

## CHAPTER 2023-20

### Committee Substitute for Senate Bill No. 106

An act relating to the Florida Shared-Use Nonmotorized Trail Network; amending s. 260.014, F.S.; authorizing the Department of Environmental Protection to establish a program to recognize specified local communities as trail towns; amending s. 260.0142, F.S.; increasing the membership of the Florida Greenways and Trails Council; revising the duties of the council; defining the term “regionally significant trails”; amending s. 260.016, F.S.; revising the general powers of the department to include development and dissemination of criteria for prioritization of regionally significant trails within or connected to the Florida wildlife corridor; amending s. 288.1226, F.S.; revising the composition of the board of directors of the Florida Tourism Industry Marketing Corporation; amending s. 288.923, F.S.; specifying additional requirements for the marketing plan of the Division of Tourism Marketing; amending s. 320.072, F.S.; increasing the amount of funding the Department of Transportation is required to use for the Florida Shared-Use Nonmotorized Trail Network; amending s. 335.065, F.S.; revising the funding priorities for the Department of Transportation’s trail projects; amending s. 339.175, F.S.; revising required components of long-range transportation plans developed by metropolitan planning organizations; amending s. 339.81, F.S.; revising legislative findings and intent; clarifying the components that make up Florida Shared-Use Nonmotorized Trail Network; extending the Florida Shared-Use Nonmotorized Trail Network to lands of the Florida wildlife corridor; including certain connecting components as parts of the statewide network; increasing the amount the Department of Transportation is required to allocate for purposes of funding and maintaining projects within the Florida Shared-Use Nonmotorized Trail Network; requiring the department to give funding priority to specified trail projects; requiring the department to construct projects within the Florida wildlife corridor or on other specified lands using previously disturbed lands; requiring the department to coordinate with other state agencies to ensure recreation and public access in developing the planning and design of trails; requiring the department to program projects in the work program for development of the entire trail and to minimize creation of gaps between trail segments; requiring the department to ensure that local support exists for projects and trail segments; requiring metropolitan planning organizations or boards of county commissioners to include trails in project priorities; requiring the department to create and erect certain signage; authorizing the department and local governments to enter into a sponsorship agreement with certain entities for commercial sponsorship displays on multiuse trails and related facilities; requiring the department or local government to administer a sponsorship agreement and ensure that a sponsorship agreement complies with specified requirements; subjecting sponsorship agreements to specified federal laws and agreements; providing that no

proprietary or compensable interest in any sign, display site, or location is created; requiring the Department of Transportation, in coordination with the Department of Environmental Protection, to submit a report by a certain date, and at specified intervals thereafter, to the Governor and the Legislature summarizing the status of the Florida Shared-Use Nonmotorized Trail Network; authorizing the Department of Transportation to include in the report its recommendations for legislative revisions that would facilitate connectivity of the statewide network; requiring that specified items be included in the report; requiring the department to coordinate with certain entities regarding certain items in the report; providing an appropriation; providing for construction; authorizing the department to take certain action regarding funding for the trail network projects in response to appropriations made by the act; providing an effective date.

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

Section 1. Section 260.014, Florida Statutes, is amended to read:

260.014 Florida Greenways and Trails System.—The Florida Greenways and Trails System shall be a statewide system of greenways and trails which shall consist of individual greenways and trails and networks of greenways and trails which may be designated as a part of the statewide system by the department. The department may establish a program to recognize local communities located along or in proximity to one or more long-distance nonmotorized recreational trails as trail towns. Mapping or other forms of identification of lands and waterways as suitable for inclusion in the system of greenways and trails, mapping of ecological characteristics for any purpose, or development of information for planning purposes shall not constitute designation. No lands or waterways may be designated as a part of the statewide system of greenways and trails without the specific written consent of the landowner.

Section 2. Subsections (1) and (4) of section 260.0142, Florida Statutes, are amended to read:

260.0142 Florida Greenways and Trails Council; composition; powers and duties.—

(1) There is created within the department the Florida Greenways and Trails Council which shall advise the department in the execution of the department's powers and duties under this chapter. The council shall be composed of 21 ~~20~~ members, consisting of:

(a)1. Six ~~Five~~ members appointed by the Governor, with two members representing the trail user community, two members representing the greenway user community, one member from the board of the Florida Wildlife Corridor Foundation, and one member representing private landowners.

