

**HOUSE OF REPRESENTATIVES**

**ECONOMIC DEVELOPMENT COUNCIL**  
**Representative Rudolph “Rudy” Bradley, Council Chair**

**2000 SUMMARY OF PASSED LEGISLATION**



**BUSINESS DEVELOPMENT AND INTERNATIONAL TRADE COMMITTEE**

*Representative Rudolph “Rudy” Bradley, Chair*

*Representative Manuel Prieguez, Vice Chair*

**TOURISM COMMITTEE**

*Representative Bob Starks, Chair*

*Representative Frank Farkas, Vice Chair*

**TRANSPORTATION COMMITTEE**

*Representative Kelley R. Smith, Chair*

*Representative Bruce Kyle, Vice Chair*

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## **Business Development & International Trade Committee**

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### **HB 349, 2nd ENG. -- Sales Tax Exemptions**

**By Johnson and others**

**Linked Bill(s):** None

**Related Bill(s):** None

**Committee(s) of Reference:** Business Development & International Trade; Community Affairs; Finance & Taxation; General Government Appropriations

This bill revises the application of the sales tax exemption on the lease, sublease, license to use, or rental of property to a concessionaire by convention halls, exhibition halls, auditoriums, stadiums, theaters, arenas, civic centers, performing arts centers, and publicly owned recreational facilities.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2000, except as otherwise provided.

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### **CS/CS/CS/SB 406, 3rd ENG. -- Economic Development**

**By Fiscal Policy; Commerce and Economic Opportunities;**

**Comprehensive Planning and Local and Military Affairs; Hargrett and others**

**Linked Bill(s):** None

**Related Bill(s):** HB 245; HB 2113; HB 2345

**Committee(s) of Reference:** Comprehensive Planning, Local and Military Affairs; Commerce and Economic Opportunities; Fiscal Policy

The bill creates the Community and Faith-based Organizations initiative within the Institute on Urban Policy and Commerce at FAMU to promote community development through partnerships with community and faith-based organizations. To assist distressed urban communities in securing computers for access by youths, the bill creates the Community High-Technology Investment Partnership (CHIP). It creates an Inner City Redevelopment Assistance Grants Program to be administered by OTTED. To enhance public participation and involvement in the redevelopment of inner city areas, it creates the Inner City Redevelopment Review Panel within OTTED.

The bill requires the Seaport Employment Training Grant Program (STEP) to establish and administer the Florida-Caribbean Basin Trade Initiative. The bill provides a tax exemption for construction materials used in the building of single-family homes in certain areas. The bill establishes the composition of the board of the Florida Space Research Institute and provides institute responsibilities. To bolster the space industry within Florida, the bill provides for the Space Industry Workforce Initiative. The bill creates the "Toolkit for Economic Development" to enable economically distressed communities to access easily, and use effectively, federal and state tools to improve conditions in the communities and assist needy families to avoid public assistance, retain employment, and become self-sufficient.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2000.

## **HB 479 -- Research & Development Authority**

**By Turnbull**

**Linked Bill(s):** None

**Related Bill(s):** None

**Committee(s) of Reference:** Business Development & International Trade

The bill eliminates from the research and development authority that oversees the park in which the National High Magnetic Field Laboratory is located those members designated by the Director of the National High Magnetic Field Laboratory, the Chancellor of the State University System, the Speaker of the House and the President of the Senate.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2000.

## **HB 775 -- Sales Tax/Space Flight Business**

**By Goode and others**

**Linked Bill(s):** None

**Related Bill(s):** None

**Committee(s) of Reference:** Business Development & International Trade; Community Affairs; Finance & Taxation; Transportation & Economic Development Appropriations

This bill provides an exemption from tax on leasing, renting or licensing property used primarily for space flight business purposes.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2000.

## **HB 879, 1st ENG. -- Sales Tax/Printed Materials**

**By Lynn and others**

**Linked Bill(s):** None

**Related Bill(s):** None

**Committee(s) of Reference:** Business Development & International Trade; Governmental Rules & Regulations; Finance & Taxation; General Government Appropriations

This bill exempts printers from collecting sales tax and gives the purchaser sole responsibility for sales tax payment when the printer delivers materials to the United States Postal Service for mailing to persons within and outside the state. The printer would be responsible for the taxes when all, or substantially all, of the materials are mailed to persons located in the state.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2000.

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## **SB 932 -- Sales Tax Registration Fee**

**By Sebesta**

**Linked Bill(s):** None

**Related Bill(s):** HB 141

**Committee(s) of Reference:** Fiscal Resource; Commerce and Economic Opportunities

This bill repeals the additional annual registration fee on certificate holders who had taxable sales or purchases during the preceding calendar year of \$30,000 or more and the requirement that the fees be deposited in the Solid Waste Management Trust Fund.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.

