

Mayor Susan Haynie
Chair

Legislative Update for the week ending 05/12/2017

Overview

Greetings Readers! As all know the legislative session adjourned on Monday with the passing of the budget. What becomes of that budget is the source of much speculation. So far the Governor has been coy about what he will do with the budget. He can sign the budget, veto it outright, line item veto parts of the budget, or take no action and allow it to become law. The Governor has been quite vocal that he is not pleased with several items in the budget, or rather missing from the budget. Legislators did not fund his Enterprise Florida program and slashed funding for Visit Florida, another of the Governor's prized programs. House Speaker Corcoran has stated that he has the votes to override a veto, Senate President Negron has not been as vocal but the budget did pass the Senate easily so we might assume that a vote to override the Governor's veto could pass. But it isn't so easy, sometimes the vote to override a veto causes legislators to change their minds and votes. Of course, the Governor could line item veto a number of items and allow the rest of the budget to pass. That is exactly what he did a couple of years ago when the Legislature failed to fund \$125 Million of the Governor's programs. The Governor line item vetoed a little more than \$125 Million of member projects. The Governor stated that there was no correlation between the two actions, he just didn't approve projects that did not show enough benefit. It was mighty ironic that his program requests which were denied by the Legislature were about identical in amount to the member initiatives the Governor line item vetoed. It is tough to override line item vetoes and they send a clear message to members. What the Governor does is anyone's guess and he isn't saying. We will see soon enough.

Florida DOT Secretary – This Thursday, five candidates were interviewed as finalists for the position. Three will be recommended to the Governor who will then make the final selection. The final step is for the Florida Senate to confirm the Governor's choice. The five candidates are:

Ronald Howse – P.E./P.S.M., Commissioner, Florida Transportation Commission
Phillip Gainer, P.E., District Secretary, Florida Department of Transportation
Richard Biter, former Assistant Secretary of Intermodal Systems Development, Florida DOT
Michael Dew, Chief of Staff, Florida DOT
Gene Conti, former Secretary of North Carolina DOT

It is worth noting that Jim Boxold, the most recent former Secretary of Florida DOT was the Chief of Staff before becoming the Secretary.

US Congress, Senate Bill 496 – This is the bill to repeal the MPO Coordination and Planning Area Reform rulemaking. The bill was sent to the President on May 2nd, it was signed by the President on Friday the 12th. The rulemaking is dead.

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Lastly, this issue of the Legislative Update, as all issues do, 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. For a fast read, look for the changes in **RED**.

Meetings of interest next week

SINE DIE! – Session has been adjourned

Legislation of interest to the membership

Changes from last update are shown in **RED**

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. Now in Ways and Means Committee. Companion bill introduced (SB278) and assigned to committees but has not been heard in committees. A committee substitute bill was passed by the Ways and Means Committee and has been sent to the Government Accountability Committee where it is waiting to be heard. A Committee Substitute was passed out of the Government Accountability Committee and placed on Special Order Calendar for 04/25/2017. Passed the House and received in the Senate. **Died in Committee.**

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 both Committees, and passed the House. Referred to three Committees: Banking and Insurance, Judiciary, and Rules. This bill was withdrawn from Committees and was substituted for SB340 which had a couple of committee substitutes on it. It was then heard by the full Senate and passed on the 19th of April. This bill has passed both chambers. Presented to the Governor. **Signed by the Governor, now law.**

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. Referred to three Committees. The Banking and Insurance Committee moved a committee substitute forward. Committee Substitute passed the Judiciary Committee. Now before the full Senate. Placed on Special Order Calendar for 04/18/2017. This was laid on the table and HB221 was substituted for this bill.

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. Passed Communications, Energy and Public Utilities Committee. Committee Substitute passed Government Oversight and Accountability Committee. Passed by Rules Committee on 04/19/2017, now on 2nd reading in Senate. HB 687 Referred to two Committees, in the Energy, Utilities and Commerce Committee and passed one. This bill was laid on the table and substituted/referred to CS/CS/HB 687. CS/CS/HB 687 Ordered enrolled – will be presented to the Governor.

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. Passed Transportation and Infrastructure Committee. Passed Government Accountability Committee, now before the full House. Passed the House and received in the Senate. Ordered enrolled – will be presented to the Governor.

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. Passed two committees. Now on the Rules calendar of 04/25/2017 in the Senate. Now on Special Order Calendar for 05/02/2017. HB299 has passed the full House and was received in the Senate. SB 720 was Laid on Table – HB 299 is substituted and Ordered enrolled – will be presented to the Governor.

