



Transportation & Highway Safety Subcommittee

ACTION PACKET

**Thursday, January 9, 2014
9:00 AM - 11:00 AM
Sumner Hall (404 HOB)**

COMMITTEE MEETING REPORT
Transportation & Highway Safety Subcommittee
1/9/2014 9:00:00AM

Location: Sumner Hall (404 HOB)

Summary:

Transportation & Highway Safety Subcommittee

Thursday January 09, 2014 09:00 am

HB 3	Favorable With Committee Substitute	Yeas: 13	Nays: 0
	Amendment 455281 Adopted Without Objection		
PCB THSS 14-01	Favorable With Amendments	Yeas: 10	Nays: 3
	Amendment PCB THSS 14-01 a1 Adopted Without Objection		
	Amendment PCB THSS 14-01 a2 Withdrawn		
	Amendment PCB THSS 14-01 a3 Not Considered		
	Amendment PCB THSS 14-01 SA1 Adopted Without Objection		
PCB THSS 14-02	Favorable With Amendments	Yeas: 13	Nays: 0
	Amendment PCB THSS 14-02 a1 Adopted Without Objection		
	Amendment PCB THSS 14-02 Strik Adopted Without Objection		

Committee meeting was reported out: Thursday, January 09, 2014 1:28:47PM

COMMITTEE MEETING REPORT
Transportation & Highway Safety Subcommittee
1/9/2014 9:00:00AM

Location: Sumner Hall (404 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Daniel Davis (Chair)	X		
Frank Artiles	X		
Heather Fitzenhagen	X		
Ed Hooper	X		
Jeanette Nuñez			X
W. Keith Perry	X		
Bobby Powell	X		
Jake Raburn	X		
Holly Raschein	X		
Lake Ray	X		
Hazelle Rogers	X		
Irving Slosberg	X		
Linda Stewart	X		
Barbara Watson	X		
Totals:	13	0	1

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COMMITTEE MEETING REPORT
Transportation & Highway Safety Subcommittee
1/9/2014 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 3 : Freight Logistics Zones

☒ *Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Frank Artilles	X				
Heather Fitzenhagen	X				
Ed Hooper	X				
Jeanette Nuñez			X		
W. Keith Perry	X				
Bobby Powell	X				
Jake Raburn	X				
Holly Raschein	X				
Lake Ray	X				
Hazelle Rogers	X				
Irving Slosberg	X				
Linda Stewart	X				
Barbara Watson	X				
Daniel Davis (Chair)	X				
Total Yeas: 13		Total Nays: 0			

HB 3 Amendments

Amendment 455281

☒ *Adopted Without Objection*

Appearances:

Adams, Leticia (Lobbyist) - Proponent
Florida Chamber of Commerce
136 S Bronough St
Tallahassee FL 32301
Phone: (850)544-6866

Roth, Cari (Lobbyist) - Proponent
Americas Gateway Logistics Center
101 N. Monroe Street, Suite 900
Tallahassee Florida 32301
Phone: 850-591-1094

COMMITTEE MEETING REPORT
Transportation & Highway Safety Subcommittee
1/9/2014 9:00:00AM

Location: Sumner Hall (404 HOB)

PCB THSS 14-01 : Department of Transportation

☒ *Favorable With Amendments*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Frank Artiles	X				
Heather Fitzenhagen	X				
Ed Hooper	X				
Jeanette Nuñez			X		
W. Keith Perry	X				
Bobby Powell		X			
Jake Raburn	X				
Holly Raschein	X				
Lake Ray	X				
Hazelle Rogers	X				
Irving Slosberg	X				
Linda Stewart		X			
Barbara Watson		X			
Daniel Davis (Chair)	X				
Total Yeas: 10		Total Nays: 3			

PCB THSS 14-01 Amendments

Amendment PCB THSS 14-01 a1

☒ *Adopted Without Objection*

Amendment PCB THSS 14-01 a2

☒ *Withdrawn*

Amendment PCB THSS 14-01 a3

☒ *Not Considered*

Amendment PCB THSS 14-01 SA1

☒ *Adopted Without Objection*

Appearances:

Padgett, Ryan (Lobbyist) - Information Only
Florida League of Cities
PO Box 1757
Tallahassee FL 32302
Phone: (850)219-3616

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COMMITTEE MEETING REPORT
Transportation & Highway Safety Subcommittee
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Location: Sumner Hall (404 HOB)

