



*Mayor Susan Haynie
Chair*

Legislative Update for the week ending 02/24/2017

Overview

The past two weeks have seen all of the special appropriations requests come before the legislature. There are hundreds of requests for special funding by local governments, universities and non-profits. This week includes a special attachment at the end which includes the transportation related appropriations requests and the associated bill number. As part of the mailing this week is a PDF of all bills filed to date for the 2017 Legislative Session by topic. The topics are listed alphabetically, please see “Appropriations” for the complete list. Warning: The whole document is 65 pages long and in fine print!

A note of caution to our members, any item that is included in the proposed budget as a special appropriation that is later line item vetoed by the Governor is then prohibited from receiving **any** funding during the coming state fiscal year. Given that the budget is expected to very tight this year, special appropriations may be riskier than usual this year.

Another item of note is the introduction of a couple of bills that affect MPOs specifically. The bills relate to employee participation in the Florida Retirement System. Please see the summary for SB 428 and HB 353.

The other big news is the Department of Transportation’s bill, HB 865. A summary of the bill is included in this Legislative Update.

Lastly, this issue of the Legislative Update now contains changes to bill status or bills that are new to this Legislative Update in **RED** for your ease of discerning changes from the previous edition. Each new Legislative Update will take the previous edition, change all characters to black ink and new information will be shown in **RED**.

Meetings of interest next week

The House and Senate are not meeting next week.

Changes from last update are shown in RED

HB 47: Texting While Driving – (Stark; Slosberg - CO-INTRODUCERS: McGhee; Smith) - Revises penalties for violations of Florida Ban on Texting While Driving Law; provides enhanced penalties for such violations when committed in school zone or school crossing; removes requirement that specified provisions be enforced as secondary action by law enforcement agency.

SB 66: Highway Safety – (Clemens) - Deleting the definition of the term “vulnerable road user”; revising provisions relating to the overtaking and passing of a vehicle; exempting bicycles from provisions for passing a vehicle on the right under certain circumstances; providing penalties for specified infractions contributing to bodily injury of a vulnerable user of a public roadway or a vulnerable user, etc. **Withdrawn - Similar to SB 408**

HB 69: Use of Wireless Communications Devices while Driving – (Slosberg - CO-INTRODUCERS: Baez; McGhee; Smith) - Provides for primary enforcement of Florida Ban on Texting While Driving Law for drivers age 18 or younger; requires deposit of fines into Emergency Medical Services Trust Fund.

HB 139: Local Tax Referenda – (Ingoglia; Avila - CO-INTRODUCERS: Donalds; Gruters; Massullo) – (Companion Bill SB 278 – Steube) - Requires local government discretionary sales surtax referenda to be held on the date of a general election. **Passed Local, Federal and Veterans Affairs Subcommittee. Companion bill introduced (SB278) and assigned to committees – has not been heard in committees.**

SB 178: Traffic Infraction Detectors – (Artiles - CO-INTRODUCERS: Brandes; Mayfield) – (Very similar to HB 6007 – Avila; Ingoglia; Diaz, M) - Repealing provisions relating to the definitions of “local hearing officer” and “traffic infraction detector” and to the installation and use of traffic infraction detectors to enforce specified provisions when a driver fails to stop at a traffic signal, provisions that authorize the Department of Highway Safety and Motor Vehicles, a county, or a municipality to use such detectors, and the distribution of penalties collected for specified violations, etc. **Did not pass Transportation Committee – Laid on Table.**

SB 180: Traffic Infraction Detectors – (Rodriguez) - Decreasing the penalty to be assessed and collected by the department, county, or municipality if a traffic infraction detector is used to enforce specified violations when a driver failed to stop at a traffic signal; prohibiting the suspension of a person’s driver license and privilege to drive or the withholding of the license plate or revalidation sticker for failure to pay certain penalties under certain circumstances, etc.

