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1 A bill to be entitled
2 An act relating to transportation; transferring
3 control of the Mid-Bay Bridge Authority system to the
4 Florida Turnpike Enterprise; transferring all assets,
5 rights, powers, duties, and bond liabilities of the
6 authority to the turnpike enterprise; transferring all
7 provisions that protect the rights of certain
8 bondholders from the authority to the turnpike
9 enterprise; providing for the turnpike enterprise to
10 annually transfer funds from the activities of the
11 transferred authority to the State Transportation
12 Trust Fund to repay certain long-term debt; requiring
13 that specific toll revenue be used for the
14 construction, maintenance, or improvement of certain
15 toll facilities of the turnpike enterprise; repealing
16 s. 288.063, F.S., relating to contract requirements
17 for transportation projects; amending s. 288.0656,
18 F.S.; conforming a cross-reference; amending ss.
19 316.3025 and 316.545, F.S.; providing for the proceeds
20 of certain penalties to be deposited into the Highway
21 Safety Operating Trust Fund rather than the State
22 Transportation Trust Fund and for such funds to be
23 used for the general operations of the Department of
24 Highway Safety and Motor Vehicles rather than for
25 repairing and maintaining roads in the state; amending
26 s. 319.32, F.S.; increasing the amount of the fees
27 deposited into the State Transportation Trust Fund
28 from original and duplicate certificates of title
29 issued for motor vehicles; amending s. 320.072, F.S.;

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30 requiring that all fees collected from certain motor
31 vehicle registrations, rather than a portion of such
32 fees, be deposited into the General Revenue Fund;
33 amending s. 320.08, F.S.; deleting provisions
34 requiring that certain amounts collected from annual
35 license taxes for the operation of motor vehicles,
36 mopeds, motorized bicycles, tri-vehicles, and mobile
37 homes, which are paid to and collected by the
38 Department of Highway Safety and Motor Vehicles, be
39 deposited into the General Revenue Fund; amending ss.
40 320.0801 and 320.0804, F.S.; requiring that all
41 revenues collected from the surcharge on certain
42 commercial motor vehicles and the surcharge on certain
43 license taxes be deposited into the State
44 Transportation Trust Fund and eliminating the
45 requirement that a portion of such revenues be
46 deposited into the General Revenue Fund; specifying
47 the allocation and purposes of funds that result from
48 increased moneys deposited into the State
49 Transportation Trust Fund; repealing s. 320.204, F.S.,
50 relating to the transfer of funds from the Highway
51 Safety Operating Trust Fund to the Transportation
52 Disadvantaged Trust Fund; amending s. 334.30, F.S.,
53 relating to public-private transportation facilities;
54 deleting obsolete provisions relating to the Toll
55 Facilities Revolving Trust Fund; amending s. 338.165,
56 F.S.; authorizing the Department of Transportation to
57 transfer the Beachline-East Expressway to the turnpike
58 system; providing for the deposit of any funds

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59 expended by the Florida Turnpike Enterprise for the
60 acquisition of the Beachline-East Expressway into the
61 State Transportation Trust Fund for allocation to
62 construct the Wekiva Parkway; defining the term
63 "Wekiva Parkway"; repealing s. 338.251, F.S., relating
64 to the Toll Facilities Revolving Trust Fund; amending
65 s. 339.08, F.S.; conforming a cross-reference;
66 creating s. 339.139, F.S.; declaring that management
67 of transportation infrastructure financing to ensure
68 the fiscal integrity of the State Transportation Trust
69 Fund is state policy; requiring that the department
70 provide a debt and debtlike contractual obligations
71 load report to the Executive Office of the Governor,
72 the President of the Senate, the Speaker of the House
73 of Representatives, and the legislative appropriations
74 committees; requiring that the load report provide
75 certain data; requiring that the department manage
76 levels of debt to ensure that no more than a certain
77 percentage of revenues is committed; providing
78 exceptions that allow the limitation to be exceeded;
79 requiring that the department prepare a report on debt
80 obligations that are secured by and payable from
81 pledged revenues; requiring that the department
82 provide the report to the Executive Office of the
83 Governor, the President of the Senate, the Speaker of
84 the House of Representatives, and the legislative
85 appropriations committees; creating s. 339.2821, F.S.;
86 authorizing the Department of Transportation, in
87 consultation with the Department of Economic

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88 Opportunity, to make and approve expenditures and
89 enter into contracts with an appropriate governmental
90 body for the direct costs of transportation projects;
91 providing definitions; authorizing the Department of
92 Economic Opportunity and the Department of
93 Environmental Protection to review and comment on
94 recommended transportation projects; providing
95 criteria that the Department of Transportation must
96 follow when reviewing a contract for approval;
97 providing criteria for the transportation contract
98 with a governmental body; providing that Space Florida
99 may serve as a governmental body or as a contracting
100 agency for transportation projects within spaceport
101 territory; requiring each governmental body to submit
102 a financial audit by an independent certified public
103 accountant to the department; requiring that the
104 department monitor each construction site receiving
105 funding; creating s. 339.2825, F.S.; requiring the
106 Department of Transportation to submit a summary of
107 proposed public-private transportation projects to the
108 Executive Office of the Governor, each legislative
109 appropriations committee, the President of the Senate,
110 and the Speaker of the House of Representatives;
111 providing criteria for the summary; providing for the
112 department to proceed with a project upon approval by
113 the Governor; prohibiting the Governor from approving
114 a transportation project if a legislative
115 appropriations committee, the President of the Senate,
116 or the Speaker of the House of Representatives objects

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117 within a certain period after receipt of the summary;
118 providing for receipt by the department of an
119 unsolicited proposal for certain transportation
120 projects; exempting a public-private partnership
121 agreement involving the lease of a toll facility from
122 the requirements of the approval process; amending s.
123 348.0004, F.S.; removing provisions qualifying funding
124 received by an authority from a portion of the county
125 gasoline tax funds; amending s. 348.0005, F.S.;
126 providing criteria under which bonds may be issued;
127 providing an exception to the application of certain
128 bond requirements; creating s. 348.0013, F.S.,
129 relating to expressway authorities created on or after
130 a specified date; providing that the department is the
131 agent for the purpose of performing all phases of
132 constructing improvements to and extensions of an
133 expressway system; requiring that the Division of Bond
134 Finance and the authority provide certain construction
135 documents to the department; providing for payment and
136 the use of funds for the construction; authorizing the
137 authority to appoint an agent under certain conditions
138 to perform all phases of the project; requiring that
139 an authority identify an expressway project in the
140 authority's work plan and submit the work plan along
141 with its budget; requiring that the work plan include
142 certain information; requiring legislative approval of
143 the authority's budget and work plan; requiring that
144 the department operate and maintain the expressway
145 system; requiring that the costs incurred be

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146 reimbursed from revenues of the expressway system;
147 providing that an expressway system is part of the
148 State Highway System; authorizing the authority to
149 fix, alter, charge, and establish tolls, rates, fees,
150 rentals, and other charges; amending s. 348.54, F.S.;
151 providing for the powers of the authority with respect
152 to certain lease-purchase agreements; amending s.
153 348.545, F.S.; conforming cross-references; amending
154 s. 348.56, F.S.; providing criteria for bonds issued
155 on or after a certain date; amending s. 348.565, F.S.;
156 conforming provisions; removing from the list of
157 approved projects for the Tampa-Hillsborough County
158 Expressway System the connector highway linking Lee
159 Roy Selmon Crosstown Expressway to Interstate 4;
160 amending s. 348.57, F.S., relating to refunding bonds;
161 conforming references and provisions; amending s.
162 348.60, F.S.; providing that the Tampa-Hillsborough
163 County Expressway Authority is a party to lease-
164 purchase agreements between the department and the
165 authority which are dated on specified dates;
166 prohibiting the authority from entering into other
167 lease-purchase agreements or amending the lease-
168 purchase agreement unless the department determines an
169 agreement or amendment is necessary to permit
170 refunding of certain bonds; providing that the
171 expressway system remains the property of the
172 authority if the lease-purchase agreement terminates;
173 providing that the authority remains obligated to
174 reimburse the department if the agreement terminates;

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175 requiring that the department operate and maintain the
176 system as the agent of the authority; creating s.
177 348.615, F.S.; providing that the department is the
178 agent for purposes of collecting tolls for the use of
179 the authority's expressway system; authorizing the
180 authority to fix, alter, charge, and establish tolls,
181 rates, fees, rentals, and other charges; amending s.
182 348.754, F.S.; providing that the transportation
183 authority is a party to specified lease-purchase
184 agreements between the department and the authority;
185 prohibiting the authority from entering into other
186 lease-purchase agreements or amending a specified
187 lease-purchase agreement; amending s. 348.7543, F.S.;
188 conforming a cross-reference and revising provisions
189 governing the issuance of bonds; amending s. 348.7545,
190 F.S.; conforming a cross-reference; amending s.
191 348.7546, F.S.; authorizing the Orlando-Orange County
192 Expressway Authority to exercise certain powers with
193 respect to certain portions of the Wekiva Parkway;
194 clarifying that the condemnation powers or the
195 acquisition of certain property before a certain date
196 is not invalidated; requiring that the authority repay
197 certain expenditures made by the department for the
198 operation and maintenance of the Orlando-Orange County
199 Expressway System; requiring that the authority pay
200 the department certain payments by specified dates;
201 requiring that all funds paid to the department be
202 used for construction of the Wekiva Parkway;
203 prohibiting the authority from requesting the issuance

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204 of certain bonds without approval from the department;
205 providing restrictions on refunding bonds;
206 conditioning the department's obligation of
207 constructing portions of the Wekiva Parkway upon
208 certain timely payments by the authority; amending s.
209 348.7547, F.S.; conforming a cross-reference;
210 providing that a specified project may be financed
211 with revenue bonds issued on behalf of the authority;
212 amending s. 348.755, F.S.; prohibiting the authority
213 from requesting the issuance of any bonds, except
214 bonds issued to refund specified bonds; prohibiting
215 refunding bonds from being issued if the bonds have a
216 final maturity later than the final maturity of the
217 bonds refunded or if the refunding bonds provide for a
218 certain higher debt service; prohibiting the authority
219 from requesting, without the department's consent, the
220 issuance of any bonds secured by a pledge of any
221 revenues of the authority which is senior to the
222 authority's obligation to reimburse the department;
223 restricting the authority's ability to request the
224 issuance of bonds unless the resolution authorizing
225 the bonds pledges the revenues for certain purposes;
226 providing for the termination of the department's
227 obligations under lease-purchase agreements to pay
228 certain costs of the Orlando-Orange County Expressway
229 System; prohibiting the authority from requesting the
230 issuance of refunding bonds under certain
231 circumstances; amending s. 348.757, F.S.; limiting
232 certain authorized lease-purchase agreements;

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233 prohibiting the authority from entering into or
234 amending certain lease-purchase agreements; providing
235 for the termination of the department's obligations
236 under certain lease-purchase agreements; creating s.
237 348.7585, F.S.; providing that the department is the
238 agent for purposes of collecting tolls for the
239 Orlando-Orange County Expressway System; authorizing
240 the authority to fix, alter, charge, and establish
241 tolls, rates, fees, rentals, and other charges;
242 amending s. 348.9952, F.S.; removing provisions
243 authorizing the Osceola County Expressway Authority to
244 employ a fiscal agent; repealing s. 348.9956, F.S.,
245 relating to the appointment of the department as the
246 agent of the authority for construction; creating s.
247 348.99565, F.S.; providing that the department is the
248 agent for purposes of performing all phases of
249 constructing improvements and extensions to the
250 Orlando-Orange County Expressway System; requiring
251 that the Division of Bond Finance and the expressway
252 authority provide construction documents to the
253 department; providing for payment and use of funds for
254 the construction; authorizing the authority to appoint
255 an agent under certain conditions to perform all
256 phases of a project; providing guidelines that the
257 authority must follow if it proposes construction of
258 an expressway; requiring legislative approval for the
259 issuance of bonds; requiring the department to operate
260 and maintain the expressway system and authorizing
261 that the department be reimbursed from revenues of the

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262 expressway system for costs incurred; authorizing the
263 authority to collect tolls, fees, and other charges;
264 amending s. 369.317, F.S.; providing for the
265 Department of Environmental Protection to have
266 exclusive permitting authority for certain activities
267 associated with the Wekiva Parkway and related
268 transportation facilities; requiring the department to
269 locate the precise corridor and interchanges for the
270 Wekiva Parkway to be located in Seminole County;
271 amending s. 377.809, F.S.; conforming a cross-
272 reference; transferring funds and all future payments
273 of obligated funds in the Toll Facilities Revolving
274 Trust Fund to the State Transportation Trust Fund;
275 requiring that the Florida Transportation Commission
276 conduct a study of the potential for cost savings
277 through certain activities by or on behalf of
278 expressway authorities; authorizing the commission to
279 retain experts as necessary to complete the study;
280 requiring that the department pay the expenses of the
281 experts; requiring that the commission provide a
282 report to the Governor and Legislature; providing an
283 effective date.