PCB THSS 14-01 : Department of Transportation (continued)

Appearances: (continued)

Connell, Chris - Information Only

Florida Police Chief Association - City of Tallahassee
234 E Seventh Ave
Tallahassee FL 32303
Phone: (850) 891-4301

Henry, Paul (Lobbyist) - Information Only

Liberty First Network
P. O. Box 698
Monticello FL 32345
Phone: 850-629-9550

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COMMITTEE MEETING REPORT
Transportation & Highway Safety Subcommittee
1/9/2014 9:00:00AM

Location: Sumner Hall (404 HOB)

PCB THSS 14-02 : Pub. Rec./Payment of Tolls and Associated Charges

☒ *Favorable With Amendments*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Frank Artilles	X				
Heather Fitzenhagen	X				
Ed Hooper	X				
Jeanette Nuñez			X		
W. Keith Perry	X				
Bobby Powell	X				
Jake Raburn	X				
Holly Raschein	X				
Lake Ray	X				
Hazelle Rogers	X				
Irving Slosberg	X				
Linda Stewart	X				
Barbara Watson	X				
Daniel Davis (Chair)	X				
Total Yeas: 13 Total Nays: 0					

PCB THSS 14-02 Amendments

Amendment PCB THSS 14-02 a1

☒ *Adopted Without Objection*

Amendment PCB THSS 14-02 Strik

☒ *Adopted Without Objection*

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COMMITTEE MEETING REPORT
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Location: Sumner Hall (404 HOB)

Presentation/Workshop/Other Business Appearances:

Florida Department of Transportation Presentation
Rich Biter (Lobbyist) (State Employee) (At Request Of Chair) - Information Only
Florida Department of Transportation
Tallahassee FL 32399

Committee meeting was reported out: Thursday, January 09, 2014 1:28:47PM



Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input checked="" type="checkbox"/>	(Y/N)
OTHER		

Committee/Subcommittee hearing PCB: Transportation & Highway
Safety Subcommittee
Representative Stewart offered the following:

Amendment

Remove lines 562-735 and insert:

(4) The department may sell or convey, in the name of the state, any land, building, or other property, real or personal, which was acquired under the provisions of subsection (1) and which the department has determined is not needed for the construction, operation, and maintenance of a transportation facility. With the exception of any parcel governed by paragraph (c), paragraph (d), paragraph (e), paragraph (g) ~~(f)~~, paragraph (h) ~~(g)~~, or paragraph (i), the department shall afford first right of refusal to the local government in the jurisdiction of which the parcel is situated. When such a determination has been made, property may be disposed of through negotiation, sealed

PCB THSS 14-01 a2

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Amendment No. 2

the owner of the abutting land. If negotiations do not result in the sale of the property to the owner of the abutting land and the property is sold to someone else, the cost of the independent appraisal shall be borne by the purchaser; and the owner of the abutting land shall have the cost of the appraisal refunded to him or her. If, however, no purchase takes place, the owner of the abutting land shall forfeit the sum paid by him or her for the independent appraisal. If, due to action of the department, the property is removed from eligibility for sale, the cost of any appraisal prepared shall be refunded to the owner of the abutting land.

(e)~~(d)~~ If property acquired for use as a borrow pit is no longer needed, the department may sell such property to the owner of the parcel of abutting land from which the borrow pit was originally acquired, provided the sale is at a negotiated price not less than fair market value as determined by an independent appraisal, the cost of which shall be paid by the owner of such abutting land.

(f)~~(e)~~ If the department begins the process for disposing of the property on its own initiative, either by negotiation ~~under the provisions of paragraph (a), paragraph (c), paragraph (d), or paragraph (i),~~ or by receipt of sealed competitive bids or public auction ~~under the provisions of paragraph (b) or paragraph (i),~~ a department staff appraiser may determine the fair market value of the property by an appraisal.

(g)~~(f)~~ Any property which was acquired by a county or by



Amendment No. 2

70 the department using constitutional gas tax funds for the
71 purpose of a right-of-way or borrow pit for a road on the State
72 Highway System, State Park Road System, or county road system
73 and which is no longer used or needed by the department may be
74 conveyed without consideration to that county. The county may
75 then sell such surplus property upon receipt of competitive bids
76 in the same manner prescribed in this section.