HB 221: Transportation Network Companies – (Sprowls) - Provides that transportation network company (TNC) driver is not required to register certain vehicles as commercial motor vehicles/for-hire vehicles; requires TNC to designate & maintain agent for service of process; provides fare requirements & requirements for TNC's digital network; provides for electronic receipt; provides automobile insurance requirements & requirements for specified proof of coverage; provides disclosure requirements for TNC driver in event of accident; requires TNC to cause its insurer to issue certain payments directly to certain parties; requires TNC to make specified disclosures in writing to TNC drivers; authorizes specified insurers to exclude certain coverage; provides that right to exclude coverage applies to coverage included in automobile insurance policy; provides that specified automobile insurers have right of contribution against other insurers that provide automobile insurance to same TNC drivers in satisfaction of certain coverage requirements under certain circumstances; requires TNC to provide specified information to certain parties during claims coverage investigation; requires certain insurers to disclose specified information to other insurer involved in claim; provides that TNC drivers are independent contractors if specified conditions are met; requires TNC to implement zero-tolerance policy

for drug/alcohol use; provides TNC driver requirements; requires TNC to conduct background check for TNC driver; prohibits TNC driver from accepting certain rides or soliciting/accepting street hails; requires TNC to adopt nondiscrimination policy & notify TNC drivers of policy; requires TNC drivers to comply with nondiscrimination policy & applicable laws regarding nondiscrimination & accommodation of service animals; prohibits TNC from imposing additional charges for providing services to persons who have physical disabilities; requires TNC to maintain specified records; specifies that TNCs, TNC drivers, & TNC vehicles are governed exclusively by state law; prohibits local governmental entities & subdivisions from taking specified actions; provides applicability & construction. **Passed Transportation and Infrastructure Subcommittee; Committee Substitute (CS) in Government Accountability Committee, the CS is under review.**

SB 250: High-occupancy Toll Lanes and Express Lanes – (Artiles) - Specifying that the Department of Transportation may only collect tolls on high-occupancy toll lanes or express lanes for the discharge of certain bond indebtedness on a project existing before a specified date; requiring that the tolls be eliminated after discharge of the project's bond indebtedness, etc. **Companion Bill HB 777.**

SB 308: Expressway Authorities – (Artiles) - Repealing provisions relating to the Florida Expressway Authority Act and related provisions, which allows the creation and operation of expressway authorities; transferring the governance and control of any expressway authority formed under the Florida Expressway Authority Act to the Florida Turnpike Enterprise; requiring revenues collected on the expressway system to be considered turnpike revenues, etc.

SB 340: Transportation Network Companies - (Brandes – CO-INTRODUCER: Galvano) - Providing that a transportation network company (TNC) driver is not required to register certain vehicles as commercial motor vehicles or for-hire vehicles; providing requirements for a TNC's digital network; providing that specified automobile insurers have a right of contribution against other insurers that provide automobile insurance to the same TNC drivers in satisfaction of certain coverage requirements under certain circumstances, etc.

SB386: High-Speed Passenger Rail Service – (Mayfield – CO-INTRODUCER: Gainer) – Companion Bill (HB 269) - Citing this act as the "Florida High-Speed Passenger Rail Safety Act"; providing minimum safety standards for high-speed passenger rail; providing certain requirements for railroad companies before operating a high-speed passenger rail system; requiring a railroad company operating a high-speed passenger rail system to be solely responsible for all rail corridor improvements or upgrades relating to its operation and safety, etc.

SB408: Highway Safety – (Passidomo) - Deleting the definition of the term "vulnerable road user"; revising provisions relating to the overtaking and passing of a vehicle; exempting bicycles from provisions for passing a vehicle on the right at the bicycle rider's own risk with no liability to other motor vehicle drivers under certain circumstances; specifying that a bicycle is a vehicle under Florida law and shall be operated in the same manner as any other vehicle, etc.

SB 428: Local Government Participation in the Florida Retirement System – (Brandes) – Requires that new participants in the Florida Retirement System (including MPO employees) may only participate in the defined contribution portion of the FRS. Companion Bill HB 353. Both bills have been filed and assigned to three committees.

