

Committee Substitute for Senate Bill No. 138

An act relating to transportation facilities; designating John F. Cosgrove Highway, Arnold M. Velazquez Boulevard, Marilyn Culp Way, Dr. Leonard Cherdack Memorial Highway, Athalie Range Boulevard, Sigmund Zilber Memorial Highway, Raul L. Martinez/Jose Abreu Pass, Mayor Raul L. Martinez Street, and Dr. Vicente Grau-Imperatori Street in Miami-Dade County; designating William Nathy Bridge in Okaloosa County; directing the Department of Transportation to erect signage in Highlands County to honor Sergeant Nicholas Sottile; designating a portion of Brickell Avenue as a state historic road in Miami-Dade County; restricting certain alterations; amending s. 334.044, F.S.; revising provisions for the purchase of plant materials by the Department of Transportation for certain beautification programs; designating the Rick Ricciardelli Bridge in the City of North Miami; designating Kevin John Fischer Memorial Highway in Volusia County; designating Curtis Golden Boulevard in Santa Rosa County; designating Judge William T. Swigert Bridge in Marion County; designating Carlin White Bridge in Palm Beach County; designating The David Bogan Bridge in Escambia County; designating Senator Richard H. Langley Memorial Interchange in Orange County; designating Ed Holt Boulevard, Moses Baker Boulevard, C.D. Kinsey Street, Lawrence Callahan Highway, Bernard Wilkes Highway, Sarah Hayes Rice Road, and the James Weldon Johnson Memorial Highway in Duval County; directing the Department of Transportation to erect suitable markers; designating Robert L. Blum Bridge in Miami-Dade County; designating George W. Harris, Jr. Boulevard in Polk County; designating Angel Manuel De La Portilla Way, Dennis Pastrana Avenue, Luis Conte Aguero Way, Estrella Rubio Way, Rafael Diaz Balart Road, Ambassador Armando Valladares Drive, Fred Havenick Way, and Isadore Hecht Street; erecting markers in memory of Aristides Sastre in Miami-Dade County; designating the Sheriff Chris Daniels fountain; and designating Victor Hernandez, Sr. Way in Miami-Dade County; providing an effective date.

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

Section 1. John F. Cosgrove Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 821, the Florida Turnpike Homestead Extension, between exit 16 at S.W. 152nd Street and exit 11 at S.W. 216th Street in Miami-Dade County is designated as the “John F. Cosgrove Highway.”

(2) The Department of Transportation is directed to erect suitable markers designating the John F. Cosgrove Highway as described in subsection (1).

Section 2. Arnold M. Velazquez Boulevard designated; Department of Transportation to erect suitable markers.—

(1) That portion of Flagler Avenue N.W. between 72nd Avenue and 67th Avenue in Miami-Dade County is designated as “Arnold M. Velazquez Boulevard.”

(2) The Department of Transportation is directed to erect suitable markers designating Arnold M. Velazquez Boulevard as described in subsection (1).

Section 3. Marilyn Culp Way designated; Department of Transportation to erect suitable markers.—

(1) That portion of Coral Way between S.W. 31st Avenue and S.W. 25th Avenue in Miami-Dade County is designated as “Marilyn Culp Way.”

(2) The Department of Transportation is directed to erect suitable markers designating Marilyn Culp Way as described in subsection (1).

Section 4. Dr. Leonard Cherdack Memorial Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of Kendall Drive between 107th Avenue and 87th Avenue in Miami-Dade County is designated as “Dr. Leonard Cherdack Memorial Highway.”

(2) The Department of Transportation is directed to erect suitable markers designating the Dr. Leonard Cherdack Memorial Highway as described in subsection (1).

Section 5. Athalie Range Boulevard designated; Department of Transportation to erect suitable markers.—

(1) The portion of Biscayne Boulevard/U.S. 1/State Road 5, between N.E. 54th Street and N.E. 96th Street in Miami-Dade County is designated as the “Athalie Range Boulevard.”

(2) The Department of Transportation is directed to erect suitable markers designating the Athalie Range Boulevard as described in subsection (1).

Section 6. Kevin John Fischer Memorial Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of Interstate 95 between State Road 400 and State Road 600 in Volusia County is designated as “Kevin John Fischer Memorial Highway.”

(2) The Department of Transportation is directed to erect suitable markers designating Kevin John Fischer Memorial Highway as described in subsection (1).

Section 7. Curtis Golden Boulevard designated; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 191 from the intersection of Garcon Point Road and Forsythe Street in the City of Bagdad south to the intersection of Avalon Boulevard/State Road 281 in Santa Rosa County is designated as “Curtis Golden Boulevard.”

(2) The Department of Transportation is directed to erect suitable markers designating Curtis Golden Boulevard as described in subsection (1).