77 (h)~~(g)~~ If a property has been donated to the state for
78 transportation purposes and the facility has not been
79 constructed for a period of at least 5 years and no plans have
80 been prepared for the construction of such facility and the
81 property is not located in a transportation corridor, the
82 governmental entity may authorize reconveyance of the donated
83 property for no consideration to the original donor or the
84 donor's heirs, successors, assigns, or representatives.

85 ~~(h) If property is to be used for a public purpose, the~~
86 ~~property may be conveyed without consideration to a governmental~~
87 ~~entity.~~

88 (i) If property was originally acquired specifically to
89 provide replacement housing for persons displaced by
90 transportation projects, the department may negotiate for the
91 sale of such property as replacement housing. As compensation,
92 the state shall receive no less than its investment in such
93 properties or fair market value, whichever is lower. It is
94 expressly intended that this benefit be extended only to those
95 persons actually displaced by such project. Dispositions to any



Amendment No. 2

other persons must be for fair market value.

(j) If the department determines that the property will require significant costs to be incurred or that continued ownership of the property exposes the department to significant liability risks, the department may use the projected maintenance costs over the next 10 5 years to offset the market value in establishing a value for disposal of the property, even if that value is zero.

(5) The department may convey a leasehold interest for commercial or other purposes, in the name of the state, to any land, building, or other property, real or personal, which was acquired under the provisions of subsection (1).

(a) All leases shall be entered into by negotiation, sealed competitive bid, or auction. The department may negotiate such a lease at the prevailing market value with the owner from whom the property was acquired; with the holders of leasehold estates existing at the time of the department's acquisition; or, if public bidding would be inequitable, with the owner holding title to privately owned abutting property, ~~if reasonable notice is provided to all other owners of abutting property.~~ The department may allow an outdoor advertising sign to remain on the property acquired, or be relocated on department property, and such sign shall not be considered a nonconforming sign pursuant to chapter 479.

(b) All other leases shall be by competitive bid.

(c) A ~~No~~ lease signed pursuant to paragraph (a) may not ~~or~~



Amendment No. 2

122 ~~paragraph (b) shall~~ be for a period of more than 5 years;
123 however, the department may renegotiate or extend such a lease
124 for an additional term of 5 years as the department deems
125 appropriate ~~without rebidding.~~

126 (d) Each lease shall provide that unless otherwise
127 directed by the lessor, any improvements made to the property
128 during the term of the lease shall be removed at the lessee's
129 expense.

130 (e) If property is to be used for a public purpose,
131 ~~including a fair, art show, or other educational, cultural, or~~
132 ~~fundraising activity~~, the property may be leased without
133 consideration to a governmental entity or school board. Any
134 public-purpose lease is exempt from the term limits provided by
135 paragraph (c).

136 (f) Paragraphs (c) and (d) do not apply to leases entered
137 into pursuant to s. 260.0161(3), except as provided in such a
138 lease.

139 (g) No lease executed under this subsection may be
140 utilized by the lessee to establish the 4 years' standing
141 required by s. 73.071(3)(b) if the business had not been
142 established for 4 years on the date title passed to the
143 department.



COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB THSS 14-01 (2014)

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___ (Y/N)
ADOPTED AS AMENDED	___ (Y/N)
ADOPTED W/O OBJECTION	___ (Y/N)
FAILED TO ADOPT	___ (Y/N)
WITHDRAWN	___ (Y/N)
OTHER	<u>Not considered</u>

1 Committee/Subcommittee hearing PCB: Transportation & Highway
2 Safety Subcommittee
3 Representative Stewart offered the following:

Amendment (with title amendment)

6 Remove lines 236-503

T I T L E A M E N D M E N T

12 Remove lines 8-31

PCB THSS 14-01 a3

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COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB THSS 14-01 (2014)

Amendment No. Substitute to a3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/> (Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

1 Committee/Subcommittee hearing PCB: Transportation & Highway
2 Safety Subcommittee
3 Representative Artiles offered the following:
4

5 **Substitute Amendment for Amendment (PCB THSS 14-01 a3) by**
6 **Representative Stewart**

7 Remove lines 367-369 and insert:

8 2014, for the sole purpose of funding administrative costs and
9 contractual agreements with manufacturers and vendors of traffic
10 infraction detectors. The surcharge must be authorized by an
11

PCB THSS 14-01 SA1

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