florida for business recruitment incentives died and the Seminole Gaming Compact died. Each of these issues could have taken the time and attention from the House and Senate, thus delaying other issues and resulting in an extended session. At the same time, because these issues were in front of the legislature other topics, such as transportation, seemed more mundane.

Some members of the legislature were hopeful to get a budget to the Governor quickly and at least 15 days in advance of adjournment next Friday. Last year's extensive line item vetoes by the Governor remain a clear memory in the minds of individual members. With one week left for this legislative session, any budget that reaches the Governor's desk will allow the Governor enough time to review the budget, perform line item vetoes and then sign it after the legislature is adjourned. Some members had hoped to be able to override any line item vetoes by the Governor.

SB 1392 – Transportation (Brandes) was identified as the key transportation bill that would go forward and so a flurry of amendments were filed onto the bill. The past week saw many items added to SB 1392 and just as quickly amendments were withdrawn. The bill and the process were both very fluid this past week. More action on this bill is to be expected and as some of you heard from me during the past week about amendments, expect to hear from me this coming week as I would expect more amendments to this bill.

Committee meetings of interest to the membership that took place this week:

Senate General Session
House General Session
Senate Appropriations Committee

Meetings of interest next week:

House and Senate General Sessions
Budget Conference Meetings

Legislation that is of interest to the membership:

Updates are shown in Red

SB 168 – Traffic Infraction Detectors (Brandes). This bill could be re-named the “no more red light cameras bill”. I believe this summarizes the intent of the bill and the bill narrowly passed out of the Transportation Committee after much debate. The Transportation Committee Chair (Brandes) is a strong opponent of red light cameras and he is pushing this bill forward. The next stop for this bill is the Senate Transportation, Tourism and Economic Development Appropriations Subcommittee. Committee Substitute – read 1st time. **This Bill is effectively dead**

SB 1372 – Transportation (Flores) – Companion Bill HB1377. This bill contains the provision for Transportation Reinvestment Zones (TRZs). The bill was a late introduction and therefore does not have an analysis. A further read of the bill illuminated a 50% reduction in TRIP funds. The bill has been referred to committees but has not been called by any of the committees. This bill appears to be stalled and is not likely to make it out of the committees. The companion bill is not identical and does not contain a decrease in TRIP funding or the provision for TRZs. No Change. See HB 1377 Below. **This Bill is effectively dead**

HB 1377 – Expressway Authorities (Nunez) – Companion Bill SB1372. This bill is the companion bill to SB 1372 however the two bills are not identical and really aren't that similar. Senate and House staff have linked the two bills, but they only share a few similarities. At the first committee stop, staff temporarily postponed this bill. This bill had a strikethrough and rewrite. The strikethrough has been TP'ed (temporarily postponed) in two committees and like the Senate companion bill, this bill looks to be stalled. **This Bill is effectively dead**

HB 357 – Traffic Safety (Plasencia) – Companion Bill SB522. Called Chloe's Law. This bill requires Florida DOT to install roadside barriers to shield water bodies contiguous with state roads anywhere there has been a motor vehicle crash that resulted in a drowning death in the past 10 years. The law does provide that the chief engineer can decide to not construct a barrier if the barrier itself will create a greater danger by its presence. The bill also requires DOT to conduct a study related to motor vehicle accidents on state roads contiguous with water bodies and requires DOT to submit the report to Legislature. The bill passed through the Highways and Waterways Safety Subcommittee, it is now in the Transportation and Economic Development Appropriations Subcommittee. It does not appear to have opposition but has undergone some technical and operational amendments. **The provisions of this bill have been picked up in SB 1392**

SB 756 – Transportation (Brandes) – This is the FDOT bill and it contains a number of provisions. The bill creates the FDOT Financing Corporation, transfers the Pinellas Bayway System to the Turnpike, increases the funding for the Florida Seaport Transportation and Economic Development Program from \$15M to \$25M, establishes Florida DOT as the lead agency for the NEPA process on highway projects and revises airport zoning regulations. This

bill has passed out of committees without a single dissenting vote and is now on the Senate Floor. This bill was set for a 2nd reading in the Senate and was Temporarily Postponed. **This bill was “Laid on the Table”, meaning it is set-aside and HB 7027 was substituted for this bill.**