284
285 Be It Enacted by the Legislature of the State of Florida:

286
287 Section 1. Transfer to the Florida Turnpike Enterprise.—The
288 governance and control of the Mid-Bay Bridge Authority system,
289 created pursuant to chapter 2000-411, Laws of Florida, is
290 transferred to the Florida Turnpike Enterprise.

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291 (1) The assets, facilities, tangible and intangible
292 property and any rights in such property, and any other legal
293 rights of the authority, including the bridge system operated by
294 the authority, are transferred to the turnpike enterprise. All
295 powers of the authority shall succeed to the turnpike
296 enterprise, and the operations and maintenance of the bridge
297 system shall be under the control of the turnpike enterprise,
298 pursuant to this section. Revenues collected on the bridge
299 system may be considered turnpike revenues and the Mid-Bay
300 Bridge may be considered part of the turnpike system, if bonds
301 of the authority are not outstanding. The turnpike enterprise
302 also assumes all liability for bonds of the bridge authority
303 pursuant to the provisions of subsection (2). The turnpike
304 enterprise may review other contracts, financial obligations,
305 and contractual obligations and liabilities of the authority and
306 may assume legal liability for such obligations that are
307 determined to be necessary for the continued operation of the
308 bridge system.

309 (2) The transfer pursuant to this section is subject to the
310 terms and covenants provided for the protection of the holders
311 of the Mid-Bay Bridge Authority bonds in the lease-purchase
312 agreement and the resolutions adopted in connection with the
313 issuance of the bonds. Further, the transfer does not impair the
314 terms of the contract between the authority and the bondholders,
315 does not act to the detriment of the bondholders, and does not
316 diminish the security for the bonds. After the transfer, the
317 turnpike enterprise shall operate and maintain the bridge system
318 and any other facilities of the authority in accordance with the
319 terms, conditions, and covenants contained in the bond

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320 resolutions and lease-purchase agreement securing the bonds of
321 the authority. The turnpike enterprise shall collect toll
322 revenues and apply them to the payment of debt service as
323 provided in the bond resolution securing the bonds and shall
324 expressly assume all obligations relating to the bonds to ensure
325 that the transfer will have no adverse impact on the security
326 for the bonds of the authority. The transfer does not make the
327 obligation to pay the principal and interest on the bonds a
328 general liability of the turnpike or pledge the turnpike system
329 revenues to payment of the bonds. Revenues that are generated by
330 the bridge system and other facilities of the authority and that
331 were pledged by the authority to the payment of the bonds remain
332 subject to the pledge for the benefit of the bondholders. The
333 transfer does not modify or eliminate any prior obligation of
334 the Department of Transportation to pay certain costs of the
335 bridge system from sources other than revenues of the bridge
336 system. With regard to the authority's current long-term debt of
337 \$16.1 million due to the department as of June 30, 2011, and to
338 the extent permitted by the bond resolutions and lease-purchase
339 agreement securing the bonds, the turnpike enterprise shall make
340 payment annually to the State Transportation Trust Fund, for the
341 purpose of repaying the authority's long-term debt due to the
342 department, from any bridge system revenues obtained under this
343 section which remain after the payment of the costs of
344 operations, maintenance, renewal, and replacement of the bridge
345 system; the payment of current debt service; and other payments
346 required in relation to the bonds. The turnpike enterprise shall
347 make such annual payments, not to exceed \$1 million per year, to
348 the State Transportation Trust Fund until all remaining

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349 authority long-term debt due to the department has been repaid.

350 (3) Any remaining toll revenue from the facilities of the
351 Mid-Bay Bridge Authority collected by the Florida Turnpike
352 Enterprise after meeting the requirements of subsections (1) and
353 (2) shall be used for the construction, maintenance, or
354 improvement of any toll facility of the Florida Turnpike
355 Enterprise within the county or counties in which the revenue
356 was collected.

357 Section 2. Section 288.063, Florida Statutes, is repealed.

358 Section 3. Paragraph (a) of subsection (7) of section
359 288.0656, Florida Statutes, is amended to read:

360 288.0656 Rural Economic Development Initiative.—

361 (7) (a) REDI may recommend to the Governor up to three rural
362 areas of critical economic concern. The Governor may by
363 executive order designate up to three rural areas of critical
364 economic concern which will establish these areas as priority
365 assignments for REDI as well as to allow the Governor, acting
366 through REDI, to waive criteria, requirements, or similar
367 provisions of any economic development incentive. Such
368 incentives shall include, but not be limited to: the Qualified
369 Target Industry Tax Refund Program under s. 288.106, the Quick
370 Response Training Program under s. 288.047, the Quick Response
371 Training Program for participants in the welfare transition
372 program under s. 288.047(8), transportation projects under s.
373 339.2821 ~~288.063~~, the brownfield redevelopment bonus refund
374 under s. 288.107, and the rural job tax credit program under ss.
375 212.098 and 220.1895.

376 Section 4. Paragraph (b) of subsection (6) of section
377 316.3025, Florida Statutes, is amended to read:

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378 316.3025 Penalties.—

379 (6)

380 (b) All penalties imposed and collected under this section
381 shall be paid to the Chief Financial Officer, who shall credit
382 the total amount collected to the Highway Safety Operating State
383 ~~Transportation~~ Trust Fund for use in ~~repairing and maintaining~~
384 the general operations of the department ~~roads of this state.~~

385 Section 5. Subsection (6) of section 316.545, Florida
386 Statutes, is amended to read:

387 316.545 Weight and load unlawful; special fuel and motor
388 fuel tax enforcement; inspection; penalty; review.—

389 (6) Any officer or agent collecting the penalties ~~herein~~
390 imposed by this section shall cooperate with the owners or
391 drivers of motor vehicles so as not to delay unduly the
392 vehicles. All penalties imposed and collected under this section
393 by any state agency having jurisdiction shall be paid to the
394 Chief Financial Officer, who shall credit the total amount
395 thereof to the Highway Safety Operating State ~~Transportation~~
396 Trust Fund for use in the general operations of the department,
397 ~~which shall be used to repair and maintain the roads of this~~
398 ~~state~~ and to enforce this section.

399 Section 6. Section 319.32, Florida Statutes, is amended to
400 read:

401 319.32 Fees; service charges; disposition.—

402 (1) The department shall charge a fee of \$70 for each
403 original certificate of title, except for a certificate of title
404 for a motor vehicle for hire registered under s. 320.08(6) for
405 which the title fee shall be \$49; \$70 for each duplicate copy of
406 a certificate of title, except for a certificate of title for a

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407 motor vehicle for hire registered under s. 320.08(6) for which
408 the title fee shall be \$49; \$2 for each salvage certificate of
409 title; and \$3 for each assignment by a lienholder. The
410 department shall also charge a fee of \$2 for noting a lien on a
411 title certificate, which fee includes the services for the
412 subsequent issuance of a corrected certificate or cancellation
413 of lien when that lien is satisfied. If an application for a
414 certificate of title is for a vehicle that is required by s.
415 319.14(1)(b) to have a physical examination, the department
416 shall charge an additional fee of \$40 for the initial
417 examination and \$20 for each subsequent examination. The initial
418 examination fee shall be deposited into the General Revenue
419 Fund, and each subsequent examination fee shall be deposited
420 into the Highway Safety Operating Trust Fund. The physical
421 examination of the vehicle includes, but is not limited to,
422 verification of the vehicle identification number and
423 verification of the bill of sale or title for major components.
424 In addition to all other fees charged, a sum of \$1 shall be paid
425 for the issuance of an original or duplicate certificate of
426 title to cover the cost of materials used for security purposes.
427 A service fee of \$2.50, to be deposited into the Highway Safety
428 Operating Trust Fund, shall be charged for shipping and handling
429 for each paper title mailed by the department.

430 (2) (a) There shall be a service charge of \$4.25 for each
431 application that ~~which~~ is handled in connection with the
432 issuance, duplication, or transfer of any certificate of title.
433 There shall be a service charge of \$1.25 for each application
434 that ~~which~~ is handled in connection with the recordation or
435 notation of a lien on a motor vehicle or mobile home which is

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436 not in connection with the purchase of such vehicle.

437 (b) The service charges specified in paragraph (a) shall be
438 collected by the department on any application handled directly
439 from its office. Otherwise, these service charges shall be
440 collected and retained by the tax collector who handles the
441 application.

442 (3) The department shall charge a fee of \$10 in addition to
443 that charged in subsection (1) for each original certificate of
444 title issued for a vehicle previously registered outside this
445 state.

446 (4) The department shall charge a fee of \$7 for each lien
447 placed on a motor vehicle by the state child support enforcement
448 program pursuant to s. 319.24.

449 (5) All fees collected pursuant to subsection (3) shall be
450 paid into the Nongame Wildlife Trust Fund. Forty-two ~~Twenty-one~~
451 dollars of each fee for each applicable original certificate of
452 title and each applicable duplicate copy of a certificate of
453 title, after deducting the service charges imposed by s. 215.20,
454 shall be deposited into the State Transportation Trust Fund. All
455 other fees collected by the department under this chapter shall
456 be paid into the General Revenue Fund.

457 (6) Notwithstanding chapter 116, every county officer
458 within this state authorized to collect funds provided for in
459 this chapter shall pay all sums officially received by the
460 officer into the State Treasury no later than 5 working days
461 after the close of the business day in which the officer
462 received the funds. Payment by county officers to the state
463 shall be made by means of electronic funds transfer.

464 Section 7. Subsection (4) of section 320.072, Florida

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465 Statutes, is amended to read:

466 320.072 Additional fee imposed on certain motor vehicle
467 registration transactions.—

468 (4) A tax collector or other authorized agent of the
469 department shall promptly remit ~~44.5 percent of~~ all moneys
470 collected pursuant to this section, less any refunds granted
471 pursuant to subsection (3), to the department to be deposited
472 into the State Transportation Trust Fund. ~~The remaining 55.5~~
473 ~~percent shall be deposited into the General Revenue Fund.~~

474 Section 8. Section 320.08, Florida Statutes, is amended to
475 read:

476 320.08 License taxes.—Except as otherwise provided in this
477 section herein, there are ~~hereby~~ levied and imposed annual
478 license taxes for the operation of motor vehicles, mopeds,
479 motorized bicycles as defined in s. 316.003(2), tri-vehicles as
480 defined in s. 316.003, and mobile homes, as defined in s.
481 320.01, which shall be paid to and collected by the department
482 or its agent upon the registration or renewal of registration of
483 the following:

484 (1) MOTORCYCLES AND MOPEDS.—

485 (a) Any motorcycle: \$13.50 flat, ~~of which \$3.50 shall be~~
486 ~~deposited into the General Revenue Fund.~~

487 (b) Any moped: \$6.75 flat, ~~of which \$1.75 shall be~~
488 ~~deposited into the General Revenue Fund.~~

489 (c) Upon registration of any motorcycle, motor-driven
490 cycle, or moped there shall be paid in addition to the license
491 taxes specified in this subsection a nonrefundable motorcycle
492 safety education fee in the amount of \$2.50. The proceeds of
493 such additional fee shall be deposited in the Highway Safety

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494 Operating Trust Fund to fund a motorcycle driver improvement
495 program implemented pursuant to s. 322.025, the Florida
496 Motorcycle Safety Education Program established in s. 322.0255,
497 or the general operations of the department.

