

1 A bill to be entitled
2 An act relating to transportation; creating s.
3 287.0836, F.S.; requiring an agency to consider
4 specified criteria when evaluating a proposal or reply
5 received for procurement of specified transportation
6 services; amending s. 316.003, F.S.; reorganizing
7 certain definition provisions relating to autonomous
8 vehicles; amending s. 316.303, F.S.; providing
9 exceptions to a prohibition of a viewer or screen
10 visible from the driver's seat of a motor vehicle;
11 creating s. 335.21, F.S.; requiring the governing body
12 of an independent special district created to regulate
13 the operation of public vehicles on public highways to
14 consist of certain members; amending s. 338.231, F.S.,
15 relating to turnpike revenue; removing a provision
16 authorizing the use of such revenue for payment of
17 principal and interest of certain bonds and certain
18 expenses of the Sawgrass Expressway; amending s.
19 339.175, F.S.; revising requirements for long-range
20 transportation plans developed by metropolitan
21 planning organizations; amending s. 339.64, F.S.,
22 relating to the Strategic Intermodal System Plan;
23 requiring the Department of Transportation to
24 coordinate with certain partners and industry
25 representatives to consider infrastructure and
26 technological improvements necessary to accommodate

27 advances in vehicle technology; revising requirements
 28 for a needs assessment; repealing s. 341.0532, F.S.,
 29 relating to transportation corridors; removing
 30 provisions that specify certain transportation
 31 facilities as statewide transportation corridors;
 32 creating s. 341.1025, F.S.; authorizing a public
 33 transit provider to enter into agreements with a
 34 transportation network company for the provision of
 35 certain transit services; defining the term
 36 "transportation network company"; revising the title
 37 of part III of chapter 348, F.S.; amending s. 348.753,
 38 F.S.; revising requirements for appointments to the
 39 governing body of the Central Florida Expressway
 40 Authority; specifying that terms of members appointed
 41 by the Governor end on a specified date; removing a
 42 requirement that the authority elect one of its
 43 members as secretary; amending s. 348.754, F.S.;
 44 specifying that the Central Florida Expressway
 45 Authority is a party to a certain lease-purchase
 46 agreement between the department and the Orlando-
 47 Orange County Expressway Authority; directing the
 48 Commission for the Transportation Disadvantaged, in
 49 cooperation with the Center for Urban Transportation
 50 Research, to develop and implement a pilot program
 51 with at least one community transportation coordinator
 52 relating to the use of a transportation network

53 company as a transportation operator; providing
 54 requirements for the pilot program; requiring the
 55 commission to present a report to the Legislature;
 56 directing the department, in cooperation with the
 57 Florida Transportation Commission, to provide for a
 58 study on the viability of implementing a system that
 59 charges drivers based on their vehicle miles traveled
 60 as an alternative to the present fuel tax structure to
 61 fund transportation projects; providing requirements
 62 for the study; requiring a report to the Governor and
 63 the Legislature; providing an effective date.

64

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

66

67 Section 1. Section 287.0836, Florida Statutes, is created
 68 to read:

69 287.0836 Sustainable transportation services procurement.-

70 An agency must consider the following criteria when evaluating a
 71 proposal or reply received pursuant to a request for proposals
 72 or an invitation to negotiate for services related to cargo,
 73 freight, or package delivery:

74 (1) Whether the vendor uses alternative fuels, including
 75 natural gas fuel as defined in s. 377.810.

76 (2) The fuel efficiency of the vehicles used by the
 77 vendor.

