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# **Transportation & Economic Development Appropriations Subcommittee**

## **Action Packet**

**March 24, 2015  
1:00 p.m. – 3:00 p.m.  
Reed Hall**

**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/24/2015 1:00:00PM**

**Location:** Reed Hall (102 HOB)

**AMENDED**

**Summary:**

**Transportation & Economic Development Appropriations Subcommittee**

*Tuesday March 24, 2015 01:00 pm*

HB 621	Favorable	Yeas: 8	Nays: 0
HB 989	Favorable	Yeas: 10	Nays: 0
HB 7039	Favorable	Yeas: 10	Nays: 0
HB 7055	Favorable	Yeas: 8	Nays: 0
HB 7067	Not Considered		
HB 7071	Favorable With Committee Substitute Amendment 712765 Adopted Without Objection	Yeas: 7	Nays: 3
HB 7075	Favorable With Committee Substitute Amendment 154411 Adopted Without Objection Amendment 450053 Adopted Without Objection Amendment 977793 Adopted	Yeas: 10  Yeas: 9	Nays: 0  Nays: 1

Committee meeting was reported out: Tuesday, March 24, 2015 5:24:46PM

**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/24/2015 1:00:00PM**

**Location:** Reed Hall (102 HOB)

**AMENDED**

**Attendance:**

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Clay Ingram (Chair)	X		
Bruce Antone	X		
Frank Artilles			X
Bryan Avila	X		
Colleen Burton	X		
Brad Drake	X		
George Moraitis, Jr.	X		
W. Keith Perry			X
Kathleen Peters	X		
Lake Ray	X		
Hazelle Rogers	X		
Richard Stark	X		
Victor Torres, Jr.			X
<b>Totals:</b>	<b>10</b>	<b>0</b>	<b>3</b>

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**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/24/2015 1:00:00PM**

**Location:** Reed Hall (102 HOB)

**AMENDED**

**HB 621 : Voluntary Contributions to End Breast Cancer**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Bruce Antone	X				
Frank Artiles			X		
Bryan Avila	X				
Colleen Burton	X				
Brad Drake	X				
George Moraitis, Jr.	X				
W. Keith Perry			X		
Kathleen Peters	X				
Lake Ray			X		
Hazelle Rogers	X				
Richard Stark			X		
Victor Torres, Jr.			X		
Clay Ingram (Chair)	X				
<b>Total Yeas: 8</b>					
<b>Total Nays: 0</b>					

**Appearances:**

Mallette, Kelly (Lobbyist) - Waive In Support  
 Florida Breast Cancer Foundation  
 104 West Jefferson Street  
 Tallahassee FL 32301  
 Phone: (850) 224-3427

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**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/24/2015 1:00:00PM**

**Location:** Reed Hall (102 HOB)

**AMENDED**

**HB 989 : Expressway Authorities**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Bruce Antone	X				
Frank Artiles			X		
Bryan Avila	X				
Colleen Burton	X				
Brad Drake	X				
George Moraitis, Jr.	X				
W. Keith Perry			X		
Kathleen Peters	X				
Lake Ray	X				
Hazelle Rogers	X				
Richard Stark	X				
Victor Torres, Jr.			X		
Clay Ingram (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 0</b>			

**Appearances:**

Gomez, Fausto (Lobbyist) - Waive In Opposition  
 Miami-Dade Expressway Authority  
 2350 Coral Way #301  
 Miami FL 33145  
 Phone: (305) 860-0780

McCarty, Jess (Lobbyist) - Opponent  
 Miami-Dade County  
 111 NW 1st St  
 Miami FL 33128  
 Phone: (305)979-7110

Committee meeting was reported out: Tuesday, March 24, 2015 5:24:46PM

**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/24/2015 1:00:00PM**

**Location:** Reed Hall (102 HOB)

**AMENDED**

**HB 7039 : Department of Transportation**

*Favorable*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Bruce Antone	X				
Frank Artiles			X		
Bryan Avila	X				
Colleen Burton	X				
Brad Drake	X				
George Moraitis, Jr.	X				
W. Keith Perry			X		
Kathleen Peters	X				
Lake Ray	X				
Hazelle Rogers	X				
Richard Stark	X				
Victor Torres, Jr.			X		
Clay Ingram (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 0</b>			

**Appearances:**

Rubin, Michael (Lobbyist) - Proponent  
 Florida Ports Council  
 502 E Jefferson St  
 Tallahassee FL 32301  
 Phone: (850)222-8028