498 (d) An ancient or antique motorcycle: \$8.50 flat,~~of which~~
499 ~~\$3.50 shall be deposited into the General Revenue Fund.~~

500 (2) AUTOMOBILES OR TRI-VEHICLES FOR PRIVATE USE.-

501 (a) An ancient or antique automobile, as defined in s.
502 320.086, or a street rod, as defined in s. 320.0863: \$10.25
503 flat,~~of which \$2.75 shall be deposited into the General Revenue~~
504 ~~Fund.~~

505 (b) Net weight of less than 2,500 pounds: \$19.50 flat,~~of~~
506 ~~which \$5 shall be deposited into the General Revenue Fund.~~

507 (c) Net weight of 2,500 pounds or more, but less than 3,500
508 pounds: \$30.50 flat,~~of which \$8 shall be deposited into the~~
509 ~~General Revenue Fund.~~

510 (d) Net weight of 3,500 pounds or more: \$44 flat,~~of which~~
511 ~~\$11.50 shall be deposited into the General Revenue Fund.~~

512 (3) TRUCKS.-

513 (a) Net weight of less than 2,000 pounds: \$19.50 flat,~~of~~
514 ~~which \$5 shall be deposited into the General Revenue Fund.~~

515 (b) Net weight of 2,000 pounds or more, but not more than
516 3,000 pounds: \$30.50 flat,~~of which \$8 shall be deposited into~~
517 ~~the General Revenue Fund.~~

518 (c) Net weight more than 3,000 pounds, but not more than
519 5,000 pounds: \$44 flat,~~of which \$11.50 shall be deposited into~~
520 ~~the General Revenue Fund.~~

521 (d) A truck defined as a "goat," or any other vehicle if
522 used in the field by a farmer or in the woods for the purpose of

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523 harvesting a crop, including naval stores, during such
524 harvesting operations, and which is not principally operated
525 upon the roads of the state: \$10.25 flat, ~~of which \$2.75 shall~~
526 ~~be deposited into the General Revenue Fund.~~ A "goat" is a motor
527 vehicle designed, constructed, and used principally for the
528 transportation of citrus fruit within citrus groves or for the
529 transportation of crops on farms, and which can also be used for
530 the hauling of associated equipment or supplies, including
531 required sanitary equipment, and the towing of farm trailers.

532 (e) An ancient or antique truck, as defined in s. 320.086:
533 \$10.25 flat, ~~of which \$2.75 shall be deposited into the General~~
534 ~~Revenue Fund.~~

535 (4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS
536 VEHICLE WEIGHT.—

537 (a) Gross vehicle weight of 5,001 pounds or more, but less
538 than 6,000 pounds: \$60.75 flat, ~~of which \$15.75 shall be~~
539 ~~deposited into the General Revenue Fund.~~

540 (b) Gross vehicle weight of 6,000 pounds or more, but less
541 than 8,000 pounds: \$87.75 flat, ~~of which \$22.75 shall be~~
542 ~~deposited into the General Revenue Fund.~~

543 (c) Gross vehicle weight of 8,000 pounds or more, but less
544 than 10,000 pounds: \$103 flat, ~~of which \$27 shall be deposited~~
545 ~~into the General Revenue Fund.~~

546 (d) Gross vehicle weight of 10,000 pounds or more, but less
547 than 15,000 pounds: \$118 flat, ~~of which \$31 shall be deposited~~
548 ~~into the General Revenue Fund.~~

549 (e) Gross vehicle weight of 15,000 pounds or more, but less
550 than 20,000 pounds: \$177 flat, ~~of which \$46 shall be deposited~~
551 ~~into the General Revenue Fund.~~

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552 (f) Gross vehicle weight of 20,000 pounds or more, but less
553 than 26,001 pounds: \$251 flat, ~~of which \$65 shall be deposited~~
554 ~~into the General Revenue Fund.~~

555 (g) Gross vehicle weight of 26,001 pounds or more, but less
556 than 35,000: \$324 flat, ~~of which \$84 shall be deposited into the~~
557 ~~General Revenue Fund.~~

558 (h) Gross vehicle weight of 35,000 pounds or more, but less
559 than 44,000 pounds: \$405 flat, ~~of which \$105 shall be deposited~~
560 ~~into the General Revenue Fund.~~

561 (i) Gross vehicle weight of 44,000 pounds or more, but less
562 than 55,000 pounds: \$773 flat, ~~of which \$201 shall be deposited~~
563 ~~into the General Revenue Fund.~~

564 (j) Gross vehicle weight of 55,000 pounds or more, but less
565 than 62,000 pounds: \$916 flat, ~~of which \$238 shall be deposited~~
566 ~~into the General Revenue Fund.~~

567 (k) Gross vehicle weight of 62,000 pounds or more, but less
568 than 72,000 pounds: \$1,080 flat, ~~of which \$280 shall be~~
569 ~~deposited into the General Revenue Fund.~~

570 (l) Gross vehicle weight of 72,000 pounds or more: \$1,322
571 flat, ~~of which \$343 shall be deposited into the General Revenue~~
572 ~~Fund.~~

573 (m) Notwithstanding the declared gross vehicle weight, a
574 truck tractor used within a 150-mile radius of its home address
575 is eligible for a license plate for a fee of \$324 flat if:

576 1. The truck tractor is used exclusively for hauling
577 forestry products; or

578 2. The truck tractor is used primarily for the hauling of
579 forestry products, and is also used for the hauling of
580 associated forestry harvesting equipment used by the owner of

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581 the truck tractor.

582

583 ~~Of the fee imposed by this paragraph, \$84 shall be deposited~~
584 ~~into the General Revenue Fund.~~

585 (n) A truck tractor or heavy truck, not operated as a for-
586 hire vehicle, which is engaged exclusively in transporting raw,
587 unprocessed, and nonmanufactured agricultural or horticultural
588 products within a 150-mile radius of its home address, is
589 eligible for a restricted license plate for a fee of:

590 1. If such vehicle's declared gross vehicle weight is less
591 than 44,000 pounds, \$87.75 flat, ~~of which \$22.75 shall be~~
592 ~~deposited into the General Revenue Fund.~~

593 2. If such vehicle's declared gross vehicle weight is
594 44,000 pounds or more and such vehicle only transports from the
595 point of production to the point of primary manufacture; to the
596 point of assembling the same; or to a shipping point of a rail,
597 water, or motor transportation company, \$324 flat, ~~of which \$84~~
598 ~~shall be deposited into the General Revenue Fund.~~

599

600 Such not-for-hire truck tractors and heavy trucks used
601 exclusively in transporting raw, unprocessed, and
602 nonmanufactured agricultural or horticultural products may be
603 incidentally used to haul farm implements and fertilizers
604 delivered direct to the growers. The department may require any
605 documentation deemed necessary to determine eligibility prior to
606 issuance of this license plate. For the purpose of this
607 paragraph, "not-for-hire" means the owner of the motor vehicle
608 must also be the owner of the raw, unprocessed, and
609 nonmanufactured agricultural or horticultural product, or the

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610 user of the farm implements and fertilizer being delivered.

611 (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT;
612 SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

613 (a)1. A semitrailer drawn by a GVW truck tractor by means
614 of a fifth-wheel arrangement: \$13.50 flat per registration year
615 or any part thereof, ~~of which \$3.50 shall be deposited into the~~
616 ~~General Revenue Fund.~~

617 2. A semitrailer drawn by a GVW truck tractor by means of a
618 fifth-wheel arrangement: \$68 flat per permanent registration, ~~of~~
619 ~~which \$18 shall be deposited into the General Revenue Fund.~~

620 (b) A motor vehicle equipped with machinery and designed
621 for the exclusive purpose of well drilling, excavation,
622 construction, spraying, or similar activity, and which is not
623 designed or used to transport loads other than the machinery
624 described above over public roads: \$44 flat, ~~of which \$11.50~~
625 ~~shall be deposited into the General Revenue Fund.~~

626 (c) A school bus used exclusively to transport pupils to
627 and from school or school or church activities or functions
628 within their own county: \$41 flat, ~~of which \$11 shall be~~
629 ~~deposited into the General Revenue Fund.~~

630 (d) A wrecker, as defined in s. 320.01(40), which is used
631 to tow a vessel as defined in s. 327.02(39), a disabled,
632 abandoned, stolen-recovered, or impounded motor vehicle as
633 defined in s. 320.01(38), or a replacement motor vehicle as
634 defined in s. 320.01(39): \$41 flat, ~~of which \$11 shall be~~
635 ~~deposited into the General Revenue Fund.~~

636 (e) A wrecker that is used to tow any nondisabled motor
637 vehicle, a vessel, or any other cargo unless used as defined in
638 paragraph (d), as follows:

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639 1. Gross vehicle weight of 10,000 pounds or more, but less
640 than 15,000 pounds: \$118 flat, ~~of which \$31 shall be deposited~~
641 ~~into the General Revenue Fund.~~

642 2. Gross vehicle weight of 15,000 pounds or more, but less
643 than 20,000 pounds: \$177 flat, ~~of which \$46 shall be deposited~~
644 ~~into the General Revenue Fund.~~

645 3. Gross vehicle weight of 20,000 pounds or more, but less
646 than 26,000 pounds: \$251 flat, ~~of which \$65 shall be deposited~~
647 ~~into the General Revenue Fund.~~

648 4. Gross vehicle weight of 26,000 pounds or more, but less
649 than 35,000 pounds: \$324 flat, ~~of which \$84 shall be deposited~~
650 ~~into the General Revenue Fund.~~

651 5. Gross vehicle weight of 35,000 pounds or more, but less
652 than 44,000 pounds: \$405 flat, ~~of which \$105 shall be deposited~~
653 ~~into the General Revenue Fund.~~

654 6. Gross vehicle weight of 44,000 pounds or more, but less
655 than 55,000 pounds: \$772 flat, ~~of which \$200 shall be deposited~~
656 ~~into the General Revenue Fund.~~

657 7. Gross vehicle weight of 55,000 pounds or more, but less
658 than 62,000 pounds: \$915 flat, ~~of which \$237 shall be deposited~~
659 ~~into the General Revenue Fund.~~

660 8. Gross vehicle weight of 62,000 pounds or more, but less
661 than 72,000 pounds: \$1,080 flat, ~~of which \$280 shall be~~
662 ~~deposited into the General Revenue Fund.~~

663 9. Gross vehicle weight of 72,000 pounds or more: \$1,322
664 flat, ~~of which \$343 shall be deposited into the General Revenue~~
665 ~~Fund.~~

666 (f) A hearse or ambulance: \$40.50 flat, ~~of which \$10.50~~
667 ~~shall be deposited into the General Revenue Fund.~~

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668 (6) MOTOR VEHICLES FOR HIRE.—

669 (a) Under nine passengers: \$17 flat, ~~of which \$4.50 shall~~
670 ~~be deposited into the General Revenue Fund;~~ plus \$1.50 per cwt,
671 ~~of which 50 cents shall be deposited into the General Revenue~~
672 ~~Fund.~~

673 (b) Nine passengers and over: \$17 flat, ~~of which \$4.50~~
674 ~~shall be deposited into the General Revenue Fund;~~ plus \$2 per
675 cwt, ~~of which 50 cents shall be deposited into the General~~
676 ~~Revenue Fund.~~

677 (7) TRAILERS FOR PRIVATE USE.—

678 (a) Any trailer weighing 500 pounds or less: \$6.75 flat per
679 year or any part thereof, ~~of which \$1.75 shall be deposited into~~
680 ~~the General Revenue Fund.~~

681 (b) Net weight over 500 pounds: \$3.50 flat, ~~of which \$1~~
682 ~~shall be deposited into the General Revenue Fund;~~ plus \$1 per
683 cwt, ~~of which 25 cents shall be deposited into the General~~
684 ~~Revenue Fund.~~