78 Section 2. Subsection (90) of section 316.003, Florida

79 Statutes, is amended, subsections (91), (92), and (93) are
 80 renumbered as subsections (92), (93), and (94), respectively,
 81 and a new subsection (91) is added to that section, to read:

82 316.003 Definitions.—The following words and phrases, when
 83 used in this chapter, shall have the meanings respectively
 84 ascribed to them in this section, except where the context
 85 otherwise requires:

86 (90) AUTONOMOUS VEHICLE.—Any vehicle equipped with
 87 autonomous technology. ~~The term "autonomous technology" means~~
 88 ~~technology installed on a motor vehicle that has the capability~~
 89 ~~to drive the vehicle on which the technology is installed~~
 90 ~~without the active control or monitoring by a human operator.~~
 91 The term excludes a motor vehicle enabled with active safety
 92 systems or driver assistance systems, including, without
 93 limitation, a system to provide electronic blind spot
 94 assistance, crash avoidance, emergency braking, parking
 95 assistance, adaptive cruise control, lane keep assistance, lane
 96 departure warning, or traffic jam and queuing assistant, unless
 97 any such system alone or in combination with other systems
 98 enables the vehicle on which the technology is installed to
 99 drive without the active control or monitoring by a human
 100 operator.

101 (91) AUTONOMOUS TECHNOLOGY.—Technology installed on a
 102 motor vehicle that has the capability to drive the vehicle on
 103 which the technology is installed without the active control or
 104 monitoring by a human operator.

105 Section 3. Subsections (1) and (3) of section 316.303,
 106 Florida Statutes, are amended to read:

107 316.303 Television receivers.—

108 (1) A ~~Ne~~ motor vehicle operated on the highways of this
 109 state shall not be equipped with television-type receiving
 110 equipment so located that the viewer or screen is visible from
 111 the driver's seat unless the vehicle is equipped with autonomous
 112 technology and is being operated in autonomous mode as provided
 113 in s. 316.85(2).

114 (3) This section does not prohibit the use of an
 115 electronic display used in conjunction with a vehicle navigation
 116 system or an electronic display used by an operator of a vehicle
 117 equipped with autonomous technology while the vehicle is being
 118 operated in autonomous mode as provided in s. 316.85(2).

119 Section 4. Section 335.21, Florida Statutes, is created to
 120 read:

121 335.21 Governing bodies of independent special districts
 122 regulating operation of public vehicles on public highways.—
 123 Notwithstanding any provision of local law, the membership of
 124 the governing body of an independent special district created
 125 for the purpose of regulating the operation of public vehicles
 126 upon the public highways under the jurisdiction of the
 127 independent special district shall consist of seven members.
 128 Four members shall be appointed by the Governor, one member
 129 shall be appointed by the governing body of the largest
 130 municipality situated within the jurisdiction of the independent

131 special district, and two members shall be appointed by the
 132 governing body of the county in which the independent special
 133 district has jurisdiction. All appointees must be residents of
 134 the county in which the independent special district has
 135 jurisdiction.

136 Section 5. Subsection (5) of section 338.231, Florida
 137 Statutes, is amended to read:

138 338.231 Turnpike tolls, fixing; pledge of tolls and other
 139 revenues.—The department shall at all times fix, adjust, charge,
 140 and collect such tolls and amounts for the use of the turnpike
 141 system as are required in order to provide a fund sufficient
 142 with other revenues of the turnpike system to pay the cost of
 143 maintaining, improving, repairing, and operating such turnpike
 144 system; to pay the principal of and interest on all bonds issued
 145 to finance or refinance any portion of the turnpike system as
 146 the same become due and payable; and to create reserves for all
 147 such purposes.

148 ~~(5) In each fiscal year while any of the bonds of the~~
 149 ~~Broward County Expressway Authority series 1984 and series 1986~~
 150 ~~A remain outstanding, the department is authorized to pledge~~
 151 ~~revenues from the turnpike system to the payment of principal~~
 152 ~~and interest of such series of bonds and the operation and~~
 153 ~~maintenance expenses of the Sawgrass Expressway, to the extent~~
 154 ~~gross toll revenues of the Sawgrass Expressway are insufficient~~
 155 ~~to make such payments. The terms of an agreement relative to the~~
 156 ~~pledge of turnpike system revenue will be negotiated with the~~

