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LEGISLATIVE ACTION

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| Senate | . | House |
| Comm: RCS | . | |
| 04/14/2010 | . | |
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The Committee on Community Affairs (Bennett) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 335.199, Florida Statutes, is created to
read:

335.199 Transportation projects modifying access to
adjacent property.-

(1) Whenever the Department of Transportation proposes any
project on the State Highway System which will divide a state
highway, erect median barriers modifying currently available
vehicle turning movements, or have the effect of closing or



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13 modifying an existing access to an abutting property owner, the
14 department shall notify all affected property owners,
15 municipalities, and counties at least 180 days before the design
16 of the project is finalized. The department's notice shall
17 provide a written explanation regarding the need for the project
18 and indicate that all affected parties will be given an
19 opportunity to provide comments to the department regarding
20 potential impacts of the change.

21 (2) (a) If the project is within the boundaries of a
22 municipality, the notification shall be issued in writing to the
23 chief elected official of the municipality. If the project is in
24 the unincorporated area of a county, the notification shall be
25 issued in writing to the chief elected official of the county.

26 (b) The department must also consult with the applicable
27 local government on its final design proposal if the department
28 intends to divide a state highway, erect median barriers, or
29 close or modify existing access to abutting commercial business
30 properties. The local government may present the department with
31 alternatives that relieve impacts to such business properties.

32 (3) The department shall hold at least one public hearing
33 in the jurisdiction where the project is located and receive
34 public input to determine how the project will affect access to
35 businesses and the potential economic impact of the project on
36 the local business community.

37 (4) The department must review all comments from the public
38 hearing and take the comments and any alternatives presented by
39 a local government under subsection (2) into consideration in
40 the final design of the highway project.

41 Section 2. This act shall take effect July 1, 2010.



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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to transportation projects; creating
s. 335.199, F.S.; directing the Department of
Transportation to notify certain property owners and
local governmental entities of certain proposed
projects before finalizing the design of certain
transportation projects; providing a timeframe for
notification; requiring the department to hold a
public hearing and receive public input regarding the
effects of the project on local businesses; directing
the department to consider the comments in the final
design of the project; providing an effective date.