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CS/CS/CS/HB 865, Engrossed 1

2017 Legislature

1
2 An act relating to the Department of Transportation;
3 creating s. 316.0898, F.S.; requiring the department,
4 in consultation with the Department of Highway Safety
5 and Motor Vehicles, to develop the Florida Smart City
6 Challenge Grant Program; providing requirements for
7 grant applicants; establishing goals for the grant
8 program; requiring the Department of Transportation to
9 develop specified criteria for receipt of grants and a
10 plan for promotion of the grant program; authorizing
11 the department to contract with a third party for
12 certain purposes; requiring the department to submit
13 certain information to the Governor and Legislature;
14 providing for future repeal; amending s. 316.545,
15 F.S.; providing for assessment and calculation of a
16 fine for unlawful weight and load of a vehicle fueled
17 by natural gas; requiring written certification of
18 certain weight information; providing gross vehicle
19 weight requirements; providing an exception; amending
20 s. 335.074, F.S.; requiring inspection of certain
21 bridges at intervals required by the Federal Highway
22 Administration; amending s. 337.11, F.S.; revising the
23 amount for which the department may enter into certain
24 construction and maintenance contracts; amending s.
25 337.401, F.S.; authorizing the department and certain

ENROLLED

CS/CS/CS/HB 865, Engrossed 1

2017 Legislature

26 | local governmental entities to prescribe and enforce
27 | rules or regulations regarding the placing and
28 | maintaining of certain voice or data communications
29 | services lines or wireless facilities on certain
30 | rights-of-way; amending s. 338.227, F.S.; providing
31 | requirements for the validation of turnpike revenue
32 | bonds and related complaints; requiring the department
33 | to undertake an economic feasibility study relating to
34 | the acquisition of the Garcon Point Bridge; requiring
35 | a report to the Governor and Legislature; amending s.
36 | 339.135, F.S.; waiving requirements for approval of
37 | certain work program amendments by the Legislative
38 | Budget Commission under certain conditions; amending
39 | s. 339.2405, F.S.; deleting provisions relating to the
40 | Florida Highway Beautification Council; transferring
41 | certain powers and duties of the council to the
42 | department; amending s. 343.52, F.S.; defining the
43 | term "department"; amending s. 343.53, F.S.;
44 | conforming a cross-reference; amending s. 343.54,
45 | F.S.; prohibiting the South Florida Regional
46 | Transportation Authority from entering into certain
47 | contracts or agreements without department approval of
48 | the authority's expenditures; amending s. 343.58,
49 | F.S.; providing that certain funds provided to the
50 | authority constitute state financial assistance;

ENROLLED

CS/CS/CS/HB 865, Engrossed 1

2017 Legislature

51 requiring a written agreement for provision of such
 52 funds; authorizing the department to advance a certain
 53 amount of funds under certain circumstances; requiring
 54 the department to submit to the Governor and
 55 Legislature a review of the boundaries and
 56 headquarters of department districts and a study on
 57 the expenses associated with creating an additional
 58 district; authorizing the Secretary of Transportation
 59 to enroll the state in federal pilot programs or
 60 projects for the collection and study of certain data;
 61 amending s. 215.82, F.S.; conforming provisions to
 62 changes made by the act; providing an effective date.

63

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

65

66 Section 1. Section 316.0898, Florida Statutes, is created
 67 to read:

68 316.0898 Florida Smart City Challenge Grant Program.—

69 (1) The Department of Transportation, in consultation with
 70 the Department of Highway Safety and Motor Vehicles, shall,
 71 subject to appropriation, develop the Florida Smart City
 72 Challenge Grant Program and establish grant award requirements
 73 for municipalities or regions for the purpose of receiving grant
 74 awards. Grant applicants must demonstrate and document the
 75 adoption of emerging technologies and their impact on the