SB 842: South Florida Regional Transportation Authority (Artiles - 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. Committee Substitute proposed by the Transportation Committee, pending reference review. The Committee Substitute is now in Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development. Passed all but Appropriations Committee, will be heard in that committee on 04/25/2017. Passed Appropriations Committee, placed on Calendar, Substituted CS/CS/CS/HB 695 and Laid SB 842 on the Table. HB 695 is substituted and Ordered enrolled – will be presented to the Governor.

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. Passed Transportation and Infrastructure Subcommittee. Now in Transportation and Tourism Appropriations Subcommittee. To be heard in the Government Accountability Committee this coming week. Passed through the House and was received in the Senate. The Senate added an amendment, the amendment was requested to be withdrawn from the bill by the House, the Senate withdrew their amendment and the bill passed the Senate. This bill was substituted for SB 1118 which was the companion bill in the Senate. **The bill passed and has been ordered enrolled.**

SB 1672: Tampa Bay Area Regional Transit Authority (Latvala – Co-Introducers Galvano; Rouson) - Creating the Tampa Bay Area Regional Transit Authority Metropolitan Planning Organization Chairs Coordinating Committee to replace the Tampa Bay Area Regional Transportation Authority Metropolitan Planning Organization Chairs Coordinating Committee; revising the definition of the term “authority” to mean the Tampa Bay Area Regional Transit Authority and to include only Hillsborough, Manatee, Pasco, and Pinellas Counties and any other contiguous county that is party to an agreement of participation; creating the Tampa Bay Area Regional Transit Authority, instead of the Tampa Bay Area Regional Transportation Authority, etc. Referred to three committees. Committee Substitute passed the Transportation Committee. Passed Community Affairs Committee, will be heard in Appropriations Committee on 04/25/2017. Passed the Senate and has been sent to the House. Ordered enrolled – will be presented to the Governor.

Other transportation legislation

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. Committee Substitute passed the Transportation and Tourism Appropriations Subcommittee, now in the Government Accountability Committee. Passed the House and has been received by the Senate. **Died in Committee.**

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. The Appropriations Subcommittee on Criminal and Civil Justice passed a Committee Substitute on 04/13/2017. Now in Appropriations Committee. **Died in Committee.**

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.

Committee Substitute by Community Affairs Committee. Committee Substitute passed the Governmental Oversight and Accountability Committee. Bill has passed the Appropriations Committee and is on 2nd reading before the Senate. Substituted CS/CS/HB599 for this bill and SB 534 was Laid on Table. CS/CS/HB 599 ordered enrolled and will be presented to the Governor.

HB 1137: Use of State Funds – (Edwards) - Provides limitation on actual expenses of certain lodging that may be reimbursed for specified employee; authorizes employee to expend own funds on lodging expenses that exceed specified amount; establishes maximum costs per square foot guidelines for new state-funded construction; provides duties of DMS; provides criminal penalties; requires legislative budget requests for fixed capital outlay for new construction to comply with certain requirements; prohibits use of state funds to purchase alcoholic beverages & food or beverages for certain state agency appreciation or recognition events. Referred to three committees. Passed Oversight, Transparency and Administration Subcommittee. Committee Substitute passed Government Operations and Technology Appropriations Subcommittee, now in Government Accountability Committee. Placed on Committee Agenda for 04/06/2017, was not considered. Passed out of Committees and is on the Special Order Calendar for 04/25/2017. Received in the Senate. **Died in Committee.**

HB 1387: Express Lanes – (Nunez) - Requires DOT & Florida Turnpike Enterprise to ensure reasonable & practicably feasible entry & exit points on express lanes & to undertake efforts to expand reasonable & practicably feasible entry & exit points for certain purposes; provides toll requirements. Introduced on 03/07/2017, referred to three Committees. Passed the Transportation and Infrastructure Subcommittee Agenda. A Committee Substitute passed the Transportation and Tourism Appropriations Subcommittee, now in Government Accountability Committee. Has been temporarily postponed in the House. **Died on Calendar.**

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. On 2nd Reading. Placed on Special Order Calendar, 03/22/2017. Passed the full House. Now in the Senate and assigned to three committees: Transportation; Community Affairs; and Transportation, Tourism and Economic Development Appropriations Subcommittee. This bill does not appear to be moving in the Senate. **Died in Committee.**