2. Three members appointed by the President of the Senate, with one member representing the trail user community and two members representing the greenway user community.

3. Three members appointed by the Speaker of the House of Representatives, with two members representing the trail user community and one member representing the greenway user community.

Those eligible to represent the trail user community shall be chosen from, but not be limited to, paved trail users, hikers, off-road bicyclists, users of off-highway vehicles, paddlers, equestrians, disabled outdoor recreational users, and commercial recreational interests. Those eligible to represent the greenway user community must ~~shall~~ be chosen from, but not be limited to, conservation organizations, nature study organizations, and scientists and university experts.

(b) The 9 remaining members ~~shall~~ include:

- 1. The Secretary of Environmental Protection or a designee.
- 2. The executive director of the Fish and Wildlife Conservation Commission or a designee.
- 3. The Secretary of Transportation or a designee.
- 4. The Director of the Florida Forest Service of the Department of Agriculture and Consumer Services or a designee.
- 5. The director of the Division of Historical Resources of the Department of State or a designee.
- 6. A representative of the water management districts. Membership on the council must ~~shall~~ rotate among the five districts. The districts shall determine the order of rotation.
- 7. A representative of a federal land management agency. The Secretary of Environmental Protection shall identify the appropriate federal agency and request designation of a representative from the agency to serve on the council.
- 8. A representative of the regional planning councils to be appointed by the Secretary of Environmental Protection. Membership on the council must ~~shall~~ rotate among the seven regional planning councils. The regional planning councils shall determine the order of rotation.
- 9. A representative of local governments to be appointed by the Secretary of Environmental Protection. Membership must ~~shall~~ alternate between a county representative and a municipal representative.

(4) The duties of the council ~~shall~~ include the following:

(a) Facilitate a statewide system of interconnected landscape linkages, conservation corridors, lands and waters of the Florida wildlife corridor, greenbelts, recreational corridors and trails, scenic corridors, utilitarian corridors, reserves, regional parks and preserves, ecological sites, and cultural/historic/recreational sites using land-based trails that connect urban, suburban, and rural areas of the state and facilitate expansion of the statewide system of freshwater and saltwater paddling trails.

(b) Recommend priorities for critical links in the Florida Greenways and Trails System.

(c) Recommend priorities for regionally significant trails within the Florida Greenways and Trails System for inclusion by the Department of Transportation in the Florida Shared-Use Nonmotorized Trail Network as defined by s. 339.81. For purposes of this section, the term “regionally significant trails” means trails that cross multiple counties, attract national and international visitors, and serve as an opportunity for economic and ecotourism development; showcase the natural value of this state’s wildlife areas, ecology, and natural resources; and serve as main corridors for critical links and trail connectedness across this state.

(d) Review recommendations of the office for acquisition funding under the Florida Greenways and Trails Program and recommend to the Secretary of Environmental Protection which projects should be acquired.

~~(e)~~(d) Review designation proposals for inclusion in the Florida Greenways and Trails System.

~~(f)~~(e) Encourage public-private partnerships to develop and manage greenways and trails.

~~(g)~~(f) Review progress toward meeting established benchmarks and recommend appropriate action.

~~(h)~~(g) Make recommendations for updating and revising the implementation plan for the Florida Greenways and Trails System, including, but not limited to, recommendations for prioritization of regionally significant trails within the Florida Shared-Use Nonmotorized Trail Network.

(i) Coordinate and facilitate land acquisition efforts for lands to be used, in whole or in part, for regionally significant trails on the Florida Shared-Use Nonmotorized Trail Network with the Department of Transportation, the Florida Forest Service of the Department of Agriculture and Consumer Services, and other appropriate entities.

~~(j)~~(h) Promote greenways and trails support organizations.

~~(k)~~(i) Support the Florida Greenways and Trails System through intergovernmental coordination, budget recommendations, advocacy, education, and any other appropriate way.

Section 3. Paragraph (d) of subsection (2) of section 260.016, Florida Statutes, is amended to read:

260.016 General powers of the department.—

(2) The department shall:

(d) Develop and implement a process for designation of lands and waterways as a part of the statewide system of greenways and trails, which shall include:

1. Development and dissemination of criteria for designation, including, but not limited to, criteria for prioritization of regionally significant trails within or connected to the Florida wildlife corridor as described in s. 259.1055.

