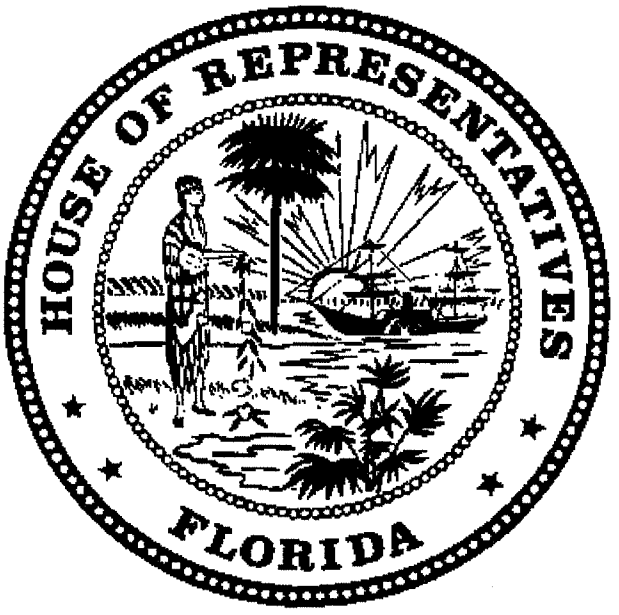

Transportation & Highway Safety Subcommittee

Wednesday, October 19, 2011
1:35 PM - 4:00 PM
306 HOB

Dean Cannon
Speaker

Brad Drake
Chair

The Florida House of Representatives

Transportation & Highway Safety Subcommittee

AGENDA

October 19, 2011
1:35 PM - 4:00 PM
306 House Office Building

I. Call to Order & Opening Remarks by Chair Drake

II. Consideration of the following bill(s):

HB 15 Transportation Facility Designations by Rep. Mayfield

HB 33 Traffic Control Signals by Rep. Ahern

HB 97 Spaceport Facilities by Rep. Workman

HB 101 Transportation Facilities Designations by Rep. Ford

HB 4007 Transportation Corporations by Rep. Horner

HB 4035 Driver Licenses by Rep. Workman

III. Closing Remarks by the Chairman

IV. Adjournment

402 South Monroe Street, 204 House Office Building, Tallahassee, Florida 32399-1300
(850) 410-4905

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 15 Transportation Facility Designations
SPONSOR(S): Mayfield
TIED BILLS: **IDEN./SIM. BILLS:** SB 456

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Highway Safety Subcommittee		Kiner KLK	Kruse MC
2) Economic Affairs Committee			

SUMMARY ANALYSIS

The bill designates bridge number 880077 in Indian River County as 'Alma Lee Loy Bridge' and directs the Florida Department of Transportation ("FDOT") to erect suitable markers.

The bill has an estimated negative fiscal impact of $800, which is the cost to FDOT to erect the markers.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Ms. Alma Lee Loy was born and raised in Vero Beach, Florida, and has been a life-long resident, businesswoman and active member of the community ever since. In 1968, she became the first woman elected to the Indian River County Commission and served as both Chairman and Vice-Chairman. Among her many varied accomplishments during this time was championing the construction of the 17th Street Bridge (State Road 656 between Indian River Boulevard and State Road A1A).[1] It has been said that Ms. Loy's passion on this initiative helped her overcome objections related to the possibility of declining property values, right-of-way costs and environmental concerns – such as whether construction of the bridge would interfere with the operation of the nearby power plant.[2]

Throughout the years, Ms. Loy has worked tirelessly to improve and enhance public beaches, parks and the Vero Beach/Indian River County community in general. Her efforts have earned her recognition in the form of having a county park and the local chamber of commerce building dedicated in her name.

Ms. Loy obtained her Associates Degree at the Rochester Institute of Technology and later obtained her Bachelor of Science in Business Administration with minors in Economics and Management from the University of Miami.

Florida Law on legislative designations of transportation facilities

Section 334.071, F.S., provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations neither 'officially' change the current names of the facilities, nor require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

Section 334.071, F.S., also requires:

- The city or county in which the dedicated facility is located to pass a resolution, through its board of commissioners, in support of the designation before markers are erected. If the designated segment extends through multiple cities or counties, a resolution must be passed by each affected local government; and
- The Florida Department of Transportation must place a marker at each termini or intersection of a designated road or bridge, and erect other markers it deems appropriate for the transportation facility.

Effect of Proposed Change

The bill designates bridge number 880077 on State Road 656 between State Road A1A and Indian River Boulevard in the City of Vero Beach as 'Alma Lee Loy Bridge.' The Florida Department of Transportation is directed to erect suitable markers.

The bill has an effective date of July 1, 2012.

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[1] Jonathan Mattise. *Effort to Name 17th Street Bridge After Alma Lee Loy Delayed a Year. See* http://www.tcpalm.com/news/2011/may/18/effort-to-name-17th-street-bridge-after-alma-lee/ (Last viewed 10/7/2011).
[2] Willard Siebert. *Letter: Naming bridge for Loy is fitting for way she bridged different people, common interests. See* http://www.tcpalm.com/news/2011/apr/29/letter-naming-bridge-for-loy-is-fitting-for-way/ (Last viewed 10/7/2011).

B. SECTION DIRECTORY:

Section 1 Designates Alma Lee Loy Bridge in Indian River County; directs the Florida Department of Transportation to erect suitable markers.

Section 2 Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The Florida Department of Transportation ("FDOT") will incur costs of approximately $800 (from the State Transportation Trust Fund) for erecting markers for the designation. This is based on the assumption that two markers will be erected at a cost of $400 per marker. FDOT will also incur the recurring costs of maintaining these signs over time and for future replacement of the signs as necessary.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because the bill does not appear to require the counties or cities to spend funds or take an action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

A bill to be entitled

An act relating to transportation facility designations; providing honorary designation of a certain transportation facility in a specified county; directing the Department of Transportation to erect suitable markers; providing an effective date.

