

Tab 1	SB 948 by Thompson ; (Compare to CS/CS/1ST ENG/H 00403) Divine Nine Specialty License Plate					
Tab 2	SB 982 by Thompson ; (Similar to CS/H 00121) Specialty License Plates/Project Addiction: Reversing the Stigma					
Tab 3	CS/SB 1032 by TR, Gruters ; (Similar to H 07049) Transportation					
930490	D	S	RCS	ATD, Gruters	Delete everything after	02/20 02:54 PM
Tab 4	CS/SB 1226 by TR, DiCeglie ; (Compare to CS/CS/CS/H 01301) Department of Transportation					
956720	D	S	L RCS	ATD, DiCeglie	Delete everything after	02/20 02:55 PM
Tab 5	SB 1256 by Martin ; (Similar to CS/H 00135) Voter Registration Applications					
Tab 6	SB 1260 by Trumbull ; (Similar to CS/H 01289) Verification of Reemployment Assistance Benefit Eligibility					
121838	D	S	TP	ATD, Trumbull	Delete everything after	02/20 02:29 PM
823044	SD	S	TP	ATD, Trumbull	Delete everything after	02/20 02:29 PM
Tab 7	SB 1464 by Calatayud ; (Similar to CS/H 01363) Traffic Enforcement					

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA
**APPROPRIATIONS COMMITTEE ON TRANSPORTATION,
 TOURISM, AND ECONOMIC DEVELOPMENT**
Senator Hooper, Chair
Senator Trumbull, Vice Chair

MEETING DATE: Tuesday, February 20, 2024
TIME: 1:30—5:30 p.m.
PLACE: 301 Senate Building

MEMBERS: Senator Hooper, Chair; Senator Trumbull, Vice Chair; Senators DiCeglie, Stewart, Thompson, Wright, and Yarborough

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 948 Thompson	Divine Nine Specialty License Plate; Defining the term "immediate relative"; revising eligibility requirements for a Divine Nine license plate, etc. TR 02/06/2024 Favorable ATD 02/20/2024 Not Considered FP	Not Considered
2	SB 982 Thompson (Similar CS/H 121, Compare CS/CS/H 403, CS/CS/S 434)	Specialty License Plates/Project Addiction: Reversing the Stigma; Directing the Department of Highway Safety and Motor Vehicles to develop a Project Addiction: Reversing the Stigma license plate, etc. TR 01/30/2024 Favorable ATD 02/20/2024 Not Considered FP	Not Considered
3	CS/SB 1032 Transportation / Gruters (Similar H 7049)	Transportation; Revising the membership of the Center for Urban Transportation Research advisory board; revising the membership of the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies (I-STREET) Living Lab advisory board; prohibiting the designation of additional metropolitan planning organizations (M.P.O.'s) after a specified date except in certain urbanized areas, etc. TR 02/06/2024 Fav/CS ATD 02/20/2024 Fav/CS AP	Fav/CS Yeas 4 Nays 1

COMMITTEE MEETING EXPANDED AGENDA

Appropriations Committee on Transportation, Tourism, and Economic Development
 Tuesday, February 20, 2024, 1:30—5:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	CS/SB 1226 Transportation / DiCeglie (Compare CS/CS/CS/H 1301)	Department of Transportation; Deleting the requirement that the secretary of the department appoint the department's inspector general; requiring that a specified amount of recurring funds from the State Transportation Trust Fund be made available for the Intermodal Logistics Center Infrastructure Support Program; extending the length of time before which an inactive prepaid toll account becomes unclaimed property; prioritizing availability of certain revenues deposited into the State Transportation Trust Fund for payments under service contracts with the Florida Department of Transportation Financing Corporation to fund arterial highway projects, etc. TR 02/06/2024 Fav/CS ATD 02/20/2024 Fav/CS FP	Fav/CS Yeas 5 Nays 0
5	SB 1256 Martin (Identical H 135)	Voter Registration Applications; Revising the information that the uniform statewide voter registration application must be designed to elicit; providing an exception to a requirement that certain voter registration applicants must be registered without party affiliation; requiring the Department of Highway Safety and Motor Vehicles to notify certain individuals of certain information; requiring a driver license examiner to make specified inquiries, etc. EE 02/05/2024 Favorable ATD 02/20/2024 Favorable FP	Favorable Yeas 5 Nays 0
6	SB 1260 Trumbull (Similar CS/H 1289)	Verification of Reemployment Assistance Benefit Eligibility; Citing this act as the "Promoting Work, Deterring Fraud Act of 2024"; providing requirements for reemployment assistance benefit conditions for non-Florida residents; removing requirements that certain skills assessments of claimants be voluntary; revising circumstances under which the department disqualifies claimants from benefits; requiring the department to verify claimants' identities before paying benefits; requiring the department to procure an online workforce search and match tool for a specified purpose, etc. CM 01/23/2024 Favorable ATD 02/20/2024 Temporarily Postponed FP	Temporarily Postponed

COMMITTEE MEETING EXPANDED AGENDA

Appropriations Committee on Transportation, Tourism, and Economic Development
Tuesday, February 20, 2024, 1:30—5:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
7	SB 1464 Calatayud (Similar CS/H 1363)	Traffic Enforcement; Providing that provisions exempting the purchase of commodities or contractual services from competitive bidding requirements do not apply to contracts for certain camera systems; prohibiting certain camera systems or components thereof constructed by a Chinese manufacturer from being used for traffic enforcement in this state; requiring a county or municipality to enact an ordinance to authorize placement or installation of traffic infraction detectors; requiring approval by the governing body at a regular or special meeting before contracting or renewing a contract to place or install traffic infraction detectors, etc. TR 02/06/2024 Favorable ATD 02/20/2024 Favorable FP	Favorable Yeas 3 Nays 2

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic Development

BILL: SB 948

INTRODUCER: Senator Thompson

SUBJECT: Divine Nine Specialty License Plate

DATE: February 19, 2024

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Shutes</u>	<u>Vickers</u>	<u>TR</u>	<u>Favorable</u>
2.	<u>Wells</u>	<u>Jerrett</u>	<u>ATD</u>	<u>Pre-meeting</u>
3.	_____	_____	<u>FP</u>	_____

I. Summary:

SB 948 defines the term “immediate relative” for purposes of the existing Divine Nine specialty license plate and expands eligibility for the purchase of the specialty plate to a member’s immediate relative and motor vehicle lessees.

The Divine Nine specialty license plates consist of plates authorized for the nine member organizations of the National Pan-Hellenic Council. Each organization’s plate has a unique logo, graphic, or colors, as well as distribution specific to the individual organization.

The bill will have an insignificant fiscal impact on the Department of Highway Safety and Motor Vehicles (DHSMV). See Section V, Fiscal Impact Statement.

The bill will take effect July 1, 2024.

II. Present Situation:

Divine Nine Specialty License Plates

In 2020, the DHSMV was authorized to create the Divine Nine specialty license plates.¹ The Divine Nine specialty license plates consist of plates authorized for the nine member organizations of the National Pan-Hellenic Council.² The nine member organizations include:

- Alpha Phi Alpha Fraternity;
- Alpha Kappa Alpha Sorority;
- Kappa Alpha Psi Fraternity;

¹ Chapter 2020-181, Laws of Fla., creating s. 320.08058(101), F.S.

² The National Pan-Hellenic Council’s purpose is to foster cooperative actions of its members in dealing with matters of mutual concern and to promote the well-being of its fraternities and sororities. See National Pan-Hellenic Council, *About the NPHC*, <https://www.nphcq.com/about> (last visited December 20, 2023).

- Omega Psi Phi Fraternity;
- Delta Sigma Theta Sorority;
- Phi Beta Sigma Fraternity;
- Zeta Phi Beta Sorority;
- Sigma Gamma Rho Sorority; and
- Iota Phi Theta Fraternity.

Each organization's plate has a unique logo, graphic, or colors, as well as distribution specific to the individual organization.³ However, plate sales are combined as one Divine Nine specialty license plate for the purpose of meeting the minimum license plate sales threshold and for determining the license plate limit.⁴

The plate has a \$25 annual use fee. The revenue generated through the sale of the plate is distributed to following recipient organizations: the United Negro College Fund, Inc., for college scholarships for Florida residents attending Florida's historically black colleges and universities; the Association to Preserve African American Society, History and Tradition, Inc.; and to additional organizations as specified to promote community awareness and action through educational, economic, and cultural service activities within the state.⁵

To be eligible for issuance of a Divine Nine specialty license plate, a person must be a Florida resident, the registered owner of a motor vehicle, and a member of the applicable organization.⁶

III. Effect of Proposed Changes:

The bill amends s. 320.08058 (101), F.S., to expand eligibility for issuance of the Divine Nine specialty license plates. The bill provides eligibility for such plates to an organization member's immediate relative and to motor vehicle lessees.

The bill defines "immediate relative" as a spouse, domestic partner, or child of a member. Proof of relationship will be established by providing a marriage license, domestic partnership agreement, birth certificate, or record of adoption. Motor vehicle lessees will be required to provide a lease agreement and the vehicle identification number for the motor vehicle that is being leased.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

³ Section 320.08058(101)(a) and (b), F.S.

⁴ Section 320.08058(101), F.S.

⁵ Section 320.08058(101)(b), F.S.

⁶ Section 320.08058(101)(c), F.S.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill will significantly expand the number of persons eligible to purchase a Divine Nine specialty license plate, which will have an indeterminate, positive fiscal impact on the recipient organizations.

C. Government Sector Impact:

VI. The DHSMV estimates programming and implementation of the plate will cost \$7,680. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 320.08058 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Thompson

15-00326-24

2024948__

1 A bill to be entitled
 2 An act relating to the Divine Nine specialty license
 3 plate; amending s. 320.08058, F.S.; defining the term
 4 "immediate relative"; revising eligibility
 5 requirements for a Divine Nine license plate;
 6 providing an effective date.
 7
 8 Be It Enacted by the Legislature of the State of Florida:
 9
 10 Section 1. Paragraph (c) of subsection (101) of section
 11 320.08058, Florida Statutes, is amended to read:
 12 320.08058 Specialty license plates.-
 13 (101) DIVINE NINE LICENSE PLATES.-
 14 (c)1. As used in this paragraph, the term "immediate
 15 relative" means a spouse, domestic partner, or child.
 16 2. To be eligible for issuance of a Divine Nine license
 17 plate representing an organization listed in sub-subparagraphs
 18 (b)3.a.-i., a person must be a resident of this state who is the
 19 registered owner or lessee of a motor vehicle and who is either
 20 a member or an immediate relative of a member of the applicable
 21 organization. The person must ~~also~~ present the following:
 22 a. Proof of membership in the organization, which may be
 23 established by:
 24 (I)a- A card distributed by the organization indicating the
 25 person's membership in the organization; or
 26 (II)b- A written letter on the organization's letterhead
 27 which is signed by the organization's national president or his
 28 or her designated official and which states that the person was
 29 inducted into the organization.

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15-00326-24

2024948__

30 b. If the person is a lessee of a motor vehicle, a lease
 31 agreement and the vehicle identification number for the motor
 32 vehicle that is being leased.
 33 c. If the person is an immediate relative of a member of
 34 the organization, a marriage license, domestic partnership
 35 agreement, birth certificate, or record of adoption, and proof
 36 of membership as described in sub-subparagraph a. of the
 37 person's immediate relative.
 38 3.2. Proof of membership in an organization listed in sub-
 39 subparagraphs (b)3.a.-i. is required only for initial issuance
 40 of a Divine Nine license plate. A person need not present such
 41 proof for renewal of the license plate.
 42
 43 License plates created pursuant to this subsection shall have
 44 their plate sales combined for the purpose of meeting the
 45 minimum license plate sales threshold in s. 320.08056(8) (a) and
 46 for determining the license plate limit in s. 320.08053(3) (b).
 47 License plates created pursuant to this subsection must be
 48 ordered directly from the department.
 49 Section 2. This act shall take effect July 1, 2024.

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The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic Development

BILL: SB 982

INTRODUCER: Senator Thompson

SUBJECT: Specialty License Plates/Project Addiction: Reversing the Stigma

DATE: February 19, 2024

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Shutes</u>	<u>Vickers</u>	<u>TR</u>	<u>Favorable</u>
2.	<u>Wells</u>	<u>Jerrett</u>	<u>ATD</u>	<u>Pre-meeting</u>
3.	_____	_____	<u>FP</u>	_____

I. Summary:

SB 982 authorizes the Department of Highway Safety and Motor Vehicles (DHSMV) to create a new specialty license plate for Project Addiction: Reversing the Stigma. The annual use fee for the plate is \$25.

Proceeds of the sale of the Project Addiction: Reversing the Stigma specialty license plate will be distributed to the not-for-profit organization Project Addiction: Reversing the Stigma, Inc., to be used to promote and support awareness of and education about substance use disorder and mental illness.

The DHSMV estimates programming and implementation of the plate will cost \$7,680. See Section V, Fiscal Impact Statement.

The bill takes effect October 1, 2024.

II. Present Situation:

Project Addiction: Reversing the Stigma

Project Addiction: Reversing the Stigma, Inc., was founded in 2021 and is a Florida not-for-profit corporation registered with the Florida Department of State.¹ The organization’s mission statement is: “Empowering the lives of those with Substance Use Disorder (SUD) and Mental Illness through Education, Awareness, and Support.”²

¹ Florida Department of State: Division of Corporations, *Project Addiction: Reversing the Stigma, Inc.*, Sunbiz.org, Document number N2100011775 (December 20, 2023).

² *Id.*

The organization was founded to spread awareness of the opioid epidemic and find proactive ways to honor family members lost to Substance Use Disorder and mental illness.³

Specialty License Plates

As of December 2023, there are 144 specialty license plates authorized by the Legislature. Of these plates, 109 are available for immediate purchase and 31 are in the presale process.⁴ Specialty license plates are available to an owner or lessee of a motor vehicle who is willing to pay an annual use fee, ranging from \$15 to \$25, paid in addition to required license taxes and service fees.⁵ The annual use fees are distributed to organizations in support of a particular cause or charity signified on the plate's design and designated in statute.⁶

In order to establish a specialty license plate and after the plate is approved by law, s. 320.08053, F.S., requires the following actions within certain timelines:

- Within 60 days, the organization must submit an art design for the plate, in a medium prescribed by the DHSMV;
- Within 120 days, the DHSMV must establish a method to issue presale vouchers for the specialty license plate; and
- Within 24 months after the presale vouchers are established, the organization must obtain a minimum of 3,000 voucher sales before manufacturing of the plate may begin.⁷

If the minimum sales requirement has not been met by the end of the 24-month presale period, then the DHSMV will discontinue the plate and issuance of presale vouchers. Upon discontinuation, a purchaser of a presale voucher may use the annual use fee as a credit towards any other specialty license plate or apply for a refund with the DHSMV.⁸

New specialty license plates that have been approved by law but are awaiting issuance will be issued in the order they appear in s. 320.08058, F.S., provided that presale requirements have been met. If the next listed specialty license plate has not met the presale requirement, the DHSMV will proceed in the order provided in s. 320.08058, F.S., to identify the next qualified specialty license plate that has met the presale requirement.⁹

If the Legislature has approved 135 or more specialty license plates, the DHSMV may not make any new specialty license plates available for design or issuance until a sufficient number of plates are discontinued so that the number of plates being issued does not exceed 135.¹⁰

³ Project Addiction: Reversing the Stigma, About *Mission Statement*, [About | Reversing The Stigma](#) (last visited December 20, 2023).

⁴ DHSMV Presentation to the Senate Transportation Committee, *Specialty License Plates* (January 24, 2023), slideshow available at https://www.flsenate.gov/Committees/Show/TR/MeetingPacket/5615/10046_MeetingPacket_5615_3.pdf (last visited October 10, 2023).

⁵ Section 320.08056(3)(d), F.S., provides that except if specifically provided in s. 320.08056(4), the annual use fee for a specialty license plate is \$25.

⁶ Section 320.08058, F.S.

⁷ Chapter 2022-189, Laws of Fla., extended the presale requirement by an additional 24 months for an approved specialty license plate organization that, as of June 15, 2022, is in the presale period but had not recorded at least 3,000 voucher sales.

⁸ Section 320.08053(2)(b), F.S.

⁹ Section 320.08053(3)(a), F.S.

¹⁰ Section 320.08053(3)(b), F.S.

Use of Specialty License Plate Fees

The annual use fees collected by an organization and any interest earned from the fees may be expended only for use in this state unless the annual use fee is derived from the sale of specified United States Armed Forces and veterans-related specialty plates.¹¹ Additionally, organizations must adhere to certain accountability requirements, including an annual audit or attestation document affirming that funds received have been spent in accordance with applicable statutes.¹²

The annual use fees collected by an organization and the interest earned from those fees may not be used for commercial or for-profit activities, or general or administrative expenses, unless authorized by s. 320.08058, F.S.¹³ Additionally, the annual use fees and interest earned from those fees may not be used for the purpose of marketing to, or lobbying, entertaining, or rewarding, any employee of a governmental agency that is responsible for the sale and distribution of specialty license plates, or any elected member or employee of the Legislature.¹⁴

Discontinuance of Specialty Plates

Prior to June 30, 2023, the DHSMV was required to discontinue the issuance of an approved specialty license plate if the number of valid registrations falls below 1,000 plates for at least 12 consecutive months. A warning letter was mailed to the sponsoring organization following the first month in which the total number of valid specialty license plate registrations fell below 1,000 plates. Collegiate plates for Florida universities were exempt from the minimum specialty license plate requirement.¹⁵ In addition, the DHSMV was authorized to discontinue any specialty license plate if the organization ceased to exist, stopped providing services that are funded from the annual use fee proceeds, or pursuant to an organizational recipient's request.¹⁶

However, effective July 1, 2023, the requirement increased so that the DHSMV must discontinue the issuance of an approved specialty license plate if the number of valid registrations falls below 3,000 or in the case of an out-of-state college or university license plate, 4,000, for at least 12 consecutive months. The DHSMV must mail a warning letter to the sponsoring organization following the first month in which the total number of valid specialty plate registrations is below 3,000, or in the case of an out-of-state college or university license plate, 4,000. This does not apply to in-state collegiate license plates established under s. 320.08058(3), F.S., license plates of institutions in and entities of the State University System, specialty license plates that have statutory eligibility limitations for purchase, specialty license plates for which annual use fees are distributed by a foundation for student and teacher leadership programs and teacher recruitment and retention, or Florida professional sports team license plates established under s. 320.08058(9), F.S.¹⁷

¹¹ Section 320.08056(10)(a), F.S.