685 (8) TRAILERS FOR HIRE.—

686 (a) Net weight under 2,000 pounds: \$3.50 flat, ~~of which \$1~~
687 ~~shall be deposited into the General Revenue Fund;~~ plus \$1.50 per
688 cwt, ~~of which 50 cents shall be deposited into the General~~
689 ~~Revenue Fund.~~

690 (b) Net weight 2,000 pounds or more: \$13.50 flat, ~~of which~~
691 ~~\$3.50 shall be deposited into the General Revenue Fund;~~ plus
692 \$1.50 per cwt, ~~of which 50 cents shall be deposited into the~~
693 ~~General Revenue Fund.~~

694 (9) RECREATIONAL VEHICLE-TYPE UNITS.—

695 (a) A travel trailer or fifth-wheel trailer, as defined by
696 s. 320.01(1)(b), that does not exceed 35 feet in length: \$27

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697 ~~flat, of which \$7 shall be deposited into the General Revenue~~
698 ~~Fund.~~

699 (b) A camping trailer, as defined by s. 320.01(1)(b)2.:
700 \$13.50 flat, ~~of which \$3.50 shall be deposited into the General~~
701 ~~Revenue Fund.~~

702 (c) A motor home, as defined by s. 320.01(1)(b)4.:

703 1. Net weight of less than 4,500 pounds: \$27 flat, ~~of which~~
704 ~~\$7 shall be deposited into the General Revenue Fund.~~

705 2. Net weight of 4,500 pounds or more: \$47.25 flat, ~~of~~
706 ~~which \$12.25 shall be deposited into the General Revenue Fund.~~

707 (d) A truck camper as defined by s. 320.01(1)(b)3.:

708 1. Net weight of less than 4,500 pounds: \$27 flat, ~~of which~~
709 ~~\$7 shall be deposited into the General Revenue Fund.~~

710 2. Net weight of 4,500 pounds or more: \$47.25 flat, ~~of~~
711 ~~which \$12.25 shall be deposited into the General Revenue Fund.~~

712 (e) A private motor coach as defined by s. 320.01(1)(b)5.:

713 1. Net weight of less than 4,500 pounds: \$27 flat, ~~of which~~
714 ~~\$7 shall be deposited into the General Revenue Fund.~~

715 2. Net weight of 4,500 pounds or more: \$47.25 flat, ~~of~~
716 ~~which \$12.25 shall be deposited into the General Revenue Fund.~~

717 (10) PARK TRAILERS; TRAVEL TRAILERS; FIFTH-WHEEL TRAILERS;
718 35 FEET TO 40 FEET.—

719 (a) Park trailers.—Any park trailer, as defined in s.
720 320.01(1)(b)7.: \$25 flat.

721 (b) A travel trailer or fifth-wheel trailer, as defined in
722 s. 320.01(1)(b), that exceeds 35 feet: \$25 flat.

723 (11) MOBILE HOMES.—

724 (a) A mobile home not exceeding 35 feet in length: \$20
725 flat.

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726 (b) A mobile home over 35 feet in length, but not exceeding
727 40 feet: \$25 flat.

728 (c) A mobile home over 40 feet in length, but not exceeding
729 45 feet: \$30 flat.

730 (d) A mobile home over 45 feet in length, but not exceeding
731 50 feet: \$35 flat.

732 (e) A mobile home over 50 feet in length, but not exceeding
733 55 feet: \$40 flat.

734 (f) A mobile home over 55 feet in length, but not exceeding
735 60 feet: \$45 flat.

736 (g) A mobile home over 60 feet in length, but not exceeding
737 65 feet: \$50 flat.

738 (h) A mobile home over 65 feet in length: \$80 flat.

739 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised
740 motor vehicle dealer, independent motor vehicle dealer, marine
741 boat trailer dealer, or mobile home dealer and manufacturer
742 license plate: \$17 flat, ~~of which \$4.50 shall be deposited into~~
743 ~~the General Revenue Fund.~~

744 (13) EXEMPT OR OFFICIAL LICENSE PLATES.—Any exempt or
745 official license plate: \$4 flat, ~~of which \$1 shall be deposited~~
746 ~~into the General Revenue Fund.~~

747 (14) LOCALLY OPERATED MOTOR VEHICLES FOR HIRE.—A motor
748 vehicle for hire operated wholly within a city or within 25
749 miles thereof: \$17 flat, ~~of which \$4.50 shall be deposited into~~
750 ~~the General Revenue Fund; plus \$2 per cwt, of which 50 cents~~
751 ~~shall be deposited into the General Revenue Fund.~~

752 (15) TRANSPORTER.—Any transporter license plate issued to a
753 transporter pursuant to s. 320.133: \$101.25 flat, ~~of which~~
754 ~~\$26.25 shall be deposited into the General Revenue Fund.~~

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755 Section 9. Section 320.0801, Florida Statutes, is amended
756 to read:

757 320.0801 Additional license tax on certain vehicles.—

758 (1) In addition to the license taxes specified in s. 320.08
759 and in subsection (2), there is ~~hereby~~ levied and imposed an
760 annual license tax of 10 cents for the operation of a motor
761 vehicle, as defined in s. 320.01, and moped, as defined in s.
762 316.003(77). ~~This, which~~ tax shall be paid to the department or
763 its agent upon the registration or renewal of registration of
764 the vehicle. Notwithstanding the provisions of s. 320.20,
765 revenues collected from the tax imposed in this subsection shall
766 be deposited in the Emergency Medical Services Trust Fund and
767 used solely for the purpose of carrying out the provisions of
768 ss. 395.401, 395.4015, 395.404, and 395.4045 and s. 11, chapter
769 87-399, Laws of Florida.

770 (2) In addition to the license taxes imposed by s. 320.08
771 and by subsection (1), there is imposed an additional surcharge
772 of \$10 on each commercial motor vehicle having a gross vehicle
773 weight of 10,000 pounds or more. This, which surcharge must be
774 paid to the department or its agent upon the registration or
775 renewal of registration of the commercial motor vehicle.
776 ~~Notwithstanding the provisions of s. 320.20, 50 percent of the~~
777 ~~revenues collected from the surcharge imposed in this subsection~~
778 ~~shall be deposited into the State Transportation Trust Fund, and~~
779 ~~50 percent shall be deposited in the General Revenue Fund.~~

780 Section 10. Section 320.0804, Florida Statutes, is amended
781 to read:

782 320.0804 Surcharge on license tax; transportation trust
783 fund.—There is ~~hereby~~ levied and imposed on each license tax

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784 imposed under s. 320.08, except those set forth in s.
785 320.08(11), a surcharge in the amount of \$4, which shall be
786 collected in the same manner as the license tax and. ~~Of this~~
787 ~~amount, \$2 shall be~~ deposited into the State Transportation
788 Trust Fund, ~~and \$2 shall be deposited into the General Revenue~~
789 ~~Fund.~~

790 Section 11. Funds that result from increased revenues to
791 the State Transportation Trust Fund derived from sections 6
792 through 10 of this act must be used as follows:

793 (1) Beginning in the 2012-2013 fiscal year and annually for
794 30 years thereafter, \$15 million for the purpose of funding any
795 seaport project identified in the 2011-2012 adopted work program
796 of the Department of Transportation, to be known as the Seaport
797 Investment Program. The revenues may be assigned, pledged, or
798 set aside as a trust for the payment of principal or interest on
799 bonds, tax anticipation certificates, or other forms of
800 indebtedness issued by an individual port or appropriate local
801 government having jurisdiction thereof, or collectively by
802 interlocal agreement among any of the ports, or used to purchase
803 credit support to permit such borrowings. However, the debt is
804 not a general obligation of the state. The state covenants with
805 holders of the revenue bonds or other instruments of
806 indebtedness issued pursuant to this subsection that it will not
807 repeal or impair or amend this subsection in any manner that
808 will materially or adversely affect the rights of holders so
809 long as bonds authorized by this subsection are outstanding. Any
810 revenues that are not pledged to the repayment of bonds as
811 authorized by this section may be used for purposes authorized
812 under the Florida Seaport Transportation and Economic

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813 Development Program. This revenue source is in addition to any
814 amounts provided for and appropriated in accordance with ss.
815 311.07 and 320.20(3) and (4), Florida Statutes. Revenue bonds
816 shall be issued by the Division of Bond Finance at the request
817 of the Department of Transportation pursuant to the State Bond
818 Act.

819 (2) Beginning in the 2012-2013 fiscal year and annually for
820 30 years thereafter, \$50 million shall be transferred to
821 Florida's Turnpike Enterprise, to be used in accordance with
822 Florida Turnpike Enterprise Law.

823 (3) In the 2012-2013 fiscal year, \$5 million shall be
824 transferred to the Transportation Disadvantaged Trust Fund for
825 purposes of the Commission for the Transportation Disadvantaged
826 as provided in chapter 427, Florida Statutes. Beginning in the
827 2013-2014 fiscal year and annually thereafter, \$10 million shall
828 be transferred to the Transportation Disadvantaged Trust Fund,
829 to be used as specified in this subsection.

830 (4) Notwithstanding any other law to the contrary:

831 (a) After the distributions required pursuant to
832 subsections (1), (2), and (3), the remaining funds must be used
833 for the following specified purposes:

834 1. In the 2012-2013 fiscal year, \$10 million for purposes
835 of the Small County Outreach Program specified in s. 339.2818,
836 Florida Statutes. These funds are in addition to the funds
837 provided in s. 201.15(1)(c)1.b., Florida Statutes. Beginning in
838 the 2013-2014 fiscal year and annually thereafter, \$25 million
839 shall be allocated to the Small County Outreach Program, to be
840 used as specified in this subsection.

841 2. Beginning in the 2013-2014 fiscal year, \$25 million

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842 annually for purposes of the Transportation Regional Incentive
843 Program as specified in s. 339.2819, Florida Statutes. These
844 funds are in addition to the funds provided in s.
845 201.15(1)(c)1.d., Florida Statutes.

846 3. In the 2012-2013 fiscal year, \$287,320,240 shall be
847 transferred to the General Revenue Fund.

848 (b) The remaining funds must be used annually for
849 transportation projects within this state for existing or
850 planned strategic transportation corridors which connect major
851 markets within this state or between this state and other
852 states, which focus on job creation, and which increase this
853 state's viability in the national and global markets.

854 (5) Pursuant to s. 339.135(7), Florida Statutes, the
855 department may amend the work program to add the projects
856 necessary to implement this section.

857 Section 12. Section 320.204, Florida Statutes, is repealed.

858 Section 13. Present subsections (8) through (13) of section
859 334.30, Florida Statutes, are redesignated as subsections (7)
860 through (12), respectively, and present subsection (7) of that
861 section is amended, to read:

862 334.30 Public-private transportation facilities.—The
863 Legislature finds and declares that there is a public need for
864 the rapid construction of safe and efficient transportation
865 facilities for the purpose of traveling within the state, and
866 that it is in the public's interest to provide for the
867 construction of additional safe, convenient, and economical
868 transportation facilities.

869 ~~(7) The department may lend funds from the Toll Facilities~~
870 ~~Revolving Trust Fund, as outlined in s. 338.251, to private~~

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871 ~~entities that construct projects on the State Highway System~~
872 ~~containing toll facilities that are approved under this section.~~
873 ~~To be eligible, a private entity must comply with s. 338.251 and~~
874 ~~must provide an indication from a nationally recognized rating~~
875 ~~agency that the senior bonds for the project will be investment~~
876 ~~grade, or must provide credit support such as a letter of credit~~
877 ~~or other means acceptable to the department, to ensure that the~~
878 ~~loans will be fully repaid. The state's liability for the~~
879 ~~funding of a facility is limited to the amount approved for that~~
880 ~~specific facility in the department's 5-year work program~~
881 ~~adopted pursuant to s. 339.135.~~

882 Section 14. Subsection (10) is added to section 338.165,
883 Florida Statutes, to read:

884 338.165 Continuation of tolls.—

885 (10) The department's Beachline-East Expressway may be
886 transferred by the department and become part of the turnpike
887 system under the Florida Turnpike Enterprise Law. Any funds
888 expended by the Florida Turnpike Enterprise for the acquisition
889 of the Beachline-East Expressway shall be deposited into the
890 State Transportation Trust Fund, and, notwithstanding any other
891 law to the contrary, such funds shall first be allocated by the
892 department to fund the department's obligation to construct
893 Wekiva Parkway. The term "Wekiva Parkway" means a limited access
894 highway or expressway constructed between State Road 429 and
895 Interstate 4 specifically incorporating the corridor alignment
896 recommended by Recommendation 2 of the Wekiva River Basin Area
897 Task Force final report dated January 15, 2003, and the
898 recommendations of the SR 429 Working Group which were adopted
899 January 16, 2004, and related transportation facilities.