ENROLLED

CS/CS/CS/HB 865, Engrossed 1

2017 Legislature

76 | transportation system and must address at least the following
 77 | focus areas:
 78 | (a) Autonomous vehicles.
 79 | (b) Connected vehicles.
 80 | (c) Sensor-based infrastructure.
 81 | (d) Collecting and using data.
 82 | (e) Electric vehicles, including charging stations.
 83 | (f) Developing strategic models and partnerships.
 84 | (2) The goals of the grant program include, but are not
 85 | limited to:
 86 | (a) Identifying transportation challenges and identifying
 87 | how emerging technologies can address those challenges.
 88 | (b) Determining the emerging technologies and strategies
 89 | that have the potential to provide the most significant impacts.
 90 | (c) Encouraging municipalities to take significant steps
 91 | to integrate emerging technologies into their day-to-day
 92 | operations.
 93 | (d) Identifying the barriers to implementing the grant
 94 | program and communicating those barriers to the Legislature and
 95 | appropriate agencies and organizations.
 96 | (e) Leveraging the initial grant to attract additional
 97 | public and private investments.
 98 | (f) Increasing the state's competitiveness in the pursuit
 99 | of grants from the United States Department of Transportation,
 100 | the United States Department of Energy, and other federal

ENROLLED

CS/CS/CS/HB 865, Engrossed 1

2017 Legislature

101 agencies.

102 (g) Committing to the continued operation of programs
 103 implemented in connection with the grant.

104 (h) Serving as a model for municipalities nationwide.

105 (i) Documenting the costs and impacts of the grant program
 106 and lessons learned during implementation.

107 (j) Identifying solutions that will demonstrate local or
 108 regional economic impact.

109 (3) The Department of Transportation shall develop
 110 eligibility, application, and selection criteria for the receipt
 111 of grants and a plan for the promotion of the grant program to
 112 municipalities or regions of this state as an opportunity to
 113 compete for grant funding, including the award of grants to a
 114 single recipient and secondary grants to specific projects of
 115 merit within other applications. The Department of
 116 Transportation may contract with a third party that demonstrates
 117 knowledge and expertise in the focuses and goals of this section
 118 to provide guidance in the development of the requirements of
 119 this section.

120 (4) On or before January 1, 2018, the Department of
 121 Transportation shall submit the grant program guidelines and
 122 plans for promotion of the grant program to the Governor, the
 123 President of the Senate, and the Speaker of the House of
 124 Representatives.

125 (5) This section expires July 1, 2018.

ENROLLED

CS/CS/CS/HB 865, Engrossed 1

2017 Legislature

126 Section 2. Paragraphs (c) and (d) of subsection (3) of
127 section 316.545, Florida Statutes, are redesignated as
128 paragraphs (d) and (e), respectively, and a new paragraph (c) is
129 added to that subsection to read:

130 316.545 Weight and load unlawful; special fuel and motor
131 fuel tax enforcement; inspection; penalty; review.—

132 (3)

133 (c)1. For a vehicle fueled by natural gas, the fine is
134 calculated by reducing the actual gross vehicle weight by the
135 certified weight difference between the natural gas tank and
136 fueling system and a comparable diesel tank and fueling system.
137 Upon request by any weight inspector or law enforcement officer,
138 the vehicle operator must present written certification that
139 identifies the weight of the natural gas tank and fueling system
140 and the difference in weight of a comparable diesel tank and
141 fueling system. The written certification must originate from
142 the vehicle manufacturer or the installer of the natural gas
143 tank and fueling system.

144 2. The actual gross vehicle weight for vehicles fueled by
145 natural gas may not exceed 82,000 pounds, excluding the weight
146 allowed for idle-reduction technology under paragraph (b).

147 3. This paragraph does not apply to those vehicles
148 described in s. 316.535(6).