157 ~~parties of the 1984 and 1986 Broward County Expressway Authority~~
 158 ~~lease purchase agreements, and subject to the covenants of those~~
 159 ~~agreements. The agreement must establish that the Sawgrass~~
 160 ~~Expressway is subject to the planning, management, and operating~~
 161 ~~control of the department limited only by the terms of the~~
 162 ~~lease purchase agreements. The department shall provide for the~~
 163 ~~payment of operation and maintenance expenses of the Sawgrass~~
 164 ~~Expressway until such agreement is in effect. This pledge of~~
 165 ~~turnpike system revenues is subordinate to the debt service~~
 166 ~~requirements of any future issue of turnpike bonds, the payment~~
 167 ~~of turnpike system operation and maintenance expenses, and~~
 168 ~~subject to any subsequent resolution or trust indenture relating~~
 169 ~~to the issuance of such turnpike bonds.~~

170 Section 6. Paragraph (c) of subsection (7) of section
 171 339.175, Florida Statutes, is amended to read:

172 339.175 Metropolitan planning organization.—

173 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must
 174 develop a long-range transportation plan that addresses at least
 175 a 20-year planning horizon. The plan must include both long-
 176 range and short-range strategies and must comply with all other
 177 state and federal requirements. The prevailing principles to be
 178 considered in the long-range transportation plan are: preserving
 179 the existing transportation infrastructure; enhancing Florida's
 180 economic competitiveness; and improving travel choices to ensure
 181 mobility. The long-range transportation plan must be consistent,
 182 to the maximum extent feasible, with future land use elements

183 and the goals, objectives, and policies of the approved local
184 government comprehensive plans of the units of local government
185 located within the jurisdiction of the M.P.O. Each M.P.O. is
186 encouraged to consider strategies that integrate transportation
187 and land use planning to provide for sustainable development and
188 reduce greenhouse gas emissions. The approved long-range
189 transportation plan must be considered by local governments in
190 the development of the transportation elements in local
191 government comprehensive plans and any amendments thereto. The
192 long-range transportation plan must, at a minimum:

193 (c) Assess capital investment and other measures necessary
194 to:

- 195 1. Ensure the preservation of the existing metropolitan
196 transportation system including requirements for the operation,
197 resurfacing, restoration, and rehabilitation of major roadways
198 and requirements for the operation, maintenance, modernization,
199 and rehabilitation of public transportation facilities; and
- 200 2. Make the most efficient use of existing transportation
201 facilities to relieve vehicular congestion, improve safety, and
202 maximize the mobility of people and goods. Such efforts shall
203 include, but not be limited to, consideration of infrastructure
204 and technological improvements necessary to accommodate advances
205 in vehicle technology, such as autonomous vehicle technology and
206 other developments.

207
208 In the development of its long-range transportation plan, each

209 M.P.O. must provide the public, affected public agencies,
 210 representatives of transportation agency employees, freight
 211 shippers, providers of freight transportation services, private
 212 providers of transportation, representatives of users of public
 213 transit, and other interested parties with a reasonable
 214 opportunity to comment on the long-range transportation plan.
 215 The long-range transportation plan must be approved by the
 216 M.P.O.

217 Section 7. Paragraph (a) of subsection (4) of section
 218 339.64, Florida Statutes, is amended, and paragraph (c) is added
 219 to subsection (3) of that section, to read:

220 339.64 Strategic Intermodal System Plan.—

221 (3)

222 (c) The department shall also coordinate with federal,
 223 regional, and local partners, as well as industry
 224 representatives, to consider infrastructure and technological
 225 improvements necessary to accommodate advances in vehicle
 226 technology, such as autonomous vehicle technology and other
 227 developments, in Strategic Intermodal System facilities.