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## **CS/SB 1604, 1st ENG. -- Sales Tax**

**By Fiscal Resource; Sullivan and others**

**Linked Bill(s):** None

**Related Bill(s):** CS/HB 899, 1st ENG.

**Committee(s) of Reference:** Fiscal Resource; Commerce and Economic Opportunities

This bill exempts from sales tax industrial machinery and equipment used in semiconductor technology facilities, and building materials purchased for manufacturing or expanding clean rooms in semiconductor-manufacturing facilities. Industrial machinery and equipment used in defense or space technology facilities are exempt from 25 percent of the tax. The bill creates the Community-Based Development Organization Assistance Act to provide such community-based organizations with administrative and operating funds to retain project staff to plan, implement, and manage job-generating and community revitalization projects in distressed neighborhoods. The bill extends the solar energy systems tax exemption for three years and authorizes any county which opts to levy the tourist development

tax to pay the debt service on certain bonds to use the tax proceeds to pay the operation and maintenance costs of a convention center for the life of the bonds.

Subject to the Governor's veto powers, the effective date of this bill is January 1, 2001.

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**CS/CS/SB 1806, 1st ENG. -- Olympic Games  
By Commerce and Economic Opportunities; Fiscal Resource;  
McKay**

**Linked Bill(s):** None

**Related Bill(s):** CS/CS/HB 1909

**Committee(s) of Reference:** Fiscal Resource; Commerce and Economic Opportunities; Rules and Calendar

This bill provides the necessary state financial assurances to enable the City of Tampa to continue its bid with the United States Olympic Committee and the International Olympic Committee for host city designation for the XXXth Olympic Games in 2012.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.

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**CS/SB 2050, 1st ENG. -- Workforce Innovation Act of 2000  
By Fiscal Policy; King and others**

**Linked Bill(s):** None

**Related Bill(s):** CS/HB 1135; HB 2175; HB 2399

**Committee(s) of Reference:** Fiscal Policy

The bill reorganizes the state and regional workforce development and WAGES systems by creating the Agency for Workforce Innovation within, but not under the control of, the Department of Management Services and creating a private nonprofit entity named Workforce Florida, Inc., to develop workforce policy for the Agency for Workforce Innovation and regional workforce boards. Workforce development (including the Division of Unemployment Compensation) staff, programs, and functions in the Department of Labor and Employment Security are transferred to the

Agency for Workforce Innovation, and designated the Agency to receive and use federal funds to provide services under federal programs such as Wagner-Peyser. Workforce transition and support components of the WAGES program (e.g., child care, transportation, education and job training) are separated from the Department of Children and Family Services' TANF-funded cash assistance programs, placed in the Agency for Workforce Innovation, and enhanced to promote job retention and economic stability for persons leaving the welfare system.

The relationship between the workforce development system and the business community is enhanced by identifying workforce needs of employers, linking students and other persons seeking employment with employers through the use of internet-based technology and the use of private staffing agencies, providing educational incentives and a student loan forgiveness program for targeted occupations and professions, providing training opportunities for incumbent workers with special emphasis on small business needs, and directing resources towards activities that support economic development.

Enhanced support and accountability of the newly combined workforce and WAGES systems is provided by specifying training and reporting requirements, including requiring the Office of Program Policy Analysis and Accountability to conduct a program review of the state's revised workforce and WAGES systems.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2000, except as otherwise provided.

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**HB 2127, 1st ENG. -- State Procurement/Minority Business  
By Business Development & International Trade; Bradley**

**Linked Bill(s):** None

**Related Bill(s):** None

**Committee(s) of Reference:** Governmental Operations; General Government  
Appropriations

This bill revises provisions relating to the state procurement process. Specifically, the bill provides penalties for false representation for certification as a minority business enterprise programs and for discrimination; prohibits an agency from denying all bidders a fair opportunity to compete in the public procurement of commodities and services based on race, national origin, gender, religion, or physical disability; provides a complaint process; provides that certification as a minority business enterprise by local governmental jurisdictions or organizations shall be accepted by the Office of Supplier Diversity for doing business with the state; directs the Auditor General to make random reviews / audits of certified minority business enterprises to deter fraud; provides for the denial or revocation of the right for discriminatory vendors to transact business with public entities; and provides for administrative review of any such denial or revocation.