¹² Section 320.08062, F.S.; Such fees may be used to pay for the cost of this required audit or report. See s. 320.08056(10)(a), F.S.

¹³ Section 320.08056(10)(a), F.S.

¹⁴ Section 320.08056(11), F.S.

¹⁵ Section 320.08056(8)(a), F.S.

¹⁶ Section 320.08056(8)(b), F.S.

¹⁷ Chapter 2020-181, s. 7, Laws of Fla.

III. Effect of Proposed Changes:

The bill amends s. 320.08058, F.S., to authorize the DHSMV to create a new specialty license plate for Project Addiction: Reversing the Stigma. The annual use fee for the plate is \$25. The plate must bear the colors and design approved by the department, with the word “Florida” at the top of the plate and the words “Project Addiction: Reversing the Stigma” at the bottom of the plate.

Proceeds from the sale of the plate will be distributed to Project Addiction: Reversing the Stigma, Inc. The organization may use up to 10 percent of proceeds to promote and market the plate. The remaining funds shall be used to fund the Project Addiction: Reversing the Stigma organization to promote and support awareness of and education about substance use disorder and mental illness.

The plate will be added to the DHSMV presale voucher process, but will not be produced unless the presale requirement of 3,000 vouchers is met and the 135 plate cap has not been reached.

The bill takes effect October 1, 2024.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

A. Private Sector Impact:

If the specialty license plate is produced, the Project Addition: Reversing the Stigma, Inc., will receive annual use fees associated with sales of the plate.

B. Government Sector Impact:

According to previous specialty license plates fiscal impacts, DHSMV estimates programming and implementation of the plate will cost \$7,680.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 320.08058 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Thompson

15-01712A-24

2024982__

1 A bill to be entitled
 2 An act relating to specialty license plates; amending
 3 s. 320.08058, F.S.; directing the Department of
 4 Highway Safety and Motor Vehicles to develop a Project
 5 Addiction: Reversing the Stigma license plate;
 6 providing for distribution and use of fees collected
 7 from the sale of the plate; providing an effective
 8 date.

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

12 Section 1. Subsection (127) is added to section 320.08058,
 13 Florida Statutes, to read:

14 320.08058 Specialty license plates.—

15 (127) PROJECT ADDICTION: REVERSING THE STIGMA LICENSE
 16 PLATES.—

17 (a) The department shall develop a Project Addiction:
 18 Reversing the Stigma license plate as provided in this section
 19 and s. 320.08053. The plate must bear the colors and design
 20 approved by the department. The word "Florida" must appear at
 21 the top of the plate, and the words "Overdose Awareness" must
 22 appear at the bottom of the plate.

23 (b) The annual use fees from the sale of the plate shall be
 24 distributed to Project Addiction: Reversing the Stigma, Inc., a
 25 Florida nonprofit corporation, as follows:

26 1. Up to 10 percent of the annual use fees may be used for:

27 a. Promotion and marketing costs of the license plate.

28 b. Reimbursing the corporation for administrative costs,
 29 startup costs, and costs incurred in the development and

Page 1 of 2

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15-01712A-24

2024982__

30 approval process of the license plate.

31 2. The remaining funds shall be distributed with the
 32 approval of and accountability to the board of directors of
 33 Project Addiction: Reversing the Stigma, Inc., and must be used
 34 to promote and support awareness of and education about
 35 substance use disorder and mental illness.

36 Section 2. This act shall take effect October 1, 2024.

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02/20/24

Meeting Date

ATD

Committee

Name

Candice Ericks

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 982

Bill Number or Topic

Amendment Barcode (if applicable)

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Seminole County Sheriffs Office

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

2/20/2024

Meeting Date

Appropriations Committee on Transportation Tourism, and Economic Development

Committee

The Florida Senate APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 982

Bill Number or Topic

Amendment Barcode (if applicable)

Name **RoseMarie Aldred**

Phone **407-670-4329**

Address **2557 Prairie View Drive**

Email **lombardorma@gmail.com**

Street

Winter Garden

FL

34878

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic
Development

BILL: CS/CS/SB 1032

INTRODUCER: Appropriations Committee on Transportation, Tourism, and Economic Development;
Transportation Committee and Senator Gruters

SUBJECT: Transportation

DATE: February 22, 2024 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Johnson</u>	<u>Vickers</u>	<u>TR</u>	<u>Fav/CS</u>
2.	<u>Nortelus</u>	<u>Jerrett</u>	<u>ATD</u>	<u>Fav/CS</u>
3.	<u> </u>	<u> </u>	<u>AP</u>	<u> </u>

Please see Section IX. for Additional Information:
COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 1032 amends various provisions relating to transportation. Specifically, the bill:

- Deletes an obsolete effective date regarding the compensation of the Secretary of Transportation and assistant secretaries.
- Revises numerous provisions relating to obedience to traffic control devices at railroad-highway grade crossings and increases penalties for associated violations.
- Incorporates the changes to the railroad-highway grade crossing provisions into the traffic infraction penalty and the driver license points statute.
- Revises the membership of the Center for Urban Transportation Research’s advisory board.
- Makes a technical change to the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies (I-STREET) Living Lab’s advisory board.
- Creates a moratorium on new metropolitan planning organizations (MPOs) adjacent to existing MPOs.
- Requires the Florida Department of Transportation (FDOT) to annually convene MPOs of similar size to exchange best practices.
- Requires the FDOT to provide training for new MPO governing board members.
- Creates the following provisions regarding MPO accountability and transparency:
 - Requires the FDOT to review each MPO’s long-range transportation plan.
 - Requires the FDOT to create quality performance metrics to evaluate each MPO.

- Requires each MPO to annually report its score for each quality performance metric and publish its score and supporting data on its website.
- Requires the FDOT to validate each MPOs score and make needed adjustments.
- Requires the integration of new technologies into MPO long-range transportation plans.
- Requires the MPOs in Lee and Collier Counties to submit a feasibility study regarding their merger.
- Repeals the Metropolitan Planning Organization Advisory Council (MPOAC).
- Authorizes airports and seaports to charge the same reasonable pickup fees for both taxicabs and transportation network companies.
- Requires the FDOT to submit a comprehensive review of its district boundaries and whether any district boundaries should be redrawn as a result of population growth and increased urban density.
- Makes technical and conforming changes.

The bill has an indeterminate fiscal impact on the FDOT and MPOs. See Section V., Fiscal Impact Statement.

The bill takes effect July 1, 2024.

II. Present Situation:

For ease of organization and readability, the present situation is discussed below with the effect of proposed changes.

III. Effect of Proposed Changes:

Secretary of Transportation Compensation (Section 1)

Present Situation

The Florida Department of Transportation is headed by the Secretary of Transportation (Secretary).¹ The Secretary may appoint up to three assistant secretaries to perform duties as assigned by the Secretary.² Florida law provides that any Secretary appointed after July 5, 1989, and the assistant secretaries are exempt from the Career Service System,³ and must be compensated commensurate with their qualifications and competitive with compensation for comparable responsibility in the private sector.⁴

Effect of Proposed Changes

The bill removes an obsolete July 5, 1989, effective date regarding the compensation of the Secretary of Transportation and his or her assistant secretaries.

¹ Section 20.23(1)(a), F.S.

² Section 20.23(1)(c), F.S.

³ Chapter 110, part III, F.S.

⁴ Section 20.23(1)(e), F.S.

Railroad-Highway Grade Crossing Safety (Sections 2, 3, and 4)

Present Situation

Railroad-Highway Grade Crossings

Railroad-highway grade crossings are intersections where a highway crosses a railroad at-grade. To avoid collisions, warning/control devices are required at grade crossings. Active grade crossings have active warning and control devices such as bells, flashing lights, and gates, in addition to passive warning devices such as crossbucks, yield or stop signs and pavement markings. Similarly, passive grade crossings have only passive warning devices.⁵

Obedience to Traffic Control Devices at Railroad-Highway Grade Crossings

Under Florida law, any person walking or driving a vehicle and approaching a railroad-highway grade crossing under any of the circumstances stated below must stop within 50 feet but not less than 15 feet from the nearest rail of such railroad and may not proceed until he or she can do so safely. The above requirements apply when:

- A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;
- A crossing gate is lowered or a law enforcement officer or a human flagger gives or continues to give a signal of the approach or passage of a railroad train;
- An approaching railroad train emits an audible signal or the railroad train, by reason of its speed or nearness to the crossing, is an immediate hazard; or
- An approaching railroad train is plainly visible and is in hazardous proximity to the railroad-highway grade crossing, regardless of the type of traffic control devices installed at the crossing.⁶

A person may not drive any vehicle through, around, or under any crossing gate or barrier at a railroad-highway grade crossing while the gate or barrier is closed or is being opened or closed.⁷

A violation is a noncriminal traffic infraction, punishable as either a pedestrian violation or, if the infraction resulted from the operation of a vehicle, as a moving violation.⁸ For a moving violation, the statutory base fine is \$100,⁹ but with additional fees and charges, the penalty may be up to \$198.¹⁰

Insufficient Clearance at a Railroad-Highway Grade Crossing

Under Florida law, a person may not drive any vehicle through a railroad-highway grade crossing that does not have sufficient space or undercarriage clearance to drive completely

⁵ Federal Railroad Administration, *Highway-Rail Grade Crossing Overview*, <https://railroads.dot.gov/program-areas/highway-rail-grade-crossing/highway-rail-grade-crossings-overview> (last visited February 19, 2024).

⁶ Section 316.1575(1), F.S.

⁷ Section 316.1575(2), F.S.

⁸ Section 316.1575(3), F.S.

⁹ Section 318.18(9), F.S.

¹⁰ Florida Association of Clerks of Court, *2023 Distribution Schedule as of July 1, 2023*, p. 56.

https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2023_Distribution_Schedule_e.pdf (last visited February 19, 2023).

through the crossing without stopping.¹¹ A violation is a noncriminal traffic infraction, punishable as a moving violation.¹² For a moving violation, the statutory base fine is \$60,¹³ but with additional fees and charges, the penalty may be up to \$158.¹⁴

Driver License Points

When a driver accumulates a specified number of points on his or her driving record within a certain time period, his or her license is suspended, as follows:

- 12 points in 12 months – 30-day suspension.
- 18 points in 18 months – 3-month suspension.
- 24 points in 36 months – 12-month suspension.¹⁵

Effect of Proposed Changes

The bill provides that any person walking, cycling, or driving a vehicle and approaching a railroad-highway grade crossing must stop within 50 feet, but not less than 15 feet, from the nearest rail of such railroad and may not proceed until the railroad tracks are clear. The bill, in addition to the railroad train, requires people to stop for railroad track equipment. The bill increases the penalties for such moving violations to:

- For a first violation, a fine of \$500 and 6 points assessed against his or her driver license.
- For a second or subsequent violation, a fine of \$1,000 and 6 points assessed against his or her driver license.

The bill increases the penalties for stopping a vehicle while driving through a railroad-highway grade crossing that does not have sufficient space to drive completely through the crossing or does not have sufficient undercarriage clearance. The violation remains a noncriminal traffic infraction, the penalties are increased as follows:

- For a first violation, the person must pay a fine of \$500 and have 6 points assessed against his or her driver license.
- For a second or subsequent violation, the person must pay a fine of \$1,000, have 6 points assessed against his or her driver licenses, and have his or her driving privilege suspended for not more than 6 months.

The bill amends s. 318.18, F.S., relating to the amount of penalties for traffic infractions, incorporating the above revisions into that statute.

The bill amends s. 322.27, F.S., to add 6 points for unlawfully driving a vehicle through a railroad-highway grade crossing to the existing driver license point system.

¹¹ Sections 316.1576(1)-(2), F.S.

¹² Section 316.1756(3), F.S.

¹³ Section 318.18(3)(a), F.S.

¹⁴ Florida Association of Clerks of Court, *2023 Distribution Schedule as of July 1, 2023*, p. 42.

https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2023_Distribution_Schedule_e.pdf (last visited February 19, 2023).

¹⁵ Section 322.27(3), F.S.

Center for Urban Transportation Research Advisory Board (Section 5)

Present Situation

The Center for Urban Transportation Research (CUTR) is established at the University of South Florida (USF). CUTR's responsibilities include conducting and facilitating research on issues related to Florida's urban transportation problems and serving as an information exchange and depository for the most current information pertaining to urban transportation and related issues.¹⁶

CUTR's advisory board reviews and advises CUTR concerning its research program. Except for projects mandated by law, CUTR may not undertake state-funded projects without advisory board approval. CUTR's advisory board consists of nine transportation experts, including:

- The Secretary of Transportation or his or her designee.
- The Secretary of Environmental Protection or his or her designee.
- The Secretary of Economic Opportunity¹⁷ or his or her designees.
- A member of the Florida Transportation Commission.
- The nomination of the remaining board members is made to USF's President by USF's College of Engineering. The appointment of these members are reviewed and approved by the FTC and confirmed by the Board of Governors.¹⁸

Effect of Proposed Changes

The bill amends CUTR's advisory board to consist of 10 transportation experts including the following:

- A member appointed by the President of the Senate.
- A member appointed by the Speaker of the House of Representatives.
- The Secretary of Transportation or his or her designee.
- The Secretary of Commerce or his or her designee.
- A member of the Florida Transportation Commission.
- Five members recommended to the President of USF by USF's College of Engineering. These appointments must be reviewed, approved, and confirmed by the Board of Governors.

Implementing Solutions from Transportation Research and Evaluating Emerging Technologies (I-STREET) Living Lab Advisory Board (Section 6)

Present Situation

The Implementing Solutions from Transportation Research and Evaluating Emerging Technologies (I-STREET) Living Lab is established at the University of Florida (UF).¹⁹ The I-STREET Living Lab must:

- Conduct and facilitate research on issues related to innovative transportation mobility and safety technology development and deployment in this state and serve as an information

¹⁶ Section 334.065(1), F.S.

¹⁷ In 2023, the Department of Economic Opportunity was renamed the Department of Commerce. See Ch. 2023-173, Law of Fla.

¹⁸ Section 334.065(3), F.S.

¹⁹ Section 334.066(1), F.S.

exchange and depository for the most current information pertaining to transportation research, education, workforce development, and related issues.

- Be a continuing resource for the Legislature, the FDOT, local governments, the nation's metropolitan regions, and the private sector in the area of transportation and related research.
- Promote intercampus transportation and related research activities among Florida universities to enhance the ability of these universities to attract federal and private sector funding for transportation and related research.
- Provide by July 1, 2024, and annually thereafter, to the Governor, the President of the Senate, and the Speaker of the House of Representatives a comprehensive report that outlines its clearly defined goals and its efforts and progress on reaching those goals.²⁰

I-STREET's advisory board periodically reviews and advises I-STREET concerning its research program. The board consists of the following members with transportation-related expertise:

- A member appointed by the President of the Senate.
- A member appointed by the Speaker of the House of Representatives.
- The Secretary of Transportation or his or her designee.
- The Secretary of Economic Opportunity or his or her designee.
- A member of the Florida Transportation Commission.
- Four members nominated by the UF's College of Engineering and approved by UF's president. The College of Engineering's nominees may include representatives of UF, other academic and research institutions, or private entities.²¹

Effect of Proposed Changes

The bill amends I-STREET's advisory board changing the Secretary of Economic Opportunity to the Secretary of Commerce to reflect a change in the agency's name.

Metropolitan Planning Organizations (Section 7)

An MPO is the policy board created and designated to carry out the metropolitan transportation planning process.²² MPOs are required to represent localities in all urbanized areas with populations over 50,000, as determined by the U.S. Census.²³ Currently, Florida has 27 MPOs, the largest number of MPOs in the nation.

Federal law and regulations give MPOs, in coordination with the FDOT and others, significant transportation planning responsibility. Federal law requires MPOs to be designated for each urbanized area with a population of more than 50,000 individuals by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the affected population, including the largest incorporated city; or in accordance with procedures established by applicable state or local law.²⁴

²⁰ Section 334.066(2), F.S.

²¹ Section 334.066(3), FS.

²² 23 C.F.R. § 450.104.

²³ Federal Transit Administration, *Metropolitan Planning Organization*, <https://www.transit.dot.gov/regulations-and-guidance/transportation-planning/metropolitan-planning-organization-mpo> (last visited February 8, 2024).

²⁴ 23 U.S.C., § 134(d)(1)

MPO Purpose/Intent

Present Situation

Florida law provides legislative intent to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and through the state's urbanized while minimizing transportation-related fuel consumption, air pollution, and greenhouse gas emissions through metropolitan transportation planning processes.²⁵

To accomplish these objectives, MPOs must develop, in cooperation with the state and public transit operators, transportation plans and programs for metropolitan areas. These plans and programs must provide for the development and integrated management and operation of transportation systems and facilities that will function as an intermodal transportation system for the metropolitan area.²⁶

Effect of Proposed Changes

The bill amends legislative intent regarding MPOs to emphasize:

- Developing multimodal transportation systems, instead of surface transportation systems; and
- Serving the mobility needs of people and freight and fostering economic growth and development throughout the urbanized areas of this state while balancing conservation of natural resources.

MPO Designation

Present Situation

An MPO must be designated for each urbanized area of the state. However, an individual MPO is not required to be designated for each urbanized area. MPO designation is done by agreement between the Governor and the general-purpose local governments representing at least 75 percent of the urbanized area's population. However, the general-purpose local government representing the central city or cities within the MPO must be a party to the agreement.²⁷

To the extent possible, only one MPO may be designated for each urbanized area or group of contiguous urbanized areas. More than one MPO may be designated within an existing urbanized area only if the Governor and the existing MPO determine that the existing urbanized area's size and complexity makes designating more than one MPO for the area appropriate, in which case each MPO designated for the area must:

- Consult with every other MPO designated for the urbanized area and the state to coordinate plans and transportation improvement programs.
- Ensure, to the maximum extent practicable, the consistency of data used in the planning process, including data used in forecasting travel demand within the urbanized area.²⁸

²⁵ Section 339.175(1), F.S.

²⁶ *Id.*

²⁷ Section 339.175(2)(a)1., F.S.

²⁸ Section 339.175(2)(a)2., F.S.