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900 Section 15. Section 338.251, Florida Statutes, is repealed.

901 Section 16. Paragraph (f) of subsection (1) of section
902 339.08, Florida Statutes, is amended to read:

903 339.08 Use of moneys in State Transportation Trust Fund.—

904 (1) The department shall expend moneys in the State
905 Transportation Trust Fund accruing to the department, in
906 accordance with its annual budget. The use of such moneys shall
907 be restricted to the following purposes:

908 (f) To pay the cost of economic development transportation
909 projects in accordance with s. 339.2821 ~~288.063~~.

910 Section 17. Section 339.139, Florida Statutes, is created
911 to read:

912 339.139 Transportation debt assessment.—

913 (1) It is the policy of the state to manage the financing
914 of transportation infrastructure in a manner that ensures the
915 fiscal integrity of the State Transportation Trust Fund.

916 (2) The department shall provide a debt and debtlike
917 contractual obligations load report to the Executive Office of
918 the Governor, the President of the Senate, the Speaker of the
919 House of Representatives, and the legislative appropriations
920 committees in conjunction with the tentative work program
921 required under s. 339.135. The debt and debtlike contractual
922 obligations load report must include the following data on
923 current and planned department commitments that are payable from
924 the State Transportation Trust Fund:

925 (a) Debt service payments that are required to be made
926 under any resolution for the issuance of bonds secured by a lien
927 on federal highway aid reimbursements or motor fuel and diesel
928 fuel taxes.

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929 (b) Funding for seaports which has been pledged to the
930 payment of principal and interest on bonds issued by the Florida
931 Ports Financing Commission pursuant to s. 320.20.

932 (c) Commitments of the department to pay the costs of
933 operating, maintaining, repairing, and rehabilitating expressway
934 and bridge systems under the terms of lease-purchase agreements
935 which are enforceable by the holders of bonds issued by
936 expressway and bridge authorities pursuant to chapter 348.

937 (d) Availability, milestone, and final acceptance payments
938 that are required by public-private partnerships pursuant to s.
939 334.30 and that are not payments for the cost of operation or
940 maintenance of a facility.

941 (e) Agreed-on payments to a department contractor for work
942 performed in the current fiscal year for which payment is
943 deferred to a later fiscal year under the provisions of s.
944 334.30.

945 (f) Reimbursements to local governments for work performed
946 on a project if the reimbursement is deferred to a later fiscal
947 year under the provisions of s. 339.12.

948 (g) Loan repayments on state infrastructure bank loans
949 extended to a department district pursuant to s. 339.55.

950 (3) The department shall manage all levels of debt to
951 ensure that by the beginning of the 2017-2018 fiscal year, not
952 more than 20 percent of total projected available state and
953 federal revenues from the State Transportation Trust Fund,
954 together with any local funds committed to department projects,
955 are committed to the obligations identified in subsection (2) in
956 any year.

957 (4) If the department believes that a critical project

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958 would justify exceeding the limitation established in this
959 section, the department shall notify the Governor, the President
960 of the Senate, the Speaker of the House of Representatives, and
961 the chairs of the legislative appropriations committees. The
962 notification must identify the critical project and the
963 projected impact on the department's total debt load. The
964 department may proceed with the project upon approval of the
965 Governor. If either chair of the legislative appropriations
966 committees, the President of the Senate, or the Speaker of the
967 House of Representatives objects in writing to a proposed
968 project within 14 days after submittal of a department request
969 to exceed debt limits and specifies the reasons for such
970 objection, the Governor may not approve the project.

971 (5) The department shall prepare a separate report on debt
972 obligations that are secured by and payable solely from pledged
973 revenues. The department shall provide the report on pledged
974 revenue debt to the Executive Office of the Governor, the
975 President of the Senate, the Speaker of the House of
976 Representatives, and the legislative appropriations committees
977 in conjunction with the tentative work program required under s.
978 339.135.

979 Section 18. Section 339.2821, Florida Statutes, is created
980 to read:

981 339.2821 Economic development transportation projects.—

982 (1) (a) The department, in consultation with the Department
983 of Economic Opportunity, may make and approve expenditures and
984 contract with the appropriate governmental body for the direct
985 costs of transportation projects. The Department of Economic
986 Opportunity and the Department of Environmental Protection may

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987 formally review and comment on recommended transportation
988 projects, although the department has final approval authority
989 for any project authorized under this section.

990 (b) As used in this section, the term:

991 1. "Governmental body" means an instrumentality of the
992 state or a county, municipality, district, authority, board, or
993 commission, or an agency thereof, within which jurisdiction the
994 transportation project is located and which is responsible to
995 the department for the transportation project.

996 2. "Transportation project" means a transportation
997 facility, as defined in s. 334.03, which the department, in
998 consultation with the Department of Economic Opportunity, deems
999 necessary to facilitate the economic development and growth of
1000 the state.

1001 (2) The department, in consultation with the Department of
1002 Economic Opportunity, shall review each transportation project
1003 for approval and funding. In the review, the department must
1004 consider:

1005 (a) The cost per job created or retained considering the
1006 amount of transportation funds requested;

1007 (b) The average hourly rate of wages for jobs created;

1008 (c) The reliance on any program as an inducement for
1009 determining the transportation project's location;

1010 (d) The amount of capital investment to be made by a
1011 business;

1012 (e) The demonstrated local commitment;

1013 (f) The location of the transportation project in an
1014 enterprise zone as designated in s. 290.0055;

1015 (g) The location of the transportation project in a

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1016 spaceport territory as defined in s. 331.304;

1017 (h) The unemployment rate of the surrounding area; and

1018 (i) The poverty rate of the community.

1019
1020 The department may contact any agency it deems appropriate for
1021 additional information regarding the approval of a
1022 transportation project. A transportation project must be
1023 approved by the department to be eligible for funding.

1024 (3) (a) The department must approve a transportation project
1025 if it determines that the transportation project will:

1026 1. Attract new employment opportunities to the state or
1027 expand or retain employment in existing companies operating
1028 within the state.

1029 2. Allow for the construction or expansion of a state or
1030 federal correctional facility in a county having a population of
1031 75,000 or fewer which creates new employment opportunities or
1032 expands or retains employment in the county.

1033 (b) The department must ensure that small and minority
1034 businesses have equal access to participate in transportation
1035 projects funded pursuant to this section.

1036 (c) In addition to administrative costs and equipment
1037 purchases specified in the contract, funds for approved
1038 transportation projects may be used for expenses that are
1039 necessary for building new, or improving existing,
1040 transportation facilities. Funds made available pursuant to this
1041 section may not be expended for the relocation of a business
1042 from one community to another community in this state unless the
1043 department determines that, without the relocation, the business
1044 will move outside the state or determines that the business has

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1045 a compelling economic reason for the relocation, such as
1046 creating additional jobs.

1047 (4) A contract between the department and a governmental
1048 body for a transportation project must:

1049 (a) Specify that the transportation project is for the
1050 construction of a new or expanding business and specify the
1051 number of full-time permanent jobs that will result from the
1052 project.

1053 (b) Identify the governmental body and require that the
1054 governmental body award the construction of the particular
1055 transportation project to the lowest and best bidder in
1056 accordance with applicable state and federal statutes or rules
1057 unless the transportation project can be constructed using
1058 existing local governmental employees within the contract period
1059 specified by the department.

1060 (c) Require that the governmental body provide the
1061 department with quarterly progress reports. Each quarterly
1062 progress report must contain:

1063 1. A narrative description of the work completed and
1064 whether the work is proceeding according to the transportation
1065 project schedule;

1066 2. A description of each change order executed by the
1067 governmental body;

1068 3. A budget summary detailing planned expenditures compared
1069 to actual expenditures; and

1070 4. The identity of each small or minority business used as
1071 a contractor or subcontractor.

1072 (d) Require that the governmental body make and maintain
1073 records in accordance with accepted governmental accounting

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1074 principles and practices for each progress payment made for work
1075 performed in connection with the transportation project, each
1076 change order executed by the governmental body, and each payment
1077 made pursuant to a change order. The records are subject to
1078 financial audit as required by law.

1079 (e) Require that the governmental body, upon completion and
1080 acceptance of the transportation project, certify to the
1081 department that the transportation project has been completed in
1082 compliance with the terms and conditions of the contract between
1083 the department and the governmental body and meets the minimum
1084 construction standards established in accordance with s.
1085 336.045.

1086 (f) Specify that the department transfer funds to the
1087 governmental body not more often than quarterly, upon receipt of
1088 a request for funds from the governmental body and consistent
1089 with the needs of the transportation project. The governmental
1090 body shall expend funds received from the department in a timely
1091 manner. The department may not transfer funds unless
1092 construction has begun on the facility of a business on whose
1093 behalf the award was made. A contract totaling less than
1094 \$200,000 is exempt from the transfer requirement.

1095 (g) Require that funds be used only on a transportation
1096 project that has been properly reviewed and approved in
1097 accordance with the criteria set forth in this section.

1098 (h) Require that the governing board of the governmental
1099 body adopt a resolution accepting future maintenance and other
1100 attendant costs occurring after completion of the transportation
1101 project if the transportation project is constructed on a county
1102 or municipal system.

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1103 (5) For purposes of this section, Space Florida may serve
1104 as the governmental body or as the contracting agency for a
1105 transportation project within spaceport territory as defined by
1106 s. 331.304.

1107 (6) Each governmental body receiving funds under this
1108 section shall submit to the department a financial audit of the
1109 governmental body conducted by an independent certified public
1110 accountant. The department, in consultation with the Department
1111 of Economic Opportunity, shall develop procedures to ensure that
1112 audits are received and reviewed in a timely manner and that
1113 deficiencies or questioned costs noted in the audit are
1114 resolved.

1115 (7) The department shall monitor the construction or
1116 building site for each transportation project that receives
1117 funding under this section, including, but not limited to, the
1118 construction of the business facility, to ensure compliance with
1119 contractual requirements.

1120 Section 19. Section 339.2825, Florida Statutes, is created
1121 to read:

1122 339.2825 Approval of contractor-financed projects.—

1123 (1) Before the department solicits proposals pursuant to s.
1124 334.30 to advance a project programmed in the adopted 5-year
1125 work program or in the 10-year Strategic Intermodal Plan using
1126 funds provided by a public-private partnership or a private
1127 entity to be reimbursed from department funds for the project as
1128 programmed in the adopted work program, the department must
1129 provide a summary of the proposed project to the Executive
1130 Office of the Governor, the chair of each legislative
1131 appropriations committee, the President of the Senate, and the

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1132 Speaker of the House of Representatives. The summary must
1133 include a description of any anticipated commitment by the
1134 department for the years outside the adopted work program, a
1135 description of the anticipated impacts on the department's
1136 overall debt load, and sufficient information to demonstrate
1137 that the project will not cause the department to exceed the
1138 overall debt limitation provided in s. 339.139. The department
1139 may proceed with the project upon approval of the Governor. If
1140 the chair of either legislative appropriations committee, the
1141 President of the Senate, or the Speaker of the House of
1142 Representatives objects to the proposed project in writing
1143 within 14 days after receipt of the summary, the Governor may
1144 not approve the project.

