

By the Committees on Community Affairs; and Transportation; and
Senators Bennett and Lynn

578-04906-10

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1 A bill to be entitled

2 An act relating to transportation projects; creating
3 s. 335.199, F.S.; directing the Department of
4 Transportation to notify certain property owners and
5 local governmental entities of certain proposed
6 projects before finalizing the design of certain
7 transportation projects; providing a timeframe for
8 notification; requiring the department to hold a
9 public hearing and receive public input regarding the
10 effects of the project on local businesses; directing
11 the department to consider the comments in the final
12 design of the project; providing an effective date.

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

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

18 335.199 Transportation projects modifying access to
19 adjacent property.-

20 (1) Whenever the Department of Transportation proposes any
21 project on the State Highway System which will divide a state
22 highway, erect median barriers modifying currently available
23 vehicle turning movements, or have the effect of closing or
24 modifying an existing access to an abutting property owner, the
25 department shall notify all affected property owners,
26 municipalities, and counties at least 180 days before the design
27 of the project is finalized. The department's notice shall
28 provide a written explanation regarding the need for the project
29 and indicate that all affected parties will be given an

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30 opportunity to provide comments to the department regarding
31 potential impacts of the change.

32 (2) (a) If the project is within the boundaries of a
33 municipality, the notification shall be issued in writing to the
34 chief elected official of the municipality. If the project is in
35 the unincorporated area of a county, the notification shall be
36 issued in writing to the chief elected official of the county.

37 (b) The department must also consult with the applicable
38 local government on its final design proposal if the department
39 intends to divide a state highway, erect median barriers, or
40 close or modify existing access to abutting commercial business
41 properties. The local government may present the department with
42 alternatives that relieve impacts to such business properties.

43 (3) The department shall hold at least one public hearing
44 in the jurisdiction where the project is located and receive
45 public input to determine how the project will affect access to
46 businesses and the potential economic impact of the project on
47 the local business community.

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

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