MPO boundaries are determined by agreement between the Governor and the MPO. The MPO's boundaries must include at least the metropolitan planning area, but may encompass the entire metropolitan statistical area or the consolidated metropolitan statistical area.²⁹

Effect of Proposed Changes

The bill provides that after July 1, 2024, no additional MPOs may be designated in Florida except in urbanized areas³⁰ where the urbanized area is not contiguous to an urbanized area designated before the 2020 census.

The bill repeals the requirement that when there is more than one MPO in an urbanized area, the MPOs must consult with every other MPO in the urbanized area and the state to coordinate plans and transportation improvement programs and to ensure consistency in of data used in the planning process.

MPO Powers, Duties, and Responsibilities

Present Situation

Each MPO must perform all acts necessary to qualify for federal aid, and each MPO must be involved in transportation planning and programming to the extent permitted by state or federal law. However, an MPO may not perform project production or delivery for capital improvement projects on the State Highway System.³¹

In developing its long-range transportation plan (LRTP)³² and the transportation improvement program (TIP),³³ each MPO must consider projects and strategies that will:

- Support the economic vitality of the contiguous urbanized metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.
- Increase the safety and security of the transportation system for motorized and nonmotorized users.
- Increase the accessibility and mobility options available to people and for freight.
- Protect and enhance the environment, promote energy conservation, and improve quality of life.
- Enhance the integration and connectivity of the transportation system, across and between modes and contiguous urbanized metropolitan areas, for people and freight.
- Promote efficient system management and operation.
- Emphasize the preservation of the existing transportation system.
- Improve the resilience of transportation infrastructure.³⁴

To more fully accomplish the MPOs purposes, MPOs must develop coordination mechanisms with one another to expand and improve transportation within the state.³⁵

²⁹ Section 339.175(2)(a)3, F.S.

³⁰ This is as defined by the United States Bureau of the Census.

³¹ Section 339.175(6), F.S.

³² The long-range transportation plan is developed pursuant to s. 339.175(7), F.S.

³³ The transportation improvement program is developed pursuant to s. 339.175(8), F.S.

³⁴ Section 339.175(6)(b), F.S.

³⁵ Section 339.175(6)(J)1., F.S.

Effect of Proposed Changes

The bill amends the considerations required by each MPO in developing its LRTP and TIP to include conserving natural resources, instead of promoting energy conservation. Additionally, MPOs must consider projects and strategies to reduce traffic and congestion.

The bill requires that the FDOT to at least annually, convene MPOs of similar size, based on population served, to exchange best practices.

The bill authorizes MPOs to develop committees or working groups as needed to accomplish such purpose. At the FDOT's discretion, training for new MPO governing board members must be provided by the FDOT, an entity pursuant to a contract with FDOT, by CUTR, or by I-STREET Living Lab.

MPO Consolidation*Present Situation*

By December 31, 2023, the MPOs serving Hillsborough, Pasco, and Pinellas Counties were required to submit a feasibility report to the Governor, the President of the Senate, and the Speaker of the House of Representatives exploring the benefits, costs, and process of consolidation into a single MPO serving the contiguous urbanized area, the goals of which would be to:

- Coordinate transportation projects deemed to be regionally significant.
- Review the impact of regionally significant land use decisions on the region.
- Review all proposed regionally significant transportation projects in the transportation improvement programs.³⁶

Effect of Proposed Changes

The bill requires, by February 28, 2025, the MPOs serving Lee and Collier Counties to submit a feasibility report to the Governor, the President of the Senate, and the Speaker of the House of Representatives exploring the benefits, costs, and process of consolidation into a single MPO serving the contiguous urbanized area, with the same goals as listed above.

MPO Long-Range Transportation Plans*Present Situation*

Each MPO must develop a long-range transportation plan (LRTP) addressing at least a 20-year planning horizon. The LRTP must include both long-range and short-range strategies. The prevailing principles to be considered in the LRTP are: preserving the existing transportation infrastructure; enhancing Florida's economic competitiveness; and improving travel choices to ensure mobility.³⁷

³⁶ Section 339.175(6)(i), F.S.

³⁷ Section 339.175(7), F.S.

The LRTP 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 local government within the MPO. Each MPO is encouraged to consider strategies integrating transportation and land use planning to provide for sustainable development and reduce greenhouse gas emissions. Local governments must consider LRTPs in developing transportation elements in local government comprehensive plans.³⁸

In developing its LRTP, each MPO must provide the public and other interested parties with a reasonable opportunity to comment. The MPO must approve its LRTP.³⁹

Effect of Proposed Changes

The bill revises provisions relating to MPO LRTP's by removing the requirement that multiple MPOs within a contiguous urbanized area to coordinate the development of LRTPs to be reviewed by the MPOAC.

The bill includes public-private partnerships in the list of innovative financing techniques that MPOs may consider.

Regarding transportation enhancement activities, the bill includes the integration of advanced air mobility and integration of autonomous and electric vehicles, electric bicycles, and motorized scooters used for freight, commuter or micromobility purposes. The bill removes historic preservation, mitigation of water pollution due to highway runoff, and control of outdoor advertising as potential transportation enhancement activities.

The bill adds that in addition to MPO approval, the FDOT must also approve each MPO's LRTP.

MPO Accountability

Present Situation

Currently, there are no MPO-specific statutory accountability provisions.

Effect of Proposed Changes

The bill requires the FDOT to review each MPO's LRTP for productive flow and connectivity for people and freight within the MPO's metropolitan area. If the FDOT finds an MPO's LRTP to be unsatisfactory or incongruent with the metropolitan area, the FDOT must return the plan to the MPO for revision.

The FDOT must to create quality performance metrics and a scoring mechanism by which to evaluate each MPOs service to its communities, considering traffic congestion, the utilization rate of multimodal transportation facilities, resident satisfaction, the efficiency of the transportation system for people and freight, and other factors the FDOT deems necessary. The FDOT must establish a minimum acceptable quality performance score.

³⁸ Section 339.175(7), F.S.

³⁹ Section 339.175(7), F.S., flush left.

The bill provides that beginning in 2025, and each year thereafter, each MPO must report its score for each quality performance metric by December 1 to the appropriate the FDOT district secretary and publish its score and supporting data on its website. The FDOT must validate each MPO's score calculation and make any necessary adjustments.

Metropolitan Planning Organization Advisory Council (Section 4)

Present Situation

The Metropolitan Planning Organization Advisory Council (MPOAC), consisting of one representative from each MPO was established, to augment, and not supplant, the individual MPO's role in the cooperative transportation planning process.⁴⁰

The MPOAC's powers and duties are to:

- Establish bylaws providing procedural rules to guide its proceedings and consideration of matters before MPOAC, or, alternatively, adopt rules to implement provisions of law conferring powers or duties upon it.
- Assist MPOs in carrying out the urbanized area transportation planning process by serving as the principal forum for collective policy discussion.
- Serve as a clearinghouse for review and comment by MPOs on the Florida Transportation Plan and on other issues required to comply with federal or state law in carrying out the urbanized area transportation and systematic planning processes. The MPOAC must annually report to the Florida Transportation Commission on the alignment of MPO LRTPs with the Florida Transportation Plan.
- Employ an executive director and such other staff as necessary to adequately perform adequately its functions.⁴¹
- Deliver training on federal and state program requirements and procedures to MPO board members and MPO staff.
- Adopt a strategic plan prioritizing steps it will take to carry out its mission within the context of the state comprehensive plan and any other statutory mandates and directives.⁴²

The MPOAC may enter into contracts to support the activities described above. Lobbying and the acceptance of funds, grants, assistance, gifts, or bequests from private, local, state, or federal sources are prohibited.⁴³

Effect of Proposed Changes

The bill repeals the MPOAC.

⁴⁰ Sections 339.175(11)(a) and (b), F.S.

⁴¹ The MPOAC is assigned to the Office of the Secretary of Transportation for fiscal and accountability purposes, otherwise function independently of FDOT's control and direction.

⁴² Section 339.175(11)(c), F.S.

⁴³ Section 339.175(11)(d), F.S.

Transportation Network Companies (Section 8)

Present Situation

In 2017, the Legislature established a regulatory framework for transportation network companies (TNCs).⁴⁴ A TNC is an entity that uses a digital network⁴⁵ to connect a rider to a TNC driver, who provides prearranged rides. A TNC is not deemed to own, control, operate, direct, or manage the TNC vehicles or the TNC drivers that connect to its digital network, except where agreed to by written contract, and is not a taxicab association. The TNCs also do not include entities that arrange medical transportation for individuals qualifying for Medicaid or Medicare pursuant to a contract with the state or a managed care organization.

The TNC law preempts counties, municipalities, special districts, airport authorities, port authorities, or other local governmental entities or subdivisions from:

- Imposing a tax on or requiring a license for the TNCs if such tax or license relates to providing prearranged rides;
- Subjecting the TNCs to any rate, entry, operation, or other requirement of the county, municipality, special district, airport authority, port authority, or other local governmental entity or subdivision; or
- Requiring the TNCs to obtain a business license or any other type of similar authorization to operate within the local governmental entity's jurisdiction.

Airports and seaports may charge taxicab companies and the TNCs reasonable pickup fees for use of the airport's or seaport's facilities. The fees charged to the TNCs must be consistent with any pickup fees charged to taxicab companies. Airports and seaports may also designate locations for staging, pickup, and other similar operations.

Effect of Proposed Changes

The bill provides that the preemption provision does not prohibit an airport or a seaport from charging the same, instead of consistent, reasonable pickup fees charged for all taxicab pickups at the airport or seaport.

Space Florida (Section 17)

Present Situation

Space Florida is required to partner with the MPOAC to coordinate and specify how aerospace planning and programming will be part of Florida's cooperative transportation planning process.⁴⁶

⁴⁴ Section 627.748, F.S.

⁴⁵ Section 627.748(1)(a), F.S., defines the term "digital network" to mean any online-enabled technology application service, website, or system offered or used by a transportation network company which enables the prearrangement of rides with transportation network company drivers.

⁴⁶ Section 331.310(14), F.S.

Effect of Proposed Changes

The bill repeals Space Florida's duty to partner with the MPOAC regarding how aerospace planning and programming will be part of Florida's transportation planning process.

FDOT Districts (Section 20)***Present Situation***

Under Florida law, the FDOT is a decentralized agency with its operations organized into seven geographic districts, each headed by a district secretary and a turnpike enterprise and a rail enterprise, each enterprise headed by an executive director. The FDOT's district headquarters are located in Polk, Columbia, Washington, Broward, Volusia, Miami-Dade, and Hillsborough Counties. In order to provide for efficient operations and to expedite the decision-making process, the FDOT must provide for maximum decentralization to its districts.⁴⁷

Effect of Proposed Changes

The bill requires the FDOT to, by October 31, 2024, submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report that provides a comprehensive review of the boundaries of each the FDOT district and make recommendations whether any district's boundaries should be redrawn as a result of population growth and increased urban density.

Conforming Changes (Sections 9, 10, 11, 12, 13, 14, 15, 18, and 19)

The bill conforms cross-references in ss. 28.37, 142.01, 316.1951, 316.306, 316.622, 318.121, 318.21, 331.310, and 395.4036, F.S.

Effective Date (Section 21)

The bill takes effect July 1, 2024.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

⁴⁷ Section 20.23(4)(a), F.S.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

The bill authorizes an airport or seaport to charge the same reasonable pick-up fees for the TNCs as they do for taxicabs. This provision may impact the fees charged by airports and seaports.

B. Private Sector Impact:

Persons found guilty of certain railroad-highway grade crossing violations will be subject to increased financial penalties associated with these violations.

C. Government Sector Impact:

State and local governments that receive revenue from traffic infractions may experience an increase in revenue associated with increased in penalties for specified railroad-highway crossing violations.

The Department of Highway Safety and Motor Vehicles (DSHBMV) may incur indeterminate costs associated with creating new traffic penalties for railroad-highway grade crossing violations and updating various materials, such as the Driver Handbook.

The bill may have an indeterminate negative fiscal impact to the FDOT due to the requirements that it review its district boundaries, annually convene meetings of specified MPOs, provide training to new MPO board members, and undertake new responsibilities regarding MPO accountability and transparency.

MPOs may incur additional costs due in order to comply with accountability and transparency provisions created in the bill.

The MPOs in Collier and Lee Counties will incur costs associated with conducting a study regarding their possible merger.

Airports and seaports may experience an indeterminate reduction in revenues associated with the requirement that the TNC fees be the same as the taxicab fees.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The revision to the MPO designation statute may be inconsistent with existing federal and state law, by precluding designation of more than one MPO where an urbanized area boundary *is* contiguous to an urbanized area designated before the 2020 decennial census. *To the extent possible, both* federal and state law call for a single MPO designation for each urbanized area *or group of contiguous urbanized areas*. However, as indicated, more than one MPO may be designated within an existing urbanized area if the required agreement between the Governor and the relevant local governments is achieved. Because groups of contiguous urbanized areas are included in the designation provisions of both federal and state law, it appears that designation of more than one MPO is authorized for contiguous urbanized areas; that is, a *group of contiguous urbanized areas*, regardless of when designated, provided the required agreement is achieved.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 20.23, 316.1575, 316.1576, 318.18, 334.065, 334.066, 339.175, 28.37, 142.01, 316.1951, 316.306, 316.622, 318.21, 322.27, 331.3051, 331.310 and 395.4036.

This bill creates an undesignated section of Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Appropriations Committee on Transportation, Tourism, and Economic Development on February 20, 2024:

The committee substitute:

- Revises provisions regarding persons staying clear of railroad-highway crossings when trains are approaching to include railroad track equipment and increases the penalties for such violations.
- Revises provisions regarding vehicles going through a railroad-highway grade crossing such that they may not obstruct the passage of another vehicle, pedestrian, train, or other railroad equipment and increases the penalties for such violations.
- Makes conforming changes to incorporate the railroad-highway grade crossing changes into the traffic infraction penalty and the driver license points statute.
- Authorizes airports and seaports to charge the same reasonable pickup fees for both taxicabs and transportation network companies.

Makes numerous technical and conforming changes.

CS by Transportation on February 6, 2024:

The committee substitute:

- Removes the repeal of the Florida Transportation Commission along with various provisions in the bill conforming to its repeal.
- Removes changes to the schedule for the FDOT to develop its tentative work program.

- Deletes an obsolete effective date regarding compensation of the Secretary of Transportation.
- Revises the membership of the CUTR's advisory board.
- Makes a technical change to the I-STREET Living Lab advisory board.
- Removes a provision requiring the FDOT to assumption of control of MPOs under certain conditions.
- Removes a provision awarding \$5 million from the State Transportation Trust Fund to certain MPOs.

B. Amendments:

None.



930490

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/20/2024	.	
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The Appropriations Committee on Transportation, Tourism, and Economic Development (Gruters) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (e) of subsection (1) of section
20.23, Florida Statutes, is amended to read:

20.23 Department of Transportation.—There is created a
Department of Transportation which shall be a decentralized
agency.

(1)



930490

11 (e) ~~The Any~~ secretary appointed after July 5, 1989, and the
12 assistant secretaries are ~~shall be~~ exempt from the provisions of
13 part III of chapter 110 and shall receive compensation
14 commensurate with their qualifications and competitive with
15 compensation for comparable responsibility in the private
16 sector.

17 Section 2. Section 316.1575, Florida Statutes, is amended
18 to read:

19 316.1575 Obedience to traffic control devices at railroad-
20 highway grade crossings.—

21 (1) ~~A Any~~ person walking, cycling, or driving a vehicle and
22 approaching a railroad-highway grade crossing under any of the
23 circumstances stated in this section must ~~shall~~ stop within 50
24 feet but not less than 15 feet from the nearest rail of such
25 railroad and may ~~shall~~ not proceed until the railroad tracks are
26 clear and he or she can proceed ~~do so~~ safely. This subsection
27 applies ~~The foregoing requirements apply~~ when:

28 (a) A clearly visible electric or mechanical signal device
29 gives warning of the immediate approach of a railroad train or
30 railroad track equipment;

31 (b) A crossing gate is lowered or a law enforcement officer
32 or a human flagger gives or continues to give a signal of the
33 approach or passage of a railroad train or railroad track
34 equipment;

35 (c) An approaching railroad train or railroad track
36 equipment emits an audible signal or the railroad train or
37 railroad track equipment, by reason of its speed or nearness to
38 the crossing, is an immediate hazard; or

39 (d) An approaching railroad train or railroad track



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40 equipment is plainly visible and is in hazardous proximity to
41 the railroad-highway grade crossing, regardless of the type of
42 traffic control devices installed at the crossing.

43 (2) A ~~No~~ person may not ~~shall~~ drive a ~~any~~ vehicle through,
44 around, or under any crossing gate or barrier at a railroad-
45 highway grade crossing while the gate or barrier is closed or is
46 being opened or closed.

47 (3) A person who violates ~~violation of~~ this section commits
48 ~~is~~ a noncriminal traffic infraction, punishable pursuant to
49 chapter 318 as:

50 (a) ~~either~~ A pedestrian violation; or

51 (b) If the infraction resulted from the operation of a
52 vehicle, as a moving violation.

53 1. For a first violation, the person shall pay a fine of
54 \$500 and have 6 points assessed against his or her driver
55 license pursuant to s. 322.27(3)(d)7.

56 2. For a second or subsequent violation, the person shall
57 pay a fine of \$1,000 and have 6 points assessed against his or
58 her driver license pursuant to s. 322.27(3)(d)7.

59 Section 3. Section 316.1576, Florida Statutes, is amended
60 to read:

61 316.1576 Insufficient clearance at a railroad-highway grade
62 crossing.—

63 (1) A person may not drive a ~~any~~ vehicle through a
64 railroad-highway grade crossing that does not have sufficient
65 space to drive completely through the crossing without stopping
66 or without obstructing the passage of other vehicles,
67 pedestrians, railroad trains, or other railroad equipment,
68 notwithstanding any traffic control signal indication to



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69 proceed.

70 (2) A person may not drive a any vehicle through a
71 railroad-highway grade crossing that does not have sufficient
72 undercarriage clearance to drive completely through the crossing
73 without stopping or without obstructing the passage of a
74 railroad train or other railroad equipment.

75 (3) A person who violates ~~violation of~~ this section commits
76 ~~is~~ a noncriminal traffic infraction, punishable as a moving
77 violation as provided in chapter 318.

78 (a) For a first violation, the person shall pay a fine of
79 \$500 and have 6 points assessed against his or her driver
80 license pursuant to s. 322.27(3)(d)7.