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

Section 1. Alma Lee Loy Bridge designated; Department of Transportation to erect suitable markers.—

(1) Bridge Number 880077 on State Road 656 between State Road A1A and Indian River Boulevard in the City of Vero Beach in Indian River County is designated as "Alma Lee Loy Bridge."

(2) The Department of Transportation is directed to erect suitable markers designating Alma Lee Loy Bridge as described subsection (1).

Section 2. This act shall take effect July 1, 2012.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 33 Traffic Control Signals
SPONSOR(S): Ahern and others
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Highway Safety Subcommittee		Kiner KLK	Kruse MTC
2) Transportation & Economic Development Appropriations Subcommittee			
3) Economic Affairs Committee			

SUMMARY ANALYSIS

The bill requires minimum yellow signal display durations and all-red clearance intervals on traffic control signals.

Current law requires drivers to follow set traffic control signal commands and yield the right-of-way to pedestrians lawfully in intersections and crosswalks. The bill requires the Florida Department of Transportation ("FDOT") and local authorities to ensure traffic control signals meet guidelines based on a pre-determined schedule. Provisions of the bill require that whenever an engineering analysis is undertaken to evaluate or reevaluate signal display durations, FDOT and local authorities will be responsible for ensuring traffic control signals meet guidelines related to the following:

- A minimum yellow signal display duration; and
- An all-red clearance interval following the yellow signal display.

The bill also:

- Provides for the dismissal of citations issued for running a red light if the traffic control signal does not meet requirements;
- Requires FDOT and local authorities to place signs alerting drivers approaching intersections with a speed limit of greater than 55 miles per hour; and
- Details a schedule for compliance as well as the result(s) of non-compliance.

Both state and local governments may see a decline in revenue from the issuance, and payment, of red light citations and an increase in the expenditure of funds related to ensuring traffic control signals meet requirements. FDOT estimates state government expenditures related to implementation of the bill to be approximately $812,830. Local government expenditures are estimated to be at least $300,000.

The bill is effective July 1, 2012, and requires FDOT and local authorities to ensure all intersections with traffic infraction detectors meet requirements by December 31, 2012. All traffic control signals must meet requirements by December 31, 2013.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Federal Rules on Traffic Control Devices

The Federal Highway Administration ("FHWA") publishes a Manual on Uniform Traffic Control Devices ("MUTCD") that defines standards related to the installation and maintenance of traffic control signals. The MUTCD is updated periodically to "accommodate the nation's changing transportation needs and address new safety technologies, traffic control tools and traffic management techniques."[1] A federal rule adopting the 2009 edition of the MUTCD was published in the Federal Register on December 16, 2009.[2] All states must adopt the 2009 edition of the MUTCD by January 15, 2012. According to information published on FHWA's website, Florida has adopted this national standard.[3]

Florida Laws and Rules on Traffic Control Devices

Section 316.0745(1), F.S., requires FDOT to adopt a uniform system of traffic control devices for use on the streets and highways of the state.[4] FDOT is required to revise this system from time to time to conform to a national system or to meet local and state needs.[5] When revising the system, FDOT may receive assistance from local authorities.[6] FDOT is also authorized to permit the use of traffic control signals that do not conform to the uniform system upon a showing of good cause.[7]

Section 316.0745(2), F.S., requires FDOT to compile and publish a manual defining its uniform system.[8] The statute also requires FDOT to compile and publish minimum specifications for traffic control signal devices "certified . . . as conforming with the uniform system."[9]

Following statutory requirements, FDOT publishes a Traffic Engineering Manual ("TEM") to provide traffic engineering standards and guidelines.[10] In addition to Florida Statutes, Rule 14-15.010, F.A.C., gives FDOT authority to adopt the TEM. The TEM covers the processes whereby standards and guidelines are adopted, as well as chapters devoted to "highway signs and markings, traffic signals, traffic optimization through the use of computer models . . ., and links to information on FDOT's mature driver/pedestrian program."[11]

In addition to FDOT's TEM, many sections of Florida law require drivers to obey traffic control signal demands. Section 316.075, F.S., requires drivers to follow set traffic control signal commands and yield the right-of-way to pedestrians lawfully in intersections and crosswalks. Violators of s. 316.075, F.S., including those that run red lights, commit non-criminal traffic violations punishable pursuant to ch. 318, F.S.

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[1] *See* http://mutcd.fhwa.dot.gov/ (Last viewed 9/29/2011).
[2] Id.
[3] http://mutcd.fhwa.dot.gov/knowledge/natl_adopt_2009.htm. Information last modified on 9/19/2011 (Last viewed 9/29/2011).
[4] s. 316.0745(1), F.S.
[5] Id.
[6] Id.
[7] s. 316.0745(8), F.S.
[8] s. 316.0745(2), F.S.
[9] Id.
[10] Florida Department of Transportation *Traffic Engineering Manual*, "Adoption Procedure." (Last revised June 2010).
[11] Id.

Institute of Transportation Engineers

According to its website, the Institute of Transportation Engineers ("ITE") is an international, educational and scientific association of transportation professionals.[12] Among other things, ITE offers recommendations to the MUTCD and is recognized as one of the leading organizations in transportation research. It publishes a Traffic Engineering Handbook containing information used by transportation officials nationwide. FDOT's TEM calculates the minimum yellow signal change and all-red clearance intervals using formulas contained within the ITE's Traffic Engineering Handbook. However, there is no express requirement in Florida law that FDOT's TEM contain formulas contained within ITE's Traffic Engineering Handbook.