The bill transfers the Minority Business Advocacy and Assistance Office from the Department of Labor and Employment Security to the Department of Management Services effective July 1, 2000, and renames it the Office of Supplier Diversity.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2000.

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## Tourism Committee

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### **HB 509, 2nd ENG. -- Taxation**

**By Ogles**

**Linked Bill(s):** None

**Related Bill(s):** CS/SB 1078; CS/CS/CS/HB 71, 1st ENG;  
CS/CS/CS/SB 802; HB 531; HB 959, 2nd ENG; CS/CS/SB 1394;  
CS/SB 2284; SB 1918; CS/HB 1885

**Committee(s) of Reference:** Tourism; Community Affairs; Finance & Taxation

The bill as passed by the Legislature, relating to taxation, is very different from the bill as passed by the House of Representatives (CS/HB 509, 1st ENG) which pertained to local option tourist taxes. The enrolled version of the bill contains the provisions described below.

The bill amends s. 197.182, F.S., to provide that amounts erroneously paid by a taxpayer because of an error in the tax notice must be refunded by the tax collector or applied to taxes actually due.

The bill amends s. 120.80, F.S., to provide for the award of reasonable attorney's fees and costs to a prevailing appellant on appeal of a tax assessment imposed or refund denied under chapter 212, F.S., under specified circumstances.

The bill amends s. 213.21, F.S., to provide conditions under which a taxpayer's liability may be compromised when the taxpayer establishes reasonable reliance on written advice issued by the Department of Revenue. These changes apply only to notices of intent to conduct an audit issued on or after October 1, 2000.

The bill amends s. 199.185, F.S., to provide an exemption to the intangibles tax on governmental leaseholds where the leasee is required to furnish space on the leasehold estate for public use by governmental agencies at no charge to the governmental agency.

The bill amends ss. 125.0104 and 212.0305, F.S., to allow counties that choose to assume responsibility for audit and enforcement of their local option tourist development tax, area of critical state concern tourist impact tax, or convention development tax, to use certified public accountants to perform these tasks; to allow

counties that choose to assume responsibility to audit and enforce their local option tourist development taxes and the tourist impact tax to use certified public accountants licensed in this state to perform these tasks; and to apply confidentiality and penalty provisions related to such certified public accountants. The bill also amends s. 213.053, F.S., to provide for information sharing with the certified public accountant participants in the Registration Information Sharing and Exchange Program (R.I.S.E.).

The bill clarifies that the local option tourist development tax (s. 125.0104, F.S.) cannot be repealed until such time that outstanding bonds are satisfied. In addition, the bill authorizes the expiration of bonds issued by a county to finance certain facilities using the local option tourist development tax, upon the expiration of any agreement by the county for the operation or maintenance, or both, of the facility and allows a county to extend a local option tourist development tax ordinance for the operation, maintenance, or repair of the facility.

The bill revises the requirements of the Indigent Care Surtax (s. 212.055(4), F.S.) to fund a trauma center and directs the clerk of the court of the county with a population of at least 800,000 residents that has levied the indigent care surtax to annually disburse \$6.5 million to fund a hospital in the county's jurisdiction that has a Level I trauma center or to annually disburse \$3.5 million to fund a hospital in the county's jurisdiction that has a Level I trauma center if that county enacts a hospital lien law in accordance with ch. 98-499, L.O.F. If the hospital receiving funds for its Level I trauma center status requests such funds to be used to generate federal matching funds under Medicaid, the clerk of the court shall instead issue a check to AHCA to accomplish that purpose.

The bill creates s. 192.0105, F.S., called the Florida Taxpayer's Bill of Rights, which compiles taxpayers' rights with respect to taxes on real and personal property as found in the Florida Statutes and rules of the Department of Revenue.

The bill authorizes the School Board of Sarasota County to levy up to 1 mill of discretionary school millage for one year, by referendum, to support the cost of converting to charter district status. The funds generated by the additional millage shall not become part of the calculation of the F.E.F.P. total potential funds in 2000-2001.

The bill also requires Miami-Dade County, as a condition of levying the half-cent County Public Hospital Surtax (s. 212.055(5), F.S.), to reallocate 25% of the funds which the county must budget for the operation, maintenance, and administration of

the county public general hospital, Jackson Memorial Hospital, to a separate governing board, agency, or authority to be established to provide indigent care to the residents of Miami-Dade County. The Miami-Dade County Commission must charter a governing board, agency, or authority upon the bill becoming law, and certain funds allocated for the authority must be placed in a restricted account pending the creation of the authority. The bill provides conditions of appointment of the members of the governing board, agency, or authority responsible for adopting and implementing the indigent health care services plan. The independent entity receiving the 25% allocation must prepare and adopt a plan for providing indigent health care services in Miami-Dade County. The plan must divide the county into 4-6 service areas and the county general hospital shall be designated as the provider for one of the service areas. The first year of the plan, a total of \$10 million shall be remitted to the governing board, agency, or authority, to be used solely for funding the plan and in the second year \$15 million shall be remitted for those purposes. An audit is required. In addition, the bill requires service providers to receive reimbursements, on a fee-for-service basis at a rate, not to exceed the rate for Medicaid, for the initial emergency room visit and a per member per month fee for those members enrolled in their service area as compensation for services rendered following the initial emergency visit.