149 Section 3. Subsection (2) of section 335.074, Florida
150 Statutes, is amended to read:

ENROLLED

CS/CS/CS/HB 865, Engrossed 1

2017 Legislature

151 335.074 Safety inspection of bridges.—
 152 (2) At regular intervals as required by the Federal
 153 Highway Administration ~~not to exceed 2 years~~, each bridge on a
 154 public transportation facility shall be inspected for structural
 155 soundness and safety for the passage of traffic on such bridge.
 156 The thoroughness with which bridges are to be inspected shall
 157 depend on such factors as age, traffic characteristics, state of
 158 maintenance, and known deficiencies. The governmental entity
 159 responsible for ~~having~~ maintenance of ~~responsibility for~~ any
 160 such bridge is ~~shall be~~ responsible for having inspections
 161 performed and reports prepared in accordance with this section
 162 ~~the provisions contained herein.~~

163 Section 4. Paragraph (c) of subsection (6) of section
 164 337.11, Florida Statutes, is amended to read:

165 337.11 Contracting authority of department; bids;
 166 emergency repairs, supplemental agreements, and change orders;
 167 combined design and construction contracts; progress payments;
 168 records; requirements of vehicle registration.—

169 (6)

170 (c) When the department determines that it is in the best
 171 interest of the public for reasons of public concern, economy,
 172 improved operations, or safety, and only when circumstances
 173 dictate rapid completion of the work, the department may, up to
 174 the amount of \$250,000 ~~\$120,000~~, enter into contracts for
 175 construction and maintenance without advertising and receiving

ENROLLED

CS/CS/CS/HB 865, Engrossed 1

2017 Legislature

176 competitive bids. The department may enter into such contracts
 177 only upon a determination that the work is necessary for one of
 178 the following reasons:

- 179 1. To ensure timely completion of projects or avoidance of
 180 undue delay for other projects;
- 181 2. To accomplish minor repairs or construction and
 182 maintenance activities for which time is of the essence and for
 183 which significant cost savings would occur; or
- 184 3. To accomplish nonemergency work necessary to ensure
 185 avoidance of adverse conditions that affect the safe and
 186 efficient flow of traffic.

187
 188 The department shall make a good faith effort to obtain two or
 189 more quotes, if available, from qualified contractors before
 190 entering into any contract. The department shall give
 191 consideration to disadvantaged business enterprise
 192 participation. However, when the work exists within the limits
 193 of an existing contract, the department shall make a good faith
 194 effort to negotiate and enter into a contract with the prime
 195 contractor on the existing contract.

196 Section 5. Paragraph (a) of subsection (1) of section
 197 337.401, Florida Statutes, is amended to read:

198 337.401 Use of right-of-way for utilities subject to
 199 regulation; permit; fees.—

200 (1) (a) The department and local governmental entities,

ENROLLED

CS/CS/CS/HB 865, Engrossed 1

2017 Legislature

201 referred to in this section and in ss. 337.402, 337.403, and
 202 337.404 as the "authority," that have jurisdiction and control
 203 of public roads or publicly owned rail corridors are authorized
 204 to prescribe and enforce reasonable rules or regulations with
 205 reference to the placing and maintaining across, on, or within
 206 the right-of-way limits of any road or publicly owned rail
 207 corridors under their respective jurisdictions any electric
 208 transmission, ~~voice telephone~~, telegraph, data, or other
 209 communications services lines or wireless facilities; pole
 210 lines; poles; railways; ditches; sewers; water, heat, or gas
 211 mains; pipelines; fences; gasoline tanks and pumps; or other
 212 structures referred to in this section and in ss. 337.402,
 213 337.403, and 337.404 as the "utility." The department may enter
 214 into a permit-delegation agreement with a governmental entity if
 215 issuance of a permit is based on requirements that the
 216 department finds will ensure the safety and integrity of
 217 facilities of the Department of Transportation; however, the
 218 permit-delegation agreement does not apply to facilities of
 219 electric utilities as defined in s. 366.02(2).

220 Section 6. Subsection (5) is added to section 338.227,
 221 Florida Statutes, to read:

222 338.227 Turnpike revenue bonds.—

223 (5) Notwithstanding s. 215.82, bonds issued pursuant to
 224 this section are not required to be validated pursuant to
 225 chapter 75 but may be validated at the option of the Division of

ENROLLED

CS/CS/CS/HB 865, Engrossed 1

2017 Legislature

226 Bond Finance. A complaint about such validation must be filed in
 227 the circuit court of the county in which the seat of state
 228 government is situated. The notice required to be published by
 229 s. 75.06 must be published only in the county in which the
 230 complaint is filed. The complaint and order of the circuit court
 231 must be served only on the state attorney of the circuit in
 232 which the action is pending.