228 (4) The Strategic Intermodal System Plan shall include the
 229 following:

230 (a) A needs assessment. Such assessment shall include, but
 231 not be limited to, consideration of infrastructure and
 232 technological improvements necessary to accommodate advances in
 233 vehicle technology, such as autonomous vehicle technology and
 234 other developments.

235 Section 8. Section 341.0532, Florida Statutes, is
 236 repealed.

237 Section 9. Section 341.1025, Florida Statutes, is created
 238 to read:

239 341.1025 Public transit providers; transportation network
 240 company agreements for provision of public transit service.—A
 241 public transit provider may enter into an agreement with a
 242 transportation network company under which the transportation
 243 network company provides paratransit or public transit service
 244 on behalf of the provider. As used in this section, the term
 245 "transportation network company" means an entity that uses a
 246 digital or software application to connect passengers to
 247 services provided by transportation network company drivers.

248 Section 10. Part III of chapter 348, Florida Statutes,
 249 consisting of ss. 348.751-348.765, Florida Statutes, is retitled
 250 "Central Florida Expressway Authority."

251 Section 11. Subsection (3) and paragraph (a) of subsection
 252 (4) of section 348.753, Florida Statutes, are amended to read:

253 348.753 Central Florida Expressway Authority.—

254 (3) The governing body of the authority shall consist of
 255 nine members. The chairs of the boards of the county commissions
 256 of Seminole, Lake, and Osceola Counties shall each appoint one
 257 member from its respective county, who must ~~may~~ be a commission
 258 member or chair or a county mayor. The Mayor of Orange County
 259 shall appoint a member from the Orange County Commission. The
 260 Governor shall appoint three citizen members, each of whom must

261 be a citizen of either Orange County, Seminole County, Lake
 262 County, or Osceola County. The ~~eight member must be the~~ Mayor
 263 of Orange County and. The ~~ninth member must be~~ the Mayor of the
 264 City of Orlando shall also serve as members. The executive
 265 director of the Florida Turnpike Enterprise shall serve as a
 266 nonvoting advisor to the governing body of the authority. Each
 267 member appointed by the Governor shall serve for 4 years, with
 268 his or her term ending on December 31 of his or her last year of
 269 service. Each county-appointed member shall serve for 2 years.
 270 ~~The terms of standing board members expire June 20, 2014.~~ Each
 271 appointed member shall hold office until his or her successor
 272 has been appointed and has qualified. A vacancy occurring during
 273 a term must be filled only for the balance of the unexpired
 274 term. Each appointed member of the authority shall be a person
 275 of outstanding reputation for integrity, responsibility, and
 276 business ability, but, except as provided in this subsection, a
 277 person who is an officer or employee of a municipality or county
 278 may not be an appointed member of the authority. Any member of
 279 the authority is eligible for reappointment.

280 (4) (a) The authority shall elect one of its members as
 281 chair of the authority. The authority shall also elect one of
 282 its members as vice chair, ~~one of its members as secretary,~~ and
 283 one of its members as treasurer. The chair, vice chair,
 284 ~~secretary,~~ and treasurer shall hold such offices at the will of
 285 the authority. Five members of the authority constitute a
 286 quorum, and the vote of five members is necessary for any action

287 taken by the authority. A vacancy in the authority does not
 288 impair the right of a quorum of the authority to exercise all of
 289 the rights and perform all of the duties of the authority.

290 Section 12. Paragraph (e) of subsection (2) of section
 291 348.754, Florida Statutes, is amended to read:

292 348.754 Purposes and powers.—

293 (2) The authority may exercise all powers necessary,
 294 appurtenant, convenient, or incidental to the implementation of
 295 the stated purposes, including, but not limited to, the
 296 following rights and powers:

297 (e) To enter into and make lease-purchase agreements with
 298 the department for terms not exceeding 99 years, or until any
 299 bonds secured by a pledge of rentals pursuant to the agreement,
 300 and any refundings pursuant to the agreement, are fully paid as
 301 to both principal and interest, whichever is longer. The
 302 authority is a party to a lease-purchase agreement between the
 303 department and the Orlando-Orange County Expressway Authority
 304 dated December 23, 1985, as supplemented by a first supplement
 305 to the lease-purchase agreement dated November 25, 1986, and a
 306 second supplement to the lease-purchase agreement dated October
 307 27, 1988. The authority may not enter into other lease-purchase
 308 agreements with the department and may not amend the existing
 309 agreement in a manner that expands or increases the department's
 310 obligations unless the department determines that the agreement
 311 or amendment is necessary to permit the refunding of bonds
 312 issued before July 1, 2013.