The bill creates subsection (7) of s. 212.055, F.S., to establish a new "Voter Approved Indigent Care Surtax," and provides that counties with less than 800,000 residents may impose the surtax, with referendum approval. The rate is capped at 0.5 percent. The bill establishes ballot language and requires the county to develop a plan, by ordinance, for providing health care services to qualified residents, as defined in this section. Tax proceeds must be used to fund health care services for indigent and medically poor persons, including, but not limited to, primary care, preventive care, and hospital care. A county may not levy the local option sales surtaxes authorized in this subsection in excess of a combined rate of 1 percent or, if a publicly supported medical school is located in the county, in excess of a combined rate of 1.5 percent.

The changes imposed by the bill are to be reviewed by the Legislature and will be repealed unless reenacted by October 1, 2005.

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Subject to the Governor's veto powers, the effective date of this bill is October 1, 2000.

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## **HB 743, 1st ENG. -- Entertainment Industry Incentives**

**By Tourism; Starks and others**

**Linked Bill(s):** None

**Related Bill(s):** CS/SB 804, SB 884

**Committee(s) of Reference:** Tourism; Governmental Rules & Regulations; Finance & Taxation; Transportation & Economic Development Appropriations

The bill creates s. 288.1258, F.S., to provide a single application process for qualified entertainment industry production companies to obtain a certificate of exemption from sales and use taxes on the lease or rental of real property used as an integral part of the performance of qualified production services; motion picture or video equipment and sound equipment that is purchased or leased for use in this state in certain specific entertainment production activities; and, part of the sales price of master tapes, records, films, or video tapes. The bill amends ss. 212.031, 212.06, and 212.08, F.S., to reference processes established in s. 288.1258, F.S. Also, the bill changes the current sales and use tax refund in s. 212.08(5)(f), F.S., relating to certain motion picture or video equipment and sound recording equipment, to a point-of-sale exemption. The estimated combined total state and local impact for the changes in the tax provisions for FY 2000-01 is (\$1.7 m) and for FY 2001-02 is (\$4.2).

The Office of the Film Commissioner (office) is directed to work with the Department of Revenue (department) and local film commissions to develop an application form for qualifying production companies. The initial application submitted by each production company is to be reviewed by the department for completeness. The department must forward a properly completed application to the office within 10 working days. Once the office approves an application as qualified, it is forwarded to the department which must issue a certificate of exemption within five working days of receipt of the application. Two exemption certificate categories are provided in the bill: a one-year certificate and a 90-day certificate.

Finally, the bill requires the Office of the Film Commissioner to gather and maintain information on the relationship of tax exemptions to the entertainment industry growth. By December 1 of each year, the Legislature is to receive a report that provides

information on annual growth in Florida-based entertainment industry companies and entertainment industry employment and wages.

Subject to the Governor's veto powers, the effective date of this bill is except as otherwise provided in the bill, January 1, 2001.

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**CS/SB 1074, 1st ENG. -- Motorsports Entertainment Complex  
By Commerce and Economic Opportunities; King**

**Linked Bill(s):** None

**Related Bill(s):** CS/HB 981, HB 823, SB 1294

**Committee(s) of Reference:** Commerce and Economic Opportunities

The bill amends Chapter 549, F.S., providing for automobile race meets to define "motorsports entertainment complex" and to establish criteria for the state to use in determining if a motorsports entertainment complex is permitted to receive advertising money from certain entities licensed under Florida's Beverage Law.

The bill allows the owner/operator of a motorsports entertainment complex to enter into promotional contracts with beer, wine, or liquor beverage manufacturers and charge for such promotions as long as Florida licensed wholesale distributors are not directly or indirectly participating in the payment of fees. The bill provides that the complex will not be treated as a "vendor"/"retailer" of alcohol beverages if (1) the complex does not obligate or require the licensed vendors operating at the complex to purchase or sell any particular brand of alcoholic beverage in the public areas or (2) the person licensed under s. 563.02(3), F.S., does not directly or indirectly participate in or contribute to any advertising or promotional funds used to pay the owner of the complex.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2000.