233 Section 7. The Department of Transportation shall
 234 undertake an economic feasibility study relating to the
 235 acquisition of the Garcon Point Bridge. The department shall
 236 submit the completed study to the Governor, the President of the
 237 Senate, and the Speaker of the House of Representatives by
 238 January 1, 2018.

239 Section 8. Paragraph (e) of subsection (7) of section
 240 339.135, Florida Statutes, is amended to read:

241 339.135 Work program; legislative budget request;
 242 definitions; preparation, adoption, execution, and amendment.—

243 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

244 (e) Notwithstanding paragraphs (d), ~~and~~ (g), and (h) and
 245 ss. 216.177(2) and 216.351, the secretary may request the
 246 Executive Office of the Governor to amend the adopted work
 247 program when an emergency exists, as defined in s. 252.34, and
 248 the emergency relates to the repair or rehabilitation of any
 249 state transportation facility. The Executive Office of the
 250 Governor may approve the amendment to the adopted work program

ENROLLED

CS/CS/CS/HB 865, Engrossed 1

2017 Legislature

251 and amend that portion of the department's approved budget if a
252 delay incident to the notification requirements in paragraph (d)
253 would be detrimental to the interests of the state. However, the
254 department shall immediately notify the parties specified in
255 paragraph (d) and provide such parties written justification for
256 the emergency action within 7 days after approval by the
257 Executive Office of the Governor of the amendment to the adopted
258 work program and the department's budget. The adopted work
259 program may not be amended under this subsection without
260 certification by the comptroller of the department that there
261 are sufficient funds available pursuant to the 36-month cash
262 forecast and applicable statutes.

263 Section 9. Section 339.2405, Florida Statutes, is amended
264 to read:

265 339.2405 Florida highway beautification grants Council.—

266 (1) The department shall ~~There is created within the~~
267 ~~Department of Transportation the Florida Highway Beautification~~
268 ~~Council. It shall consist of seven members appointed by the~~
269 ~~Governor. All appointed members must be residents of this state.~~
270 ~~One member must be a licensed landscape architect, one member~~
271 ~~must be a representative of the Florida Federation of Garden~~
272 ~~Clubs, Inc., one member must be a representative of the Florida~~
273 ~~Nurserymen and Growers Association, one member must be a~~
274 ~~representative of the department as designated by the head of~~
275 ~~the department, one member must be a representative of the~~

ENROLLED

CS/CS/CS/HB 865, Engrossed 1

2017 Legislature

276 ~~Department of Agriculture and Consumer Services, and two members~~
 277 ~~must be private citizens. The members of the council shall serve~~
 278 ~~at the pleasure of the Governor.~~

279 ~~(2) Each chair shall be selected by the council members~~
 280 ~~and shall serve a 2-year term.~~

281 ~~(3) The council shall meet no less than semiannually at~~
 282 ~~the call of the chair or, in the chair's absence or incapacity,~~
 283 ~~at the call of the head of the department. Four members shall~~
 284 ~~constitute a quorum for the purpose of exercising all of the~~
 285 ~~powers of the council. A vote of the majority of the members~~
 286 ~~present shall be sufficient for all actions of the council.~~

287 ~~(4) The council members shall serve without pay but shall~~
 288 ~~be entitled to per diem and travel expenses pursuant to s.~~
 289 ~~112.061.~~

290 ~~(5) A member of the council may not participate in any~~
 291 ~~discussion or decision to recommend grants to any qualified~~
 292 ~~local government with which the member is associated as a member~~
 293 ~~of the governing body or as an employee or with which the member~~
 294 ~~has entered into a contractual arrangement.~~

295 ~~(6) The council may prescribe, amend, and repeal bylaws~~
 296 ~~governing the manner in which the business of the council is~~
 297 ~~conducted.~~

298 ~~(7) (a) The duties of the council shall be to:~~

299 ~~(a)1.~~ Provide information to local governments and local
 300 highway beautification councils regarding the state highway

ENROLLED

CS/CS/CS/HB 865, Engrossed 1

2017 Legislature

301 beautification grants program.