Section 8. Ed Holt Boulevard designated; Department of Transportation to erect suitable markers.—

(1) That portion of Martin Luther King Boulevard between Phoenix Avenue and Boulevard Street in Duval County is designated as “Ed Holt Boulevard.”

(2) The Department of Transportation is directed to erect suitable markers designating Ed Holt Boulevard as described in subsection (1).

Section 9. Moses Baker Boulevard designated; Department of Transportation to erect suitable markers.—

(1) That portion of Martin Luther King Boulevard between North Myrtle Avenue and Fairfax Street in Duval County is designated as “Moses Baker Boulevard.”

(2) The Department of Transportation is directed to erect suitable markers designating Moses Baker Boulevard as described in subsection (1).

Section 10. C. D. Kinsey Street designated; Department of Transportation to erect suitable markers.—

(1) That portion of Beaver Street between Stockton Street and Edgewood Avenue in Duval County is designated as “C. D. Kinsey Street.”

(2) The Department of Transportation is directed to erect suitable markers designating C. D. Kinsey Street as described in subsection (1).

Section 11. Lawrence Callahan Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of U.S. Highway 1 between Red Poll Road and Soutel Drive in Duval County is designated as “Lawrence Callahan Highway.”

(2) The Department of Transportation is directed to erect suitable markers designating Lawrence Callahan Highway as described in subsection (1).

Section 12. Bernard Wilkes Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of U.S. Highway 1 between Richardson Road and Soutel Drive in Duval County is designated as “Bernard Wilkes Highway.”

(2) The Department of Transportation is directed to erect suitable markers designating Bernard Wilkes Highway as described in subsection (1).

Section 13. Sarah Hayes Rice Road designated; Department of Transportation to erect suitable markers.—

(1) That portion of Lem Turner Road between Rowe Avenue and I-95 is designated as “Sarah Hayes Rice Road.”

(2) The Department of Transportation is directed to erect suitable markers designating Sarah Hayes Rice Road as described in subsection (1).

Section 14. James Weldon Johnson Memorial Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of I-95 Southbound from Dunn Avenue to the I-10 interchange and I-10 Eastbound from Lane Avenue to I-95 in Duval County is designated as the “James Weldon Johnson Memorial Highway.”

(2) The Department of Transportation is directed to erect suitable markers designating the James Weldon Johnson Memorial Highway as described in subsection (1).

Section 15. Sigmund Zilber Memorial Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of U.S. Highway 1 (Biscayne Blvd.) between 135th St. and 151st St., in Miami-Dade County is designated as “Sigmund Zilber Memorial Highway.”

(2) The Department of Transportation is directed to erect suitable markers designating the Sigmund Zilber Memorial Highway as described in subsection (1).

Section 16. Judge William T. Swigert Bridge designated; Department of Transportation to erect suitable markers.—

(1) The bridge over the railroad tracks on State Road 441 at N.W. 3rd Street and N.W. 8th Street in the City of Ocala in Marion County is designated as “Judge William T. Swigert Bridge.”

(2) The Department of Transportation is directed to erect suitable markers designating Judge William T. Swigert Bridge as described in subsection (1).

Section 17. Rick Ricciardelli Bridge designated; Department of Transportation to erect suitable markers.—

(1) The bridge across Memorial Canal on NE 125th Street near Griffing Boulevard in the City of North Miami is designated as the “Rick Ricciardelli Bridge.”

(2) The Department of Transportation is directed to erect suitable markers designating the Rick Ricciardelli Bridge as described in subsection (1).

Section 18. Carlin White Bridge designated; Department of Transportation to erect suitable markers.—

(1) The US Hwy. 1 Bridge that crosses the Loxahatchee River at the inlet in the City of Jupiter/Tequesta in Palm Beach County is designated as “Carlin White Bridge.”

(2) The Department of Transportation is directed to erect suitable markers designating the Carlin White Bridge as described in subsection (1).

Section 19. Senator Richard H. Langley Memorial Interchange designated; Department of Transportation to erect suitable markers.—

(1) The interchange of the Florida Turnpike and State Road 50 West near the Town of Oakland in Orange County is designated as “Senator Richard H. Langley Memorial Interchange.”

(2) The Department of Transportation is directed to erect suitable markers designating the Senator Richard H. Langley Memorial Interchange as described in subsection (1).

Section 20. The David Bogan Bridge designated; Department of Transportation to erect suitable markers.—

(1) The bridge on I-10 that crosses the Escambia Bay in Escambia County is designated as “The David Bogan Bridge.”

(2) The Department of Transportation is directed to erect suitable markers designating The David Bogan Bridge as described in subsection (1).

Section 21. Raul L. Martinez/Jose Abreu Pass designated; Department of Transportation to erect suitable markers.—

(1) That portion of Okeechobee Road, U.S. Highway 27/State Road 25, between W. 12th Street and W. 19th Street in Miami-Dade County is designated as “Raul L. Martinez/Jose Abreu Pass.”