Yellow Light Display Duration

The purpose of the yellow light display is "to provide a safe transition between two conflicting traffic signal phases."[13] More specifically, the function of the yellow light display is "to warn traffic of an impending change in the right-of-way assignment."[14]

The Federal MUTCD states that a yellow change interval should have a minimum duration of 3 seconds and a maximum duration of 6 seconds.[15] With regard to specific guidance for the length of a yellow signal, the MUTCD specifies that the length shall be determined using engineering practices.[16] These engineering practices are contained within FDOT's TEM.

The TEM calculates the minimum yellow change and all-red clearance intervals using a formula contained within the ITE's Traffic Engineering Handbook. The specific formula is explained in the image below, along with a chart calculating the formula's results for a hypothetical intersection on level ground.[17]

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[12] *See* www.ite.org/aboutite

[13] Florida Department of Transportation *Traffic Engineering Manual*, s. 3.6.1, "Purpose." (Revised June 2010).

[14] Id.

[15] Id.

[16] FHWA *Manual on Uniform Traffic Control Devices* S.4D.26(2)-(3) (Last viewed 9/15/2011).

[17] "Table 3.6-1." is reproduced directly from s. 3.6.2.1 of the TEM and can be seen in context at the following address: http://www.dot.state.fl.us/trafficoperations.Operations/Studies/TEM/TEM.shtm (Last viewed 9/15/ 2011).

Table 3.6-1. Florida Yellow Change Interval (0.0 % Grade)*

APPROACH SPEED (MPH)	YELLOW INTERVAL (SECONDS)
25	3.0
30	3.2
35	3.6
40	4.0
45	4.3
50	4.7
55	5.0
60	5.4
65	5.8
* For approach grades other than 0%, Use ITE Formula.	

Formula 3.6-1

$$Y = t + \frac{1.47v}{2(a + Gg)}$$

Where:

Y = length of yellow interval, sec.
t = perception-reaction time, (Use 1 sec.).
v = speed of approaching vehicles, in mph.
a = deceleration rate in response to the onset of a yellow indication. (Use 10 ft/sec^2)
g = acceleration due to gravity. (Use 32.2 ft/sec^2)
G = grade, with uphill positive and downhill negative. (percent grade /100)

All variables in the formula have assumed or fixed values except the approach speed, *v.* As a result, the speed of vehicles as they approach an intersection is the critical input an engineer must consider when solving the formula for *Y* – an appropriate length in seconds for the yellow light.

With respect to determining the correct approach speed, the TEM states, "[a]pproach speed... is the posted speed or the 85th percentile approach speed, whichever is greater.[18] The phrase "posted speed" refers to the speed limit applied to the road pursuant to ss. 316.187 and 316.189, F.S.[19] The phrase "85th percentile approach speed" is a commonly-used statistical measurement describing the speed at or below which 85 percent of free-flowing traffic is moving.[20]

The TEM also contains a provision allowing traffic engineers to modify yellow light intervals as appropriate. Section 3.6.2(5) states that "yellow change... intervals specified herein are minimums, and should be increased as necessary, based on professional engineering judgment, to fit site conditions at any particular intersection." FDOT's TEM does not contain language regarding the shortening of a yellow light interval to an amount of time less than those provided in the manual.

All-red Clearance Interval

[18] Florida Department of Transportation *Traffic Engineering Manual* "Section 3.6.2," "Standard." (Revised 7/7/2011).
[19] Id.
[20] Id.

The all-red clearance interval is a brief period when traffic is stopped at red lights in all directions. The purpose of the all-red clearance interval is to provide additional time following the yellow change interval to clear the intersection before conflicting traffic is released.[21] The idea is that the interval needs to be long enough to prevent accidents, but no longer than necessary to ensure traffic continues to flow. According to the Federal MUTCD, the duration of an all-red clearance interval should not exceed 6 seconds.

Effect of Proposed Changes

The bill amends s. 316.075, F.S., to require minimum yellow signal display durations and an all-red clearance interval on traffic control signals.

Yellow Light Display Duration

The bill provides that whenever an engineering analysis is undertaken to evaluate or reevaluate signal display durations, FDOT and local authorities will be responsible for ensuring traffic control signals meet guidelines related to the following:

- The minimum yellow signal display duration on traffic control signals is to be based on the posted speed limit plus 10 percent. The minimum yellow signal display duration is 3 seconds for traffic control signals on streets with a posted speed limit of 25 miles per hour or less, and the minimum yellow display duration shall increase by .5 second for each increase of 5 miles per hour in the posted speed limit, plus 10 percent. However, the yellow light display duration is not to exceed 6 seconds; and
- Intersections with a posted speed limit greater than 55 miles per hour are required to have, on approach, a sign posted to alert drivers of the upcoming traffic control signal. The sign is to be posted in accordance with FDOT's Manual on Uniform Traffic Control Devices.

All-red Clearance Interval

The bill also amends s. 316.075, F.S., to require an all-red clearance interval following the yellow signal display in order to provide additional time between conflicting traffic movements. FDOT is required to use its adopted engineering practices to determine the duration of the all-red clearance interval. The bill provides that the duration may be extended from its predetermined value for a given cycle based upon the detection of a vehicle that is predicted to violate the red signal indication.

Dismissal of Citations

The bill's proposed changes require FDOT and local authorities to submit proof that traffic control signals meet requirements – particularly when challenged in court by a person cited for an alleged red light violation. This may require traffic engineers at the hearing. The bill provides that a citation for a red light violation committed at an intersection where the traffic control signal does not meet all of the minimum yellow signal display duration, all-red clearance interval and other requirements is unenforceable and must be dismissed without penalty or assessment of points against the driver's license. However, the dismissal of the citation does not affect the validity of any other citation or charge for a violation of law and the dismissal may not be used as evidence in any other civil or criminal proceeding.