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**CS/HB 1439, 2nd ENG. -- Spring Training Franchise Facilities**

**By Tourism; Sembler**

**Linked Bill(s):** None

**Related Bill(s):** CS/CS/SB 1708

**Committee(s) of Reference:** Tourism; Finance & Taxation; Transportation & Economic Development Appropriations

The bill amends s. 212.20, F.S., to require the Department of Revenue to distribute sales tax proceeds to any applicant certified under s. 288.1162, F.S., as a "facility for a retained spring training franchise". A certified applicant can receive up to \$41,667 monthly for up to 30 years. However, not more than \$208,335 may be distributed monthly in the aggregate to all certified facilities for a retained spring training franchise.

The bill amends s. 288.1162, F.S., to require the Office of Tourism, Trade and Economic Development (OTTED) in the Office of the Governor to competitively evaluate applications for funding a facility for a retained spring training franchise. Criteria are specified for OTTED to use in selecting a limited number of facilities. Applications must be submitted by October 1, 2000, with certifications to be made by January 1, 2001. If the number of applicants exceeds five and the aggregate funding request of all applications exceeds \$208,335 per month, OTTED is required to rank the applications. The fiscal impact of the bill is a maximum of \$2.5 million annually for up to 30 years, or a total maximum impact of \$75 million.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.

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**SB 1756, 2nd ENG. -- Florida Statutes**

**By McKay**

**Linked Bill(s):** None

**Related Bill(s):** HB 4033, 1st ENG

**Committee(s) of Reference:** Governmental Oversight & Productivity; Commerce & Economic Opportunities; Rules & Calendar

The bill repeals various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded. The bill repeals or deletes provisions relating to funds appropriated prior to the effective date of provisions requiring a portion of construction funds to be set aside for acquisition and display of art in newly constructed state buildings; the use of certain funds by the Department of State for historic preservation purposes of the City of St. Augustine; the appropriation of certain funds by the Department of State to not-for-profit organizations established to advance historic preservation in Tallahassee and the Florida Keys; plans for the disposition, development, and the operation of foreign offices; appointments to the Florida Commission on Tourism; a review and report on the Florida Commission on Tourism and its direct-support organization; duties of the Florida Commission on Tourism with respect to its marketing plan; and fire safety requirements for public lodging establishments for which construction contracts were let prior to October 1, 1983. Unlike other provisions of the bill that will take effect upon the bill becoming law, the repeal of ss. 267.171 and 267.172, F.S., will take effect October 1, 2001, in order to give the Department of State the opportunity to appropriate remaining funds in a historic preservation trust fund for maintenance of historic buildings.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming a law, except as otherwise provided in the bill.

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## **Transportation Committee**

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### **SB 58 -- Environmental Mitigation/DOT**

**By Senator Bronson**

**Linked Bill(s):** None

**Related Bill(s):** HB 1101, CS/HB 893

**Committee(s) of Reference:** Transportation, Fiscal Policy

Current law provides a statutorily mandated price of \$75,000 cost per acre that the Department of Transportation (DOT) pays for wetlands mitigation as part of a joint program with the Department of Environmental Protection. The bill provides that this amount is not an admission of the fair market value of property acquired, and the amount is not admissible as evidence of full compensation for any property acquired by the state or its subdivisions through eminent domain or inverse condemnation.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.

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### **CS/CS/HB 113 -- Driver's License Suspension/DUI Test**

**By Judiciary; Transportation; Wise**

**Linked Bill(s):** None

**Related Bill(s):** CS/SB 1276

**Committee(s) of Reference:** Transportation; Law Enforcement & Crime Prevention; Judiciary; Transportation & Economic Development Appropriations

This bill requires the Department of Highway Safety and Motor Vehicles to invalidate administrative drivers license suspensions for driving with an unlawful blood alcohol or breath alcohol level if the suspended person is found not guilty of driving under the influence (DUI) at trial, if the DUI charge is dismissed by the court, or if the DUI charged is nolle prossed by the state. The bill does not change current law that if the license was suspended for refusing to take a breath or blood test, the administrative suspension remains in effect regardless of the outcome of the case.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2000.

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## **HB 407, 1st ENG. -- Toll Exemptions/Official Business**

**By J. Miller**

**Linked Bill(s):** None

**Related Bill(s):** CS/SB 206

**Committee(s) of Reference:** Transportation; Community Affairs; Transportation & Economic Development Appropriations

Present law exempts certain law enforcement officers from paying tolls on toll facilities if operating a marked official vehicle while on official business. This bill adds exemptions from paying tolls for the following: 1) any law enforcement officer operating a marked official vehicle when on law enforcement business; 2) any person operating a fire vehicle when on official business; and 3) any person operating a rescue vehicle when on official business.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2000.