302 (b)~~2~~. Accept grant requests from local governments.

303 (c)~~3~~. Review grant requests for compliance with department
304 ~~council~~ rules.

305 (d)~~4~~. Establish rules for evaluating and prioritizing the
306 grant requests. The rules must include, but are not limited to,
307 an examination of each grant's aesthetic value, cost-
308 effectiveness, level of local support, feasibility of
309 installation and maintenance, and compliance with state and
310 federal regulations. Rules adopted by the department ~~council~~
311 which it uses to evaluate grant applications must take into
312 consideration the contributions made by the highway
313 beautification project in preventing litter.

314 (e)~~5~~. Maintain a prioritized list of approved grant
315 requests. The list must include recommended funding levels for
316 each request and, if staged implementation is appropriate,
317 provide funding requirements for each stage ~~shall be provided~~.

318 ~~6. Assess the feasibility of planting and maintaining~~
319 ~~indigenous wildflowers and plants, instead of sod groundcovers,~~
320 ~~along the rights-of-way of state roads and highways. In making~~
321 ~~such assessment, the council shall utilize data from other~~
322 ~~states which include indigenous wildflower and plant species in~~
323 ~~their highway vegetative management systems.~~

324 ~~(b) The council may, at the request of the head of the~~
325 ~~department, review and make recommendations on any other highway~~

ENROLLED

CS/CS/CS/HB 865, Engrossed 1

2017 Legislature

326 ~~beautification matters relating to the State Highway System.~~

327 ~~(8) The head of the department shall provide from existing~~
 328 ~~personnel such staff support services to the council as are~~
 329 ~~necessary to enable the council to fulfill its duties and~~
 330 ~~responsibilities.~~

331 (2)~~(9)~~ Local highway beautification councils may be
 332 created by local governmental entities or by the Legislature.
 333 Before ~~Prior to~~ being submitted to the department ~~council~~, a
 334 grant request must be approved by the local government or
 335 governments of the area in which the project is located.

336 (3)~~(10)~~ The head of the department, ~~after receiving~~
 337 ~~recommendations from the council,~~ shall award grants to local
 338 governmental entities that have submitted grant requests for
 339 beautification of roads on the State Highway System and which
 340 requests are on the ~~council's~~ approved list. The grants shall be
 341 awarded in the order they appear on the ~~council's~~ prioritized
 342 list and in accordance with available funding.

343 (4)~~(11)~~ State highway beautification grants may be
 344 requested only for projects to beautify through landscaping
 345 roads on the State Highway System. The grant request shall
 346 identify all costs associated with the project, including
 347 sprinkler systems, plant materials, equipment, and labor. A
 348 grant shall provide for the costs of purchase and installation
 349 of a sprinkler system and, the cost of plant materials and
 350 fertilizer, and may provide for the costs for labor associated

ENROLLED

CS/CS/CS/HB 865, Engrossed 1

2017 Legislature

351 with the installation of the plantings. Each local government
 352 that receives a grant shall be responsible for any costs for
 353 water, for the maintenance of the sprinkler system, for the
 354 maintenance of the landscaped areas in accordance with a
 355 maintenance agreement with the department, and, except as
 356 otherwise provided in the grant, for any costs for labor
 357 associated with the installation of the plantings. The
 358 department may provide, by contract, services to maintain such
 359 landscaping at a level not to exceed the cost of routine
 360 maintenance of an equivalent unlandscaped area.

361 ~~(12) The council shall annually submit to the head of the~~
 362 ~~Department of Transportation a proposal recommending the level~~
 363 ~~of grant funding.~~

364 Section 10. Section 343.52, Florida Statutes, is amended
 365 to read:

366 343.52 Definitions.—As used in this part, the term:

367 (1)~~(3)~~ "Area served" means Miami-Dade, Broward, and Palm
 368 Beach Counties. However, this area may be expanded by mutual
 369 consent of the authority and the board of county commissioners
 370 of Monroe County. The authority may not expand into any
 371 additional counties without the department's prior written
 372 approval.