81 (b) For a second or subsequent violation, the person shall
82 pay a fine of \$1,000 and have 6 points assessed against his or
83 her driver license pursuant to s. 322.27(3)(d)7., and,
84 notwithstanding s. 322.27(3)(a), (b), and (c), shall have his or
85 her driving privilege suspended for not more than 6 months.

86 Section 4. Present subsections (10) through (23) of section
87 318.18, Florida Statutes, are redesignated as subsections (11)
88 through (24), respectively, a new subsection (10) is added to
89 that section, and subsection (9) of that section is amended, to
90 read:

91 318.18 Amount of penalties.—The penalties required for a
92 noncriminal disposition pursuant to s. 318.14 or a criminal
93 offense listed in s. 318.17 are as follows:

94 (9) Five ~~one~~ hundred dollars for a first violation and
95 \$1,000 for a second or subsequent violation of s. 316.1575.

96 (10) Five hundred dollars for a first violation and \$1,000
97 for a second or subsequent violation of s. 316.1576. In addition



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98 to this penalty, for a second or subsequent violation, the
99 department shall suspend the driver license of the person for
100 not more than 6 months.

101 Section 5. Subsection (3) of section 334.065, Florida
102 Statutes, is amended to read:

103 334.065 Center for Urban Transportation Research.—

104 (3) An advisory board shall be created to periodically and
105 objectively review and advise the center concerning its research
106 program. Except for projects mandated by law, state-funded base
107 projects shall not be undertaken without approval of the
108 advisory board. The membership of the board shall be composed
109 ~~consist~~ of 10 ~~nine~~ experts in transportation-related areas, as
110 follows:

111 (a) One member appointed by the President of the Senate.

112 (b) One member appointed by the Speaker of the House of
113 Representatives.

114 (c) The Secretary of Transportation or his or her designee.

115 (d) The Secretary of Commerce or his or her designee.

116 (e) A member of the Florida Transportation Commission.

117 (f) Five ~~including the secretaries of the Department of~~
118 ~~Transportation, the Department of Environmental Protection, and~~
119 ~~the Department of Economic Opportunity, or their designees, and~~
120 ~~a member of the Florida Transportation Commission. The~~
121 ~~nomination of the remaining members~~ recommended ~~of the board~~
122 ~~shall be made~~ to the President of the University of South
123 Florida by the College of Engineering at the University of South
124 Florida, ~~and the appointment of these members must be reviewed~~
125 ~~and approved by the Florida Transportation Commission and~~
126 ~~confirmed by the Board of Governors.~~



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127 Section 6. Paragraph (d) of subsection (3) of section
128 334.066, Florida Statutes, is amended to read:

129 334.066 Implementing Solutions from Transportation Research
130 and Evaluating Emerging Technologies Living Lab.-

131 (3) An advisory board shall be created to periodically
132 review and advise I-STREET concerning its research program. The
133 board shall consist of nine members with expertise in
134 transportation-related areas, as follows:

135 (d) The Secretary of Commerce ~~Economic Opportunity~~ or his
136 or her designee.

137 Section 7. Present subsection (10) of section 339.175,
138 Florida Statutes, is redesignated as subsection (11), a new
139 subsection (10) is added to that section, and subsection (1),
140 paragraph (a) of subsection (2), paragraphs (b), (i), and (j) of
141 subsection (6), subsection (7), and present subsection (11) of
142 that section are amended, to read:

143 339.175 Metropolitan planning organization.-

144 (1) INTENT PURPOSE.-It is the intent of the Legislature to
145 encourage and promote the safe and efficient management,
146 operation, and development of multimodal ~~surface~~ transportation
147 systems that will serve the mobility needs of people and freight
148 and foster economic growth and development within and through
149 urbanized areas of this state while balancing the conservation
150 of natural resources ~~minimizing transportation-related fuel~~
151 ~~consumption, air pollution, and greenhouse gas emissions through~~
152 ~~metropolitan transportation planning processes identified in~~
153 ~~this section~~. To accomplish these objectives, metropolitan
154 planning organizations, referred to in this section as M.P.O.'s,
155 shall develop, in cooperation with the state and public transit



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156 operators, transportation plans and programs for metropolitan
157 areas. The plans and programs for each metropolitan area must
158 provide for the development and integrated management and
159 operation of transportation systems and facilities, including
160 pedestrian walkways and bicycle transportation facilities that
161 will function as an intermodal transportation system for the
162 metropolitan area, based upon the prevailing principles provided
163 in s. 334.046(1). The process for developing such plans and
164 programs shall provide for consideration of all modes of
165 transportation and shall be continuing, cooperative, and
166 comprehensive, to the degree appropriate, based on the
167 complexity of the transportation problems to be addressed. To
168 ensure that the process is integrated with the statewide
169 planning process, M.P.O.'s shall develop plans and programs that
170 identify transportation facilities that should function as an
171 integrated metropolitan transportation system, giving emphasis
172 to facilities that serve important national, state, and regional
173 transportation functions. For the purposes of this section,
174 those facilities include the facilities on the Strategic
175 Intermodal System designated under s. 339.63 and facilities for
176 which projects have been identified pursuant to s. 339.2819(4).

177 (2) DESIGNATION.—

178 (a)1. An M.P.O. shall be designated for each urbanized area
179 of the state; however, this does not require that an individual
180 M.P.O. be designated for each such area. Such designation shall
181 be accomplished by agreement between the Governor and units of
182 general-purpose local government representing at least 75
183 percent of the population of the urbanized area; however, the
184 unit of general-purpose local government that represents the



185 central city or cities within the M.P.O. jurisdiction, as
186 defined by the United States Bureau of the Census, must be a
187 party to such agreement.

188 2. To the extent possible, only one M.P.O. shall be
189 designated for each urbanized area or group of contiguous
190 urbanized areas. More than one M.P.O. may be designated within
191 an existing urbanized area only if the Governor and the existing
192 M.P.O. determine that the size and complexity of the existing
193 urbanized area makes the designation of more than one M.P.O. for
194 the area appropriate. After July 1, 2024, no additional M.P.O.'s
195 may be designated in this state except in urbanized areas, as
196 defined by the United States Bureau of the Census, where the
197 urbanized area boundary is not contiguous to an urbanized area
198 designated before the 2020 census, in which case each M.P.O.
199 designated for the area must:

200 ~~a. Consult with every other M.P.O. designated for the~~
201 ~~urbanized area and the state to coordinate plans and~~
202 ~~transportation improvement programs.~~

203 ~~b. Ensure, to the maximum extent practicable, the~~
204 ~~consistency of data used in the planning process, including data~~
205 ~~used in forecasting travel demand within the urbanized area.~~

206
207 Each M.P.O. required under this section must be fully operative
208 no later than 6 months following its designation.

209 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,
210 privileges, and authority of an M.P.O. are those specified in
211 this section or incorporated in an interlocal agreement
212 authorized under s. 163.01. Each M.P.O. shall perform all acts
213 required by federal or state laws or rules, now and subsequently



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214 applicable, which are necessary to qualify for federal aid. It
215 is the intent of this section that each M.P.O. be involved in
216 the planning and programming of transportation facilities,
217 including, but not limited to, airports, intercity and high-
218 speed rail lines, seaports, and intermodal facilities, to the
219 extent permitted by state or federal law. An M.P.O. may not
220 perform project production or delivery for capital improvement
221 projects on the State Highway System.

222 (b) In developing the long-range transportation plan and
223 the transportation improvement program required under paragraph
224 (a), each M.P.O. shall provide for consideration of projects and
225 strategies that will:

226 1. Support the economic vitality of the contiguous
227 urbanized metropolitan area, especially by enabling global
228 competitiveness, productivity, and efficiency.

229 2. Increase the safety and security of the transportation
230 system for motorized and nonmotorized users.

231 3. Increase the accessibility and mobility options
232 available to people and for freight.

233 4. Protect and enhance the environment, conserve natural
234 resources ~~promote energy conservation~~, and improve quality of
235 life.

236 5. Enhance the integration and connectivity of the
237 transportation system, across and between modes and contiguous
238 urbanized metropolitan areas, for people and freight.

239 6. Promote efficient system management and operation.

240 7. Emphasize the preservation of the existing
241 transportation system.

242 8. Improve the resilience of transportation infrastructure.



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243 9. Reduce traffic and congestion.

244 (i) By February 28, 2025 ~~December 31, 2023~~, the M.P.O.'s
245 serving Lee and Collier Hillsborough, Pasco, and Pinellas
246 Counties must submit a feasibility report to the Governor, the
247 President of the Senate, and the Speaker of the House of
248 Representatives exploring the benefits, costs, and process of
249 consolidation into a single M.P.O. serving the contiguous
250 urbanized area, the goal of which would be to:

251 1. Coordinate transportation projects deemed to be
252 regionally significant.

253 2. Review the impact of regionally significant land use
254 decisions on the region.

255 3. Review all proposed regionally significant
256 transportation projects in their respective ~~the~~ transportation
257 improvement programs.

258 (j)1. To more fully accomplish the purposes for which
259 M.P.O.'s have been mandated, the department shall, at least
260 annually, convene M.P.O.'s of similar size, based on the size of
261 population served, for the purpose of exchanging best practices.
262 M.P.O.'s may ~~shall~~ develop committees or working groups as
263 needed to accomplish such purpose. At the discretion of the
264 department, training for new M.P.O. governing board members must
265 be provided by the department, by an entity pursuant to a
266 contract with the department, by the Florida Center for Urban
267 Transportation Research, or by the Implementing Solutions from
268 Transportation Research and Evaluating Emerging Technologies (I-
269 STREET) Living Lab ~~coordination mechanisms with one another to~~
270 ~~expand and improve transportation within the state. The~~
271 ~~appropriate method of coordination between M.P.O.'s shall vary~~



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272 ~~depending upon the project involved and given local and regional~~
273 ~~needs. Consequently, it is appropriate to set forth a flexible~~
274 ~~methodology that can be used by M.P.O.'s to coordinate with~~
275 ~~other M.P.O.'s and appropriate political subdivisions as~~
276 ~~circumstances demand.~~

277 2. Any M.P.O. may join with any other M.P.O. or any
278 individual political subdivision to coordinate activities or to
279 achieve any federal or state transportation planning or
280 development goals or purposes consistent with federal or state
281 law. When an M.P.O. determines that it is appropriate to join
282 with another M.P.O. or any political subdivision to coordinate
283 activities, the M.P.O. or political subdivision shall enter into
284 an interlocal agreement pursuant to s. 163.01, which, at a
285 minimum, creates a separate legal or administrative entity to
286 coordinate the transportation planning or development activities
287 required to achieve the goal or purpose; provides the purpose
288 for which the entity is created; provides the duration of the
289 agreement and the entity and specifies how the agreement may be
290 terminated, modified, or rescinded; describes the precise
291 organization of the entity, including who has voting rights on
292 the governing board, whether alternative voting members are
293 provided for, how voting members are appointed, and what the
294 relative voting strength is for each constituent M.P.O. or
295 political subdivision; provides the manner in which the parties
296 to the agreement will provide for the financial support of the
297 entity and payment of costs and expenses of the entity; provides
298 the manner in which funds may be paid to and disbursed from the
299 entity; and provides how members of the entity will resolve
300 disagreements regarding interpretation of the interlocal



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301 agreement or disputes relating to the operation of the entity.
302 Such interlocal agreement shall become effective upon its
303 recordation in the official public records of each county in
304 which a member of the entity created by the interlocal agreement
305 has a voting member. Multiple M.P.O.'s may merge, combine, or
306 otherwise join together as a single M.P.O.

307 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must
308 develop a long-range transportation plan that addresses at least
309 a 20-year planning horizon. The plan must include both long-
310 range and short-range strategies and must comply with all other
311 state and federal requirements. The prevailing principles to be
312 considered in the long-range transportation plan are: preserving
313 the existing transportation infrastructure; enhancing Florida's
314 economic competitiveness; and improving travel choices to ensure
315 mobility. The long-range transportation plan must be consistent,
316 to the maximum extent feasible, with future land use elements
317 and the goals, objectives, and policies of the approved local
318 government comprehensive plans of the units of local government
319 located within the jurisdiction of the M.P.O. Each M.P.O. is
320 encouraged to consider strategies that integrate transportation
321 and land use planning to provide for sustainable development and
322 reduce greenhouse gas emissions. The approved long-range
323 transportation plan must be considered by local governments in
324 the development of the transportation elements in local
325 government comprehensive plans and any amendments thereto. The
326 long-range transportation plan must, at a minimum:

327 (a) Identify transportation facilities, including, but not
328 limited to, major roadways, airports, seaports, spaceports,
329 commuter rail systems, transit systems, and intermodal or



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330 multimodal terminals that will function as an integrated
331 metropolitan transportation system. The long-range
332 transportation plan must give emphasis to those transportation
333 facilities that serve national, statewide, or regional
334 functions, and must consider the goals and objectives identified
335 in the Florida Transportation Plan as provided in s. 339.155. If
336 a project is located within the boundaries of more than one
337 M.P.O., the M.P.O.'s must coordinate plans regarding the project
338 in the long-range transportation plan. ~~Multiple M.P.O.'s within
339 a contiguous urbanized area must coordinate the development of
340 long-range transportation plans to be reviewed by the
341 Metropolitan Planning Organization Advisory Council.~~

342 (b) Include a financial plan that demonstrates how the plan
343 can be implemented, indicating resources from public and private
344 sources which are reasonably expected to be available to carry
345 out the plan, and recommends any additional financing strategies
346 for needed projects and programs. The financial plan may
347 include, for illustrative purposes, additional projects that
348 would be included in the adopted long-range transportation plan
349 if reasonable additional resources beyond those identified in
350 the financial plan were available. For the purpose of developing
351 the long-range transportation plan, the M.P.O. and the
352 department shall cooperatively develop estimates of funds that
353 will be available to support the plan implementation. Innovative
354 financing techniques may be used to fund needed projects and
355 programs. Such techniques may include the assessment of tolls,
356 public-private partnerships, the use of value capture financing,
357 or the use of value pricing. Multiple M.P.O.'s within a
358 contiguous urbanized area must ensure, to the maximum extent



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359 possible, the consistency of data used in the planning process.

360 (c) Assess capital investment and other measures necessary
361 to:

362 1. Ensure the preservation of the existing metropolitan
363 transportation system including requirements for the operation,
364 resurfacing, restoration, and rehabilitation of major roadways
365 and requirements for the operation, maintenance, modernization,
366 and rehabilitation of public transportation facilities; and

367 2. Make the most efficient use of existing transportation
368 facilities to relieve vehicular congestion, improve safety, and
369 maximize the mobility of people and goods. Such efforts must
370 include, but are not limited to, consideration of infrastructure
371 and technological improvements necessary to accommodate advances
372 in vehicle technology, such as automated driving systems and
373 other developments.

374 (d) Indicate, as appropriate, proposed transportation
375 enhancement activities, including, but not limited to,
376 pedestrian and bicycle facilities, trails or facilities that are
377 regionally significant or critical linkages for the Florida
378 Shared-Use Nonmotorized Trail Network, scenic easements,
379 landscaping, integration of advanced air mobility, and
380 integration of autonomous and electric vehicles, electric
381 bicycles, and motorized scooters used for freight, commuter, or
382 micromobility purposes ~~historic preservation, mitigation of~~
383 ~~water pollution due to highway runoff, and control of outdoor~~
384 ~~advertising.~~

385 (e) In addition to the requirements of paragraphs (a)-(d),
386 in metropolitan areas that are classified as nonattainment areas
387 for ozone or carbon monoxide, the M.P.O. must coordinate the



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388 development of the long-range transportation plan with the State
389 Implementation Plan developed pursuant to the requirements of
390 the federal Clean Air Act.

391
392 In the development of its long-range transportation plan, each
393 M.P.O. must provide the public, affected public agencies,
394 representatives of transportation agency employees, freight
395 shippers, providers of freight transportation services, private
396 providers of transportation, representatives of users of public
397 transit, and other interested parties with a reasonable
398 opportunity to comment on the long-range transportation plan.
399 The long-range transportation plan must be approved by the
400 M.P.O. and by the department as provided in subsection (10).

401 (10) ACCOUNTABILITY.—

402 (a) The department shall review each M.P.O.'s long-range
403 transportation plan for productive flow and connectivity for
404 people and freight within the M.P.O.'s metropolitan area. If the
405 department finds an M.P.O.'s long-range transportation plan to
406 be unsatisfactory or incongruent with the metropolitan area, the
407 department must return the plan to the M.P.O. for revision.

408 (b) The department shall create quality performance metrics
409 and a scoring mechanism by which to evaluate each M.P.O.'s
410 service to its communities, taking into consideration traffic
411 congestion, the utilization rate of multimodal transportation
412 facilities, resident satisfaction, efficiency of the
413 transportation system for people and freight, and other factors
414 the department deems necessary. The department shall establish a
415 minimum acceptable quality performance score.

416 (c) Beginning in 2025, and each year thereafter, each



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417 M.P.O. shall report its score for each quality performance
418 metric by December 1 to the district secretary and shall publish
419 the score and supporting data on its website. The department
420 shall validate each M.P.O.'s score calculation and make
421 adjustments thereto if necessary.