HB 495: Tampa Bay Area Regional Transportation Authority – (Toledo) - Revises membership of TBARTA's Citizens Advisory Committee. Referred to two committees; passed Transportation and Infrastructure Subcommittee; in Government Accountability Committee.

SB 596: Utilities – (Hutson) - Companion Bill (HB 687) - Utilities; Creating the "Advanced Wireless Infrastructure Deployment Act"; prohibiting the Department of Transportation and certain local governmental entities, collectively referred to as the "authority," from prohibiting, regulating, or charging for the collocation of small wireless facilities in public rights-of-way under certain circumstances; providing that approval of, and

charges by, an authority are not required for routine maintenance, the replacement of certain wireless facilities, or the installation, placement, maintenance, or replacement of certain micro wireless facilities, etc.

HB 647: Hillsborough County Public Transportation Commission - Grant, J. ; Toledo ; (CO-INTRODUCERS) Harrison ; Raburn ; Raulerson ; Shaw ; Spano - Prohibits commission from incurring additional obligations or indebtedness; requires liquidation of assets & satisfaction of existing obligations & indebtedness by a specified date; dissolves commission; corrects cross reference.

SB 720: Central Florida Expressway Authority – (Mayfield) – Companion Bill (HB299) - Central Florida Expressway Authority; Increasing the number of members making up the governing body of the Central Florida Expressway Authority; adding the geographical boundary of Brevard County to the area served by the authority, etc. SB720 has been assigned to three committees, HB299 has been assigned to three committees and has passed Transportation and Infrastructure Subcommittee, pending in Government Accountability Committee.

SB 752: Fixed-Guideway Projects – (Flores) – Companion Bill (HB315) - Financing of Fixed-guideway Public Transit Projects; Revising the amount of funding the Department of Transportation may provide for certain phases of fixed-guideway projects not approved for federal funding, etc.

SB 842: South Florida Regional Transportation Authority (Articles - Co-Introducer: Galvano) – Companion Bill HB 695 – Authorizing the South Florida Regional Transportation Authority, in conjunction with the operation of a certain commuter rail service, to have the power to assume specified indemnification and insurance obligations, subject to certain requirements; requiring the Department of Transportation to transfer specified amounts annually from the State Transportation Trust Fund to the authority, etc.

HB 865: Department of Transportation (Williamson – Co-Introducer Fischer) – This is the annual bill put forward by the Department and this year is a fairly “light” year for their bill. It contains clean-up provisions for mostly minor things. The last part of the bill does place some restrictions on the Tri-Rail system and their ability to contract. Here is a link to the bill: <http://flsenate.gov/Session/Bill/2017/00865> The Bill was filed on February 17th and has not had any further action.

Provides for assessment & calculation of fine for unlawful weight & load of natural gas-fueled vehicle; requires written certification of weight information; provides gross vehicle weight requirements; provides exception; requires inspection of certain bridges at intervals required by Federal Highway Administration; revises amount for which DOT may enter into certain construction & maintenance contracts; provides requirements for validation of turnpike revenue bonds & related complaints; waives requirements for approval of certain work program amendments by LBC; deletes provisions regarding Florida Highway Beautification Council; transfers certain powers & duties to DOT; prohibits SFRTA from entering into certain contracts/agreements & committing certain funds w/o DOT approval of expenditures; prohibits certain funds to be provided to authority except under certain circumstances; provides requirements for entering into certain new contracts.

Other transportation legislation

HB 29: Specialty License Plates – (McGhee) - Directs DHSMV to develop National Pan-Hellenic Council Sorority or Fraternity license plates. Committee Substitute (CS) in Transportation and Infrastructure Subcommittee, passed; CS completed review and advanced to Transportation and Tourism Appropriations Subcommittee, passed; now in Government Accountability Committee.

SB 72: Voter Registration – (Clemens - CO-INTRODUCER: Rodriguez) - Providing that driver license or identification card applications, driver license or identification card renewal applications, and changes of address for existing driver licenses or identification cards submitted to the department serve as voter registration

applications; specifying that an applicant must consent to the use of his or her signature for voter registration purposes; providing for paper-based applications, etc.