Possible Effect on Traffic Flow

Currently, the yellow signal display duration and all-red clearance interval on traffic control signals is not addressed by statute, but is stated in FDOT's TEM. The effect of the proposed changes is that functional aspects of traffic control signals will be more closely tied to FDOT's TEM, federal standards and current engineering practices. Additionally, statewide guidelines for minimum yellow light display durations and all-red clearance intervals may result in greater consistency and may reduce traffic crashes by clearing out intersections before allowing conflicting traffic to proceed.

[21] Florida Department of Transportation *Traffic Engineering Manual* "Section 3.6.1," "Purpose." (Revised 7/7/ 2011).

While various studies may be used as diagnostic tools, they are not necessarily accurate predictors of actual driver behavior. However, multiple studies have shown that increases in yellow light display duration may reduce traffic crashes and may reduce the number of red light violations. This has been the case in several states – California,[22] Missouri[23] and Virginia[24] are examples. One study conducted by the Texas Transportation Institute found an increase of just one second in yellow light display duration in three Texas cities resulted in a 40 percent collision reduction.[25]

Conversely, one study suggests extending the yellow light display duration, or "indecision zone," results in a greater probability of rear-end collisions.[26] This same study, however, concedes the notion that rear-end collisions are the most frequent type of accident at any signalized intersection. Further, the study pointed to findings that while rear-end collisions were more frequent, extending yellow light display durations resulted in a reduction in the more-severe, right-angle accidents.[27]

While increased yellow light display durations may reduce red light violations and traffic crashes, drivers may experience longer commute times as a result of traffic being stopped in all directions whenever the traffic control signals enter the all-red clearance interval.

Effective Date

The bill is effective July 1, 2012, and requires FDOT and local authorities to ensure all intersections with traffic infraction detectors meet requirements by December 31, 2012. All traffic control signals must meet requirements by December 31, 2013.

B. SECTION DIRECTORY:

Section 1 Amends s. 316.075, F.S., relating to traffic control signals requiring traffic control signals to maintain certain signal intervals and display durations based on approach speeds; providing that a citation for specified violations shall be dismissed if the traffic control signal does not meet specified requirements; providing dates for intersections to meet the requirements of this act.

Section 2 Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

Indeterminate. The number of citations that may be dismissed pursuant to provisions of this bill is unknown. Additionally, the number of citations that would not be written due to the additional yellow signal display duration is unknown. During the 2011 Legislative Session, the Revenue Estimating Conference found a $49.7 million recurring negative fiscal impact for state general revenue and state trust funds for this same issue. An impact conference has not been held on the current bill draft.

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[22] *California: Longer Yellows Nearly Eliminate Violations. See* http://www.thenewspaper.com/news/30/3055.asp (Last viewed 9/29/11); *California City Dumps Red Light Cameras After Increasing Yellow. See* http://www.thenewspaper.com/news/31/3110.asp (Last viewed 9/29/11).

[23] *Missouri: State Moves for Longer Yellow, Reduced Violations. See* http://www.thenewspaper.com/news/34/3477.asp (Last viewed 9/29/11).

[24] *Red Light Citations Drop Below One Per Day. See http://www.motorists.org/red-light-cameras/fairfax* (Last viewed 9/29/11).

[25] *Study: Longer Yellows Reduce Crashes. See* http://www.thenewspaper.com/news/02/243.asp (Last viewed 9/29/11).

[26] Mahalel, D. and Prashker, J.N. 1987. "A Behavioral Approach to Risk Estimation of Rear-End Collisions at Signalized Intersections." Transportation Research Record. Washington, D.C.: (Record 1114, 96-102).

[27] Id.

2. Expenditures:

FDOT will incur costs associated with setting all of its traffic control signals to the required yellow signal display duration and all-red clearance interval. FDOT has approximately 7,714 intersections statewide and estimates that the total cost of implementation is $462,830.[28]

FDOT estimates it will incur costs related to the placement of signs at intersections with posted speed limits of greater than 55 mph. FDOT estimates that it has 350 intersections with posted speed limits of 60 or more mph. FDOT estimates that it will cost approximately $1,000 per intersection (two signs at $500 each) for a total cost of $350,000.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

Indeterminate. The number of citations that may be dismissed pursuant to provisions of this bill is unknown. Additionally, the number of citations that would not be written due to the additional yellow signal display duration is unknown. During the 2011 Legislative Session, the Revenue Estimating Conference found a $37.3 million recurring negative fiscal impact for local governments for this same issue. An impact conference has not been held on the current bill draft.

2. Expenditures:

Local governments will incur costs associated with setting all traffic control signals to the required yellow light display durations and minimum all-red clearance intervals. FDOT estimates that the local governments have approximately 5,000 total intersections. Using the same information FDOT used in estimating its costs, the fiscal impact on local governments will be approximately $300,000.

Local governments will incur costs related to the placement of signs at intersections with posted speed limits of greater than 55 mph. FDOT estimates that cost at $1,000 per intersection, but the number of intersections are unknown.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Motorists may see fewer citations for red light running due to additional yellow signal display durations and all red clearance intervals.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The county/municipality mandates provision of Article VII, s.18 of the Florida constitution may apply because this bill requires municipalities and counties to evaluate traffic signals to meet certain yellow display durations and all red clearance intervals and makes certain traffic violations unenforceable,

[28] In estimating the potential cost, FDOT assumes that half of the intersections will be adjusted by department employees and half of the intersections will be adjusted by outside consultants. FDOT also estimates that half of the intersections will be adjusted from a central office and that half of the intersections will require someone to go to the traffic control signal to adjust the display duration.

where municipalities and counties receive a portion of the revenue; however, an exception for similarly situated entities may apply if – in conjunction – the Legislature formally determines the subject matter of this bill advances an important state interest and FDOT, a similarly situated entity, is also required to comply.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

1. Drafting Issues:

The bill uses inconsistent terminology when referencing various traffic manuals. Section 1 of the bill amends ss. 316.075(3)(a)(1) and 316.075(3)(a)(2)(c), F.S., to require traffic control signals to conform to standards provided in FDOT's manual on uniform traffic control devices.