422 ~~(11) METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL.—~~

423 ~~(a) A Metropolitan Planning Organization Advisory Council~~
424 ~~is created to augment, and not supplant, the role of the~~
425 ~~individual M.P.O.'s in the cooperative transportation planning~~
426 ~~process described in this section.~~

427 ~~(b) The council shall consist of one representative from~~
428 ~~each M.P.O. and shall elect a chairperson annually from its~~
429 ~~number. Each M.P.O. shall also elect an alternate representative~~
430 ~~from each M.P.O. to vote in the absence of the representative.~~
431 ~~Members of the council do not receive any compensation for their~~
432 ~~services, but may be reimbursed from funds made available to~~
433 ~~council members for travel and per diem expenses incurred in the~~
434 ~~performance of their council duties as provided in s. 112.061.~~

435 ~~(c) The powers and duties of the Metropolitan Planning~~
436 ~~Organization Advisory Council are to:~~

437 ~~1. Establish bylaws by action of its governing board~~
438 ~~providing procedural rules to guide its proceedings and~~
439 ~~consideration of matters before the council, or, alternatively,~~
440 ~~adopt rules pursuant to ss. 120.536(1) and 120.54 to implement~~
441 ~~provisions of law conferring powers or duties upon it.~~

442 ~~2. Assist M.P.O.'s in carrying out the urbanized area~~
443 ~~transportation planning process by serving as the principal~~
444 ~~forum for collective policy discussion pursuant to law.~~

445 ~~3. Serve as a clearinghouse for review and comment by~~



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446 ~~M.P.O.'s on the Florida Transportation Plan and on other issues~~
447 ~~required to comply with federal or state law in carrying out the~~
448 ~~urbanized area transportation and systematic planning processes~~
449 ~~instituted pursuant to s. 339.155. The council must also report~~
450 ~~annually to the Florida Transportation Commission on the~~
451 ~~alignment of M.P.O. long-range transportation plans with the~~
452 ~~Florida Transportation Plan.~~

453 ~~4. Employ an executive director and such other staff as~~
454 ~~necessary to perform adequately the functions of the council,~~
455 ~~within budgetary limitations. The executive director and staff~~
456 ~~are exempt from part II of chapter 110 and serve at the~~
457 ~~direction and control of the council. The council is assigned to~~
458 ~~the Office of the Secretary of the Department of Transportation~~
459 ~~for fiscal and accountability purposes, but it shall otherwise~~
460 ~~function independently of the control and direction of the~~
461 ~~department.~~

462 ~~5. Deliver training on federal and state program~~
463 ~~requirements and procedures to M.P.O. board members and M.P.O.~~
464 ~~staff.~~

465 ~~6. Adopt an agency strategic plan that prioritizes steps~~
466 ~~the agency will take to carry out its mission within the context~~
467 ~~of the state comprehensive plan and any other statutory mandates~~
468 ~~and directives.~~

469 ~~(d) The Metropolitan Planning Organization Advisory Council~~
470 ~~may enter into contracts in accordance with chapter 287 to~~
471 ~~support the activities described in paragraph (c). Lobbying and~~
472 ~~the acceptance of funds, grants, assistance, gifts, or bequests~~
473 ~~from private, local, state, or federal sources are prohibited.~~

474 ~~Section 8. Paragraph (b) of subsection (17) of section~~



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475 627.748, Florida Statutes, is amended to read:

476 627.748 Transportation network companies.—

477 (17) PREEMPTION.—

478 (b) This subsection does not prohibit an airport or a
479 seaport from charging the same reasonable pickup fees ~~consistent~~
480 ~~with any pickup fees~~ charged for all ~~to~~ taxicab pickups
481 ~~companies~~ at that airport or seaport for their use of the
482 airport's or seaport's facilities or prohibit the airport or
483 seaport from designating locations for staging, pickup, and
484 other similar operations at the airport or seaport.

485 Section 9. Subsection (6) of section 28.37, Florida
486 Statutes, is amended to read:

487 28.37 Fines, fees, service charges, and costs remitted to
488 the state.—

489 (6) Ten percent of all court-related fines collected by the
490 clerk, except for penalties or fines distributed to counties or
491 municipalities under s. 316.0083(1)(b)3. or s. 318.18(16)(a) ~~s.~~
492 ~~318.18(15)(a)~~, must be deposited into the fine and forfeiture
493 fund to be used exclusively for clerk court-related functions,
494 as provided in s. 28.35(3)(a).

495 Section 10. Paragraph (c) of subsection (1) of section
496 142.01, Florida Statutes, is amended to read:

497 142.01 Fine and forfeiture fund; disposition of revenue;
498 clerk of the circuit court.—

499 (1) There shall be established by the clerk of the circuit
500 court in each county of this state a separate fund to be known
501 as the fine and forfeiture fund for use by the clerk of the
502 circuit court in performing court-related functions. The fund
503 shall consist of the following:



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504 (c) Court costs pursuant to ss. 28.2402(1)(b),
505 34.045(1)(b), 318.14(10)(b), 318.18(12)(a) ~~318.18(11)(a)~~,
506 327.73(9)(a) and (11)(a), and 938.05(3).

507 Section 11. Subsection (4) of section 316.1951, Florida
508 Statutes, is amended to read:

509 316.1951 Parking for certain purposes prohibited; sale of
510 motor vehicles; prohibited acts.—

511 (4) A local government may adopt an ordinance to allow the
512 towing of a motor vehicle parked in violation of this section. A
513 law enforcement officer, compliance officer, code enforcement
514 officer from any local government agency, or supervisor of the
515 department may issue a citation and cause to be immediately
516 removed at the owner's expense any motor vehicle found in
517 violation of subsection (1), except as provided in subsections
518 (2) and (3), or in violation of subsection (5), subsection (6),
519 subsection (7), or subsection (8), and the owner shall be
520 assessed a penalty as provided in s. 318.18(22) ~~s. 318.18(21)~~ by
521 the government agency or authority that orders immediate removal
522 of the motor vehicle. A motor vehicle removed under this section
523 shall not be released from an impound or towing and storage
524 facility before a release form prescribed by the department has
525 been completed verifying that the fine has been paid to the
526 government agency or authority that ordered immediate removal of
527 the motor vehicle. However, the owner may pay towing and storage
528 charges to the towing and storage facility pursuant to s. 713.78
529 before payment of the fine or before the release form has been
530 completed.

531 Section 12. Subsection (4) of section 316.306, Florida
532 Statutes, is amended to read:



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533 316.306 School and work zones; prohibition on the use of a
534 wireless communications device in a handheld manner.—

535 (4) (a) Any person who violates this section commits a
536 noncriminal traffic infraction, punishable as a moving
537 violation, as provided in chapter 318, and shall have 4 ~~3~~ points
538 assessed against his or her driver license as set forth in s.
539 322.27(3)(d)8. ~~s. 322.27(3)(d)7.~~ For a first offense under this
540 section, in lieu of the penalty specified in s. 318.18 and the
541 assessment of points, a person who violates this section may
542 elect to participate in a wireless communications device driving
543 safety program approved by the Department of Highway Safety and
544 Motor Vehicles. Upon completion of such program, the penalty
545 specified in s. 318.18 and associated costs may be waived by the
546 clerk of the court and the assessment of points must be waived.

547 (b) The clerk of the court may dismiss a case and assess
548 court costs in accordance with s. 318.18(12)(a) ~~s. 318.18(11)(a)~~
549 for a nonmoving traffic infraction for a person who is cited for
550 a first time violation of this section if the person shows the
551 clerk proof of purchase of equipment that enables his or her
552 personal wireless communications device to be used in a hands-
553 free manner.

554 Section 13. Subsection (7) of section 316.622, Florida
555 Statutes, is amended to read:

556 316.622 Farm labor vehicles.—

557 (7) A violation of this section is a noncriminal traffic
558 infraction, punishable as provided in s. 318.18(17) ~~s.~~
559 ~~318.18(16).~~

560 Section 14. Section 318.121, Florida Statutes, is amended
561 to read:



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562 318.121 Preemption of additional fees, fines, surcharges,
563 and costs.—Notwithstanding any general or special law, or
564 municipal or county ordinance, additional fees, fines,
565 surcharges, or costs other than the court costs and surcharges
566 assessed under s. 318.18(12), (14), (19), (20), and (23) ~~s.~~
567 ~~318.18(11), (13), (18), (19), and (22)~~ may not be added to the
568 civil traffic penalties assessed under this chapter.

569 Section 15. Subsections (13), (16) through (19), and (21)
570 of section 318.21, Florida Statutes, are amended to read:

571 318.21 Disposition of civil penalties by county courts.—All
572 civil penalties received by a county court pursuant to the
573 provisions of this chapter shall be distributed and paid monthly
574 as follows:

575 (13) Of the proceeds from the fine under s. 318.18(16) ~~s.~~
576 ~~318.18(15)~~, \$65 shall be remitted to the Department of Revenue
577 for deposit into the Administrative Trust Fund of the Department
578 of Health and the remaining \$60 shall be distributed pursuant to
579 subsections (1) and (2).

580 (16) The proceeds from the fines described in s. 318.18(17)
581 ~~s. 318.18(16)~~ shall be remitted to the law enforcement agency
582 that issues the citation for a violation of s. 316.622. The
583 funds must be used for continued education and enforcement of s.
584 316.622 and other related safety measures contained in chapter
585 316.

586 (17) Notwithstanding subsections (1) and (2), the proceeds
587 from the surcharge imposed under s. 318.18(18) ~~s. 318.18(17)~~
588 shall be distributed as provided in that subsection. This
589 subsection expires July 1, 2026.

590 (18) Notwithstanding subsections (1) and (2), the proceeds



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591 from the administrative fee imposed under s. 318.18(19) ~~s.~~
592 ~~318.18(18)~~ shall be distributed as provided in that subsection.

593 (19) Notwithstanding subsections (1) and (2), the proceeds
594 from the Article V assessment imposed under s. 318.18(20) ~~s.~~
595 ~~318.18(19)~~ shall be distributed as provided in that subsection.

596 (21) Notwithstanding subsections (1) and (2), the proceeds
597 from the additional penalties imposed pursuant to s.
598 318.18(5) (c) and (21) ~~(20)~~ shall be distributed as provided in
599 that section.

600 Section 16. Paragraph (d) of subsection (3) of section
601 322.27, Florida Statutes, is amended to read:

602 322.27 Authority of department to suspend or revoke driver
603 license or identification card.-

604 (3) There is established a point system for evaluation of
605 convictions of violations of motor vehicle laws or ordinances,
606 and violations of applicable provisions of s. 403.413(6) (b) when
607 such violations involve the use of motor vehicles, for the
608 determination of the continuing qualification of any person to
609 operate a motor vehicle. The department is authorized to suspend
610 the license of any person upon showing of its records or other
611 good and sufficient evidence that the licensee has been
612 convicted of violation of motor vehicle laws or ordinances, or
613 applicable provisions of s. 403.413(6) (b), amounting to 12 or
614 more points as determined by the point system. The suspension
615 shall be for a period of not more than 1 year.

616 (d) The point system shall have as its basic element a
617 graduated scale of points assigning relative values to
618 convictions of the following violations:

619 1. Reckless driving, willful and wanton-4 points.



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- 620 2. Leaving the scene of a crash resulting in property
621 damage of more than \$50—6 points.
- 622 3. Unlawful speed, or unlawful use of a wireless
623 communications device, resulting in a crash—6 points.
- 624 4. Passing a stopped school bus:
- 625 a. Not causing or resulting in serious bodily injury to or
626 death of another—4 points.
- 627 b. Causing or resulting in serious bodily injury to or
628 death of another—6 points.
- 629 c. Points may not be imposed for a violation of passing a
630 stopped school bus as provided in s. 316.172(1)(a) or (b) when
631 enforced by a school bus infraction detection system pursuant s.
632 316.173. In addition, a violation of s. 316.172(1)(a) or (b)
633 when enforced by a school bus infraction detection system
634 pursuant to s. 316.173 may not be used for purposes of setting
635 motor vehicle insurance rates.
- 636 5. Unlawful speed:
- 637 a. Not in excess of 15 miles per hour of lawful or posted
638 speed—3 points.
- 639 b. In excess of 15 miles per hour of lawful or posted
640 speed—4 points.
- 641 c. Points may not be imposed for a violation of unlawful
642 speed as provided in s. 316.1895 or s. 316.183 when enforced by
643 a traffic infraction enforcement officer pursuant to s.
644 316.1896. In addition, a violation of s. 316.1895 or s. 316.183
645 when enforced by a traffic infraction enforcement officer
646 pursuant to s. 316.1896 may not be used for purposes of setting
647 motor vehicle insurance rates.
- 648 6. A violation of a traffic control signal device as



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649 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.
650 However, points may not be imposed for a violation of s.
651 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
652 stop at a traffic signal and when enforced by a traffic
653 infraction enforcement officer. In addition, a violation of s.
654 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
655 stop at a traffic signal and when enforced by a traffic
656 infraction enforcement officer may not be used for purposes of
657 setting motor vehicle insurance rates.

658 7. Unlawfully driving a vehicle through a railroad-highway
659 grade crossing—6 points.

660 8. All other moving violations (including parking on a
661 highway outside the limits of a municipality)—3 points. However,
662 points may not be imposed for a violation of s. 316.0741 or s.
663 316.2065(11); and points may be imposed for a violation of s.
664 316.1001 only when imposed by the court after a hearing pursuant
665 to s. 318.14(5).

666 ~~9.8.~~ Any moving violation covered in this paragraph,
667 excluding unlawful speed and unlawful use of a wireless
668 communications device, resulting in a crash—4 points.

669 ~~10.9.~~ Any conviction under s. 403.413(6)(b)—3 points.

670 ~~11.10.~~ Any conviction under s. 316.0775(2)—4 points.

671 ~~12.11.~~ A moving violation covered in this paragraph which
672 is committed in conjunction with the unlawful use of a wireless
673 communications device within a school safety zone—2 points, in
674 addition to the points assigned for the moving violation.

675 Section 17. Subsection (14) of section 331.3051, Florida
676 Statutes, is amended to read:

677 331.3051 Duties of Space Florida.—Space Florida shall:



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678 ~~(14) Partner with the Metropolitan Planning Organization~~
679 ~~Advisory Council to coordinate and specify how aerospace~~
680 ~~planning and programming will be part of the state's cooperative~~
681 ~~transportation planning process.~~

682 Section 18. Paragraph (e) of subsection (2) of section
683 331.310, Florida Statutes, is amended to read:

684 331.310 Powers and duties of the board of directors.—

685 (2) The board of directors shall:

686 (e) Prepare an annual report of operations as a supplement
687 to the annual report required under s. 331.3051(15) ~~s.~~

688 ~~331.3051(16)~~. The report must include, but not be limited to, a
689 balance sheet, an income statement, a statement of changes in
690 financial position, a reconciliation of changes in equity
691 accounts, a summary of significant accounting principles, the
692 auditor's report, a summary of the status of existing and
693 proposed bonding projects, comments from management about the
694 year's business, and prospects for the next year.

695 Section 19. Subsection (1) of section 395.4036, Florida
696 Statutes, is amended to read:

697 395.4036 Trauma payments.—

698 (1) Recognizing the Legislature's stated intent to provide
699 financial support to the current verified trauma centers and to
700 provide incentives for the establishment of additional trauma
701 centers as part of a system of state-sponsored trauma centers,
702 the department shall utilize funds collected under s. 318.18 and
703 deposited into the Emergency Medical Services Trust Fund of the
704 department to ensure the availability and accessibility of
705 trauma services throughout the state as provided in this
706 subsection.



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707 (a) Funds collected under s. 318.18(16) ~~s. 318.18(15)~~ shall
708 be distributed as follows:

709 1. Twenty percent of the total funds collected during the
710 state fiscal year shall be distributed to verified trauma
711 centers that have a local funding contribution as of December
712 31. Distribution of funds under this subparagraph shall be based
713 on trauma caseload volume for the most recent calendar year
714 available.

715 2. Forty percent of the total funds collected shall be
716 distributed to verified trauma centers based on trauma caseload
717 volume for the most recent calendar year available. The
718 determination of caseload volume for distribution of funds under
719 this subparagraph shall be based on the hospital discharge data
720 for patients who meet the criteria for classification as a
721 trauma patient reported by each trauma center pursuant to s.
722 408.061.

723 3. Forty percent of the total funds collected shall be
724 distributed to verified trauma centers based on severity of
725 trauma patients for the most recent calendar year available. The
726 determination of severity for distribution of funds under this
727 subparagraph shall be based on the department's International
728 Classification Injury Severity Scores or another statistically
729 valid and scientifically accepted method of stratifying a trauma
730 patient's severity of injury, risk of mortality, and resource
731 consumption as adopted by the department by rule, weighted based
732 on the costs associated with and incurred by the trauma center
733 in treating trauma patients. The weighting of scores shall be
734 established by the department by rule.

735 (b) Funds collected under s. 318.18(5)(c) and (21) ~~s.~~



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736 ~~318.18(5)(e) and (20)~~ shall be distributed as follows:

737 1. Thirty percent of the total funds collected shall be
738 distributed to Level II trauma centers operated by a public
739 hospital governed by an elected board of directors as of
740 December 31, 2008.

741 2. Thirty-five percent of the total funds collected shall
742 be distributed to verified trauma centers based on trauma
743 caseload volume for the most recent calendar year available. The
744 determination of caseload volume for distribution of funds under
745 this subparagraph shall be based on the hospital discharge data
746 for patients who meet the criteria for classification as a
747 trauma patient reported by each trauma center pursuant to s.
748 408.061.

749 3. Thirty-five percent of the total funds collected shall
750 be distributed to verified trauma centers based on severity of
751 trauma patients for the most recent calendar year available. The
752 determination of severity for distribution of funds under this
753 subparagraph shall be based on the department's International
754 Classification Injury Severity Scores or another statistically
755 valid and scientifically accepted method of stratifying a trauma
756 patient's severity of injury, risk of mortality, and resource
757 consumption as adopted by the department by rule, weighted based
758 on the costs associated with and incurred by the trauma center
759 in treating trauma patients. The weighting of scores shall be
760 established by the department by rule.

761 Section 20. By October 31, 2024, the Department of
762 Transportation shall submit to the Governor, the President of
763 the Senate, and the Speaker of the House of Representatives a
764 report that provides a comprehensive review of the boundaries of



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765 each of the department's districts and makes recommendations as
766 to whether any district's boundaries should be redrawn as a
767 result of population growth and increased urban density.