2. Development and dissemination of criteria for changes in the terms or conditions of designation, including withdrawal or termination of designation. A landowner may have his or her lands removed from designation by providing the department with a written request that contains an adequate description of such lands to be removed. Provisions shall be made in the designation agreement for disposition of any future improvements made to the land by the department.

3. Public notice pursuant to s. 120.525 in all phases of the process.

4. Written authorization from the landowner in the form of a lease or other instrument for the designation and granting of public access, if appropriate, to a landowner's property.

5. A greenway or trail use plan as a part of the designation agreement which shall, at a minimum, describe the types and intensities of uses of the property.

Section 4. Subsection (4) of section 288.1226, Florida Statutes, is amended to read:

288.1226 Florida Tourism Industry Marketing Corporation; use of property; board of directors; duties; audit.—

(4) BOARD OF DIRECTORS.—The board of directors of the corporation shall be composed of ~~32~~ 31 tourism-industry-related members, appointed by Enterprise Florida, Inc., in conjunction with the department. Board members shall serve without compensation, but are entitled to receive reimbursement for per diem and travel expenses pursuant to s. 112.061. Such expenses must be paid out of funds of the corporation. The board shall be composed of all of the following members:

(a) ~~Sixteen members~~ The board shall consist of 16 members, appointed in such a manner as to equitably represent all geographic areas of this the state, with no fewer than two members from any of the following regions:

1. Region 1, composed of Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Okaloosa, Santa Rosa, Wakulla, Walton, and Washington Counties.

2. Region 2, composed of Alachua, Baker, Bradford, Clay, Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette, Levy, Madison, Marion, Nassau, Putnam, St. Johns, Suwannee, Taylor, and Union Counties.

3. Region 3, composed of Brevard, Indian River, Lake, Okeechobee, Orange, Osceola, St. Lucie, Seminole, Sumter, and Volusia Counties.

4. Region 4, composed of Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, Polk, and Sarasota Counties.

5. Region 5, composed of Charlotte, Collier, DeSoto, Glades, Hardee, Hendry, Highlands, and Lee Counties.

6. Region 6, composed of Broward, Martin, Miami-Dade, Monroe, and Palm Beach Counties.

(b) ~~The following industry and organization representatives: 15 additional tourism industry-related members shall include~~ 1 representative from the statewide rental car industry; 7 representatives from tourist-related statewide associations, including those that represent hotels, campgrounds, county destination marketing organizations, museums, restaurants, retail, and attractions; 3 representatives from county destination marketing organizations; 1 representative from the cruise industry; 1 representative from an automobile and travel services membership organization that has at least 2.8 million members in Florida; 1 representative from the airline industry; 1 representative from the nature-based tourism industry; and 1 representative from the space tourism industry, who will each serve for a term of 2 years.

Section 5. Paragraph (c) of subsection (4) of section 288.923, Florida Statutes, is amended to read:

288.923 Division of Tourism Marketing; definitions; responsibilities.—

(4) The division's responsibilities and duties include, but are not limited to:

(c) Developing a 4-year marketing plan.

1. At a minimum, the marketing plan shall discuss the following:

a. Continuation of overall tourism growth in this state.

b. Expansion to new or under-represented tourist markets.

c. Maintenance of traditional and loyal tourist markets.

d. Coordination of efforts with county destination marketing organizations, other local government marketing groups, privately owned attractions and destinations, and other private sector partners to create a seamless, four-season advertising campaign for the state and its regions.

e. Development of innovative techniques or promotions to build repeat visitation by targeted segments of the tourist population.

f. Consideration of innovative sources of state funding for tourism marketing.

g. Promotion of nature-based tourism, including, but not limited to, promotion of the Florida Greenways and Trails System as described under s. 260.014 and the Florida Shared-Use Nonmotorized Trail Network as described under s. 339.81 and heritage tourism.

h. Coordination of efforts with the Office of Greenways and Trails of the Department of Environmental Protection and the department to promote and assist local communities, including, but not limited to, communities designated as trail towns by the Office of Greenways and Trails, to maximize use of nearby trails as economic assets, including specific promotion of trail-based tourism.

i. Promotion of heritage tourism.

j. Development of a component to address emergency response to natural and manmade disasters from a marketing standpoint.