FDOT does not publish a manual on uniform traffic devices; the Manual on Uniform Traffic Devices (MUTCD) is published by the Federal Highway Administration. FDOT does, however, publish a Traffic Engineering Manual ("TEM"). The sponsor may wish to amend the bill to substitute TEM for MUTCD.

2. Other Comments:

Inconsistent descriptions of the green light display on traffic control signals are used throughout the current text of s. 316.075, F.S. The sponsor may wish to amend the bill to provide consistency within the current law.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

A bill to be entitled

An act relating to traffic control signals; amending s. 316.075, F.S.; requiring traffic control signals to maintain certain signal intervals and display durations based on approach speeds; providing that a citation for specified violations shall be dismissed if the traffic control signal does not meet specified requirements; providing dates for intersections to meet requirements of the act; providing an effective date.

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

Section 1. Section 316.075, Florida Statutes, is amended to read:

316.075 Traffic control signal devices.—

(1) Except for automatic warning signal lights installed or to be installed at railroad crossings, whenever traffic, including municipal traffic, is controlled by traffic control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red, and yellow shall be used, except for special pedestrian signals carrying a word legend, and the lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(a) Green indication.—

1. Vehicular traffic facing a circular green signal may proceed cautiously straight through or turn right or left unless

a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

2. Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, as directed by the manual, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time, except the driver of any vehicle may U-turn, so as to proceed in the opposite direction unless such movement is prohibited by posted traffic control signs. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

3. Unless otherwise directed by a pedestrian control signal as provided in s. 316.0755, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(b) Steady yellow indication.—

1. Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection.

2. Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian control signal as provided in

s. 316.0755, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall start to cross the roadway.

(c) Steady red indication.—

1. Vehicular traffic facing a steady red signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until a green indication is shown; however:

a. The driver of a vehicle which is stopped at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection in obedience to a steady red signal may make a right turn, but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection, except that municipal and county authorities may prohibit any such right turn against a steady red signal at any intersection, which prohibition shall be effective when a sign giving notice thereof is erected in a location visible to traffic approaching the intersection.

b. The driver of a vehicle on a one-way street that intersects another one-way street on which traffic moves to the left shall stop in obedience to a steady red signal, but may then make a left turn into the one-way street, but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection, except that

municipal and county authorities may prohibit any such left turn as described, which prohibition shall be effective when a sign giving notice thereof is attached to the traffic control signal device at the intersection.

2.a. The driver of a vehicle facing a steady red signal shall stop before entering the crosswalk and remain stopped to allow a pedestrian, with a permitted signal, to cross a roadway when the pedestrian is in the crosswalk or steps into the crosswalk and is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

b. Unless otherwise directed by a pedestrian control signal as provided in s. 316.0755, pedestrians facing a steady red signal shall not enter the roadway.

(2) In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

(3)(a) A ~~No~~ traffic control signal device may not ~~shall~~ be used unless it exhibits ~~which does not exhibit~~ a yellow or "caution" light between the green or "go" signal and the red or "stop" signal. Whenever an engineering analysis is undertaken for the purpose of evaluating or reevaluating yellow and red

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

signal display durations of a new or existing traffic control signal, the department and local authorities shall adhere to the following:

1. The minimum yellow signal display duration on traffic control signals shall be based on the posted speed limit plus 10 percent along with the standards set forth in the Institute of Transportation Engineers Traffic Engineering Handbook, sixth edition, published in March, 2009. The minimum yellow signal display duration shall be 3 seconds for traffic control signals on streets with a posted speed limit of 25 miles per hour or less. The minimum yellow signal display duration found after the evaluation or reevaluation under this paragraph shall be raised to the nearest half second not to exceed 6 seconds.

2. Intersections with a posted speed limit greater than 55 miles per hour shall have, on approach, a sign posted in accordance with the Department of Transportation's manual of uniform traffic control devices to alert drivers to the traffic control signal.

(b) A ~~No~~ traffic control signal device may not ~~shall~~ display other than the color red at the top of the vertical signal, nor may ~~shall~~ it display other than the color red at the extreme left of the horizontal signal.

(c) To provide additional time before conflicting traffic movements proceed, the yellow signal display shall be followed by an all red clearance interval delaying the change of opposing red light signals. The duration of the clearance interval shall be determined by engineering practices as provided for in the Department of Transportation's manual of uniform traffic control

devices required under s. 316.0745. The duration of a red clearance interval may be extended from its predetermined value for a given cycle based upon the detection of a vehicle that is predicted to violate the red signal indication.

(4) A violation of subsection (1) or subsection (2) ~~this section~~ is a noncriminal traffic infraction, punishable pursuant to chapter 318 as either a pedestrian violation or, if the infraction resulted from the operation of a vehicle, as a moving violation. However, a citation for a violation of subparagraph (1)(c)1. committed at an intersection where the traffic signal device does not meet all requirements under subsection (3) is unenforceable and the court, clerk of the court, designated official, or authorized operator of a traffic violations bureau shall dismiss the citation without penalty or assessment of points against the license of the person cited. Dismissal of the citation under this subsection does not affect the validity of any other citation or charge for a violation of law and the dismissal may not be used as evidence in any other civil or criminal proceeding. Intersections with traffic infraction detectors must meet the requirements in this section by December 31, 2012, or any citations issued at the intersections that do not meet the requirements in this section shall be dismissed under this subsection. All other intersections must meet the requirements in this section by December 31, 2013, or any citations issued at the intersections that do not meet the requirements in this section shall be dismissed under this subsection. One-third of the total number of intersections must

be examined and brought into compliance each year until all intersections are in compliance.