HB 147: Skateboard and Scooter Regulations – (Stark- Companion Bill SB 266 – Book) - Creates "Max's Helmet Law"; requires child under 16 to wear helmet while riding skateboard or foot-propelled scooter; provides helmet standards; prohibits attachment of skateboard or scooter to vehicle; prohibits parent from authorizing violation; prohibits renting or leasing skateboard or scooter without helmet; provides for enforcement, penalties, exceptions, & disposition of fines.

SB 156: Motor Vehicle Insurance – (Brandes) - Authorizing insurers to provide for termination of motor vehicle insurance policies issued or renewed on or after a specified date as a result of the repeal of sections by this act; requiring certain motor vehicle insurance policies to provide certain property damage liability and bodily injury liability coverage, rather than only such policies providing personal injury protection; expanding the scope of certain criminal acts related to false and fraudulent insurance claims by removing limitations to such acts under the no-fault law, etc.

HB 179: Veteran Identification – (Combee) - Veteran Identification; Requires DHSMV to create veteran identification card for certain purposes; provides for design of card; provides eligibility requirements; prohibits use of card for certain purposes; authorizes use of card as proof of veteran status for obtaining waivers of license/registration fees relating to certain businesses & occupations & carrying concealed weapons/firearms. **Committee Substitute by Local, Federal and Veteran's Affairs Subcommittee, passed; Completed CS review and advanced to Transportation and Tourism Appropriations Subcommittee.**

HB 193: Towing and Storage Fees – (Cortes, R) - Prohibits counties & municipalities from enacting ordinances or rules that impose a fee or charge on wrecker operators or vehicle storage companies when providing certain services; provides exceptions. **Committee Substitute by Local, Federal and Veteran's Affairs Subcommittee, passed; Completed CS review and advanced to Transportation and Infrastructure Subcommittee, passed; advanced to Government Accountability Committee.**

HB 237: Driving or Boating Under the Influence – (Silvers) - Designates act "Driving Under the Influence of Drugs (DUID) Act"; provides that person with specified amount of delta 9 tetrahydrocannabinol (THC – the drug in marijuana) per milliliter of blood commits offense of driving under influence or boating under influence.

SB 302: Penalties and Fees – (Brandes - CO-INTRODUCERS: Rouson; Young) - Revising requirements relating to the payment of court-related fines or other monetary penalties, fees, charges, and costs; prohibiting the suspension of a person's driver license solely for failure to pay a penalty if the person demonstrates to the court, when specified, that he or she is unable to pay such penalty; revising penalties relating to suspending, revoking, or withholding issuance of driver licenses or driving privileges for minors under a specified age who possess firearms under certain circumstances, etc. **Committee Substitute by Transportation Committee, passed; Completed CS review and advanced to Appropriations Subcommittee on Criminal and Civil Justice.**

SB 534: Public Works Project – (Perry) Companion bill HB 599 - Public Works Projects; Prohibiting the state and political subdivisions that contract for public works projects from imposing restrictive conditions on certain contractors, subcontractors, or material suppliers or carriers; prohibiting the state and political subdivisions from restricting qualified bidders from submitting bids or being awarded contracts, etc.

HB 6007: Traffic Infraction Detectors – (Avila; Ingoglia - CO-INTRODUCER: Diaz, M.) – (Very similar to SB 178 - Artiles - CO-INTRODUCERS: Brandes; Mayfield) - Traffic Infraction Detectors; Repeals provisions relating to installation & use of traffic infraction detectors to enforce specified provisions when driver fails to stop at traffic signal, provisions that authorize DHSMV, county, or municipality to use such detectors, & provisions for distribution of penalties collected for specified violations. **Passed Transportation**

and Infrastructure Subcommittee; Passed Appropriations Committee; Passed Government Accountability Committee; Placed on Calendar.