373 (2)~~(1)~~ "Authority" means the South Florida Regional
 374 Transportation Authority.

375 (3)~~(2)~~ "Board" means the governing body of the authority.

ENROLLED

CS/CS/CS/HB 865, Engrossed 1

2017 Legislature

376 | (4) "Department" means the Department of Transportation.

377 | ~~(5)-(7)~~ "Feeder transit services" means a transit system
 378 | that transports passengers to or from stations within or across
 379 | counties.

380 | (6) "Member" means the individuals constituting the board.

381 | ~~(7)-(5)~~ "Transit facilities" means property, avenues of
 382 | access, equipment, or buildings built and installed in Miami-
 383 | Dade, Broward, and Palm Beach Counties which are required to
 384 | support a transit system.

385 | ~~(8)-(4)~~ "Transit system" means a system used for the
 386 | transportation of people and goods by means of, without
 387 | limitation, a street railway, an elevated railway having a fixed
 388 | guideway, a commuter railroad, a subway, motor vehicles, or
 389 | motor buses, and includes a complete system of tracks, stations,
 390 | and rolling stock necessary to effectuate passenger service to
 391 | or from the surrounding regional municipalities.

392 | Section 11. Paragraph (d) of subsection (2) of section
 393 | 343.53, Florida Statutes, is amended to read:

394 | 343.53 South Florida Regional Transportation Authority.—

395 | (2) The governing board of the authority shall consist of
 396 | 10 voting members, as follows:

397 | (d) If the authority's service area is expanded pursuant
 398 | to s. 343.54(6) ~~343.54(5)~~, the county containing the new service
 399 | area shall have two members appointed to the board as follows:

400 | 1. The county commission of the county shall elect a

ENROLLED

CS/CS/CS/HB 865, Engrossed 1

2017 Legislature

401 commissioner as that commission's representative on the board.
402 The commissioner must be a member of the county commission when
403 elected and for the full extent of his or her term.

404 2. The Governor shall appoint a citizen member to the
405 board who is not a member of the county commission but who is a
406 resident and a qualified elector of that county.

407 Section 12. Subsections (4) and (5) of section 343.54,
408 Florida Statutes, are renumbered as subsections (5) and (6),
409 respectively, and a new subsection (4) is added to that section
410 to read:

411 343.54 Powers and duties.—

412 (4) Notwithstanding any other provision of this part, the
413 authority may not enter into, extend, or renew any contract or
414 other agreement that may be funded, in whole or in part, with
415 funds provided by the department without the prior review and
416 written approval by the department of the authority's proposed
417 expenditures.

418 Section 13. Paragraph (c) of subsection (4) of section
419 343.58, Florida Statutes, is amended to read:

420 343.58 County funding for the South Florida Regional
421 Transportation Authority.—

422 (4) Notwithstanding any other provision of law to the
423 contrary and effective July 1, 2010, until as provided in
424 paragraph (d), the department shall transfer annually from the
425 State Transportation Trust Fund to the South Florida Regional