313 Section 13. (1) The Commission for the Transportation
314 Disadvantaged, in cooperation with the Center for Urban
315 Transportation Research, shall develop and implement a pilot
316 program with at least one community transportation coordinator
317 to assess the potential for increasing accessibility and cost
318 effectiveness made possible through use of a transportation
319 network company as a transportation operator. As used in this
320 section, the term "transportation network company" means an
321 entity that uses a digital or software application to connect
322 passengers to services provided by transportation network
323 company drivers.

324 (2) The pilot program must allow for one or more
325 transportation network companies to provide all or some
326 nonsponsored paratransit services to eligible transportation
327 disadvantaged persons for no less than 6 months. A participating
328 transportation network company shall comply with all relevant
329 standards for transportation operators as required under s.
330 427.013(9), Florida Statutes.

331 (3) Contingent upon legislative appropriation, the
332 commission may expend up to \$750,000 for the pilot program.

333 (4) The commission shall present the findings of the pilot
334 program in a report to President of the Senate and the Speaker
335 of the House of Representatives by October 1, 2016.

336 Section 14. Transportation system funding.—The Legislature
337 recognizes that the existing fuel tax structure used to derive
338 revenues for the funding of transportation projects in this

339 state is becoming increasingly inadequate to meet the state's
340 long-term transportation infrastructure needs. Therefore, the
341 Legislature directs the Department of Transportation, in
342 cooperation with the Florida Transportation Commission, to
343 conduct a study on the impact of implementing a system that
344 charges drivers based on the vehicle miles traveled as an
345 alternative, sustainable source of transportation funding.

346 (1) The Department of Transportation, in cooperation with
347 the Florida Transportation Commission, shall issue a request for
348 proposals to conduct a study on the viability of implementing a
349 system in this state that charges drivers based on their vehicle
350 miles traveled as an alternative to the present fuel tax
351 structure to fund transportation projects. The study shall
352 synthesize previous research and findings from other states. The
353 study shall, at a minimum, address the following issues:

354 (a) Various methods of recording and reporting highway
355 use, including availability, adaptability, reliability, ease of
356 use, cost, and security.

357 (b) Protection of personally identifiable information and
358 relieving other privacy concerns.

359 (c) Ease and cost of administering charges for vehicle
360 miles traveled compared to imposing fuel taxes.

361 (d) Effectiveness of methods of maintaining compliance.

362 (e) Interoperability with tolling.

363 (f) Interoperability with other states and visiting
364 vehicles from out of state.

365 (g) Assessments of public acceptability of a charge for
 366 vehicle miles traveled compared to the fuel tax.

367 (h) The means of establishing rates for various vehicles
 368 based on type, weight, and roadways used.

369 (2) In addition, the study must address the advantages and
 370 disadvantages of a vehicle-miles-traveled system, other options
 371 for funding the state's transportation system, and the estimated
 372 fiscal impact of implementing a vehicle-miles-traveled system.

373 (3) By December 31, 2016, the Department of Transportation
 374 and the Florida Transportation Commission shall submit a report
 375 to the Governor, the President of the Senate, and the Speaker of
 376 the House of Representatives detailing the findings of the study
 377 and making recommendations regarding the feasibility and means
 378 of implementing a vehicle-miles-traveled system pilot project.

379 Section 15. This act shall take effect July 1, 2015.