(2) The Department of Transportation is directed to erect suitable markers designating Raul L. Martinez/Jose Abreu Pass as described in subsection (1).

Section 22. Mayor Raul L. Martinez Street designated; Department of Transportation to erect suitable markers.—

(1) That portion of 49th Street within the boundaries of the City of Hialeah in Miami-Dade County is designated as “Mayor Raul L. Martinez Street.”

(2) The Department of Transportation is directed to erect suitable markers designating Mayor Raul L. Martinez Street as described in subsection (1).

Section 23. Dr. Vicente Grau-Imperatori Street designated; Department of Transportation to erect suitable markers.—

(1) That portion of S.W. 8th Street between S.W. 67th Avenue and S.W. 72nd Avenue in Miami-Dade County is designated as “Dr. Vicente Grau-Imperatori Street.”

(2) The Department of Transportation is directed to erect suitable markers designating Dr. Vicente Grau-Imperatori Street as described in subsection (1).

Section 24. William Nathey Bridge designated; Department of Transportation to erect suitable markers.—

(1) That bridge, number 570125, on State Road 85, which crosses Boggy Bayou in Okaloosa County, is designated as “William Nathey Bridge.”

(2) The Department of Transportation is directed to erect suitable markers designating William Nathey Bridge as described in subsection (1).

Section 25. Sergeant Nicholas Sottile honored; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 70 near U.S. Highway 27 in Highlands County is dedicated to the memory of Highway Patrol Sergeant Nicholas Sottile.

(2) The Department of Transportation is directed to erect suitable signage, pursuant to subsection (1), bearing the inscription, “In Memory of Sergeant Nicholas Sottile of the Florida Highway Patrol, who was killed in the line of duty during a traffic stop.”

Section 26. (1) That portion of Brickell Avenue situated within the corporate limits of the City of Miami and lying between S.E. 25th Street and the south shoreline of the Miami River is designated as a state historic road. No state funds shall be expended by any public body or agency to alter its location whether by extension of its boundaries or the extension of the name Brickell Avenue.

(2) Nothing in this section shall be construed to prevent the ordinary maintenance and repair of that portion of Brickell Avenue situated within the corporate limits of the City of Miami and lying between S.E. 25th Street and the south shoreline of the Miami River, provided the location of the historic road is preserved; to prevent the removal or replacement of any landscaping, including any hammock, banyan, or mahogany trees located on either side of the paved surface of the road or in the central media of the road; to prevent any work that is necessary for the public health or safety as determined by the agency having jurisdiction over that portion of Brickell Avenue described in subsection (1); to prevent the removal of invasive plant species on the roadway or right-of-way; to prevent such action deemed necessary to clear or maintain the road subsequent to a natural disaster such as a hurricane; to limit widening or physical changes to Brickell Avenue to improve vehicular or pedestrian movement; or to limit the commercial development adjacent to the roadway. The term “ordinary maintenance” means those activities necessary to preserve the existing traffic patterns and to accommodate the volume of traffic operating on that portion of Brickell Avenue described in subsection (1) as of July 1, 2007. However, the preservation of that portion of Brickell Avenue described in subsection (1) takes priority over considerations of traffic management, and the public safety shall not be construed to require alterations in that portion of Brickell

Avenue described in subsection (1) or its landscaping when alternative means of promoting safety, including more restrictive regulations, are available.

Section 27. Subsection (26) of section 334.044, Florida Statutes, is amended to read:

334.044 Department; powers and duties.—The department shall have the following general powers and duties:

(26) To provide for the conservation of natural roadside growth and scenery and for the implementation and maintenance of roadside beautification programs. ~~To accomplish this, for fiscal years 1999-2000, 2000-2001, and 2001-2002 no less than 1 percent, and for subsequent fiscal years no less than 1.5 percent of the amount contracted for construction projects shall be allocated by the department to beautification programs. Except where prohibited by federal law or federal regulation and to the extent practical, a minimum of 50 percent of these funds shall be used to purchase large plant materials with the remaining funds for other plant materials. All such plant and these materials shall be purchased from Florida-based nurseryman stock on a uniform competitive bid basis. The department will develop grades and standards for landscaping materials purchased through this process. To accomplish these activities, the department may contract with nonprofit organizations having the primary purpose of developing youth employment opportunities.~~

Section 28. Robert L. Blum Bridge designated; Department of Transportation to erect suitable markers.—

(1) The bridge over Indian Creek on West 41st Street in the City of Miami Beach in Miami-Dade County is designated as “Robert L. Blum Bridge.”

(2) The Department of Transportation is directed to erect suitable markers designating Robert L. Blum Bridge as described in subsection (1).