ENROLLED

CS/CS/CS/HB 865, Engrossed 1

2017 Legislature

426 Transportation Authority the amounts specified in subparagraph
427 (a)1. or subparagraph (a)2.

428 (c)1. Funds provided to the authority by the department
429 under this subsection constitute state financial assistance
430 provided to a nonstate entity to carry out a state project
431 subject to ss. 215.97 and 215.971. The department shall provide
432 the funds in accordance with the terms of a written agreement to
433 be entered into between the authority and the department, which
434 shall provide for department review, approval, and audit of
435 authority expenditure of such funds and shall include such other
436 provisions as are required by applicable law. The department is
437 specifically authorized to agree to advance the authority 25
438 percent of the total funds provided under this subsection for a
439 state fiscal year at the beginning of each state fiscal year,
440 with monthly payments over the fiscal year on a reimbursement
441 basis as supported by invoices and such additional documentation
442 and information as the department may reasonably require and a
443 reconciliation of the advance against remaining invoices in the
444 last quarter of the fiscal year ~~may not be committed by the~~
445 ~~authority without the approval of the department, which may not~~
446 ~~be unreasonably withheld. At least 90 days before advertising~~
447 ~~any procurement or renewing any existing contract that will rely~~
448 ~~on state funds for payment, the authority shall notify the~~
449 ~~department of the proposed procurement or renewal and the~~
450 ~~proposed terms thereof. If the department, within 60 days after~~

ENROLLED

CS/CS/CS/HB 865, Engrossed 1

2017 Legislature

451 ~~receipt of notice, objects in writing to the proposed~~
452 ~~procurement or renewal, specifying its reasons for objection,~~
453 ~~the authority may not proceed with the proposed procurement or~~
454 ~~renewal. Failure of the department to object in writing within~~
455 ~~60 days after notice shall be deemed consent. This requirement~~
456 ~~does not impair or cause the authority to cancel contracts that~~
457 ~~exist as of June 30, 2012.~~

458 2. To enable the department to evaluate the authority's
459 proposed uses of state funds, the authority shall annually
460 provide the department with its proposed budget for the
461 following authority fiscal year and shall promptly provide the
462 department with any additional documentation or information
463 required by the department for its evaluation of the proposed
464 uses of the state funds.

465 Section 14. On or before October 31, 2017, the Department
466 of Transportation shall submit to the Governor, the President of
467 the Senate, and the Speaker of the House of Representatives a
468 report providing a comprehensive review of the boundaries and
469 headquarters of each of the department's districts. Along with
470 its report, the department shall provide a study on the expenses
471 associated with creating an additional district with the
472 department's Fort Myers urban office as the district
473 headquarters.

474 Section 15. The Secretary of Transportation may enroll the
475 State of Florida in any federal pilot program or project for the

ENROLLED

CS/CS/CS/HB 865, Engrossed 1

2017 Legislature

476 | collection and study of data for the review of federal or state
477 | roadway safety, infrastructure sustainability, congestion
478 | mitigation, transportation system efficiency, autonomous vehicle
479 | technology, or capacity challenges.

480 | Section 16. Subsection (2) of section 215.82, Florida
481 | Statutes, is amended to read:

482 | 215.82 Validation; when required.—

483 | (2) Any bonds issued pursuant to this act which are
484 | validated shall be validated in the manner provided by chapter
485 | 75. In actions to validate bonds to be issued in the name of the
486 | State Board of Education under s. 9(a) and (d), Art. XII of the
487 | State Constitution and bonds to be issued pursuant to chapter
488 | 259, the Land Conservation Program, the complaint shall be filed
489 | in the circuit court of the county where the seat of state
490 | government is situated, the notice required to be published by
491 | s. 75.06 shall be published only in the county where the
492 | complaint is filed, and the complaint and order of the circuit
493 | court shall be served only on the state attorney of the circuit
494 | in which the action is pending. In any action to validate bonds
495 | issued pursuant to s. 1010.62 or issued pursuant to s. 9(a)(1),
496 | Art. XII of the State Constitution or issued pursuant to s.
497 | 215.605 ~~or s. 338.227~~, the complaint shall be filed in the
498 | circuit court of the county where the seat of state government
499 | is situated, the notice required to be published by s. 75.06
500 | shall be published in a newspaper of general circulation in the

ENROLLED

CS/CS/CS/HB 865, Engrossed 1

2017 Legislature

501 county where the complaint is filed and in two other newspapers
502 of general circulation in the state, and the complaint and order
503 of the circuit court shall be served only on the state attorney
504 of the circuit in which the action is pending; provided,
505 however, that if publication of notice pursuant to this section
506 would require publication in more newspapers than would
507 publication pursuant to s. 75.06, such publication shall be made
508 pursuant to s. 75.06.

509 Section 17. This act shall take effect July 1, 2017.