SB 7000 – Developments of Regional Impact (Community Affairs general bill) – This bill would increase the acreage for annexation of “enclaves” from 10 acres to 150 acres. An enclave is any unincorporated improved or developed are lying within a single municipality, or surrounded by a single municipality and a manmade or natural obstacle that permits traffic to enter only through the municipality. This bill has passed out of two committees and is now in the Fiscal Policy Committee. The Fiscal Policy Committee Substitute went through 1st reading in the Senate. Has passed both Senate Fiscal Committee and Senate Rules Committee. **On 3rd reading in the Senate.**

SB 786 – Electric Vehicles (Sachs) – This bill gives a tax exemption for electric vehicles and would require a study of a mileage based user tax. The bill has not been heard in any committee and appears to be stalled. A similar bill is in the House (HB661), it also has not been heard in any committee and appears to be stalled. **This Bill is effectively dead.**

SB 416 – Location of Utilities (Flores) – This bill would require a state or local government to bear the responsibility for the cost of relocating utility facilities in public easement if there is not an agreement to the contrary. This bill has passed out of committees and is headed to the Senate floor. The Bill passed the Senate (34-4) and an identical bill in the House is through two committees. This Bill passed the House (109-4) on 02/24/2016. **This bill was sent to the Governor for signature on 03/03/2016.**

SB 1392 – Transportation (Brandes) – This bill would require traffic control devices in school zones that do not conform to the MUTCD (Manual on Uniform Traffic Control Devices) be removed by Florida DOT. Also makes a number of changes specific to the operation and regulation of autonomous vehicles. One provision requires MPOs to accommodate advances in vehicle technology when developing LRTPs. The bill also raises the population cap for the Small County Outreach Program from 150,000 to 170,000. The population would allow Charlotte, Martin and Santa Rosa counties to be eligible for the SCOP program, under current population limits they are not eligible. The bill passed out of the Transportation Committee and is now in Senate Transportation, Tourism and Economic Development Appropriations Subcommittee and is on the 02/17/2016 agenda. **This Bill had Committee Substitute and is the Bill that amendments are being added to as it advances. Many provisions of other bills which are not advancing have been amended into this Bill. The new details of this Bill include:**

- **Authorizes the transfer of the Florida Department of Transportation’s (FDOT) Pinellas Bayway System to become part of the turnpike system and, in such event, also requires the transfer of certain funds to be used to help fund the costs of repair and replacement of the transferred facilities.**

- Establishes the Seaport Security Advisory Committee within the Florida Seaport Transportation and Economic Development Council and establishes a Seaport Security Grant Program, subject to specific appropriation.
- Revises specifications for bus deceleration lighting systems.
- Expands the authority of a chartered municipal parking enforcement specialist to enforce state, county, and municipal parking laws and ordinances under specified circumstances.
- Revises the definition of the term “port vehicles and equipment.”
- Extends the authorized term of certain airport-related leases.
- Requires the FDOT to install roadside barriers to shield water bodies contiguous with state roads where a death due to drowning resulted from a crash between July 1, 2006, and July 1, 2016. – This was Cloe’s Law or HB 357
- Revises conditions under which the FDOT may waive a required surety bond relating to contracts for construction or maintenance.
- Requires local governments to consider information provided by the FDOT regarding the effect that approving or denying certain land use changes, regulations, or orders may have on the cost of construction aggregate materials in the local area, region, and state.
- Expands the list of project types that the Tampa-Hillsborough County Expressway Authority is approved to finance with certain revenue bonds.
- Revises the purpose of the state-funded infrastructure bank within the FDOT to include constructing and improving ancillary facilities that produce or distribute natural gas fuel; authorizes the FDOT to consider applications for loans from the bank for development and construction of certain natural gas fuel production or distribution facilities beginning July 1, 2017; and authorizes such loans to be used to refinance outstanding debt.
- Provides an exemption from permitting for certain outdoor advertising signs in place since 1995.
- Makes several statutory changes specific to the operation and regulation of autonomous vehicles.

HB 7027 – Transportation (Rooney – Co-Introducers Artiles and Miller) – This bill will increase funding for the Florida Seaport and Economic Development Program from \$15 Million per year to \$25 Million per Year, give Florida DOT the authority to assume the responsibility for the NEPA process from FHWA and establish the Florida Department of Transportation Financing Corporation. This last provision will give Florida DOT additional financing options to fund the work program by being allowed to borrow money and refinance projects. This Bill has passed the House and has been referred to the Senate Committees for Transportation, Appropriations and the Appropriations Subcommittee for Transportation, Tourism and Economic Development. **This is the substitute bill for SB 756, the Bill is on its 3rd reading in the Senate.**