2. The plan must ~~shall~~ be annual in construction and ongoing in nature. Any annual revisions of the plan must ~~shall~~ carry forward the concepts of the remaining 3-year portion of the plan and consider a continuum portion to preserve the 4-year timeframe of the plan. The plan also must ~~shall~~ include recommendations for specific performance standards and measurable outcomes for the division and direct-support organization. The department, in consultation with the board of directors of Enterprise Florida, Inc., shall base the actual performance metrics on these recommendations.

3. The 4-year marketing plan must ~~shall~~ be developed in collaboration with the Florida Tourism Industry Marketing Corporation. The plan must ~~shall~~ be annually reviewed and approved by the board of directors of Enterprise Florida, Inc.

Section 6. Paragraph (a) of subsection (4) of section 320.072, Florida Statutes, is amended to read:

320.072 Additional fee imposed on certain motor vehicle registration transactions.—

(4) A tax collector or other authorized agent of the department shall promptly remit all moneys collected pursuant to this section, less any refunds granted pursuant to subsection (3), to the department. The

department shall deposit 85.7 percent of such moneys into the State Transportation Trust Fund and 14.3 percent into the Highway Safety Operating Trust Fund. Notwithstanding any other law, the moneys deposited into the State Transportation Trust Fund pursuant to this subsection shall be used by the Department of Transportation for the following:

(a) The Florida Shared-Use Nonmotorized Trail Network established in s. 339.81, \$50 million ~~\$25 million~~.

Section 7. Paragraph (a) of subsection (4) of section 335.065, Florida Statutes, is amended to read:

335.065 Bicycle and pedestrian ways along state roads and transportation facilities.—

(4)(a) The department may use appropriated funds to support the establishment of a statewide system of interconnected multiuse trails and to pay the costs of planning, land acquisition, design, and construction of such trails and related facilities. The department shall give funding priority to projects that:

1. Are recommended priorities by the Florida Greenways and Trails Council as regionally significant trails pursuant to s. 260.0142(4)(c).

3. Are otherwise identified by the Florida Greenways and Trails Council as a priority for critical linkage and trail connectedness within the Florida Greenways and Trails System under chapter 260.

~~5.2.~~ Support the transportation needs of bicyclists and pedestrians.

~~2.3.~~ Have national, statewide, or regional importance.

4. Facilitate an interconnected system of trails by completing gaps between existing trails.

Section 8. Paragraph (d) of subsection (7) of section 339.175, Florida Statutes, is amended to read:

339.175 Metropolitan planning organization.—

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



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

(d) Indicate, as appropriate, proposed transportation enhancement activities, including, but not limited to, pedestrian and bicycle facilities, trails or facilities that are regionally significant or critical linkages for the Florida Shared-Use Nonmotorized Trail Network, scenic easements, landscaping, historic preservation, mitigation of water pollution due to highway runoff, and control of outdoor advertising.

In the development of its long-range transportation plan, each M.P.O. must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the long-range transportation plan. The long-range transportation plan must be approved by the M.P.O.

Section 9. Section 339.81, Florida Statutes, is amended to read:

339.81 Florida Shared-Use Nonmotorized Trail Network.—

(1) The Legislature finds that increasing demands continue to be placed on the state's transportation system by a growing economy, continued population growth, and increasing tourism. The Legislature also finds that accommodating significant challenges to providing additional capacity to the conventional transportation system exist and will require enhanced accommodation of alternative travel modes to meet the needs of residents and visitors and providing trails for bicyclist and pedestrian travel that allows for the appreciation of the conservation and stewardship of environmentally important lands in Florida are of significant importance. The Legislature finds that the investment of the state in the Florida wildlife corridor as defined in s. 259.1055 is of significant interest to the public and that the provision of paved multiuse trails within or between areas of the Florida wildlife corridor would provide the public the ability to enjoy Florida's natural resources and bring ecotourism and economic opportunities to local trail town communities. The Legislature further finds that improving bicyclist and pedestrian safety for both residents and visitors ~~is~~ remains a high priority. Therefore, the Legislature declares that the development of a nonmotorized trail network will increase mobility and recreational alternatives for Florida's residents and visitors; ~~enhance economic prosperity;~~ enhance quality of life; ~~enhance safety;~~ and reflect responsible environmental stewardship; and facilitate support for the protection, preservation, and enhancement of the natural and recreational value of the Florida wildlife

corridor by providing minimally invasive public access to it when feasible and compatible with the lands. To that end, it is the intent of the Legislature that the department make use of its expertise in efficiently providing transportation projects to develop and construct the Florida Shared-Use Nonmotorized Trail Network, consisting of a statewide network of non-motorized trails which allows nonmotorized vehicles and pedestrians to access a variety of origins and destinations with limited exposure to motorized vehicles.