Section 2. This act shall take effect July 1, 2012.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 97 Spaceport Facilities
SPONSOR(S): Workman and others
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Highway Safety Subcommittee		Kiner KLK	Kruse MK
2) Transportation & Economic Development Appropriations Subcommittee			
3) Economic Affairs Committee			

SUMMARY ANALYSIS

The bill amends Florida law by defining the term 'launch support facilities' and deleting the term 'spaceport launch facilities'. "Launch support facilities," as defined by the bill, means facilities that are located at launch sites or launch ranges that are required to support launch activities, including launch vehicle assembly, launch vehicle operations and control, communications, and flight safety functions, as well as payload operations, control, and processing. This change is intended to provide an updated definition of spaceport infrastructure for state and federal purposes.

The bill has no fiscal impact.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Florida's Aerospace Economic Development Organization

Florida's aerospace industry is integral to the state's long-term success in diversifying and building a knowledge-based economy that is able to support the creation of high-value-added businesses and jobs.[1] As such, the Florida Legislature found that a strong public and private commitment was required to foster the growth and development of a sustainable and world-leading aerospace industry in the state.[2] Space Florida[3] is one manifestation of this commitment, and among many other things, fosters economic development by:

- Enhancing the state's workforce, education and research capabilities, with an emphasis on mathematics, science, engineering and related fields;
- Focusing on the state's economic development efforts in order to capture a larger share of activity in aerospace research, technology, production and commercial operations, while maintaining the state's historical leadership in space launch activities;
- Preserving the unique national role served by the Cape Canaveral Air Force Station and the John F. Kennedy Space Center by reducing costs and improving the regulatory flexibility for commercial sector launches while pursuing the development of complementary sites for commercial horizontal launches; and
- Facilitating business financing, and when necessary, entering into memoranda of agreement with municipalities, counties, regional authorities, state and federal agencies and other organizations, as well as other interested persons or groups.[4]

As an independent special district and political subdivision of the state, Space Florida has all the powers, rights, privileges and authority as provided under Florida law.[5] This authority allows Space Florida to act as a special purpose government and finance vehicle to carry out the legislative intent behind its creation. In doing so, Space Florida is governed by an independent board of directors and an advisory council.[6] Securing funding for aerospace related infrastructure is one of the many duties and responsibilities of the board of directors.[7]

Florida's Strategic Intermodal System

Space Florida secures funding for aerospace related infrastructure in part from the Florida Department of Transportation's Strategic Intermodal System ("SIS"). The SIS is composed of the following three components:

- Statewide and regionally significant facilities and services (strategic);
- All forms of transportation for moving both people and goods, including linkages that provide for smooth and efficient transfers between modes and major facilities (intermodal); and
- Integration of individual facilities, services, forms of transportation and linkages into a single, integrated transportation network (system).[8]

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[1] s. 331.3011(1), F.S.
[2] s. 331.3011(2), F.S.
[3] Space Florida was created by ch. 2006-60, L.O.F.; codified in ch. 331, F.S.
[4] Id.
[5] Id.
[6] s. 331.3081(1), (2), F.S.
[7] s. 331.310(1)(d), F.S.
[8] *See* information on Florida Department of Transportation's Strategic Intermodal System. This information can be accessed via the following link: http://www.dot.state.fl.us/planning/sis/ (Last viewed 10/6/2011).

Because 'space' is a recognized mode of transportation, 'spaceports' are considered transportation facilities.[9][10] This recognition makes certain spaceport infrastructure projects eligible for inclusion in the Florida Department of Transportation's (FDOT) planning and programs.[11] Annually, the Florida Legislature appropriates a portion of the State Transportation Trust Fund, specifically revenues collected from taxes on aviation fuel, to the State Aviation Program, which in part funds the SIS.[12] During the 2011 Regular Legislative Session, Space Florida was allocated $16M dollars for infrastructure spending related to the spaceport launch complex and spaceport infrastructure projects.[13]

Inconsistent Definitions of Spaceport Infrastructure

Space Florida and FDOT work closely on SIS funding so no issues have arisen regarding the current statutory definition. However, Space Florida is interested in avoiding future issues of interpretation and to address federal definition issues.

Currently, Florida law uses the term 'spaceport launch facilities' and defines it to mean "industrial facilities . . . [including] any launch pad, launch control center, and fixed launch support equipment."[14]

Federally, the term 'launch support facilities' means "facilities located at launch sites or launch ranges that are required to support launch activities, including launch vehicle assembly, launch vehicle operations and control, communications, flight safety functions, payload operations, control and processing."[15]

Florida's current definition of 'spaceport launch facilities' uses outdated terminology and the proposed definition is intended to parallel the more broad federal definition of 'launch support facilities.'

Effect of Proposed Changes

The bill amends s. 331.303, F.S., to define the term 'launch support facilities' and to delete the term 'spaceport launch facilities.'
The new definition states:

> "Launch support facilities" means facilities that are located at launch sites or launch ranges that are required to support launch activities, including launch vehicle assembly, launch vehicle operations and control, communications, and flight safety functions, as well as payload operations, control, and processing.

Space Florida maintains that the effect of the proposed changes will allow for the following:

- The ability to better fund infrastructure upgrades and improvements to space-related facilities by using SIS monies more appropriately for space infrastructure projects not airport related;
- The alignment of federal and state definitions so that any future federal grants may qualify for the same projects.