1145 (2) If the department receives an unsolicited proposal
1146 pursuant to s. 334.30 to advance a project programmed in the
1147 adopted 5-year work program or in the 10-year Strategic
1148 Intermodal Plan using funds provided by public-private
1149 partnerships or private entities to be reimbursed from
1150 department funds for the project as programmed in the adopted
1151 work program, the department must provide a summary of the
1152 proposed project to the Executive Office of the Governor, the
1153 chair of each legislative appropriations committee, the
1154 President of the Senate, and the Speaker of the House of
1155 Representatives before the department advertises receipt of the
1156 proposal as provided in s. 334.30. The summary must include a
1157 description of any anticipated commitments by the department for
1158 the years outside the adopted work program, a description of any
1159 anticipated impacts on the department's overall debt load, and
1160 sufficient information to demonstrate that the project will not

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1161 cause the department to exceed the overall debt limitation
1162 provided in s. 339.14. The department may not accept the
1163 unsolicited proposal, advertise receipt of the unsolicited
1164 proposal, or solicit other proposals for the same project
1165 purpose without the approval of the Executive Office of the
1166 Governor. If the chair of either legislative appropriations
1167 committee, the President of the Senate, or the Speaker of the
1168 House of Representatives objects to the proposed project in
1169 writing within 14 days after receipt of the summary, the
1170 Executive Office of the Governor may not approve the proposed
1171 project.

1172 (3) This section does not apply to a public-private
1173 partnership agreement authorized in s. 334.30(2)(a).

1174 Section 20. Paragraph (j) of subsection (2) of section
1175 348.0004, Florida Statutes, is amended to read:

1176 348.0004 Purposes and powers.—

1177 (2) Each authority may exercise all powers necessary,
1178 appurtenant, convenient, or incidental to the carrying out of
1179 its purposes, including, but not limited to, the following
1180 rights and powers:

1181 (j) To pledge, hypothecate, or otherwise encumber all or
1182 any part of the revenues, tolls, rates, fees, rentals, or other
1183 charges or receipts of the authority, including all or any
1184 portion of county gasoline tax funds received by the authority
1185 ~~pursuant to the terms of any lease-purchase agreement between~~
1186 ~~the authority and the department,~~ as security for all or any of
1187 the obligations of the authority.

1188 Section 21. Subsection (1) of section 348.0005, Florida
1189 Statutes, is amended, and subsection (3) is added to that

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1190 section, to read:

1191 348.0005 Bonds.—

1192 (1) Bonds may be issued on behalf of an authority as
1193 provided by the State Bond Act. Bonds may not be issued under
1194 this section unless the resolution authorizing the bonds and
1195 pledging the revenues of a facility requires that the revenues
1196 of the facility be deposited into appropriate accounts in such
1197 sums as are sufficient to pay the costs of operation and
1198 maintenance of any facility for the current fiscal year as set
1199 forth in the annual budget of the authority before any revenues
1200 of the facility are applied to the payment of interest or
1201 principal owing or that may become owing on such bonds.

1202 (3) The provisions of subsection (2) do not apply to any
1203 authority formed on or after July 1, 2012.

1204 Section 22. Section 348.0013, Florida Statutes, is created
1205 to read:

1206 348.0013 Department to construct, operate, and maintain
1207 facilities.—

1208 (1) Notwithstanding any other provision of law to the
1209 contrary, this section applies to any authority formed on or
1210 after July 1, 2012.

1211 (2) The department is the agent of each authority for the
1212 purpose of performing all phases of a project, including, but
1213 not limited to, constructing improvements and extensions to an
1214 expressway system and for the completion of the construction.
1215 The division and the authority shall provide to the department
1216 complete copies of the documents, agreements, resolutions,
1217 contracts, and instruments relating to the construction and
1218 shall request that the department perform the construction work,

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1219 including the planning, surveying, design, and actual
1220 construction of the completion, extensions, and improvements to
1221 the expressway system. After the issuance of bonds to finance
1222 the construction of an expressway system or improvements to an
1223 expressway system, the division shall transfer to the credit of
1224 an account of the department in the State Treasury the necessary
1225 funds for construction. The department shall proceed with
1226 construction and use the funds for the purpose authorized and as
1227 otherwise provided by law for the construction of roads and
1228 bridges. The authority may alternatively, with the consent and
1229 approval of the department, appoint as its agent a local agency
1230 certified by the department to administer federal aid projects
1231 in accordance with federal law for the purpose of performing all
1232 phases of a project.

1233 (3) An authority that desires to construct an expressway
1234 shall identify the expressway project in a work plan and submit
1235 the work plan along with its budget. The work plan must include
1236 a finance plan that demonstrates the financial feasibility of
1237 the expressway project, including the authority's ability to
1238 reimburse the department for all costs of operation and
1239 maintenance of the project from the revenues of the authority's
1240 expressway system. Legislative approval of the authority's
1241 budget and work plan is required before bonds may be issued on
1242 behalf of the authority to finance the construction of the
1243 expressway project. The department shall operate and maintain
1244 the expressway system, and the costs incurred by the department
1245 for operation and maintenance shall be reimbursed from revenues
1246 of the expressway system. Each expressway system constructed
1247 under the provisions of this section is a part of the State

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1248 Highway System as defined in s. 334.03.

1249 (4) An authority subject to this section may fix, alter,
1250 charge, and establish tolls, rates, fees, rentals, and other
1251 charges for the authority's facilities, as otherwise provided in
1252 this part.

1253 Section 23. Subsection (5) of section 348.54, Florida
1254 Statutes, is amended to read:

1255 348.54 Powers of the authority.—Except as otherwise limited
1256 herein, the authority shall have the power:

1257 (5) To enter into and make lease-purchase agreements as
1258 provided in s. 348.60 for terms not exceeding 40 years, or until
1259 all bonds secured by a pledge thereunder, and all refundings
1260 thereof, are fully paid as to both principal and interest,
1261 whichever is longer. The authority is a party to a lease-
1262 purchase agreement between the department and the authority
1263 dated November 18, 1997, as supplemented by a supplemental
1264 lease-purchase agreement dated February 7, 2002, and a second
1265 supplemental lease-purchase agreement dated June 23, 2005. The
1266 authority may not enter into other lease-purchase agreements
1267 with the department and may not amend the existing agreement in
1268 a manner that expands or increases the department's obligations,
1269 unless the department determines that the agreement or amendment
1270 is necessary to permit the refunding of bonds issued before July
1271 1, 2012. The department's obligations under the lease-purchase
1272 agreement, as supplemented, terminate upon the earlier of:

1273 (a) The defeasance, redemption, or payment in full of the
1274 authority's bonds issued and outstanding as of July 1, 2012;

1275 (b) The date to which the purchasers of the authority bonds
1276 have consented; or

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1277 (c) The date on which termination of the department's
1278 obligations will occur under the terms of the memorandum of
1279 agreement dated October 26, 2010, between the department and the
1280 authority.

1281 Section 24. Section 348.545, Florida Statutes, is amended
1282 to read:

1283 348.545 Facility improvement; bond financing authority.—
1284 Pursuant to s. 11(f), Art. VII of the State Constitution, the
1285 Legislature hereby approves for bond financing by the Tampa-
1286 Hillsborough County Expressway Authority improvements to toll
1287 collection facilities, interchanges to the legislatively
1288 approved expressway system, and any other facility appurtenant,
1289 necessary, or incidental to the approved system. Subject to
1290 terms and conditions of applicable revenue bond resolutions and
1291 covenants, such costs may be financed in whole or in part by
1292 revenue bonds issued pursuant to s. 348.56 ~~348.56(1)(a) or (b)~~,
1293 whether currently issued or issued in the future, ~~or by a~~
1294 ~~combination of such bonds.~~

1295 Section 25. Subsections (9), (10), (11), and (12) are added
1296 to section 348.56, Florida Statutes, to read:

1297 348.56 Bonds of the authority.—

1298 (9) Notwithstanding any other provision of law to the
1299 contrary, on and after July 1, 2012, the authority may not,
1300 without the department's consent, request the issuance of any
1301 bonds secured by a pledge of any revenues of the authority which
1302 is senior to, or on a parity with, the authority's obligation to
1303 fully reimburse the department for the costs of operation,
1304 maintenance, repair, and rehabilitation of the expressway system
1305 paid by the department, except that the authority may request

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1306 the issuance of bonds secured by a senior pledge for the purpose
1307 of refunding any authority bonds issued and outstanding as of
1308 July 1, 2012. Refunding bonds authorized by this subsection may
1309 not be issued if such bonds have a final maturity later than the
1310 final maturity of the bonds refunded or if the refunding bonds
1311 provide for higher debt service in any year than the debt
1312 service that is currently paid on such bonds.

1313 (10) Notwithstanding any other provision of law to the
1314 contrary, on and after July 1, 2012, the authority may not
1315 request the issuance of any bonds, except bonds issued to refund
1316 bonds issued before July 1, 2012, which provide any rights
1317 against the department which may be enforced by the holders of
1318 such bonds or debt. Refunding bonds authorized by this
1319 subsection may not be issued if the bonds have a final maturity
1320 later than the final maturity of the bonds refunded or if the
1321 refunding bonds provide for higher debt service in any year than
1322 the debt service that is currently paid on such bonds. The
1323 obligations of the department under any lease-purchase agreement
1324 with the authority, including any obligation to pay any cost of
1325 operation, maintenance, repair, or rehabilitation of the
1326 expressway system, terminate upon the earlier of:

1327 (a) The defeasance or payment of all authority bonds issued
1328 before July 1, 2012, and authority bonds issued to refund such
1329 bonds;

1330 (b) The earlier date to which the purchasers of the
1331 authority bonds have consented; or

1332 (c) The date on which termination of the department's
1333 obligations will occur under the terms of the memorandum of
1334 agreement dated October 26, 2010, between the department and the

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1335 authority.

1336 (11) Beginning July 1, 2012, except for bonds issued to
1337 refund bonds issued before that date, bonds may not be issued
1338 under this section unless the resolution authorizing the bonds
1339 and pledging the revenues of the expressway system requires that
1340 the revenues of the expressway system be deposited into
1341 appropriate accounts in such sums as are sufficient to pay the
1342 costs of operation and maintenance of the expressway system for
1343 the current fiscal year as set forth in the annual budget of the
1344 authority before any revenues of the expressway system are
1345 applied to the payment of interest or principal owing or that
1346 may become owing on such bonds.

1347 (12) Paragraph (1)(b) does not apply in any fiscal year in
1348 which the department's obligations under the lease-purchase
1349 agreement between the department and authority have not been
1350 terminated as provided in s. 348.60 or in which the authority
1351 has not fully reimbursed the department for the amounts
1352 expended, advanced, or paid to the authority in prior fiscal
1353 years for the costs of operation, maintenance, repair, and
1354 rehabilitation of the expressway system. During any such fiscal
1355 year, bonds may be issued only on behalf of the authority
1356 pursuant to the State Bond Act.

1357 Section 26. Section 348.565, Florida Statutes, is amended
1358 to read:

1359 348.565 Revenue bonds for specified projects.—The existing
1360 facilities that constitute the Tampa-Hillsborough County
1361 Expressway System are ~~hereby~~ approved to be refinanced by
1362 revenue bonds issued by the Division of Bond Finance of the
1363 State Board of Administration pursuant to s. 11(d) ~~11(f)~~, Art.

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1364 VII of the State Constitution and s. 348.56 ~~the State Bond Act~~
 1365 ~~or by revenue bonds issued by the authority pursuant to s.~~
 1366 ~~348.56(1)(b)~~. In addition, the following projects of the Tampa-
 1367 Hillsborough County Expressway Authority are approved to be
 1368 financed or refinanced by the issuance of revenue bonds in
 1369 accordance with this part and s. 11(f), Art. VII of the State
 1370 Constitution:

1371 (1) Brandon area feeder roads.

1372 (2) Capital improvements to the expressway system,
 1373 including safety and operational improvements and toll
 1374 collection equipment.

1375 (3) Lee Roy Selmon Crosstown Expressway System widening.

