MEMORANDUM

Agenda Item No. 11(A)(6)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	July 16, 2013
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution urging the Florida Legislature to pass legislation and the Florida Department of Transportation to issue regulations to ban commercial vehicles from the left lane of Florida's Turnpike and other expressways in Miami-Dade County

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairwoman Rebeca Sosa.

R. A. Cuevas, Jr.
County Attorney

RAC/lmp

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MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: July 16, 2013

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(6)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

✓ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(6)
7-16-13

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS LEGISLATION AND THE FLORIDA DEPARTMENT OF TRANSPORTATION TO ISSUE REGULATIONS TO BAN COMMERCIAL VEHICLES FROM THE LEFT LANE OF FLORIDA'S TURNPIKE AND OTHER EXPRESSWAYS IN MIAMI-DADE COUNTY EXCEPT IN DESIGNATED ZONES TO ALLOW SUCH COMMERCIAL VEHICLES SAFE ACCESS TO LEFT-LANE EXITS OR OTHER TURNPIKE OR EXPRESSWAY FACILITIES

WHEREAS, Miami-Dade County's expressways provide vital transportation links for residents and visitors alike; and

WHEREAS, Miami-Dade County's expressways, including but not limited to Florida's Turnpike, Florida's Turnpike Homestead Extension, I-95 and I-75 are some of the busiest expressways in Florida; and

WHEREAS, the orderly and efficient flow of traffic is of upmost importance to the safety and economic activity of Miami-Dade County; and

WHEREAS, numerous studies have shown that banning large commercial vehicles requiring a commercial drivers' license in the State of Florida (collectively referred to herein as "Commercial Vehicles") from traveling in the left lane of expressways improves the flow of traffic and promotes safety in all the lanes of travel on an expressway; and

WHEREAS, these Commercial Vehicles include but are not limited to large truck-tractor vehicles, truck semitrailers, concrete mixing/transportation trucks, large delivery/box trucks, and large three-axle or more commercial trucks; and

WHEREAS, portions of expressways within Miami-Dade County have benefited from regulations in the past that prohibit certain categories of Commercial Vehicles from travel in the left lane of such expressways; and

WHEREAS, to promote uniformity and safety and to maximize the flow of traffic in Miami-Dade County, the Florida Legislature should pass legislation prohibiting Commercial Vehicles from traveling in the left lane of any expressway in Miami-Dade County; and

WHEREAS, the Florida Department of Transportation should issues rules and regulations prohibiting Commercial Vehicles from traveling in the left lane of any expressway within its jurisdiction in Miami-Dade County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to pass legislation to ban Commercial Vehicles from the left lane of Florida's Turnpike and other expressways in Miami-Dade County except in designated zones to allow such Commercial Vehicles safe access to left-lane exits or other Turnpike or expressway facilities.

Section 2. Urges the Florida Department of Transportation to issue rules and regulations to ban Commercial Vehicles from the left lane of Florida's Turnpike and other expressways in Miami-Dade County except in designated zones to allow such Commercial Vehicles safe access to left-lane exits or other Turnpike or expressway facilities.

Section 3. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Secretary of the Florida Department of Transportation, Senate President, House Speaker, and the Chair and Members of the Miami-Dade State Legislative Delegation.

Section 4. Directs the County's state lobbyists to advocate for the legislation set forth above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2014 State Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Chairwoman Rebeca Sosa. It was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of July, 2013. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Alex S. Bokor