768 Section 21. This act shall take effect July 1, 2024.
769

770 ===== T I T L E A M E N D M E N T =====

771 And the title is amended as follows:

772 Delete everything before the enacting clause
773 and insert:

774 An act relating to transportation; amending s. 20.23,
775 F.S.; deleting obsolete language; amending s.
776 316.1575, F.S.; revising provisions requiring a person
777 approaching a railroad-highway grade crossing to stop
778 within a certain distance from the nearest rail;
779 revising penalties; amending s. 316.1576, F.S.;
780 revising circumstances under which a person is
781 prohibited from driving a vehicle through a railroad-
782 highway grade crossing; revising penalties; amending
783 s. 318.18, F.S.; revising penalties for certain
784 violations; providing a penalty for a certain
785 violation; amending s. 334.065, F.S.; revising the
786 membership of the Center for Urban Transportation
787 Research advisory board; deleting a requirement that
788 the appointments of certain board members be reviewed
789 and approved by the Florida Transportation Commission
790 and confirmed by the Board of Governors of the State
791 University System; amending s. 334.066, F.S.; revising
792 the membership of the Implementing Solutions from
793 Transportation Research and Evaluating Emerging



794 Technologies (I-STREET) Living Lab advisory board;
795 amending s. 339.175, F.S.; revising legislative
796 intent; prohibiting the designation of additional
797 metropolitan planning organizations (M.P.O.'s) after a
798 specified date except in certain urbanized areas;
799 deleting provisions relating to duties for a
800 designated M.P.O.; revising projects and strategies to
801 be considered in developing an M.P.O.'s long-range
802 transportation plan and transportation improvement
803 program; revising the M.P.O.'s required to submit to
804 the Governor and the Legislature, by a specified date,
805 a feasibility report regarding consolidation;
806 requiring the department to periodically convene
807 M.P.O.'s of similar size to exchange best practices;
808 authorizing such M.P.O.'s to develop committees or
809 working groups; requiring training for new M.P.O.
810 governing board members to be provided by the
811 department or, at the discretion of the department,
812 another specified entity; deleting a provision
813 relating to M.P.O. coordination mechanisms; including
814 public-private partnerships as an authorized
815 innovative financing technique for needed projects and
816 programs; revising proposed transportation enhancement
817 activities that must be indicated by the long-range
818 transportation plan; providing that M.P.O. long-range
819 transportation plans must be approved by the
820 department, as well as the M.P.O.; requiring the
821 department to review certain aspects of each M.P.O.'s
822 long-range transportation plan and to return the plan



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823 to the M.P.O. for revision if deemed unsatisfactory;
824 requiring the department to create quality performance
825 metrics and a scoring mechanism to evaluate each
826 M.P.O.'s service to its communities and to establish a
827 minimum acceptable quality performance score;
828 requiring each M.P.O. to report its quality
829 performance score annually to the district secretary
830 and to publish the score on its website, beginning on
831 a specified date; requiring the department to validate
832 each M.P.O.'s score calculation and make any necessary
833 adjustments; deleting provisions relating to the
834 Metropolitan Planning Organization Advisory Council;
835 amending s. 627.748, F.S.; revising the preemption of
836 airports or seaports relating to fees charged for
837 taxicab pickups at such airports and seaports;
838 amending ss. 28.37, 142.01, 316.1951, 316.306,
839 316.622, 318.121, 318.21, 322.27, 331.3051, 331.310,
840 and 395.4036, F.S.; conforming cross-references and
841 provisions to changes made by the act; requiring the
842 department to submit a report to the Governor and
843 Legislature by a specified date which provides a
844 comprehensive review of the boundaries of department
845 districts and makes certain recommendations; providing
846 an effective date.

By the Committee on Transportation; and Senator Gruters

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1 A bill to be entitled
 2 An act relating to transportation; amending s. 20.23,
 3 F.S.; deleting obsolete language; amending s. 334.065,
 4 F.S.; revising the membership of the Center for Urban
 5 Transportation Research advisory board; requiring
 6 review and approval of certain recommendations to the
 7 advisory board by the Florida Transportation
 8 Commission and confirmation of such nominations by the
 9 Board of Governors; amending s. 334.066, F.S.;
 10 revising the membership of the Implementing Solutions
 11 from Transportation Research and Evaluating Emerging
 12 Technologies (I-STREET) Living Lab advisory board;
 13 amending s. 339.175, F.S.; revising legislative
 14 intent; prohibiting the designation of additional
 15 metropolitan planning organizations (M.P.O.'s) after a
 16 specified date except in certain urbanized areas;
 17 deleting provisions relating to duties for a
 18 designated M.P.O.; revising projects and strategies to
 19 be considered in developing an M.P.O.'s long-range
 20 transportation plan and transportation improvement
 21 program; revising the M.P.O.'s required to submit to
 22 the Governor and the Legislature, by a specified date,
 23 a feasibility report regarding consolidation;
 24 requiring the department to periodically convene
 25 M.P.O.'s of similar size to exchange best practices;
 26 authorizing such M.P.O.'s to develop committees or
 27 working groups; requiring training for new M.P.O.
 28 governing board members to be provided by the
 29 department or, at the discretion of the department,

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 another specified entity; deleting a provision
 31 relating to M.P.O. coordination mechanisms; including
 32 public-private partnerships as an authorized
 33 innovative financing technique for needed projects and
 34 programs; revising proposed transportation enhancement
 35 activities that must be indicated by the long-range
 36 transportation plan; providing that M.P.O. long-range
 37 transportation plans must be approved by the
 38 department, as well as the M.P.O.; requiring the
 39 department to review certain aspects of each M.P.O.'s
 40 long-range transportation plan and to return the plan
 41 to the M.P.O. for revision if deemed unsatisfactory;
 42 requiring the department to create quality performance
 43 metrics and a scoring mechanism to evaluate each
 44 M.P.O.'s service to its communities and to establish a
 45 minimum acceptable quality performance score;
 46 requiring each M.P.O. to report its quality
 47 performance score annually to the district secretary
 48 and to publish the score on its website, beginning on
 49 a specified date; requiring the department to validate
 50 each M.P.O.'s score calculation and make any necessary
 51 adjustments; deleting provisions relating to the
 52 Metropolitan Planning Organization Advisory Council;
 53 amending ss. 331.3051 and 331.310, F.S.; conforming
 54 cross-references and provisions to changes made by the
 55 act; requiring the department to submit a report to
 56 the Governor and Legislature by a specified date which
 57 provides a comprehensive review of the boundaries of
 58 department districts and makes certain

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59 recommendations; providing an effective date.

60

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

62

63 Section 1. Paragraph (e) of subsection (1) of section
64 20.23, Florida Statutes, is amended to read:

65 20.23 Department of Transportation.—There is created a
66 Department of Transportation which shall be a decentralized
67 agency.

68 (1)

69 (e) The ~~Any~~ secretary appointed after July 5, 1989, and the
70 assistant secretaries are ~~shall be~~ exempt from the provisions of
71 part III of chapter 110 and shall receive compensation
72 commensurate with their qualifications and competitive with
73 compensation for comparable responsibility in the private
74 sector.

75 Section 2. Subsection (3) of section 334.065, Florida
76 Statutes, is amended to read:

77 334.065 Center for Urban Transportation Research.—

78 (3) An advisory board shall be created to periodically and
79 objectively review and advise the center concerning its research
80 program. Except for projects mandated by law, state-funded base
81 projects shall not be undertaken without approval of the
82 advisory board. The membership of the board shall be composed
83 ~~consist~~ of 10 ~~nine~~ experts in transportation-related areas, as
84 follows:

85 (a) One member appointed by the President of the Senate.

86 (b) One member appointed by the Speaker of the House of
87 Representatives.

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88 (c) The Secretary of Transportation or his or her designee.

89 (d) The Secretary of Commerce or his or her designee.

90 (e) A member of the Florida Transportation Commission.

91 (f) Five including the secretaries of the Department of

92 ~~Transportation, the Department of Environmental Protection, and~~

93 ~~the Department of Economic Opportunity, or their designees, and~~

94 ~~a member of the Florida Transportation Commission. The~~

95 ~~nomination of the remaining members~~ recommended ~~of the board~~

96 ~~shall be made~~ to the President of the University of South

97 Florida by the College of Engineering at the University of South

98 Florida, ~~and~~ The appointment of these members must be reviewed

99 and approved by the Florida Transportation Commission and

100 confirmed by the Board of Governors.

101 Section 3. Paragraph (d) of subsection (3) of section
102 334.066, Florida Statutes, is amended to read:

103 334.066 Implementing Solutions from Transportation Research
104 and Evaluating Emerging Technologies Living Lab.—

105 (3) An advisory board shall be created to periodically
106 review and advise I-STREET concerning its research program. The
107 board shall consist of nine members with expertise in
108 transportation-related areas, as follows:

109 (d) The Secretary of Commerce ~~Economic Opportunity~~ or his
110 or her designee.

111 Section 4. Present subsection (10) of section 339.175,
112 Florida Statutes, is redesignated as subsection (11), a new
113 subsection (10) is added to that section, and subsection (1),
114 paragraph (a) of subsection (2), paragraphs (b), (i), and (j) of
115 subsection (6), subsection (7), and present subsection (11) are
116 amended, to read:

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117 339.175 Metropolitan planning organization.-
 118 (1) ~~INTENT PURPOSE.~~-It is the intent of the Legislature to
 119 encourage and promote the safe and efficient management,
 120 operation, and development of multimodal surface transportation
 121 systems that will serve the mobility needs of people and freight
 122 and foster economic growth and development within and through
 123 urbanized areas of this state while balancing the conservation
 124 of natural resources ~~minimizing transportation-related fuel~~
 125 ~~consumption, air pollution, and greenhouse gas emissions through~~
 126 ~~metropolitan transportation planning processes identified in~~
 127 ~~this section.~~ To accomplish these objectives, metropolitan
 128 planning organizations, referred to in this section as M.P.O.'s,
 129 shall develop, in cooperation with the state and public transit
 130 operators, transportation plans and programs for metropolitan
 131 areas. The plans and programs for each metropolitan area must
 132 provide for the development and integrated management and
 133 operation of transportation systems and facilities, including
 134 pedestrian walkways and bicycle transportation facilities that
 135 will function as an intermodal transportation system for the
 136 metropolitan area, based upon the prevailing principles provided
 137 in s. 334.046(1). The process for developing such plans and
 138 programs shall provide for consideration of all modes of
 139 transportation and shall be continuing, cooperative, and
 140 comprehensive, to the degree appropriate, based on the
 141 complexity of the transportation problems to be addressed. To
 142 ensure that the process is integrated with the statewide
 143 planning process, M.P.O.'s shall develop plans and programs that
 144 identify transportation facilities that should function as an
 145 integrated metropolitan transportation system, giving emphasis

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146 to facilities that serve important national, state, and regional
 147 transportation functions. For the purposes of this section,
 148 those facilities include the facilities on the Strategic
 149 Intermodal System designated under s. 339.63 and facilities for
 150 which projects have been identified pursuant to s. 339.2819(4).
 151 (2) DESIGNATION.-
 152 (a)1. An M.P.O. shall be designated for each urbanized area
 153 of the state; however, this does not require that an individual
 154 M.P.O. be designated for each such area. Such designation shall
 155 be accomplished by agreement between the Governor and units of
 156 general-purpose local government representing at least 75
 157 percent of the population of the urbanized area; however, the
 158 unit of general-purpose local government that represents the
 159 central city or cities within the M.P.O. jurisdiction, as
 160 defined by the United States Bureau of the Census, must be a
 161 party to such agreement.
 162 2. To the extent possible, only one M.P.O. shall be
 163 designated for each urbanized area or group of contiguous
 164 urbanized areas. More than one M.P.O. may be designated within
 165 an existing urbanized area only if the Governor and the existing
 166 M.P.O. determine that the size and complexity of the existing
 167 urbanized area makes the designation of more than one M.P.O. for
 168 the area appropriate. After July 1, 2024, no additional M.P.O.'s
 169 may be designated in this state except in urbanized areas, as
 170 defined by the United States Bureau of the Census, where the
 171 urbanized area boundary is not contiguous to an urbanized area
 172 designated before the 2020 census, ~~in which case each M.P.O.~~
 173 ~~designated for the area must:~~
 174 a. ~~Consult with every other M.P.O. designated for the~~

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175 ~~urbanized area and the state to coordinate plans and~~
 176 ~~transportation improvement programs.~~

177 ~~b. Ensure, to the maximum extent practicable, the~~
 178 ~~consistency of data used in the planning process, including data~~
 179 ~~used in forecasting travel demand within the urbanized area.~~

180
 181 Each M.P.O. required under this section must be fully operative
 182 no later than 6 months following its designation.

183 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,
 184 privileges, and authority of an M.P.O. are those specified in
 185 this section or incorporated in an interlocal agreement
 186 authorized under s. 163.01. Each M.P.O. shall perform all acts
 187 required by federal or state laws or rules, now and subsequently
 188 applicable, which are necessary to qualify for federal aid. It
 189 is the intent of this section that each M.P.O. be involved in
 190 the planning and programming of transportation facilities,
 191 including, but not limited to, airports, intercity and high-
 192 speed rail lines, seaports, and intermodal facilities, to the
 193 extent permitted by state or federal law. An M.P.O. may not
 194 perform project production or delivery for capital improvement
 195 projects on the State Highway System.

196 (b) In developing the long-range transportation plan and
 197 the transportation improvement program required under paragraph
 198 (a), each M.P.O. shall provide for consideration of projects and
 199 strategies that will:

- 200 1. Support the economic vitality of the contiguous
 201 urbanized metropolitan area, especially by enabling global
 202 competitiveness, productivity, and efficiency.
 203 2. Increase the safety and security of the transportation

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204 system for motorized and nonmotorized users.

205 3. Increase the accessibility and mobility options
 206 available to people and for freight.

207 4. Protect and enhance the environment, conserve natural
 208 resources ~~promote energy conservation~~, and improve quality of
 209 life.

210 5. Enhance the integration and connectivity of the
 211 transportation system, across and between modes and contiguous
 212 urbanized metropolitan areas, for people and freight.

213 6. Promote efficient system management and operation.

214 7. Emphasize the preservation of the existing
 215 transportation system.

216 8. Improve the resilience of transportation infrastructure.

217 9. Reduce traffic and congestion.

218 (i) By February 28, 2025 ~~December 31, 2023~~, the M.P.O.'s
 219 serving Lee and Collier Hillsborough, Pasco, and Pinellas
 220 Counties must submit a feasibility report to the Governor, the
 221 President of the Senate, and the Speaker of the House of
 222 Representatives exploring the benefits, costs, and process of
 223 consolidation into a single M.P.O. serving the contiguous
 224 urbanized area, the goal of which would be to:

225 1. Coordinate transportation projects deemed to be
 226 regionally significant.

227 2. Review the impact of regionally significant land use
 228 decisions on the region.

229 3. Review all proposed regionally significant
 230 transportation projects in their respective ~~the~~ transportation
 231 improvement programs.

232 (j)1. To more fully accomplish the purposes for which

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233 M.P.O.'s have been mandated, the department shall, at least
 234 annually, convene M.P.O.'s of similar size, based on the size of
 235 population served, for the purpose of exchanging best practices.
 236 M.P.O.'s ~~may shall~~ develop committees or working groups as
 237 needed to accomplish such purpose. At the discretion of the
 238 department, training for new M.P.O. governing board members must
 239 be provided by the department, by an entity pursuant to a
 240 contract with the department, by the Florida Center for Urban
 241 Transportation Research, or by the Implementing Solutions from
 242 Transportation Research and Evaluating Emerging Technologies (I-
 243 STREET) Living Lab coordination mechanisms with one another to
 244 expand and improve transportation within the state. The
 245 appropriate method of coordination between M.P.O.'s shall vary
 246 depending upon the project involved and given local and regional
 247 needs. Consequently, it is appropriate to set forth a flexible
 248 methodology that can be used by M.P.O.'s to coordinate with
 249 other M.P.O.'s and appropriate political subdivisions as
 250 circumstances demand.

251 2. Any M.P.O. may join with any other M.P.O. or any
 252 individual political subdivision to coordinate activities or to
 253 achieve any federal or state transportation planning or
 254 development goals or purposes consistent with federal or state
 255 law. When an M.P.O. determines that it is appropriate to join
 256 with another M.P.O. or any political subdivision to coordinate
 257 activities, the M.P.O. or political subdivision shall enter into
 258 an interlocal agreement pursuant to s. 163.01, which, at a
 259 minimum, creates a separate legal or administrative entity to
 260 coordinate the transportation planning or development activities
 261 required to achieve the goal or purpose; provides the purpose

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262 for which the entity is created; provides the duration of the
 263 agreement and the entity and specifies how the agreement may be
 264 terminated, modified, or rescinded; describes the precise
 265 organization of the entity, including who has voting rights on
 266 the governing board, whether alternative voting members are
 267 provided for, how voting members are appointed, and what the
 268 relative voting strength is for each constituent M.P.O. or
 269 political subdivision; provides the manner in which the parties
 270 to the agreement will provide for the financial support of the
 271 entity and payment of costs and expenses of the entity; provides
 272 the manner in which funds may be paid to and disbursed from the
 273 entity; and provides how members of the entity will resolve
 274 disagreements regarding interpretation of the interlocal
 275 agreement or disputes relating to the operation of the entity.
 276 Such interlocal agreement shall become effective upon its
 277 recordation in the official public records of each county in
 278 which a member of the entity created by the interlocal agreement
 279 has a voting member. Multiple M.P.O.'s may merge, combine, or
 280 otherwise join together as a single M.P.O.

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

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

301 (a) Identify transportation facilities, including, but not
 302 limited to, major roadways, airports, seaports, spaceports,
 303 commuter rail systems, transit systems, and intermodal or
 304 multimodal terminals that will function as an integrated
 305 metropolitan transportation system. The long-range
 306 transportation plan must give emphasis to those transportation
 307 facilities that serve national, statewide, or regional
 308 functions, and must consider the goals and objectives identified
 309 in the Florida Transportation Plan as provided in s. 339.155. If
 310 a project is located within the boundaries of more than one
 311 M.P.O., the M.P.O.'s must coordinate plans regarding the project
 312 in the long-range transportation plan. ~~Multiple M.P.O.'s within~~
 313 ~~a contiguous urbanized area must coordinate the development of~~
 314 ~~long-range transportation plans to be reviewed by the~~
 315 ~~Metropolitan Planning Organization Advisory Council.~~

316 (b) Include a financial plan that demonstrates how the plan
 317 can be implemented, indicating resources from public and private
 318 sources which are reasonably expected to be available to carry
 319 out the plan, and recommends any additional financing strategies

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320 for needed projects and programs. The financial plan may
 321 include, for illustrative purposes, additional projects that
 322 would be included in the adopted long-range transportation plan
 323 if reasonable additional resources beyond those identified in
 324 the financial plan were available. For the purpose of developing
 325 the long-range transportation plan, the M.P.O. and the
 326 department shall cooperatively develop estimates of funds that
 327 will be available to support the plan implementation. Innovative
 328 financing techniques may be used to fund needed projects and
 329 programs. Such techniques may include the assessment of tolls,
 330 public-private partnerships, the use of value capture financing,
 331 or the use of value pricing. Multiple M.P.O.'s within a
 332 contiguous urbanized area must ensure, to the maximum extent
 333 possible, the consistency of data used in the planning process.

