

1                                   A bill to be entitled  
 2           An act relating to fuel terminals; creating s.  
 3           163.3206, F.S.; providing legislative intent;  
 4           providing definitions; prohibiting a local government  
 5           from amending its local comprehensive plan, land use  
 6           map, zoning districts, or land development regulations  
 7           to make such fuel terminals a nonconforming use under  
 8           the provisions thereof after a certain date; providing  
 9           for the repair or reconstruction of a fuel terminal to  
 10          its preexisting capacity after certain events;  
 11          providing applicability; providing an effective date.

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

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 15           Section 1. Section 163.3206, Florida Statutes, is created  
 16 to read:

17           163.3206 Fuel terminals.—

18           (1) It is the intent of the Legislature to maintain,  
 19 encourage, and ensure adequate and reliable fuel terminal  
 20 infrastructure in this state. Fuel terminals are a critical  
 21 component of fuel storage and distribution. The ability to  
 22 receive, store, and distribute fuel is essential to the state's  
 23 economy and to the health, safety, welfare, and quality of life  
 24 of residents and visitors. It is essential that fuel terminal  
 25 infrastructure be constructed and maintained in various  
 26 locations in order to ensure the efficient and reliable

27 transportation and delivery of an adequate quantity of fuel  
 28 throughout the state.

29 (2) As used in this section, the term:

30 (a) "Fuel" means any of the following:

31 1. Alternative fuel as defined in s. 525.01.

32 2. Aviation fuel as defined in s. 206.9815.

33 3. Diesel fuel as defined in s. 206.86.

34 4. Gas as defined in s. 206.9925.

35 5. Motor fuel as defined in s. 206.01.

36 6. Natural gas fuel as defined in s. 206.9951.

37 7. Oil as defined in s. 206.9925.

38 8. Petroleum fuel as defined in s. 525.01.

39 9. Petroleum product as defined in s. 206.9925.

40 (b) "Fuel terminal" means a storage and distribution  
 41 facility for fuel, supplied by pipeline or marine vessel, which  
 42 has the capacity to receive and store a bulk transfer of fuel,  
 43 is equipped with a loading rack through which fuel is physically  
 44 transferred into tanker trucks or rail cars, and which is  
 45 registered with the Internal Revenue Service as a terminal.

46 (3) After July 1, 2014, a local government may not amend  
 47 its comprehensive plan, land use map, zoning districts, or land  
 48 development regulations in a manner that would conflict with a  
 49 fuel terminal's classification as a permitted and allowable use  
 50 under this section, including, but not limited to, an amendment  
 51 that causes a fuel terminal to be a nonconforming use,  
 52 structure, or development.

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53        (4) This section does not limit the authority of a local  
54 government to implement and enforce applicable federal and state  
55 requirements for fuel terminals, including safety and building  
56 standards. However, the exercise of such authority may not  
57 conflict with federal or state safety and security requirements  
58 for fuel terminals. In the event of damage or destruction to a  
59 fuel terminal as a result of natural disaster or other  
60 catastrophe, a local government shall allow the timely repair of  
61 a fuel terminal to the capacity of the fuel terminal as it  
62 existed prior to the disaster.

63        Section 2. This act shall take effect July 1, 2014.