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[9] s. 339.62(3), F.S.
[10] More specifically, 'spaceports' are considered transportation 'hubs' in the SIS Strategic Plan. *See* the Florida Department of Transportation's information on the SIS Strategic Plan, which in relevant part reads "Hubs are ports and terminals that move goods or people between Florida regions or between Florida and other markets in the United States and the rest of the world. These include airports, spaceports and interregional passenger terminals." This information can be accessed by clicking the ling titled 'Adopted SIS criteria and thresholds at http://www.dot.state.fl.us/planning/sis/strategicplan/ (Last viewed 10/10/2011).
[11] *See* Florida Department of Transportation's information on 'Space Programs.' This information can be accessed via the following link: http://www.dot.state.fl.us/aviation/space.shtm (Last viewed 10/6/2011).
[12] s. 339.61(3), F.S.
[13] Ch. 2011-69, Part 4, L.O.F., which states "[f]rom the funds in Specific Appropriation 1918B, $16,000,000 from the State Transportation Trust Fund as proposed in the Transportation Work Program is provided to Space Florida for up to 100 percent of the non-federal share of the Spaceport Launch Complex and Spaceport Infrastructure Projects."
[14] s. 331.303(17)
[15] 51 USC § 50501 (formerly cited as 15 USC § 5802(7)).

According to Space Florida, a clear definition of spaceport infrastructure is critical to fulfilling all of the economic development needs of Florida's aerospace industry, and thus creating jobs in a variety of high-value-added sectors.[16]

B. SECTION DIRECTORY:

Section 1: Defines "Launch support facilities;" deletes "Spaceport launch facilities."

Section 2: Provides an effective date of July 1, 2012.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because this bill does not appear to: require the counties or cities to spend funds or take an action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

[16] *See* Space Florida's information on its 2012 Legislative Priorities. Information can be accessed at http://www.spaceflorida.gov/legislative (Last viewed 10/7/2011).

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

A bill to be entitled

An act relating to spaceport facilities; amending s. 331.303, F.S.; defining the term "launch support facilities"; deleting the term "spaceport launch facilities"; providing an effective date.

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

Section 1. Present subsection (17) of section 331.303, Florida Statutes, is repealed, present subsections (11) through (16) are renumbered as subsections (12) through (17), respectively, and a new subsection (11) is added to that section, to read:

331.303 Definitions.—

(11) "Launch support facilities" means facilities that are located at launch sites or launch ranges that are required to support launch activities, including launch vehicle assembly, launch vehicle operations and control, communications, and flight safety functions, as well as payload operations, control, and processing.

~~(17) "Spaceport launch facilities" means industrial facilities as described in s. 380.0651(3)(c), Florida Statutes 2010, and include any launch pad, launch control center, and fixed launch-support equipment.~~

Section 2. This act shall take effect July 1, 2012.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 101 Transportation Facility Designations
SPONSOR(S): Ford
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Highway Safety Subcommittee		Kiner KLK	Kruse MK
2) Economic Affairs Committee			

SUMMARY ANALYSIS

The bill designates bridge number 480198 in Escambia County as 'Joyce Webb Nobles Bridge' and directs the Florida Department of Transportation ("FDOT") to erect suitable markers.

The bill has an estimated negative fiscal impact of $800, which is the cost to FDOT to erect the markers.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

At 9 years old, Mrs. Joyce Webb Nobles cut the ribbon when the East Cervantes Street Bridge (State Road 10A) in Pensacola opened in 1935. Seventy years later, Mrs. Nobles cut the ribbon again when a concrete bridge replaced the original wooden structure. A former WWII nurse and president of Pensacola Savings and Loan, Ms. Nobles is 86 years old and a lifetime resident of Pensacola.

Having been involved in many charitable organizations in Pensacola, Mrs. Nobles has earned a reputation as a wise and effective community leader with a genuine spirit of cooperation and fairness.[1]

Florida Law on legislative designations of transportation facilities

Section 334.071, F.S., provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations neither 'officially' change the current names of the facilities, nor require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

Section 334.071, F.S., also requires:

- The city or county in which the dedicated facility is located must pass a resolution, through its board of commissioners, in support of the designation before markers are erected. If the designated segment extends through multiple cities or counties, a resolution must be passed by each affected local government.
- The Florida Department of Transportation must place a marker at each termini or intersection of a designated road or bridge, and erect other markers it deems appropriate for the transportation facility.

Effect of Proposed Change

The bill designates bridge number 480198 on U.S. Highway 90/98, State Road 10A, East Cervantes Street Bridge in Escambia County as 'Joyce Webb Nobles Bridge.' The Florida Department of Transportation is directed to erect suitable markers.

The bill has an effective date of July 1, 2012.

B. SECTION DIRECTORY:

Section 1 Designates Joyce Webb Nobles Bridge in Escambia County; directs the Florida Department of Transportation to erect suitable markers.

[1] Resolution No. 15-11, City of Pensacola City Council. Adopted: August 18, 2011.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

   None.

2. Expenditures:

   The Florida Department of Transportation ("FDOT") will incur costs of approximately $800 (from the State Transportation Trust Fund) for erecting markers for the designation. This is based on the assumption that two markers will be erected at a cost of $400 per marker. FDOT will also incur the recurring costs of maintaining these signs over time and for future replacement of the signs as necessary.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

   None.

2. Expenditures:

   None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

   Not applicable because the bill does not appear to require the counties or cities to spend funds or take an action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

   None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

A bill to be entitled

An act relating to transportation facility designations; providing honorary designation of a certain transportation facility in a specified county; directing the Department of Transportation to erect suitable markers; providing an effective date.

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

Section 1. Joyce Webb Nobles Bridge designated; Department of Transportation to erect suitable markers.—

(1) The U.S. Highway 90/98, State Road 10A, East Cervantes Street Bridge (Bridge Number 480198) in Escambia County is designated as "Joyce Webb Nobles Bridge."

(2) The Department of Transportation is directed to erect suitable markers designating Joyce Webb Nobles Bridge as described in subsection (1).