334 (c) Assess capital investment and other measures necessary
 335 to:

336 1. Ensure the preservation of the existing metropolitan
 337 transportation system including requirements for the operation,
 338 resurfacing, restoration, and rehabilitation of major roadways
 339 and requirements for the operation, maintenance, modernization,
 340 and rehabilitation of public transportation facilities; and

341 2. Make the most efficient use of existing transportation
 342 facilities to relieve vehicular congestion, improve safety, and
 343 maximize the mobility of people and goods. Such efforts must
 344 include, but are not limited to, consideration of infrastructure
 345 and technological improvements necessary to accommodate advances
 346 in vehicle technology, such as automated driving systems and
 347 other developments.

348 (d) Indicate, as appropriate, proposed transportation

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349 enhancement activities, including, but not limited to,
 350 pedestrian and bicycle facilities, trails or facilities that are
 351 regionally significant or critical linkages for the Florida
 352 Shared-Use Nonmotorized Trail Network, scenic easements,
 353 landscaping, integration of advanced air mobility, and
 354 integration of autonomous and electric vehicles, electric
 355 bicycles, and motorized scooters used for freight, commuter, or
 356 micromobility purposes ~~historic preservation, mitigation of~~
 357 ~~water pollution due to highway runoff, and control of outdoor~~
 358 ~~advertising.~~

359 (e) In addition to the requirements of paragraphs (a)-(d),
 360 in metropolitan areas that are classified as nonattainment areas
 361 for ozone or carbon monoxide, the M.P.O. must coordinate the
 362 development of the long-range transportation plan with the State
 363 Implementation Plan developed pursuant to the requirements of
 364 the federal Clean Air Act.

365
 366 In the development of its long-range transportation plan, each
 367 M.P.O. must provide the public, affected public agencies,
 368 representatives of transportation agency employees, freight
 369 shippers, providers of freight transportation services, private
 370 providers of transportation, representatives of users of public
 371 transit, and other interested parties with a reasonable
 372 opportunity to comment on the long-range transportation plan.
 373 The long-range transportation plan must be approved by the
 374 M.P.O. and by the department as provided in subsection (10).

375 (10) ACCOUNTABILITY.-

376 (a) The department shall review each M.P.O.'s long-range
 377 transportation plan for productive flow and connectivity for

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378 people and freight within the M.P.O.'s metropolitan area. If the
 379 department finds an M.P.O.'s long-range transportation plan to
 380 be unsatisfactory or incongruent with the metropolitan area, the
 381 department must return the plan to the M.P.O. for revision.

382 (b) The department shall create quality performance metrics
 383 and a scoring mechanism by which to evaluate each M.P.O.'s
 384 service to its communities, taking into consideration traffic
 385 congestion, the utilization rate of multimodal transportation
 386 facilities, resident satisfaction, efficiency of the
 387 transportation system for people and freight, and other factors
 388 the department deems necessary. The department shall establish a
 389 minimum acceptable quality performance score.

390 (c) Beginning in 2025, and each year thereafter, each
 391 M.P.O. shall report its score for each quality performance
 392 metric by December 1 to the district secretary and shall publish
 393 the score and supporting data on its website. The department
 394 shall validate each M.P.O.'s score calculation and make
 395 adjustments thereto if necessary.

396 ~~(11) METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL.-~~

397 ~~(a) A Metropolitan Planning Organization Advisory Council~~
 398 ~~is created to augment, and not supplant, the role of the~~
 399 ~~individual M.P.O.'s in the cooperative transportation planning~~
 400 ~~process described in this section.~~

401 ~~(b) The council shall consist of one representative from~~
 402 ~~each M.P.O. and shall elect a chairperson annually from its~~
 403 ~~number. Each M.P.O. shall also elect an alternate representative~~
 404 ~~from each M.P.O. to vote in the absence of the representative.~~
 405 ~~Members of the council do not receive any compensation for their~~
 406 ~~services, but may be reimbursed from funds made available to~~

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407 council members for travel and per diem expenses incurred in the
408 performance of their council duties as provided in s. 112.061.

409 ~~(c) The powers and duties of the Metropolitan Planning
410 Organization Advisory Council are to:~~

411 ~~1. Establish bylaws by action of its governing board
412 providing procedural rules to guide its proceedings and
413 consideration of matters before the council, or, alternatively,
414 adopt rules pursuant to ss. 120.536(1) and 120.54 to implement
415 provisions of law conferring powers or duties upon it.~~

416 ~~2. Assist M.P.O.'s in carrying out the urbanized area
417 transportation planning process by serving as the principal
418 forum for collective policy discussion pursuant to law.~~

419 ~~3. Serve as a clearinghouse for review and comment by
420 M.P.O.'s on the Florida Transportation Plan and on other issues
421 required to comply with federal or state law in carrying out the
422 urbanized area transportation and systematic planning processes
423 instituted pursuant to s. 339.155. The council must also report
424 annually to the Florida Transportation Commission on the
425 alignment of M.P.O. long-range transportation plans with the
426 Florida Transportation Plan.~~

427 ~~4. Employ an executive director and such other staff as
428 necessary to perform adequately the functions of the council,
429 within budgetary limitations. The executive director and staff
430 are exempt from part II of chapter 110 and serve at the
431 direction and control of the council. The council is assigned to
432 the Office of the Secretary of the Department of Transportation
433 for fiscal and accountability purposes, but it shall otherwise
434 function independently of the control and direction of the
435 department.~~

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436 ~~5. Deliver training on federal and state program
437 requirements and procedures to M.P.O. board members and M.P.O.
438 staff.~~

439 ~~6. Adopt an agency strategic plan that prioritizes steps
440 the agency will take to carry out its mission within the context
441 of the state comprehensive plan and any other statutory mandates
442 and directives.~~

443 ~~(d) The Metropolitan Planning Organization Advisory Council
444 may enter into contracts in accordance with chapter 287 to
445 support the activities described in paragraph (c). Lobbying and
446 the acceptance of funds, grants, assistance, gifts, or bequests
447 from private, local, state, or federal sources are prohibited.~~

448 Section 5. Subsection (14) of section 331.3051, Florida
449 Statutes, is amended to read:

450 331.3051 Duties of Space Florida.—Space Florida shall:

451 ~~(14) Partner with the Metropolitan Planning Organization
452 Advisory Council to coordinate and specify how aerospace
453 planning and programming will be part of the state's cooperative
454 transportation planning process.~~

455 Section 6. Paragraph (e) of subsection (2) of section
456 331.310, Florida Statutes, is amended to read:

457 331.310 Powers and duties of the board of directors.—

458 (2) The board of directors shall:

459 (e) Prepare an annual report of operations as a supplement
460 to the annual report required under s. 331.3051(15) ~~or~~
461 ~~331.3051(16)~~. The report must include, but not be limited to, a
462 balance sheet, an income statement, a statement of changes in
463 financial position, a reconciliation of changes in equity
464 accounts, a summary of significant accounting principles, the

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465 auditor's report, a summary of the status of existing and
466 proposed bonding projects, comments from management about the
467 year's business, and prospects for the next year.

468 Section 7. By October 31, 2024, the Department of
469 Transportation shall submit to the Governor, the President of
470 the Senate, and the Speaker of the House of Representatives a
471 report that provides a comprehensive review of the boundaries of
472 each of the department's districts and makes recommendations as
473 to whether any district's boundaries should be redrawn as a
474 result of population growth and increased urban density.

475 Section 8. This act shall take effect July 1, 2024.

02/20/24

Meeting Date

Appropriations Committee on Transportation, Tourism, and Economic Development

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

1032

Bill Number or Topic

Amendment Barcode (if applicable)

Name Chad Rosenstein - Florida Airports Council Phone (407) 745-4161

Address 5802 Hoffner Avenue, Suite 708 Email _____

Street

Orlando

City

FL

State

32822

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



The Florida Senate

Committee Agenda Request

To: Senator Ed Hooper, Chair
Committee on Appropriations for Transportation, Tourism, and Economic
Development

Subject: Committee Agenda Request

Date: February 7, 2024

I respectfully request that **Senate Bill # 1032**, relating to Transportation, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in black ink that reads "Joe Gruters".

Senator Joe Gruters
Florida Senate, District 22

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic
Development

BILL: CS/CS/SB 1226

INTRODUCER: Appropriations Committee on Transportation, Tourism and Economic Development;
Transportation Committee and Senator DiCeglie

SUBJECT: Department of Transportation

DATE: February 22, 2024 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Johnson</u>	<u>Vickers</u>	<u>TR</u>	<u>Fav/CS</u>
2.	<u>Nortelus</u>	<u>Jerrett</u>	<u>ATD</u>	<u>Fav/CS</u>
3.	<u> </u>	<u> </u>	<u>FP</u>	<u> </u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 1226 revises various provisions relating to the Florida Department of Transportation (FDOT). The bill:

- Updates the FDOT’s statutory program areas to reflect its current organizational structure.
- Repeals obsolete language regarding the appointment of the FDOT’s inspector general.
- Provides \$15 million in recurring revenue be made available for the Intermodal Logistics Center Infrastructure Support Program.
- Requires public notice and input prior to a governmental entity repurposing one or more existing traffic lanes.
- Increases from three years to ten years the length of time before an inactive prepaid toll account becomes unclaimed property.
- Prohibits FDOT from spending state funds on transportation entities violating certain statutory requirements.
- Provides that specified revenues deposited into the State Transportation Trust Fund must first be available for appropriation for payments under a service contract entered into with the Florida Department of Transportation Financing Corporation to fund arterial highway projects.
- Authorizes local governments in specified areas to, subject to specific appropriation, compete for additional funding using the criteria for the Small County Outreach Program to fund projects on roads primarily used for agricultural purposes.

- Provides that certain unallocated New Starts Transit funds must be reallocated to the Strategic Intermodal System for a two year period.
- Requires each public transit provider to annually certify that its budgeted and actual administrative costs are no greater than 20 percent above the state average administrative costs.
- Requires public transit providers to disclose employee compensation and benefits, ridership and performance metrics, and any gifts accepted in exchange for a contract.
- Prohibits public transit providers from spending the FDOT funds on certain marketing or advertising activities.
- Prohibits window tinting on public transit buses from being any darker than what is legally allowed for motor vehicles.
- Grants the Florida Rail Enterprise the power and duty to preserve future rail corridors and rights of way.

The bill may have both negative and positive fiscal impacts on private and governmental sectors. See Section V., Fiscal Impact Statement.

The bill takes effect July 1, 2024.

II. Present Situation:

For ease of readability and organization, the present situation is discussed below with the effect of proposed changes.

III. Effect of Proposed Changes:

FDOT Organizational Structure (Section 1)

Present Situation

The Florida Department of Transportation (FDOT) is a decentralized agency headed by the Secretary of Transportation (secretary).¹ The secretary may appoint up to three assistant secretaries who are directly responsible to the secretary and who perform such duties as are assigned by the secretary.²

The FDOT's secretary may appoint deputy assistant secretaries or directors which the secretary deems necessary to accomplish the FDOT's mission and goals, including, but not limited to, the areas of program responsibility listed below, each of whom is appointed by and serves at the pleasure of the secretary. The secretary may combine, separate, or delete offices as needed in consultation with the Executive Office of the Governor. The FDOT's areas of program responsibility include, but are not limited to:

- Administration;
- Planning;
- Public transportation;
- Design;

¹ Section 20.23(1)(a), F.S.

² Section 20.23(1)(d), F.S.

- Highway operations;
- Right-of-way;
- Toll operations;
- Information systems;
- Motor carrier weight inspection;
- Management and budget;
- Comptroller;
- Construction;
- Maintenance; and
- Materials.³

Effect of Proposed Changes

The bill revises the FDOT's areas of program responsibility by replacing:

- Public transportation with modal development; and
- Management and budget with work program development and budget.

The bill adds the following areas of program responsibility:

- Transportation technology;
- Statewide corridors;
- Forecasting and performance;
- Emergency management; and
- Safety.

Appointment of the Florida Department of Transportation's Inspector General (Section 1)

Present Situation

Florida law establishes an office of inspector general in each state agency, providing a central point of coordination of and responsibility for activities that promote accountability, integrity, and efficiency in government. Florida law provides various duties and responsibility regarding each state agency's inspector general.⁴

In 2014, the Legislature transferred the appointment and removal of a Governor's agency inspector general from the agency head to the Governor's Chief Inspector General.⁵ For state agencies under the jurisdiction of the Cabinet or the Governor and Cabinet, the agency head appoints the agency's inspector general. For state agencies under the jurisdiction of the Governor, the Chief Inspector General appoints the agency's inspector general.⁶ The FDOT is under the Governor's jurisdiction.⁷

³ Section 20.23(3)(b), F.S.

⁴ Section 20.055, FS.

⁵ Chapter 2014-144, Laws of Fla.

⁶ Section 20.055(3)(a)1., F.S.

⁷ See s. 20.23(1)(a), F.S.

Conflicting with the generally applicable requirements regarding the appointment of an inspector general, Florida law also requires the Secretary of Transportation to appoint the FDOT inspector general.⁸

Effect of Proposed Changes

The bill repeals obsolete language regarding the Secretary of Transportation's authority to appoint the FDOT's inspector general.

Intermodal Logistics Center Infrastructure Support Program (Section 2)

Present Situation

An intermodal logistics center is a facility or group of facilities serving as a point of intermodal transfer of freight in a specific area physically separated from a seaport where activities relating to transport, logistics, goods distribution, consolidation, or value-added activities are carried out and whose activities and services are designed to support or be supported by conveyance or shipping through one or more seaports listed in s. 311.09, F.S.⁹

The FDOT's Intermodal Logistics Center Infrastructure Support Program's (program) purpose is to provide funds for roads, rail facilities, or other means for the conveyance or shipment of goods through a seaport, enabling the state to respond to private sector market demands and meet the state's economic development goal of becoming a hub for trade, logistics, and export-oriented activities. The FDOT may provide funds to assist with local government projects or projects performed by private entities that meet the public purpose of enhancing transportation facilities for the conveyance or shipment of goods through a seaport to or from an intermodal logistics center.¹⁰

The FDOT must consider, but is not limited to, the following criteria when evaluating projects for program assistance:

- The ability of the project to serve a strategic state interest.
- The ability of the project to facilitate the cost-effective and efficient movement of goods.
- The extent to which the project contributes to economic activity, including job creation, increased wages, and revenues.
- The extent to which the project efficiently interacts with and supports the transportation network.
- A commitment of a funding match.
- The amount of investment or commitments made by the owner or developer of the existing or proposed facility.
- The extent to which the owner has commitments with private sector businesses planning to locate operations at the intermodal logistics center.
- Demonstrated local financial support and commitment to the project.¹¹

⁸ Section 20.23(3)(c), F.S.

⁹ Section 311.101(2), F.S. The ports listed in s. 311.09(1), F.S., are Jacksonville, Port Canaveral, Port Citrus, Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee, St. Petersburg, Putnam County, Tampa, Port St. Joe, Panama City, Pensacola, Key West, and Fernandina.

¹⁰ Section 311.101(1), F.S.

¹¹ Section 311.101(3), F.S.

The FDOT must provide up to 50 percent of project costs for eligible projects, except that for eligible projects in rural areas of opportunity,¹² where the FDOT may provide up to 100 percent of project costs.¹³

When the program was created in 2012,¹⁴ up to \$5 million per year was made available from the State Transportation Trust Fund (STTF) for the program.¹⁵ This funding expired on July 1, 2020.¹⁶

Effect of Proposed Changes

The bill provides that, beginning in 2024-2025 fiscal year through the 2029-2030 fiscal year, \$15 million in recurring revenue must be made available from the STTF for the program. The FDOT must include projects proposed to be funded in its tentative work program.

Traffic Lane Repurposing (Section 3)

Present Situation

To balance the needs of the statewide transportation network and local roadways, the FDOT has developed a process allowing local and regional agencies to repurpose parts of FDOT-owned roadways in their jurisdiction for other purposes such as a dedicated transit lane or to make the area more pedestrian friendly. To do this, the relevant local government would develop a lane repurposing application and conceptual plan that would be sent to the appropriate the FDOT district's Lane Repurposing Coordinator for approval based on certain criteria.¹⁷

The FDOT's *Lane Repurposing Guidebook* provides information regarding lane repurposing, including the application process, concept report, public involvement and examples of such projects.

Effect of Proposed Changes

The bill provides that whenever a governmental entity¹⁸ proposes any project that will repurpose one or more existing traffic lanes, the governmental entity must include a traffic study to address any potential adverse impacts of the project, including, but not limited to, changes in traffic congestion and impacts on safety.

¹² Rural Areas of Opportunity are designated in accordance with s. 288.0656(7)(a), F.S.

¹³ Section 311.101(6), F.S.

¹⁴ Chapters 2012-128 and 2012-174, Laws of Fla.

¹⁵ FDOT's tentative work program is developed pursuant to s. 339.135(4), F.S.

¹⁶ See Chapter 2014-216, Laws of Fla.

¹⁷ FDOT, *Lane Repurposing Guidebook*, August 2020, Section 1.1,

https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/planning/systems/systems-management/document-repository/lane-repurposing/lr_guidebook-2020.pdf?sfvrsn=b4 (last visited February 20, 2024).

¹⁸ Section 334.044(11), F.S., defines the term "governmental entity" to mean a unit of government, or any officially designated public agency or authority of a unit of government, that has the responsibility for planning, construction, operation, or maintenance or jurisdiction over transportation facilities; the term includes the Federal Government, the state government, a county, an incorporated municipality, a metropolitan planning organization, an expressway or transportation authority, a road and bridge district, a special road and bridge district, and a regional governmental unit.

If, following the required study, the governmental entity elects to continue with the design of the project, it must notify all affected property owners, impacted municipalities, and the counties in which the project is located at least 180 days before the design phase of the project is completed. The notice must provide a written explanation regarding the need for the project, information on how to review the required traffic study, and indicate that all affected parties will be given an opportunity to provide comments to the proposing entity regarding potential impacts of the change.

The governmental entity must hold at least one public meeting, with at least 30 days prior notice, before completing the design phase of the project in the jurisdiction where the project is located. At the public meeting, the governmental entity must explain the purpose of the project and receive public input, including possible alternatives, to determine the manner in which the project will affect the community.

The governmental entity must review all comments from the public meeting and take the comments and any alternatives presented during the meeting into consideration in the final design of the project.