## **CS/SB 768 -- Relating to License Plates**

**By Transportation; Latvala and others**

**Linked Bill(s):** None

**Related Bill(s):** CS/SB 308, CS/HB 571, CS/CS/SB 202

**Committee(s) of Reference:** Transportation

This bill provides for certain revenue generated through the sale of military license plates to be deposited into the Grants and Donations Trust Fund for the benefit of the Veterans' Nursing Home of Florida and its residents, and revises the distribution of revenue generated through sales of the Sea Turtle license plates and the Share the Road license plates.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2000.

**CS/SB 772 -- Transportation****By Transportation; Webster****Linked Bill(s):** None**Related Bill(s):** CS/HB 893, CS/CS/SB 1368, HB 921, HB 473, SB 1416, CS/HB 819, SB 1092**Committee(s) of Reference:** Transportation

This bill addresses a number of transportation related issues. Many of the provisions in the bill are related to Department of Transportation (DOT) operations and are intended to allow the department to operate more efficiently. Major provisions in the bill will:

- Provide DOT and the Commission for the Transportation Disadvantaged with specific statutory authorization for existing DOT or Commission rules which have been identified as necessary but which currently exceed the DOT's or the Commission's rulemaking authority.
- Require a review of DOT's organizational structure by the Florida Transportation Commission. A report to the Legislature is due by December 15, 2000.
- Provide that diesel fuel purchased in Florida and consumed by the engine of a qualified motor coach during idle time for the purpose of running climate control systems and maintaining electrical systems is subject to a refund. Qualified motor coach means a vehicle designed to carry at least nine passengers with a gross vehicle weight of at least 33,000 pounds. The motor coach must also have the capacity to measure diesel fuel consumed during idling, separate from diesel fuel consumed for propulsion, by way of an on-board computer.
- Improve statewide coordination and control of future investments in seaports by giving DOT and the Office of Tourism, Trade and Economic Development authority to approve seaport projects, and by requiring that future seaport bonds be issued through the Division of Bond Finance. These changes are based on recommendations included in an audit of the seaport program recently completed by the Office of the Auditor General.

- Require DOT to evaluate all alternatives and consider certain criteria in establishing the maximum number of lanes of a highway. DOT's current policy provides that for limited access highways, the maximum number of lanes that will be constructed is ten lanes, with six of those lanes being general purpose lanes and four of those lanes being 'special use' lanes. The bill specifically provides that allowing more than ten lanes on a highway is not precluded, and that DOT must also consider the facility's capacity to accommodate alternative forms of transportation within the right-of-way.
- Expand the allowable uses of local option fuel tax revenues from the ELMS nickel to include paving of unpaved roads when the paving is necessary to mitigate an adverse environmental impact. This will help some counties address environmental concerns about run-off from unpaved roads washing into rivers, creeks, and wetlands.
- Provide prevailing principles which will guide state and regional transportation planning. The prevailing principles are: (1) preserving the existing transportation infrastructure; (2) enhancing Florida's economic competitiveness; and (3) improving travel choices to ensure mobility.
- Provide for the use of federal funds and state matching funds to finance bonds for the Tri-County Commuter Rail Authority double tracking project in Dade, Broward, and Palm Beach Counties.
- Restructure the governing board of the Central Florida Regional Transportation Authority [LYNX]; and allow contiguous counties to be added to the authority's service area.
- Provide for regulation by the State Fire Marshal of construction materials mining activities involving the use of explosives. The State Fire Marshall will establish standards, limits, and regulations related to ground vibration, frequency, intensity, blast pattern, air blast, and time, date, occurrence and notice restrictions on the use of explosives.
- Repeal the Motor Vehicle Emissions Inspection Program and direct the Department of Environmental Protection to work with the U.S. Environmental Protection Agency to revise the State Implementation Plan for program areas.

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Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.