Committee meeting was reported out: Tuesday, March 24, 2015 5:24:46PM

**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/24/2015 1:00:00PM**

**Location:** Reed Hall (102 HOB)

**AMENDED**

**HB 7055 : Highway Safety and Motor Vehicles**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Bruce Antone	X				
Frank Artiles			X		
Bryan Avila	X				
Colleen Burton	X				
Brad Drake	X				
George Moraitis, Jr.	X				
W. Keith Perry			X		
Kathleen Peters	X				
Lake Ray			X		
Hazelle Rogers	X				
Richard Stark			X		
Victor Torres, Jr.			X		
Clay Ingram (Chair)	X				
<b>Total Yeas: 8</b>		<b>Total Nays: 0</b>			

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**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/24/2015 1:00:00PM**

**Location:** Reed Hall (102 HOB)

**AMENDED**

**HB 7067 : Economic Development**

*Not Considered*

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**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/24/2015 1:00:00PM**

**Location:** Reed Hall (102 HOB)  
**HB 7071 : Traffic Control**

**AMENDED**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Bruce Antone	X				
Frank Artiles			X		
Bryan Avila	X				
Colleen Burton	X				
Brad Drake	X				
George Moraitis, Jr.	X				
W. Keith Perry			X		
Kathleen Peters		X			
Lake Ray	X				
Hazelle Rogers		X			
Richard Stark		X			
Victor Torres, Jr.			X		
Clay Ingram (Chair)	X				
<b>Total Yeas: 7</b>		<b>Total Nays: 3</b>			

**HB 7071 Amendments**

**Amendment 712765**

*Adopted Without Objection*

**Appearances:**

Amendment 712765  
 Henry, Paul (Lobbyist) - Opponent  
 Liberty First Network  
 P. O. Box 698  
 Monticello FL 32345  
 Phone: 850-629-9550

Cook, Casey (Lobbyist) - Opponent  
 Florida League of Cities  
 Po Box 1757  
 Tallahassee FL 32302  
 Phone: (850)701-3701

Amendment 712765  
 Henry, Paul (Lobbyist) - Proponent  
 Liberty First Network  
 P. O. Box 698  
 Monticello FL 32345  
 Phone: 850-629-9550

Committee meeting was reported out: Tuesday, March 24, 2015 5:24:46PM

Amendment No. 1

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	_____	

1 Committee/Subcommittee hearing bill: Transportation & Economic  
 2 Development Appropriations Subcommittee  
 3 Representative Moraitis offered the following:

**Amendment (with directory and title amendments)**

Remove lines 24-144 and insert:

316.0083 Mark Wandall Traffic Safety Program;

administration; report.-

(1)

(b)1.a. Within 30 days after a violation, notification  
 must be sent to the registered owner of the motor vehicle  
 involved in the violation specifying the remedies available  
 under s. 318.14 and that the violator must pay the penalty of  
 \$158 to the department, county, or municipality, or furnish an  
 affidavit in accordance with paragraph (d), or request a hearing  
 within 60 days following the date of the notification in order  
 to avoid the issuance of a traffic citation. The notification

## Amendment No. 1

18 must be sent by certified ~~first-class~~ mail. The mailing of the  
19 notice of violation constitutes notification.

20 b. Included with the notification to the registered owner  
21 of the motor vehicle involved in the infraction must be a notice  
22 that the owner has the right to review the photographic or  
23 electronic images or the streaming video evidence that  
24 constitutes a rebuttable presumption against the owner of the  
25 vehicle. The notice must state the time and place or Internet  
26 location where the evidence may be examined and observed.

27 c. Notwithstanding any other provision of law, a person  
28 who receives a notice of violation under this section may  
29 request a hearing within 60 days following the notification of  
30 violation or pay the penalty pursuant to the notice of  
31 violation, but a payment or fee may not be required before the  
32 hearing requested by the person. The notice of violation must be  
33 accompanied by, or direct the person to a website that provides,  
34 information on the person's right to request a hearing and on  
35 all court costs related thereto and a form to request a hearing.  
36 As used in this sub-subparagraph, the term "person" includes a  
37 natural person, registered owner or coowner of a motor vehicle,  
38 or person identified on an affidavit as having care, custody, or  
39 control of the motor vehicle at the time of the violation.

40 d. If the registered owner or coowner of the motor  
41 vehicle, or the person designated as having care, custody, or  
42 control of the motor vehicle at the time of the violation, or an  
43 authorized representative of the owner, coowner, or designated

## Amendment No. 1

44 person, initiates a proceeding to challenge the violation  
45 pursuant to this paragraph, such person waives any challenge or  
46 dispute as to the delivery of the notice of violation.