(2)(a) The Florida Shared-Use Nonmotorized Trail Network is created as a component of the Florida Greenways and Trails System established in chapter 260. The Florida Shared-Use Nonmotorized Trail Network consists of a statewide network of nonmotorized trails that allow bicyclists and pedestrians to access a variety of points of origin and destinations with limited exposure to motorized vehicles.

(b) The multiuse trails or shared-use paths of the statewide network must be consists of multiuse trails or shared-use paths physically separated from motor vehicle traffic and constructed with asphalt, concrete, or another hard surface.

(c) The statewide network which, by virtue of design, location, extent of connectivity or potential connectivity, and allowable uses, provides non-motorized transportation opportunities for bicyclists and pedestrians statewide between and within a wide range of points of origin and destinations, including, but not limited to, communities, conservation areas, lands of the Florida wildlife corridor, state parks, beaches, and other natural or cultural attractions for a variety of trip purposes, including work, school, shopping, and other personal business, as well as social, recreational, and personal fitness purposes.

(3) Network components do not include sidewalks, nature trails, loop trails wholly within a single park or natural area, or on-road facilities, such as bicycle lanes or routes. However, components that connect to nature trails, loop trails, or other points of public access wholly within a single park or natural area may be included in the network, as well as any of the following other than:

(a) On-road facilities that are no longer than one-half mile connecting two or more nonmotorized trails, if the provision of non-road facilities is infeasible and if such on-road facilities are signed and marked for nonmotorized use;~~;~~~~or~~

(b) On-road components of the Florida Keys Overseas Heritage Trail.

(4) The planning, development, operation, and maintenance of the Florida Shared-Use Nonmotorized Trail Network is declared to be a public purpose, and the department, together with other agencies of this state and all counties, municipalities, and special districts of this state, may spend public funds for such purposes and accept gifts and grants of funds, property,

or property rights from public or private sources to be used for such purposes.

(5)(a) The department shall include the Florida Shared-Use Nonmotorized Trail Network in its work program developed pursuant to s. 339.135. For purposes of funding and maintaining projects within the network, the department shall allocate in its program and resource plan a minimum of \$50 million ~~\$25 million~~ annually, beginning with in the 2023-2024 ~~2015-2016~~ fiscal year.

(b) The department shall give funding priority to projects that:

1. Are recommended priorities by the Florida Greenways and Trails Council as regionally significant trails pursuant to s. 260.0142(4)(c).

2. Have national, statewide, or regional importance.

3. Are otherwise identified by the Florida Greenways and Trails Council as a priority for critical linkage and trail connectedness within the Florida Greenways and Trails System under chapter 260.

4. Facilitate an interconnected system of trails by completing gaps between existing trails.

5. Support the transportation needs of bicyclists and pedestrians.

(c) For trail projects to be constructed within the Florida wildlife corridor as defined in s. 259.1055 or on conservation lands or other lands subject to conservation easements, land management plans, or agreements, to the greatest extent possible, the department shall ensure projects are constructed using previously disturbed lands, such as abandoned roads and railroads, utility rights-of-way, canal corridors and drainage berms, permanent fire lines, and other lands having appropriate potential to serve the purposes specified by law of both the trail network and the Florida wildlife corridor. In developing the planning and design of trails, the department shall coordinate with other state agencies to ensure that appropriate recreation or public access is available for such projects.

(d) To the greatest extent practicable, the department shall program projects in the work program to plan for development of the entire trail and to minimize the creation of gaps between trail segments. The department shall, at a minimum, ensure that local support exists for projects and trail segments, including the availability or dedication of local funding sources and of contributions by private landowners who agree to make their land, or property interests in such land, available for public use as a trail.

(e) Each metropolitan planning organization or board of county commissioners, as appropriate, shall include in its list of project priorities required under ss. 339.135(4)(c)1. and 339.175(8) one or more projects that are a priority under paragraph (b) and meet the requirements of this section. When developing the district work program under s. 339.135(4), each district

must ensure that projects are included in the work program which are a priority under paragraph (b) and meet the requirements of this section.