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**CS/CS/SB 862 -- Innovative Transportation Financing  
By Fiscal Policy; Transportation; Clary**

**Linked Bill(s):** None

**Related Bill(s):** HB 1965

**Committee(s) of Reference:** Transportation; Fiscal Policy

This bill will accelerate construction of selected, high-profile, transportation projects which promote economic development. It provides nearly \$2.5 billion in transportation funding, which will add or advance \$6 billion in transportation infrastructure product. The major components of the bill will:

- Provide for the Transportation Outreach Program (TOP) to fund transportation projects of a high priority which enhance Florida's economic growth and competitiveness, preserve existing infrastructure, and improve travel choices to ensure mobility. Projects for this program will be prioritized by an advisory council made up of representatives of private interests directly involved in transportation or tourism. The final project selection will be made by the Legislature.
- Recapture over a 10 year period, approximately \$1.8 billion from the General Revenue Fund and returns the funds to the State Transportation Trust Fund to fund the Mobility 2000 Initiative. Any excess revenues will fund the Transportation Outreach Program (TOP).
- Transfers \$125 million annually, in FY 2000-2001 through FY's 2002-2003 from the General Revenue Fund to the State Transportation Trust Fund to fund the County Incentive Grant Program which provides grants to counties for projects on the State Highway System or projects which relieve congestion on the State Highway System. Twenty percent of such funds will be used to fund the Small County Outreach Program which provides matching state funds for county road projects. The programs will be funded from recurring revenue starting in FY 2005-2006.

- Transfers \$50 million annually, in FY 2000-2001 through FY's 2002-2003 from the General Revenue Fund to the State Transportation Trust Fund to capitalize the State-funded Infrastructure Bank.
- Authorizes DOT to sell up to \$325 million in bonds using future federal revenue to repay the bonds. Proceeds of the bonds will be used for Mobility 2000 projects, with emphasis on the Florida Intrastate Highway System.
- Provides an appropriation of \$2 million annually to the Transportation Disadvantaged Commission to subsidize unfunded trips. This funding is contingent upon the passage of SB 854/HB 709 or similar legislation restructuring the Transportation Disadvantaged Program (this legislation did not pass during the 2000 session).

Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.

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**CS/SB 1018 -- POW/MIA Flags and Markers/Rest Areas  
By Transportation; Sullivan**

**Linked Bill(s):** None

**Related Bill(s):** HB 1019

**Committee(s) of Reference:** Transportation; Fiscal Policy

This bill directs the Department of Transportation (DOT) to fly the POW-MIA flag at each of the rest areas along interstate highways in this state. In addition, DOT is to display an appropriate marker or plaque at each interstate rest area to recognize members of the United States Armed Forces who are missing in action and unaccounted for. The bill provides that DOT will cooperate with the Department of Veterans' Affairs in implementing these displays.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.

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**HB 1093, 1st ENG. -- Okaloosa County/Mid-Bay Bridge Authority  
By Melvin**

**Linked Bill(s):** None

**Related Bill(s):** SB 2680

**Committee(s) of Reference:** Transportation; Community Affairs

The bill codifies all prior special acts relating to the Mid-Bay Bridge Authority (Authority) in Okaloosa County into a single act.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.

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**SB 1256 -- Public Records Exemption/Seaports  
By Criminal Justice**

**Linked Bill(s):** CS/CS/CS/SB 1258, 1st Eng.

**Related Bill(s):** HB 1621

**Committee(s) of Reference:** Criminal Justice; Rules & Calendar

This bill creates a public records exemption for security plans and other records that may jeopardize seaport security. The bill implements a recommendation of the Legislative Task Force on Illicit Money laundering.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.

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**SB 1260 -- Federal Law Enforcement Trust Fund  
By Criminal Justice**

**Linked Bill(s):** CS/CS/CS/SB 1258, 1st ENG.

**Related Bill(s):** HB 1619

**Committee(s) of Reference:** Criminal Justice; Transportation; Fiscal Policy

This bill creates the Federal Law Enforcement Trust Fund. The trust fund will be used to deposit forfeiture proceedings and the revenue will be used by the Department of Transportation to fund drug and money laundering interdiction activities. The bill implements a recommendation of the Legislative Task Force on Illicit Money laundering.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.

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**HB 1489 -- Brevard County/Canaveral Port Authority  
By Ball**

**Linked Bill(s):** None

**Related Bill(s):** SB 1816

**Committee(s) of Reference:** Transportation; Community Affairs

This bill amends the special act creating the Canaveral Port Authority in Brevard County to provide for reimbursement of the costs of official travel authorized by the Authority.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.

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**CS/SB 1530 & 1456 -- Motor Vehicle/Teen Safety Driving  
By Transportation; Geller; Klein and others**

**Linked Bill(s):** None

**Related Bill(s):** CS/CS/HB 1163

**Committee(s) of Reference:** Transportation; Comprehensive Planning; Local & Military Affairs

This bill makes it unlawful to operate a motor vehicle unless each passenger of the vehicle under 18 years of age is restrained by a safety belt or a child restraint device. In addition, the bill makes it unlawful for any person 18 years of age or older to be a passenger in the front seat unless such person is restrained by a safety belt.