Section 2. This act shall take effect July 1, 2012.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 4007 Transportation Corporations
SPONSOR(S): Horner
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Highway Safety Subcommittee		Kiner KLK	Kruse MK
2) Economic Affairs Committee			

SUMMARY ANALYSIS

The bill repeals sections of Florida law relating to the Florida Transportation Corporation Act ("the Act") that have never been used. This act was created in 1988 to allow certain corporations authorized by the Florida Department of Transportation to secure and obtain rights-of-way for transportation systems and to assist in the planning and design of such systems. The act contains statutory provisions related to those corporations.

The bill does not have a fiscal impact.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES

Present Situation

Sections 339.401 through 339.421, F.S., set out the Florida Transportation Corporation Act ("the Act"). The Act was created in 1988 to allow certain corporations authorized by the Department of Transportation ("FDOT") to secure and obtain rights-of-way for transportation systems and to assist in the planning and design of such systems.[1] According to legislative findings, the following factors contributed to the creation of the Act:

- New transportation facilities and systems were needed to combat present and future traffic congestion;
- Because state funds were limited, design of these facilities and systems required new and alternative means; and
- Authorizing nonprofit corporations to act on behalf of FDOT was essential to the continued economic growth of the state.[2]

The Act contains various statutory provisions related to the formation, operation, and dissolution of these corporations. According to FDOT, this act has never been used.

Effect of Proposed Changes

The bill repeals the Act in ss. 339.401 through 339.421, F.S. The bill also repeals s. 11.45(3)(m), F.S., authorizing the Auditor General to audit these corporations.

The repeal provisions of the bill will remove language authorizing certain corporations to act on behalf of FDOT.

The bill has an effective date of July 1, 2012.

B. SECTION DIRECTORY:

Section 1 Repeals s. 339.401 through s. 339.421, F.S., relating to the Florida Transportation Corporation Act, definition of terms used in the act, legislative findings and purpose, authorization of corporations, type and structure and income of corporations, contracts between FDOT and corporations, articles of incorporation, boards of directors and advisory directors, bylaws, notice of meetings and open records, amendment of articles of incorporation, powers of corporations, use of state property, exemption from taxation, authority to alter or dissolve corporations, dissolution upon completion of purposes, transfer of funds and property upon dissolution, department rules, construction of provisions, and issuance of debt.

Section 2 Repeals s. 11.45(3)(m), F.S., removing a provision for audits of transportation corporations by the Auditor General.

Section 3 Provides an effective date.

[1] s. 3, ch. 88-271, Laws of Florida.
[2] s. 339.403, F.S.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

   None.

2. Expenditures:

   None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

   None.

2. Expenditures:

   None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

   Not applicable. The bill does not appear to affect county or municipal government.

2. Other:

   None.

B. RULE-MAKING AUTHORITY:

The bill repeals FDOT's rulemaking requirement regarding the Act. FDOT will have to repeal its rules regarding these corporations contained in ch. 14-35.0011, F.A.C.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

A bill to be entitled

An act relating to transportation corporations; removing provisions that provide for nonprofit corporations to act on behalf of the Department of Transportation to secure and obtain rights-of-way for transportation systems and to assist in the planning and design of such systems; repealing ss. 339.401-339.421, F.S., relating to the Florida Transportation Corporation Act, definitions, legislative findings and purpose, authorization of corporations, type and structure and income of corporation, contract between the department and the corporation, articles of incorporation, boards of directors and advisory directors, bylaws, meetings and records, amendment of articles of incorporation, powers of corporations, use of state property, exemption from taxation, authority to alter or dissolve corporation, dissolution upon completion of purposes, transfer of funds and property upon dissolution, department rules, construction of provisions, and issuance of debt; repealing s. 11.45(3)(m), F.S.; removing a provision for audits of transportation corporations by the Auditor General, to conform; providing an effective date.

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

Section 1. Sections 339.401, 339.402, 339.403, 339.404, 339.405, 339.406, 339.407, 339.408, 339.409, 339.410, 339.411,

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339.412, 339.414, 339.415, 339.416, 339.417, 339.418, 339.419, 339.420, and 339.421, Florida Statutes, are repealed.

Section 2. Paragraph (m) of subsection (3) of section 11.45, Florida Statutes, is repealed.

Section 3. This act shall take effect July 1, 2012.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 4035 Driver Licenses
SPONSOR(S): Workman
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Highway Safety Subcommittee		Kiner KLK	Kruse MIC
2) Economic Affairs Committee			

SUMMARY ANALYSIS

The bill repeals Florida law relating to chauffeur's licenses, which were phased out and replaced by Commercial Driver's Licenses ("CDLs") in the early 1990's.

The bill does not have a fiscal impact and has an effective date of July 1, 2012.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Section 322.58, F.S., enacted in 1989, provides a period of time for holders of a chauffeur's license to transfer to uniform Commercial Driver's Licenses ("CDLs"). The 'phasing out' period ended on April 1, 1991, after which time chauffeurs' licenses were no longer issued nor recognized as valid.

The bill repeals s. 322.58, F.S., as chauffeur's licenses have neither been issued nor recognized since 1991.

B. SECTION DIRECTORY:

Section 1 Repeals s. 322.58, F.S., regarding chauffeurs' licenses; repealing provisions for licensure of such persons under the appropriate license classification.

Section 2 Provides an effective date of July 1, 2012.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because the bill does not appear to: require counties or cities to spend funds or take action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

N/A.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

A bill to be entitled

An act relating to driver licenses; repealing s. 322.58, F.S., relating to the effect of classified licensure on persons holding a chauffeur's license; repealing provisions for licensure of such persons under the appropriate license classification; providing an effective date.

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

Section 1. Sections 322.58, Florida Statutes, is repealed.

Section 2. This act shall take effect July 1, 2012.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.