Section 29. George W. Harris, Jr. Boulevard designated; Department of Transportation to erect suitable markers.—

(1) That portion of U.S. Highway 98/State Road 35/700 in Polk County between Main Street in Bartow and Main Street in Lakeland is designated as “George W. Harris, Jr. Boulevard.”

(2) The Department of Transportation is directed to erect suitable markers designating George W. Harris, Jr. Boulevard as described in subsection (1).

Section 30. Angel Manuel De La Portilla Way designated; Department of Transportation to erect suitable markers.—

(1) That portion of S.W. 12th Avenue between Coral Way and S.W. 8th Street in Miami-Dade County is designated as “Angel Manuel De La Portilla Way.”

(2) The Department of Transportation is directed to erect suitable markers designating Angel Manuel De La Portilla Way as described in subsection (1).

Section 31. Dennis Pastrana Avenue designated; Department of Transportation to erect suitable markers.—

(1) That portion of N.W. 21st Avenue between N.W. 20th Street and N.W. 23rd Street in Miami-Dade County is designated as “Dennis Pastrana Avenue.”

(2) The Department of Transportation is directed to erect suitable markers designating Dennis Pastrana Avenue as described in subsection (1).

Section 32. Luis Conte Aguero Way designated; Department of Transportation to erect suitable markers.—

(1) That portion of 27th Avenue between Coral Way and S.W. 8th Street in Miami-Dade County is designated as “Luis Conte Aguero Way.”

(2) The Department of Transportation is directed to erect suitable markers designating Luis Conte Aguero Way as described in subsection (1).

Section 33. Estrella Rubio Way designated; Department of Transportation to erect suitable markers.—

(1) That portion of LeJeune Road/S.W. 42nd Avenue between S.W. 8th Street and Coral Way in Miami-Dade County is designated as “Estrella Rubio Way.”

(2) The Department of Transportation is directed to erect suitable markers designating Estrella Rubio Way as described in subsection (1).

Section 34. Rafael Diaz Balart Road designated; Department of Transportation to erect suitable markers.—

(1) That portion of LeJeune Road/S.W. 42nd Avenue between Flagler Street and S.W. 8th Street in Miami-Dade County is designated as “Rafael Diaz Balart Road.”

(2) The Department of Transportation is directed to erect suitable markers designating Rafael Diaz Balart Road as described in subsection (1).

Section 35. Ambassador Armando Valladares Drive designated; Department of Transportation to erect suitable markers.—

(1) That portion of N. Kendall Drive between S.W. 117th Avenue and S.W. 127th Avenue in Miami-Dade County is designated as “Ambassador Armando Valladares Drive.”

(2) The Department of Transportation is directed to erect suitable markers designating Ambassador Armando Valladares Drive as described in subsection (1).

Section 36. Fred Havenick Way designated; Department of Transportation to erect suitable markers.—

(1) That portion of N.W. 2nd Terrace between N.W. 37th Avenue and N.W. 38th Court in Miami-Dade County is designated as “Fred Havenick Way.”

(2) The Department of Transportation is directed to erect suitable markers designating Fred Havenick Way as described in subsection (1).

Section 37. Aristides Sastre honored; Department of Transportation to erect suitable markers.—

(1) The corner of W. Flagler Street, State Road 968, and LeJeune Road, State Road 953, in Miami-Dade County is dedicated to the memory of Aristides Sastre.

(2) The Department of Transportation is directed to erect suitable markers in honor of Aristides Sastre as described in subsection (1).

Section 38. Isadore Hecht Street designated; Department of Transportation to erect suitable markers.—

(1) That portion of N.W. 7th Street between N.W. 37th Avenue and N.W. 38th Court in Miami-Dade County is designated as “Isadore Hecht Street.”

(2) The Department of Transportation is directed to erect suitable markers designating Isadore Hecht Street as described in subsection (1).

Section 39. Sheriff Chris Daniels Fountain designated; Department of Transportation to permit suitable marker.—

(1) The fountain located in the water retention area bordered by U.S. 441, Old U.S. 441 and State Road 19 in Tavares, Lake County, is designated as the “Sheriff Chris Daniels Memorial Fountain.”

(2) The Department of Transportation is directed to permit the construction and maintenance by the City of Tavares of a suitable marker with identification of donors at a location in proximity to the water retention area, of a type consistent with applicable safety and design criteria.

Section 40. Victor Hernandez, Sr. Way designated; Department of Transportation to erect suitable markers.—

(1) That portion of 7th Avenue NW, between 125th Street and 135th Street in Miami-Dade County is designated as “Victor Hernandez, Sr. Way.”

(2) The Department of Transportation is directed to erect suitable markers designating Victor Hernandez, Sr. Way as described in subsection (1).

Section 41. This act shall take effect July 1, 2007.

Approved by the Governor June 12, 2007.

Filed in Office Secretary of State June 12, 2007.