The bill would require 16 and 17 year old driver's license applicants to have no traffic convictions for at least 12 months prior to applying for a driver's license, and to have certification that a parent, guardian, or other responsible adult has accompanied the applicant for 50 hours or more of behind-the-wheel experience, with at least 10 hours at night.

Subject to the Governor's veto powers, the effective date of this bill is October 1, 2000.

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**HB 1543 -- Pinellas Suncoast Transit Authority  
By Waters**

**Linked Bill(s):** None

**Related Bill(s):** None

**Committee(s) of Reference:** Transportation; Community Affairs

The bill codifies all prior special acts relating to the Pinellas Suncoast Transit Authority in Pinellas County into a single act and changes the Authority's current charter as follows:

- Adds two members to the Authority and restructures the Authority's membership to reflect municipalities currently included in the Authority's service area and updates service area boundaries;

- Limits members to three terms of three years each for a term limit of nine years;
- Combines the offices of secretary and treasurer into one office; and
- Repeals a special act requiring performance audits of the Authority every five years.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.

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## **HB 1547 -- Gasparilla Island Bridge Authority**

**By Harrington**

**Linked Bill(s):** None

**Related Bill(s):** SB 1820

**Committee(s) of Reference:** Transportation; Community Affairs; Finance & Taxation

This bill codifies all prior special acts relating to the Gasparilla Island Bridge Authority in Lee and Charlotte Counties into a single act.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.

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**CS/CS/HB 1911 -- Highway Safety & Motor Vehicles  
By Finance & Taxation; Transportation; Kyle****Linked Bill(s):** None**Related Bill(s):** CS/SB 1866, HB 117, SB 126, HB 1979, CS/SB 780, SB 988, SB 1622, SB 2360**Committee(s) of Reference:** Transportation, Finance & Taxation, Transportation & Economic Development Appropriations

This bill addresses a number of highway safety, motor vehicles and driver license related issues. Many of the provisions in the bill are related to the Department of Highway Safety and Motor Vehicles (DHS&MV) operations and are intended to allow the department to operate more efficiently. Major provisions in the bill will:

- Revise Florida's repeat intoxicated driver law to provide that an individual convicted of a second or subsequent offense of driving while intoxicated or driving under the influence shall be subject to the impoundment or immobilization of *all* vehicles owned by the repeat intoxicated driver. Also Florida's open container law is expanded to prohibit the possession of any open alcoholic beverage container, or the consumption of any alcoholic beverage, in the passenger area of any motor vehicle located on a public roadway or the right-of-way of a public roadway. Both of these provisions were mandated by the Federal Transportation Equity Act for the 21st Century. Failure to implement these provisions could result in the diversion of federal highway construction funds.
- Provide for a medical exemption certificate to be issued to any person afflicted with Lupus or a similar medical condition which requires a limited amount of exposure to sunlight. The medical exemption will allow for suncreening material on a motor vehicle which would otherwise be in violation of current sunscreening laws. Undercover law enforcement and K-9 unit vehicles are also exempted from the sunscreening requirements.
- Provide for persons over the age of 21 years to operate or ride a motorcycle without protective headgear (safety helmet) provided that such person is covered by an insurance policy of \$10,000 in medical benefits.

- Provide for the creation of the Used Motor Vehicle Industry Task Force within the Department of Highway Safety & Motor Vehicles. The task force is charged with examining and evaluating the used motor vehicle industry, including the licensing of dealers and the enforcement of dealer regulations and analyzing the structure and manner in which the department regulates the industry. The 12 member task force shall be appointed by the Governor, President of the Senate, and the Speaker of the House. A interim report to the Legislature is due by January 31, 2001 and a final report is due by March 1, 2001.
  
- Require that any person who alters, defaces, injures, knocks down or removes any official traffic control device or railroad sign or signal is subject to a criminal violation (criminal mischief). Currently, this offense is a noncriminal nonmoving traffic violation.

Subject to the Governor's veto powers, except for the motorcycle helmet provision which is effective July 1, 2000, the effective date of this bill is October 1, 2000.

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## **CS/HB 4035 -- Florida Statutes/Transportation**

**By Rules & Calendar; Bradley**

**Linked Bill(s):** None

**Related Bill(s):** SB 1758

**Committee(s) of Reference:** Transportation

This bill repeals transportation related statutes that have become obsolete, have had their effect, have served their purpose, are redundant, or have been impliedly repealed or superseded.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.