1376 ~~(4) The connector highway linking the Lee Roy Selmon~~
 1377 ~~Crosstown Expressway to Interstate 4.~~

1378 Section 27. Subsection (1) of section 348.57, Florida
 1379 Statutes, is amended to read:

1380 348.57 Refunding bonds.—

1381 (1) Subject to public notice as provided in s. 348.54, the
 1382 authority may request or provide ~~is authorized to provide~~ by
 1383 resolution for the issuance from time to time of bonds pursuant
 1384 to s. 348.56 ~~348.56(1)(b)~~ for the purpose of refunding any bonds
 1385 then outstanding ~~regardless of whether the bonds being refunded~~
 1386 ~~were issued by the authority pursuant to this chapter or on~~
 1387 ~~behalf of the authority pursuant to the State Bond Act.~~ The
 1388 authority may further request or provide ~~is further authorized~~
 1389 ~~to provide~~ by resolution for the issuance of bonds pursuant to
 1390 s. 348.56 for the combined purpose of:

1391 (a) Paying the cost of constructing, reconstructing,
 1392 improving, extending, repairing, maintaining and operating the

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1393 expressway system.

1394 (b) Refunding bonds then outstanding. The authorization,
1395 sale and issuance of such obligations, the maturities and other
1396 details thereof, the rights and remedies of the holders thereof,
1397 and the rights, powers, privileges, duties, and obligations of
1398 the authority with respect to the same are ~~shall be~~ governed by
1399 the foregoing provisions of this part insofar as the same may be
1400 applicable.

1401 Section 28. Subsections (7) and (8) are added to section
1402 348.60, Florida Statutes, to read:

1403 348.60 Lease-purchase agreements.—

1404 (7) The authority is a party to a lease-purchase agreement
1405 between the department and the authority dated November 18,
1406 1997, as supplemented by a supplemental lease-purchase agreement
1407 dated February 7, 2002, and a second supplemental lease-purchase
1408 agreement dated June 23, 2005. The authority may not enter into
1409 any other lease-purchase agreement, or amend the lease-purchase
1410 agreement, unless the department determines that such an
1411 agreement or amendment is necessary to permit the refunding of
1412 bonds issued before July 1, 2012.

1413 (8) Upon the earlier of the defeasance or payment of the
1414 authority bonds issued before July 1, 2012, and any bonds issued
1415 to refund the bonds, or the earlier date to which the purchasers
1416 of the authority bonds have consented:

1417 (a) The obligations of the department under the lease-
1418 purchase agreement with the authority, including any obligation
1419 to pay any cost of operation, maintenance, repair, or
1420 rehabilitation of the expressway system, terminates;

1421 (b) The lease-purchase agreement terminates;

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1422 (c) The expressway system remains the property of the
1423 authority and may not be transferred to the department;

1424 (d) The authority remains obligated to reimburse the
1425 department for the amounts paid by the department from a source
1426 other than revenues of the expressway system for any cost of
1427 operation, maintenance, repair, or rehabilitation of the
1428 expressway system; and

1429 (e) The department shall collect tolls for the use of the
1430 system as the agent of the authority as provided in this part.

1431 Section 29. Section 348.615, Florida Statutes, is created
1432 to read:

1433 348.615 Department to collect tolls.—

1434 (1) The department is the agent of the authority for the
1435 purpose of collecting tolls for the use of the authority's
1436 expressway system. The department must be reimbursed for the
1437 costs of collecting such charges from the revenues of the
1438 expressway system. The department may modify its rules regarding
1439 toll collection procedures and the imposition of administrative
1440 charges applicable to the authority's toll facilities. This
1441 section does not limit the authority of the department under any
1442 other provision of law or under any agreement entered into
1443 before July 1, 2012.

1444 (2) The authority may fix, alter, charge, and establish
1445 tolls, rates, fees, rentals, and other charges for the
1446 authority's facilities, as otherwise provided in this part.

1447 Section 30. Paragraph (e) of subsection (2) of section
1448 348.754, Florida Statutes, is amended to read:

1449 348.754 Purposes and powers.—

1450 (2) The authority is hereby granted, and shall have and may

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1451 exercise all powers necessary, appurtenant, convenient or
1452 incidental to the carrying out of the aforesaid purposes,
1453 including, but without being limited to, the following rights
1454 and powers:

1455 (e) To enter into and make lease-purchase agreements with
1456 the department for terms not exceeding 40 years, or until any
1457 bonds secured by a pledge of rentals thereunder, and any
1458 refundings thereof, are fully paid as to both principal and
1459 interest, whichever is longer. The authority is a party to a
1460 lease-purchase agreement between the department and the
1461 authority dated December 23, 1985, as supplemented by a first
1462 supplement to the lease-purchase agreement dated November 25,
1463 1986, and a second supplement to the lease-purchase agreement
1464 dated October 27, 1988. The authority may not enter into other
1465 lease-purchase agreements with the department and may not amend
1466 the existing agreement in a manner that expands or increases the
1467 department's obligations, unless the department determines that
1468 the agreement or amendment is necessary to permit the refunding
1469 of bonds issued before July 1, 2012.

1470 Section 31. Section 348.7543, Florida Statutes, is amended
1471 to read:

1472 348.7543 Improvements, bond financing authority for.—
1473 Pursuant to s. 11(f), Art. VII of the State Constitution, the
1474 Legislature hereby approves for bond financing by the Orlando-
1475 Orange County Expressway Authority improvements to toll
1476 collection facilities, interchanges to the legislatively
1477 approved expressway system, and any other facility appurtenant,
1478 necessary, or incidental to the approved system. Subject to
1479 terms and conditions of applicable revenue bond resolutions and

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1480 covenants, such costs may be financed in whole or in part by
 1481 revenue bonds issued pursuant to s. 348.755 ~~348.755(1)(a) or (b)~~
 1482 whether currently issued or issued in the future, ~~or by a~~
 1483 ~~combination of such bonds.~~

1484 Section 32. Section 348.7545, Florida Statutes, is amended
 1485 to read:

1486 348.7545 Western Beltway Part C, construction authorized;
 1487 financing.—Notwithstanding s. 338.2275, the Orlando-Orange
 1488 County Expressway Authority is authorized to exercise its
 1489 condemnation powers, construct, finance, operate, own, and
 1490 maintain that portion of the Western Beltway known as the
 1491 Western Beltway Part C, extending from Florida's Turnpike near
 1492 Ocoee in Orange County southerly through Orange and Osceola
 1493 Counties to an interchange with I-4 near the Osceola-Polk County
 1494 line, as part of the authority's 20-year capital projects plan.
 1495 This project may be financed with any funds available to the
 1496 authority for such purpose or revenue bonds issued by the
 1497 Division of Bond Finance of the State Board of Administration on
 1498 behalf of the authority pursuant to s. 11, Art. VII of the State
 1499 Constitution and the State Bond Act, ss. 215.57-215.83. This
 1500 project may be refinanced with bonds issued by the authority
 1501 pursuant to s. 348.755 ~~348.755(1)(d)~~.

1502 Section 33. Section 348.7546, Florida Statutes, is amended
 1503 to read:

1504 348.7546 Wekiva Parkway, construction authorized;
 1505 financing. ~~Notwithstanding s. 338.2275,~~

1506 (1) The Orlando-Orange County Expressway Authority is
 1507 ~~hereby~~ authorized to exercise its condemnation powers and to,
 1508 construct, finance, operate, own, and maintain those portions of

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1509 the Wekiva Parkway which are identified by agreement between the
1510 authority and the department and which are included as part of
1511 the authority's long-range capital improvement plan. The "Wekiva
1512 Parkway" means any limited access highway or expressway
1513 constructed between State Road 429 and Interstate 4 specifically
1514 incorporating the corridor alignment recommended by
1515 Recommendation 2 of the Wekiva River Basin Area Task Force final
1516 report dated January 15, 2003, and the recommendations of the SR
1517 429 Working Group which ~~that~~ were adopted January 16, 2004. This
1518 project may be financed with any funds available to the
1519 authority for such purpose or revenue bonds issued on behalf of
1520 ~~by~~ the authority under s. 11, Art. VII of the State Constitution
1521 and s. 348.755 ~~348.755(1)(b)~~. This section does not invalidate
1522 the exercise by the authority of its condemnation powers or the
1523 acquisition of any property for the Wekiva Parkway before July
1524 1, 2012.

1525 (2) Notwithstanding any other provision of law to the
1526 contrary, in order to ensure that funds are available to the
1527 department for its portion of the Wekiva Parkway, beginning July
1528 1, 2012, the authority shall repay the expenditures by the
1529 department for costs of operation and maintenance of the
1530 Orlando-Orange County Expressway System by annual transfer to
1531 the credit of an account of the department in the State Treasury
1532 from toll revenues of the Orlando-Orange County Expressway
1533 System, or other funds available to the authority, after payment
1534 of the debt service on all bonds issued by or on behalf of the
1535 authority pursuant to this part on or before July 1, 2012, or
1536 bonds issued to refund the bonds, and such other costs as are
1537 required to be paid under the terms of the bond resolutions

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1538 under which such bonds were issued. The authority shall pay the
1539 department \$10 million on July 1, 2012, and shall make annual
1540 payments of \$20 million on each successive July 1 until the
1541 department has been fully reimbursed for all costs of the
1542 Orlando-Orange County Expressway System which were paid,
1543 advanced, or reimbursed to the authority by the department, with
1544 a final payment in the amount of the balance remaining. If the
1545 authority fails to make a payment to the department as required
1546 in this subsection, the authority shall raise tolls, defer
1547 projects, or reduce its administrative and other expenses until
1548 it is current in such payments. Notwithstanding any other law to
1549 the contrary, the funds paid to the department pursuant to this
1550 subsection shall be allocated by the department for construction
1551 of the Wekiva Parkway.

1552 (3) Notwithstanding any other provision of law to the
1553 contrary, on and after July 1, 2012, the authority may not,
1554 without the department's consent, request the issuance of any
1555 bonds secured by a pledge of any authority revenues which is
1556 senior to, or on a parity with, the authority's obligation to
1557 make the annual payments to the department required under this
1558 section, except that the authority may request the issuance of
1559 bonds secured by a senior pledge for the purpose of refunding
1560 any authority bonds issued and outstanding as of July 1, 2012.
1561 Refunding bonds authorized by this subsection may not be issued
1562 if such bonds have a final maturity later than the final
1563 maturity of the bonds refunded or if the refunding bonds provide
1564 for higher debt service in any year than the debt service that
1565 is currently paid on such bonds.

1566 (4) The department's obligation to construct its portions

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1567 of the Wekiva Parkway is contingent upon the timely payment by
1568 the authority of the annual payments required of the authority
1569 under this section and receipt of all required environmental
1570 permits and approvals by the Federal Government.

1571 Section 34. Section 348.7547, Florida Statutes, is amended
1572 to read:

1573 348.7547 Maitland Boulevard Extension and Northwest Beltway
1574 Part A Realignment construction authorized; financing.—
1575 Notwithstanding s. 338.2275, the Orlando-Orange County
1576 Expressway Authority is hereby authorized to exercise its
1577 condemnation powers, construct, finance, operate, own, and
1578 maintain the portion of State Road 414 known as the Maitland
1579 Boulevard Extension and the realigned portion of the Northwest
1580 Beltway Part A as part of the authority's long-range capital
1581 improvement plan. The Maitland Boulevard Extension will extend
1582 from the current terminus of State Road 414 at U.S. 441 west to
1583 State Road 429 in west Orange County. The realigned portion of
1584 the Northwest Beltway Part A will run from the point at or near
1585 where the Maitland Boulevard Extension will connect with State
1586 Road 429 and will proceed to the west and then north resulting
1587 in the northern terminus of State Road 429 moving farther west
1588 before reconnecting with U.S. 441. However, under no
1589 circumstances shall the realignment of the Northwest Beltway
1590 Part A conflict or contradict with the alignment of the Wekiva
1591 Parkway as defined in s. 348.7546. This project may be financed
1592 with any funds available to the authority for such purpose or
1593 revenue bonds issued by or on behalf of the authority under s.
1594 11, Art. VII of the State Constitution and s. 348.755
1595 ~~348.755(1)(b)~~.