47 2. Penalties assessed and collected by the department,  
48 county, or municipality authorized to collect the funds provided  
49 for in this paragraph, less the amount retained by the county or  
50 municipality pursuant to subparagraph 3., shall be paid to the  
51 Department of Revenue weekly. Payment by the department, county,  
52 or municipality to the state shall be made by means of  
53 electronic funds transfers. In addition to the payment, summary  
54 detail of the penalties remitted shall be reported to the  
55 Department of Revenue.

56 3. Penalties to be assessed and collected by the  
57 department, county, or municipality are as follows:

58 a. One hundred fifty-eight dollars for a violation of s.  
59 316.074(1) or s. 316.075(1)(c)1. when a driver failed to stop at  
60 a traffic signal if enforcement is by the department's traffic  
61 infraction enforcement officer. One hundred dollars shall be  
62 remitted to the Department of Revenue for deposit into the  
63 General Revenue Fund, \$10 shall be remitted to the Department of  
64 Revenue for deposit into the Department of Health Emergency  
65 Medical Services Trust Fund, \$3 shall be remitted to the  
66 Department of Revenue for deposit into the Brain and Spinal Cord  
67 Injury Trust Fund, and \$45 shall be distributed to the  
68 municipality in which the violation occurred, or, if the  
69 violation occurred in an unincorporated area, to the county in

Amendment No. 1

70 which the violation occurred. Funds deposited into the  
71 Department of Health Emergency Medical Services Trust Fund under  
72 this sub-subparagraph shall be distributed as provided in s.  
73 395.4036(1). Proceeds of the infractions in the Brain and Spinal  
74 Cord Injury Trust Fund shall be distributed quarterly to the  
75 Miami Project to Cure Paralysis and used for brain and spinal  
76 cord research.

77 b. One hundred fifty-eight dollars for a violation of s.  
78 316.074(1) or s. 316.075(1)(c)1. when a driver failed to stop at  
79 a traffic signal if enforcement is by a county or municipal  
80 traffic infraction enforcement officer. Seventy dollars shall be  
81 remitted by the county or municipality to the Department of  
82 Revenue for deposit into the General Revenue Fund, \$10 shall be  
83 remitted to the Department of Revenue for deposit into the  
84 Department of Health Emergency Medical Services Trust Fund, \$3  
85 shall be remitted to the Department of Revenue for deposit into  
86 the Brain and Spinal Cord Injury Trust Fund, and \$75 shall be  
87 retained by the county or municipality enforcing the ordinance  
88 enacted pursuant to this section. Funds retained by the county  
89 or municipality under this sub-subparagraph shall be used only  
90 for public safety initiatives, including costs related to the  
91 administration of the Mark Wandall Traffic Safety Program under  
92 this section. Funds deposited into the Department of Health  
93 Emergency Medical Services Trust Fund under this sub-  
94 subparagraph shall be distributed as provided in s. 395.4036(1).  
95 Proceeds of the infractions in the Brain and Spinal Cord Injury

712765 - h7071-moraitis.docx

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96 Trust Fund shall be distributed quarterly to the Miami Project  
97 to Cure Paralysis and used for brain and spinal cord research.

98 4. An individual may not receive a commission from any  
99 revenue collected from violations detected through the use of a  
100 traffic infraction detector. A manufacturer or vendor may not  
101 receive a fee or remuneration based upon the number of  
102 violations detected through the use of a traffic infraction  
103 detector.

104  
105  
106 -----  
107 **D I R E C T O R Y A M E N D M E N T**

108 Remove lines 22-23 and insert:

109 Section 1. Paragraph (b) of subsection (1) and subsection (4)  
110 of section 316.0083, Florida Statutes, are amended to read:

111  
112 -----  
113 **T I T L E A M E N D M E N T**

114 Remove lines 4-6 and insert:

115 detectors; revising notification

**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**

**3/24/2015 1:00:00PM**

**Location:** Reed Hall (102 HOB)

**AMENDED**

**HB 7071 : Traffic Control (continued)**

**Appearances: (continued)**

Moffitt, H. Lee (Lobbyist) - Proponent

AAA Auto Club Group  
3227 NW Perimeter Road  
Palm City Florida 34990  
Phone: 813-760-5712

Peterson, Jennifer - Information Only

Representative Peters  
2909 Red Coat Circle  
Brandon FL 33511  
Phone: (813) 294-9808

Mercer, Amy (Lobbyist) - Opponent

Florida Police Chiefs Association  
PO Box 14038  
Tallahassee FL 32317  
Phone: (850) 219-3631