HB 6009: Motorcycle Safety – (Hahnfeldt) - Removes provisions authorizing certain persons over 21 years of age to operate/ride motorcycle without wearing protective headgear; provides penalties.

Special Appropriations Requests for Funding

59th Av Expansion H2029 by Diaz
87th Av. Ramp to Miami-Dade Expressway (MDX) H2031
Additional Walkway Cover Hardee Jr. – Hilltop Elementary School H3559
Autonomous Vehicle Deployment Initiative H3623
Aventura NE 191st Street Roadway and Drainage Improvements H3393
Bluffs Pensacola Bridge Project H3919
Bonita Beach Road/US 41 Congestion Reduction Project “Quadrant Plan” H2563
City of Apoka Harmon Road Extension H2811
City of Belle Glade SW Avenue J Roadway Project H2841
City of Hollywood WMRP – Taft Street to Charleston St. and between N. 66th Ave to N. 72nd Ave H3413
City of Lake Helen Virginia Drive Reconstruction H2157
City of Miami Gardens – N.W. 203rd Street outfall Project H2655
City of Miami Gardens Pedestrian Safety Improvements – Bridge and Tunnel Construction H3459
City of Milton – Riverwalk H3129
City of Pahokee Marina Improvement H3479
City of Venice – Road Improvement Project Phase 2 – H2061
Clewiston Street and Sidewalk Maintenance H2565
Community Center – Passive Trail Head – City of Oviedo H3193
CR437 Realignment Complete Street – Lake County H3977
Crosswalk Countdown Head Improvement Plan – Jacksonville H2333
Daytona Beach International Airport Economic Development H2151
Dixie Highway Roadway Improvements – Broward H3937
Downtown Fort Myers Gulf Coast Multi-use Trail Feasibility Study H3317
Driverless Transportation Shuttle Program H3831
Dunnellon Downtown Infrastructure Improvements H2801
East Kimberly Boulevard and Tam O’Shanter Boulevard Roadway Improvements H2181
Gator Canal Bridge Replacement H3313
Good Wheels, Inc – Route Scheduling Software H3237
High Springs Newberry Rail Trail H2689
Key Biscayne Adaptive Traffic Signalization H2905
Lauderdale Lakes Sidewalk Improvement Project H2541
Legacy Park Trails – City of Alachua H2761
Legacy Trail Extension H2109
Medley NW South River Drive Improvements Phase 2 H2037
Medley NW South River Drive Improvements Phase 3 H2049
Miami Baywalk H3419
Nassau Oaks Subdivision Roadway Improvements H3089
Neighborhood Traffic Calming Plan H2423
Opa Locka Airport – Roadway Infrastructure Improvements H3437
Orchard Pond Greenway Trail Phase 2 H3725

Pedestrian and Bicycle Safety Improvement Project – Jacksonville H2331
Poston Drive Roadway Improvements H3635
Quail Pond Circle Complete Street/Pedestrian Connectivity Improvements H2257
River Road H2465
Riverwalk/Boardwalk Extension Project H2201
St. Marks Historic Rails to Trails Extension H2303
Southwest Ranches Safety Guardrail H3145
Southwest Ranches State Road 818 (Griffin Road) and SW 160th Avenue Drainage Project H3151
Southwest Ranches Street Lighting Project H2195
State Road 7 Pedestrian Lights H2491
Sunny Isles Beach Complete Streets Project H3863
Supplemental Transportation Funding for Brevard Public Schools H3331
SW 12th Street Roadway Improvements H2111
SW 36th Street Traffic Calming Improvements H2425
Sweetwater Complete Streets Project H2997
TBARTA Moving the Region Forward H3663
Town of Davie – Davie Road Downtown Improvements H2619
Town of Davie – Eastside Infrastructure Improvements Phase 2 H2617
Treasure Island Causeway Multimodal Improvements H2017
University Drive North Resurfacing H3167
Veterans Memorial Drive (CR 59) Bridge Replacement H2487
Village of Biscayne Park – NE 113th Street Improvements H3239
Volusia County Williamson Road Widening H2289
Woodville Highway Widening H2447