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1596 Section 35. Subsections (6), (7), (8), and (9) are added to
1597 section 348.755, Florida Statutes, to read:

1598 348.755 Bonds of the authority.—

1599 (6) Notwithstanding any other provision of law to the
1600 contrary, on and after July 1, 2012, the authority may not
1601 request the issuance of any bonds, except bonds issued to refund
1602 bonds issued before July 1, 2012, which provide any rights
1603 against the department which may be enforced by the holders of
1604 such bonds or debt. Refunding bonds authorized by this
1605 subsection may not be issued if the bonds have a final maturity
1606 later than the final maturity of the bonds refunded or if the
1607 refunding bonds provide for higher debt service in any year than
1608 the debt service that is currently paid on such bonds. Upon the
1609 earlier of the defeasance or payment of all authority bonds
1610 issued before July 1, 2012, or the defeasance or payment of the
1611 authority bonds issued to refund such bonds, or such earlier
1612 date to which the purchasers of the authority bonds have
1613 consented, the obligations of the department under any lease-
1614 purchase agreement with the authority, including any obligation
1615 to pay any cost of operation, maintenance, repair, or
1616 rehabilitation of the Orlando-Orange County Expressway System,
1617 terminate.

1618 (7) Notwithstanding any other provision of law to the
1619 contrary, on and after July 1, 2012, the authority may not,
1620 without the department's consent, request the issuance of any
1621 bonds secured by a pledge of any revenues of the authority which
1622 is senior to, or on a parity with, the authority's obligation to
1623 fully reimburse the department for the costs of operation,
1624 maintenance, repair, and rehabilitation of the Orlando-Orange

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1625 County Expressway System paid by the department, except that the
1626 authority may request the issuance of bonds secured by a senior
1627 pledge for the purpose of refunding any authority bonds issued
1628 and outstanding as of July 1, 2012. Refunding bonds authorized
1629 by this subsection may not be issued if the bonds have a final
1630 maturity later than the final maturity of the bonds refunded or
1631 if the refunding bonds provide for higher debt service in any
1632 year than the debt service that is currently paid on the bonds.

1633 (8) Beginning July 1, 2012, the authority may not issue
1634 bonds, except bonds issued to refund bonds issued before such
1635 date, unless the resolution authorizing the bonds and pledging
1636 the revenues of the Orlando-Orange County Expressway System
1637 requires that the revenues of the expressway system be deposited
1638 into appropriate accounts in such sums as are sufficient to pay
1639 the costs of operation and maintenance of the Orlando-Orange
1640 County Expressway System for the current fiscal year as set
1641 forth in the annual budget of the authority before any revenues
1642 of the Orlando-Orange County Expressway System are applied to
1643 the payment of interest or principal owing or that may become
1644 owing on such bonds.

1645 (9) Paragraphs (1)(b) and (d) do not apply in any fiscal
1646 year in which the department's obligations under the lease-
1647 purchase agreement between the department and authority have not
1648 been terminated as provided in s. 348.757 or in which the
1649 authority has not fully reimbursed the department for all
1650 amounts expended, advanced, or paid to the authority in prior
1651 fiscal years for the costs of operation, maintenance, repair,
1652 and rehabilitation of the expressway system. During any such
1653 fiscal year, bonds may be issued only on behalf of the authority

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1654 pursuant to the State Bond Act.

1655 Section 36. Subsections (8) and (9) are added to section
1656 348.757, Florida Statutes, to read:

1657 348.757 Lease-purchase agreement.—

1658 (8) The only lease-purchase agreement authorized by this
1659 section is the lease-purchase agreement between the department
1660 and the authority dated December 23, 1985, as supplemented by a
1661 first supplement to the lease-purchase agreement dated November
1662 25, 1986, and a second supplement to the lease-purchase
1663 agreement dated October 27, 1988. The authority may not enter
1664 into any other lease-purchase agreements with the department and
1665 may not amend the existing agreement in a manner that expands
1666 the scope of the department's obligations, unless the department
1667 determines the agreement or amendment is necessary to permit the
1668 refunding of bonds issued before July 1, 2012.

1669 (9) The department's obligations under the lease-purchase
1670 agreement between the department and the authority dated
1671 December 23, 1985, as supplemented by a first supplement to the
1672 lease-purchase agreement dated November 25, 1986, and a second
1673 supplement to the lease-purchase agreement dated October 27,
1674 1988, terminate upon the earlier of the defeasance, redemption,
1675 or payment in full of the authority's bonds issued and
1676 outstanding as of July 1, 2012, or bonds to refund such bonds,
1677 or such earlier date to which the purchasers of the authority
1678 bonds have consented.

1679 Section 37. Section 348.7585, Florida Statutes, is created
1680 to read:

1681 348.7585 Department to collect tolls.—

1682 (1) The department is the agent of the authority for the

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1683 purpose of collecting tolls for the use of the authority's
1684 expressway system. The department shall be reimbursed from the
1685 revenues of the expressway system for the costs of collecting
1686 the tolls. The department may modify its rules regarding toll
1687 collection procedures and the imposition of administrative
1688 charges to be applicable to the authority's toll facilities.
1689 This section does not limit the authority of the department
1690 under any other provision of law or under any agreement entered
1691 into before July 1, 2012.

1692 (2) The authority may fix, alter, charge, and establish
1693 tolls, rates, fees, rentals, and other charges for the
1694 authority's facilities, as otherwise provided in this section.

1695 Section 38. Paragraph (a) of subsection (4) of section
1696 348.9952, Florida Statutes, is amended to read:

1697 348.9952 Osceola County Expressway Authority.—

1698 (4) (a) The authority may employ an executive secretary, an
1699 executive director, its own counsel and legal staff, technical
1700 experts, engineers, and other employees, permanent or temporary,
1701 as it may require, and may determine the qualifications and fix
1702 the compensation of such persons, firms, or corporations.

1703 ~~Additionally, the authority may employ a fiscal agent or agents.~~
1704 ~~However, the authority shall solicit sealed proposals from at~~
1705 ~~least three persons, firms, or corporations for the performance~~
1706 ~~of any services as fiscal agents.~~ The authority may delegate to
1707 one or more of its agents or employees such of its power as it
1708 deems necessary to carry out the purposes of this part, subject
1709 always to the supervision and control of the authority.

1710 Section 39. Section 348.9956, Florida Statutes, is
1711 repealed.

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1712 Section 40. Section 348.99565, Florida Statutes, is created
1713 to read:

1714 348.99565 Department to construct, operate, and maintain
1715 facilities.-

1716 (1) The department is the agent of the authority for the
1717 purpose of performing all phases of a project, including, but
1718 not limited to, constructing improvements and extensions to the
1719 expressway system. The division and the authority shall provide
1720 to the department complete copies of all documents, agreements,
1721 resolutions, contracts, and instruments relating to the project
1722 and shall request that the department perform the construction
1723 work, including the planning, surveying, design, and actual
1724 construction of the completion, extensions, and improvements to
1725 the expressway system. After the issuance of bonds to finance
1726 construction of any improvements or additions to the expressway
1727 system, the division shall transfer to the credit of an account
1728 of the department in the State Treasury the necessary funds for
1729 construction. The department shall proceed with construction and
1730 use the funds for the purpose authorized and as provided by law
1731 for the construction of roads and bridges. The authority may
1732 alternatively, with the consent and approval of the department,
1733 appoint as its agent a local agency certified by the department
1734 to administer federal aid projects in accordance with federal
1735 law for the purpose of performing all phases of a project.

1736 (2) If the authority desires to construct improvements or
1737 extensions to the expressway system, it shall identify the
1738 expressway improvement project in a work plan and submit the
1739 work plan with its budget. The work plan must include a finance
1740 plan that demonstrates the financial feasibility of the

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1741 expressway project, including the authority's ability to
1742 reimburse the department for all costs of operation and
1743 maintenance of the improvements or extensions from the revenues
1744 of the expressway system. Legislative approval of the
1745 authority's budget and work plan is required before bonds may be
1746 issued on behalf of the authority to finance the construction of
1747 the improvements or extensions. The department shall operate and
1748 maintain the expressway system, and the costs incurred by the
1749 department for operation and maintenance shall be reimbursed
1750 from revenues of the expressway system. The expressway system
1751 shall be part of the State Highway System as defined in s.
1752 334.03.

1753 (3) The authority may fix, alter, charge, and establish
1754 tolls, rates, fees, rentals, and other charges for the
1755 authority's facilities, as otherwise provided in this part.

1756 Section 41. Subsection (2) of section 369.317, Florida
1757 Statutes, is amended, and subsection (9) is added to that
1758 section, to read:

1759 369.317 Wekiva Parkway.—

1760 (2) The Wekiva Parkway and related transportation
1761 facilities shall follow the design criteria contained in the
1762 recommendations of the Wekiva River Basin Area Task Force
1763 adopted by reference by the Wekiva River Basin Coordinating
1764 Committee in its final report of March 16, 2004, and the
1765 recommendations of the Wekiva Coordinating Committee contained
1766 in its final report of March 16, 2004, subject to reasonable
1767 environmental, economic, and engineering considerations. For
1768 those activities associated with the Wekiva Parkway and related
1769 transportation facilities which require authorization pursuant

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1770 to part IV of chapter 373, the Department of Environmental
1771 Protection is the exclusive permitting authority.

1772 (9) In Seminole County, the Department of Transportation
1773 shall locate the precise corridor and interchanges for the
1774 Wekiva Parkway consistent with the legislative intent expressed
1775 in other provisions of this act.

1776 Section 42. Paragraph (a) of subsection (4) of section
1777 377.809, Florida Statutes, is amended to read:

1778 377.809 Energy Economic Zone Pilot Program.—

1779 (4) (a) Beginning July 1, 2012, all the incentives and
1780 benefits provided for enterprise zones pursuant to state law
1781 shall be available to the energy economic zones designated
1782 pursuant to this section on or before July 1, 2010. In order to
1783 provide incentives, by March 1, 2012, each local governing body
1784 that has jurisdiction over an energy economic zone must, by
1785 local ordinance, establish the boundary of the energy economic
1786 zone, specify applicable energy-efficiency standards, and
1787 determine eligibility criteria for the application of state and
1788 local incentives and benefits in the energy economic zone.
1789 However, in order to receive benefits provided under s. 288.106,
1790 a business must be a qualified target industry business under s.
1791 288.106 for state purposes. An energy economic zone's boundary
1792 may be revised by local ordinance. Such incentives and benefits
1793 include those in ss. 212.08, 212.096, 220.181, 220.182, 220.183,
1794 288.106, and 624.5105 and the public utility discounts provided
1795 in s. 290.007(8). The exemption provided in s. 212.08(5)(c)
1796 shall be for renewable energy as defined in s. 377.803. For
1797 purposes of this section, any applicable requirements for
1798 employee residency for higher refund or credit thresholds must

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1799 be based on employee residency in the energy economic zone or an
1800 enterprise zone. A business in an energy economic zone may also
1801 be eligible for funding under ss. 288.047 and 445.003, and a
1802 transportation project in an energy economic zone shall be
1803 provided priority in funding under s. 339.2821 ~~288.063~~. Other
1804 projects shall be given priority ranking to the extent
1805 practicable for grants administered under state energy programs.

1806 Section 43. The funds in the Toll Facilities Revolving
1807 Trust Fund and all future payments of obligated funds shall be
1808 deposited into the State Transportation Trust Fund to be
1809 expended for the purposes specified in s. 339.08, Florida
1810 Statutes.

1811 Section 44. The Florida Transportation Commission shall
1812 conduct a study of the potential for cost savings that might be
1813 realized through increased efficiencies through the sharing of
1814 resources for the accomplishment of design, construction, and
1815 maintenance activities by or on behalf of expressway authorities
1816 in the state. The commission may retain such experts as are
1817 reasonably necessary to complete the study, and the Department
1818 of Transportation shall pay the expenses of such experts. The
1819 commission shall complete the study and provide a written report
1820 of its findings and conclusions to the Governor, the President
1821 of the Senate, the Speaker of the House of Representatives, and
1822 the chairs of each of the appropriations committees by December
1823 31, 2012.

1824 Section 45. This act shall take effect July 1, 2012.