Baer, Catherine (General Public) - Waive In Support

Chair, Tea Party Network  
Tallahassee 32308

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**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/24/2015 1:00:00PM**

**Location:** Reed Hall (102 HOB)  
**HB 7075 : Transportation**

**AMENDED**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Bruce Antone	X				
Frank Artiles			X		
Bryan Avila	X				
Colleen Burton	X				
Brad Drake	X				
George Moraitis, Jr.	X				
W. Keith Perry			X		
Kathleen Peters	X				
Lake Ray	X				
Hazelle Rogers	X				
Richard Stark	X				
Victor Torres, Jr.			X		
Clay Ingram (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 0</b>			

**HB 7075 Amendments**

**Amendment 154411**

*Adopted Without Objection*

**Amendment 450053**

*Adopted Without Objection*

**Amendment 977793**

*Adopted*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Bruce Antone	X				
Frank Artiles			X		
Bryan Avila	X				
Colleen Burton	X				
Brad Drake		X			
George Moraitis, Jr.	X				
W. Keith Perry			X		
Kathleen Peters	X				
Lake Ray	X				
Hazelle Rogers	X				
Richard Stark	X				
Victor Torres, Jr.			X		

Committee meeting was reported out: Tuesday, March 24, 2015 5:24:46PM



Amendment No. 1

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	_____	

1 Committee/Subcommittee hearing bill: Transportation & Economic  
 2 Development Appropriations Subcommittee  
 3 Representative Rooney offered the following:

4  
 5 **Amendment (with title amendment)**  
 6 Remove lines 254-264

7  
 8  
 9 -----

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

11 Remove lines 37-41 and insert:  
 12 revising the title

Amendment No. 2

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	_____	

1 Committee/Subcommittee hearing bill: Transportation & Economic  
 2 Development Appropriations Subcommittee  
 3 Representative Rooney offered the following:

4  
 5 **Amendment (with title amendment)**  
 6 Remove lines 330-395

7  
 8  
 9

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

11 Remove lines 52-68 and insert:  
 12 Orange County Expressway Authority; providing an effective date.

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	_____	

1 Committee/Subcommittee hearing bill: Transportation & Economic  
 2 Development Appropriations Subcommittee  
 3 Representative McBurney offered the following:

**Amendment (with title amendment)**

Between lines 109 and 110, insert:

Section 3. Section 316.0275, Florida Statutes, is created to read:

316.0275 Noncriminal traffic infractions leading to serious bodily injury or death; reclassification.-

(1) Notwithstanding any other provision of law, if an individual commits a noncriminal traffic infraction under this chapter which causes serious bodily injury or death to a person and within 5 years after that violation, commits another noncriminal traffic infraction under this chapter which causes serious bodily injury or death to a person, the second such violation shall be reclassified as a misdemeanor of the first

Amendment No. 3

18 degree, punishable as provided in s. 775.082 or s. 775.083, and  
19 have their license revoked under s. 322.26(10).

20 (2) As used in this section, the term "serious bodily  
21 injury" means an injury to a person, excluding the at fault  
22 driver, which consists of a physical condition that creates a  
23 substantial risk of death, serious personal disfigurement, or  
24 protracted loss or impairment of the function of any bodily  
25 member or organ.

26 Section 4. Subsection (10) is added to section 322.26,  
27 Florida Statutes, to read:

28 322.26 Mandatory revocation of license by department.—The  
29 department shall forthwith revoke the license or driving  
30 privilege of any person upon receiving a record of such person's  
31 conviction of any of the following offenses: . .

32 (10) Conviction in any court having jurisdiction over s.  
33 316.0275.

-----  
36 **T I T L E A M E N D M E N T**

37 Remove line 8 and insert:  
38 vehicles; creating s. 316.0275, F.S.; providing criminal  
39 penalties for certain noncriminal traffic infractions that cause  
40 serious bodily injury or death to a person; amending s. 322.26,  
41 F.S.; providing mandatory revocation of license for conviction  
42 of s. 316.0275; amending s. 316.303, F.S.; providing . .

**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/24/2015 1:00:00PM**

**Location:** Reed Hall (102 HOB)

**AMENDED**

**HB 7075 : Transportation (continued)**

**HB 7075 Amendments (continued)**

Clay Ingram (Chair)	X
<b>Total Yeas: 9      Total Nays: 1</b>	

**Appearances:**

Blair, Matthew (Lobbyist) - Information Only  
21748 State Road 54 Suite 102  
Lutz FL 34637  
Phone: (813) 527-0172

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