(6)(a) The department shall create uniform signage to identify trails that are part of the statewide network and shall, when feasible and permissible, erect signage on all such trails open to public use, regardless of when the trail was first opened. The department is not otherwise obligated to provide funds for the operation and maintenance of any trail on the statewide network.

(b) The department may enter into a memorandum of agreement with a local government or other agency of the state to transfer maintenance responsibilities of an individual network component. The department may contract with a not-for-profit entity or private sector business or entity to provide maintenance services on an individual network component.

(7)(a) The department may enter into a sponsorship agreement with a not-for-profit entity or private sector business or entity for commercial sponsorship displays on multiuse trails and related facilities. The department shall deposit any sponsorship agreement revenues into the State Transportation Trust Fund to be used for maintenance, signage, and provision of amenities on the multiuse trails and related facilities. Local governments may also enter into sponsorship agreements and likewise use the revenues for maintenance, signage, and provision of amenities on the multiuse trails and related facilities. A sponsorship agreement shall be administered by the department or the local government, as appropriate, and the department or the local government shall ensure that the sponsorship agreement complies with the requirements of s. 335.065(3)(b) and (c).

(b) Commercial sponsorship displays are subject to the requirements of the Highway Beautification Act of 1965 and all federal laws and agreements, when applicable. This subsection does not create a proprietary or compensable interest in any sign, display site, or location.

(8) By June 30, 2026, and every third year on June 30 thereafter, the department, in coordination with the Department of Environmental Protection, shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives summarizing the status of the Florida Shared-Use Nonmotorized Trail Network. The report may include recommendations for any legislative revisions deemed appropriate to facilitate connectivity of the statewide network.

(a) At a minimum, the report must include all of the following:

1. The total number of completed miles of nonmotorized trails on the network.

2. The total number of completed miles of nonmotorized trails on the network not adjacent to a roadway facility.

3. The total number of completed miles of nonmotorized trails on the network adjacent to a roadway facility.

4. The total number of completed miles of nonmotorized trails on the network which are within or between areas of the Florida wildlife corridor as defined in s. 259.1055.

5. The total remaining miles of nonmotorized trails on the network which are planned for acquisition and construction.

6. The total expenditures, by funding source, associated with implementing the network.

7. The total expenditures, by project phase, including preliminary and environmental planning, design, acquisition of right-of-way, and new construction of trail surfaces and bridges on the network.

(b) The department shall also coordinate with the Florida Tourism Industry Marketing Corporation, local governments, or other entities who have related information to include in the report. For each existing trail on the network which is open to public use, identified by the department’s trailway identification number, segment name, segment length, and county of location, the department’s report must provide nonmotorized trail operational and performance measures that include, but are not limited to:

- 1. The total number of trail visits.
- 2. The primary travel modes used on the trail.
- 3. The frequency of trail usage.
- 4. The average duration of trail usage.
- 5. The distance traveled during a trail visit.
- 6. The average amount spent by a user during a typical trail visit.
- 7. The total amount of user expenditures.
- 8. Any other measure deemed appropriate.

Section 10. For the 2023-2024 fiscal year, the sum of \$200 million in nonrecurring funds from the General Revenue Fund is appropriated to the Department of Transportation as fixed capital outlay to plan, design, and construct projects on the Florida Shared-Use Nonmotorized Trail Network as provided by this act.

Section 11. The amendments made to s. 339.81, Florida Statutes, by this act, are not intended to delete, defer, delay, or otherwise revise Florida Shared-Use Nonmotorized Trail Network projects programmed in the Department of Transportation’s tentative 5-Year work program for Fiscal Year 2023-2024 through 2027-2028. The department may maintain such

projects in development of the adopted work program. For additional funding allocated to the network in section 9 of this act or appropriated in section 10 of this act, the department shall work with the metropolitan planning organizations, boards of county commissioners, and districts, as appropriate, to revise any year of the 5-year work program pursuant to s. 339.135(5), Florida Statutes, to identify new Florida Shared-Use Nonmotorized Trail Network projects to be added or projects or phases thereof that may be moved up from the portion of the tentative work program for the following 4 fiscal years.

Section 12. This act shall take effect July 1, 2023.

Approved by the Governor April 11, 2023.

Filed in Office Secretary of State April 11, 2023.