Inactive Prepaid Toll Accounts (Section 4)

Present Situation

The FDOT, through the Florida Turnpike Enterprise, operates its electronic prepaid toll program (SunPass), which may be used on most of Florida's toll facilities and is operable on toll facilities in some other states.¹⁹

Under the Florida Disposition of Unclaimed Property Act,²⁰ except as otherwise provided in that act, all intangible property that is held, issued, or owing in the ordinary course of the holder's business and the owner fails to claim such property for more than five years after the property becomes payable or distributable is presumed unclaimed.²¹ Unclaimed property is reported to the Division of Unclaimed Property in the Department of Financial Services (DFS).²²

Unclaimed property funds are deposited into the Unclaimed Property Trust Fund. The DFS retains funds to make prompt payment of claims and to pay the cost of administering the program. All remaining funds are deposited into the State School Fund.²³

Florida law presumes that any prepaid toll account, which has been inactive for three years, is unclaimed property. After three years, the DFS must handle the account's disposition in accordance with the Florida's Disposition of Unclaimed Property Act and the FDOT must close the prepaid toll account.²⁴

¹⁹ SunPass, *Frequently Asked Questions*, <https://www.sunpass.com/en/support/faq.shtml> (last visited February 12, 2024).

²⁰ Chapter 717, F.S.

²¹ Section 717.102, F.S.

²² Florida Department of Financial Services, Division of Unclaimed Property, *Why Should I Search for Unclaimed Property*, <https://www.fltreasurehunt.gov/UP-Web/sitePages/About.jsp> (last visited February 12, 2024).

²³ Section 717.123(1), F.S.

²⁴ Section 338.231(3)(c), F.S.

Effect of Proposed Changes

The bill increases from three years to ten years the length of time that a prepaid toll account must be inactive prior to it becoming unclaimed property. At the end of ten years, the inactive toll account becomes subject to the Florida Disposition of Unclaimed Property Act.

Expenditure of State Funds (Section 5)

Present Situation

State Transportation Trust Fund

Florida law establishes the State Transportation Trust Fund (STTF), which is used for transportation purposes, at the FDOT's direction.²⁵ Such transportation purposes include maintaining and developing the state highway system and supporting various transportation related projects.²⁶ STTF's primary revenue sources are from state fuel taxes and fees related to motor vehicle licensing.²⁷ The FDOT must expend moneys in the STTF in accordance with its annual budget.²⁸

Prohibition on Discrimination based on Health Care Choices

Section 381.00316, F.S., prohibits private businesses, government entities and educational institutions from requiring people to provide documentation certifying COVID-19 vaccination or post-infection recovery or wear a face mask, face shield, or other facial covering to access the business, governmental operations or school attendance or enrollment, or to access the institution and its services.

Effect of Proposed Changes

The bill provides that the FDOT may not expend any state funds to support a project or program of a public transit provider,²⁹ authority,³⁰ public-use airport,³¹ or a port³² that violates s. 381.00316, F.S.

The bill provides that the FDOT must withhold state funds until a public transit provider, authority, public-use airport, or port are found to be in compliance with s. 381.00316, F.S.

²⁵ Section 206.46(1), F.S.

²⁶ FDOT, Office of Work Program and Budget, *Florida's Transportation Tax Sources*, (2023), p. 2, <https://fdotewp1.dot.state.fl.us/FMSupportApps/Documents/pr/Primer.pdf#:~:text=STTF%E2%80%99s%20primary%20revenue%20sources%20from%20state%20taxes%20and,fuel%20taxes%20and%20motor%20vehicle%20license%20related%20fees.> (last visited February 20, 2024).

²⁷ *Id.*

²⁸ Section 339.08(1), F.S.

²⁹ Section 341.031(1), F.S., defines the term "public transit provider" to mean a public agency providing public transit service, including rail authorities.

³⁰ Authorities created under chapters 348, 348 and 349, F.S., include the South Florida Regional Transportation Authority, Central Florida Regional Transportation Authority, Greater Miami Expressway Agency, Tampa-Hillsborough County Expressway Authority, Central Florida Expressway Authority, and Jacksonville Transportation Authority.

³¹ Section 332.004(14), F.S., defines the term "public-use airport" to mean any publicly owned airport which is used or to be used for public purposes.

³² Section 311.09(1), F.S., enumerates the following ports: Jacksonville, Port Canaveral, Port Citrus, Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee, St. Petersburg, Putnam County, Tampa, Port St. Joe, Panama City, Pensacola, Key West, and Fernandina.

Use of Moneys in the State Transportation Trust Fund (Sections 6 and 7)

Present Situation

Under Florida law, after the revenue derived from the registration of motor vehicles is distributed as specified and allocated as provided by law, then the remainder of such revenues are deposited into the STTF.³³ This amount deposited to the STTF must be used to fund arterial highway³⁴ projects identified by the FDOT and may be used for projects for upgrading arterial highways with controlled access facilities³⁵ and constructing controlled access facilities on U.S. 19, north of the Suncoast Parkway.^{36 37}

Florida Department of Transportation Financing Corporation and Service Contract

The Florida Department of Transportation Financing Corporation (corporation) is as a nonprofit corporation established for the purpose of financing or refinancing the FDOT projects.³⁸

The corporation may enter into one or more service contracts with the FDOT to provide services to the FDOT in connection with projects approved in the work program. The FDOT may enter into one or more such service contracts with the corporation and provide for payments under such contracts, subject to annual appropriation by the Legislature.³⁹ The FDOT may enter into a service contract in conjunction with the issuance of debt obligations which provide for periodic payments for debt service or other amounts payable with respect to debt obligations, plus any administrative expenses of corporation.⁴⁰

Effect of Proposed Changes

The bill provides that the remainder of the motor vehicle fee revenues deposited into the STTF, must first be available for appropriation for payments under a service contract entered into with the corporation to fund arterial highway projects. For the corporation's bonding purposes, two or more of such projects in the FDOT's approved work program may be treated as a single project.

The bill provides that funds appropriated for payment under a service contract are available after funds pledge for payment on bonds, but before other statutorily required distributions.

³³ Section 320.20(5)(a), F.S.

³⁴ Section 334.03(1), F.S., defines the term "arterial road" to mean a route providing service which is relatively continuous and of relatively high traffic volume, long average trip length, high operating speed, and high mobility importance. In addition, every United States numbered highway is an arterial road.

³⁵ See s. 339.66, F.S.

³⁶ See s. 339.67, F.S.

³⁷ Section 339.0803, F.S.

³⁸ Section 339.0809, F.S.

³⁹ Section 339.0809(4), F.S.

⁴⁰ Section 339.0809(13), F.S.

Small County Outreach Program (Section 8)

Present Situation

Section 339.2818, F.S., creates the Small County Outreach Program (SCOP) within the FDOT. SCOP's purpose of is to assist small county governments in repairing or rehabilitating county bridges, paving unpaved roads, addressing road-related drainage improvements, resurfacing or reconstructing county roads, or constructing capacity or safety improvements to county roads.⁴¹

For the purposes of the SCOP, the term “small county” means any county that has a population of 200,000 or less as determined by the most recent official estimate pursuant to s. 186.901, F.S.⁴² Currently, 39 counties are eligible for the SCOP funding.⁴³

Small counties are eligible to compete for the SCOP funds for projects on county roads. The FDOT must fund 75 percent of the cost of projects on county roads funded under the SCOP.⁴⁴

The following criteria are used to prioritize road projects for the SCOP funding:

- The primary criterion is the physical condition of the road.
- As secondary criteria the FDOT may include:
 - Whether a road is used as an evacuation route;
 - Whether a road has high levels of agricultural travel;
 - Whether a road is considered a major arterial route;
 - Whether a road is considered a feeder road;
 - Information as evidenced to the FDOT through an established pavement management plan; and
 - Other criteria related to the impact of a project on the public road system or on the state or local economy.⁴⁵

The FDOT is authorized to administer contracts on behalf of a county selected to receive funding for a project. All funded projects must be included in the FDOT's work program.⁴⁶

Everglades Agricultural Area

The Everglades Agricultural Area is an approximately 1,160 square-mile area of highly productive agricultural land located south of Lake Okeechobee.⁴⁷ While most of the Everglades Agricultural Area is in Palm Beach County, this area extends to Martin, Hendry, and Glades counties.⁴⁸

⁴¹ Section 339.2818(1), F.S.

⁴² Section 339.2818(2), F.S.

⁴³ FDOT, *Small County Outreach Program*, <https://www.fdot.gov/programmanagement/lp/scop/default.shtm> (Last visited February 12, 2024).

⁴⁴ Section 339.2818(4)(a), F.S.

⁴⁵ Section 339.175(4)(c), F.S.

⁴⁶ Section 339.175(5), F.S.

⁴⁷ Lake Okeechobee Business Alliance, *The Everglades Agricultural Area*, <https://www.lakeoalliance.org/everglades-agricultural-area>, (last visited February 12, 2024). The Everglades Agricultural Area is defined in s. 373.4592(15), F.S.

⁴⁸ University of Florida, IFAS Extension, *Explore the Everglades Agricultural Area*, <https://nwdistrict.ifas.ufl.edu/ampic2022/2022/07/20/explore-the-everglades-agricultural-area/> (last visited February 12, 2024).

Peace River Basin

The Peace River Basin encompasses more than 2,300 square miles. Its western boundary includes portions of Hillsborough, Manatee and Sarasota counties and portions of Highlands and Glades counties on the east. The basin includes major portions of Polk, Hardee, DeSoto and Charlotte counties.⁴⁹

Suwannee River Basin

The Suwannee River Basin, drains over 11,000 square miles of land in Georgia and Florida.⁵⁰ Florida's portion of basin includes all or a portion of Madison, Suwannee, Columbia, Union, Alachua, Gilchrist, Levy, Dixie, and Lafayette counties.⁵¹

Effect of Proposed Changes

The bill provides that subject to specific appropriation, in addition to funds appropriated for the SCOP, a local government located either wholly or partially within the Everglades Agricultural Area, the Peace River Basin, or the Suwannee River Basin may compete for additional funding using the SCOP criteria, at up to 100 percent of the project costs for state or county roads used primarily as farm-to-market connections between rural agricultural areas and market distribution centers, excluding capacity improvement projects.

New Starts Transit Program - Reallocation of Funds (Section 9)

Present Situation

New Starts Transit Program

The FDOT's New Starts Transit Program assists local governments in the development of fixed guideway and bus rapid transit projects. Ten percent of the FDOT's portion of the documentary stamp tax is allocated to New Starts,⁵² along with 3.4 percent of the initial registration fee for motor vehicles.⁵³

This program is a matching program to leverage local or federal funds.⁵⁴ However, according to the FDOT, due to local governments' inability at times to meet state and federal eligibility requirements or provide a funding commitment for the required matching funds, projects identified for the New Starts Transit Program may not always be programmed into the work program, which results in the annually appropriated funds not being obligated and carried forward to the next fiscal year.

⁴⁹ Southwest Florida Water Management District, *Peace River Watershed Excursion*, <https://www.swfwmd.state.fl.us/watersheds/peace-river/where-the-river-begins> (last visited February 12, 2024).

⁵⁰ University of Georgia, River Basin Center, *Suwannee*, <https://rivercenter.uga.edu/resources/river-basins-of-georgia/suwannee/#:~:text=Location%3A%20Suwannee%20River%2C%20Big%20Shoals,land%20in%20Georgia%20and%20Florida>. (last visited February 12, 2024).

⁵¹ Springs of the Lower Suwannee River Basin, 1999, <https://fcit.usf.edu/florida/maps/pages/9000/f9072/f9072.htm> (last visited February 12, 2024).

⁵² Section 201.15(4)(a)1., F.S.

⁵³ Section 320.072(4)(b), F.S.

⁵⁴ Florida Transportation Commission, *New Starts Transit Program*, [http://www.ftc.state.fl.us/documents/Presentations/New_Starts_Transit_Program_\(5-23-06\).pdf](http://www.ftc.state.fl.us/documents/Presentations/New_Starts_Transit_Program_(5-23-06).pdf) (last visited Feb. 7, 2024).

Strategic Intermodal System

The Strategic Intermodal System (SIS) is Florida’s high priority network of transportation facilities important to its economy and mobility. Established in 2003, to focus Florida's limited transportation resources on the facilities most significant for interregional, interstate, and international travel. The SIS is the state's highest priority for transportation capacity investments and a primary focus for implementing the Florida Transportation Plan.⁵⁵

Effect of Proposed Changes

The bill provides that the unallocated New Starts Transit Program funds remaining after July, 1, 2024, must be reallocated for the purpose of the SIS within the STTF. This provision expires June 30, 2026.

Public Transit Performance and Productivity Measures (Section 10)*Present Situation*

A public transit provider is statutorily defined as a public agency providing public transit service, including rail authorities.⁵⁶ The term “public transit” is defined to mean the transporting of people by conveyances, or systems of conveyances, traveling on land or water, local or regional in nature, and available for use by the public. Public transit systems may be either governmentally owned or privately owned. Public transit specifically includes those forms of transportation commonly known as “paratransit.”⁵⁷ Each public transit provider must establish productivity and performance measures, which must be approved by the FDOT and which must be selected from measures developed pursuant to s. 341.041(3), F.S.^{58 59}

Effect of Proposed Changes

The bill defines the term “administrative costs” to include, but are not limited to salaried employee’s compensation and benefits, small business outreach, professional service contracts not directly related to the operation and maintenance of a transit system, and other overhead expenses. The term does not include insurance costs.

The bill defines the term “public transit provider” to mean a public agency providing public transit service including the Central Florida Regional Transportation Authority, and the

⁵⁵ FDOT, *Florida’s Strategic Intermodal System*, <https://www.fdot.gov/planning/systems/sis> (last visited February 20, 2024)

⁵⁶ Section 341.031(3), F.S.

⁵⁷ Section 341.031(6), F.S. Section 341.031(5), F.S., defines the term “paratransit” to mean those elements of public transit which provide service between specific origins and destinations selected by the individual user with such service being provided at a time that is agreed upon by the user and the provider of the service. Paratransit service is provided by taxis, limousines, “dial-a-ride” buses, and other demand-responsive operations that are characterized by their nonscheduled, nonfixed route nature.

⁵⁸ S. 341.071(2), F.S.

⁵⁹ S. 341.041(3), F.S., provides that FDOT must develop, publish, and administer state measures concerning system management, performance, productivity, cost distribution, and safety of governmentally owned public transit systems and privately owned or operated systems financed wholly or in part by state funding. Such measures must be developed jointly with representatives of affected publicly owned transit systems and in coordination with affected privately owned systems, with full consideration given to nationwide industry norms.

Jacksonville Transportation Authority. The bill exempts rail transit such as the Central Florida Regional Transportation Authority and the Central Florida Commuter Rail Commission.

Tier I provider means a recipient that owns, operates, or manages either 101 or more vehicles in revenue service during peak regular service across all fixed route modes or in any one non-fixed route mode, or rail transit.⁶⁰

Tier II provider means a recipient that owns, operates, or manages 100 or fewer vehicles in revenue service during peak regular service across all non-rail fixed route modes or in any one non-fixed route mode, a subrecipient under the 5311 Rural Area Formula Program, or any American Indian tribe.⁶¹

Beginning November 1, 2024, and annually thereafter, each public transit provider must, during a publicly-noticed meeting, certify that its budgeted and actual administrative costs are not greater than 20 percent above the annual state average of administrative costs for its tier. The provider shall also disclose all employees' compensation and benefits, ridership performance and metrics, and any gifts accepted in exchange for contracts. This information must be posted on the provider's website.

To support compliance, the bill requires the FDOT to determine the state average of administrative costs by calculating the annual administrative costs for all the public transit providers in this state annually by March 1 to inform the provider's following fiscal year budget.

Public Transit Marketing and Advertising Standards (Section 11)

Present Situation

Under Florida law, each fiscal year, a minimum of 15 percent of all state revenues deposited into the STTF are committed annually by the FDOT for public transportation projects, including public transit projects.⁶²

Effect of Proposed Changes

The bill provides that as a condition of receiving funds from the FDOT, a public transit provider may not expend the FDOT's funds for marketing or advertising activities, including any wrap, tinting, or paint on a bus, commercial motor vehicle, or motor vehicle. This condition does not apply to when a public transit provider displays a brand or logo of the public transit provider, the official seal of the jurisdictional government entity, or state agency public service announcement.

The FDOT must incorporate the above marketing and advertising guidelines in the public transit grant agreement entered with each public transit provider.

⁶⁰ This is as defined in 49 C.F.R. part 625.

⁶¹ *Id.*

⁶² Section 206.46(3), F.S. The funding minimum is for public transportation projects that are in accordance with ch. 311, ss. 332.003-332.007, ch. 341, and ch. 343 of F.S.

Public Transit Window Tinting (Section 11)

Present Situation

Section 316.2954, F.S., provides that a person may not operate any motor vehicle with any sun screening material, or other product or material which has the effect of making the window nontransparent or which would alter the window's color, increase its reflectivity, or reduce its light transmittance. Specific requirements are provided in that statute.

Effect of Proposed Changes

The bill provides that any new wrap, tinting, paint, medium, or advertisement on the passenger windows of a vehicle used by a public transit provider may not be darker than the legally allowed window tinting requirements for motor vehicles.

Florida Rail Enterprise (Section 12)

Present Situation

Sections 341.8201 through 341.842, F.S., contain the Florida Rail Enterprise Act.⁶³ The Florida Rail Enterprise (enterprise) within the FDOT must locate, plan, design, finance, construct, maintain, own, operate, administer, and manage Florida's high-speed rail system.^{64 65}

In addition to the powers granted to the FDOT, the enterprise has full authority to exercise all powers granted to it under ch. 341, F.S. Authorized powers include, but are not limited to, the ability to plan, construct, maintain, repair, and operate a high-speed rail system, to acquire corridors, and to coordinate the development and operation of publicly funded passenger rail systems in the state.⁶⁶

Effect of Proposed Changes

The bill adds to the enterprise's powers and duties by giving it the authority to preserve future rail corridors⁶⁷ and rights of way in coordination with the FDOT's planning of the State Highway System.

⁶³ Section 341.8201, F.S.

⁶⁴ Section 341.822(1), F.S.

⁶⁵ Section 341.8203(4), F.S., defines the term "high-speed rail system" to mean any high-speed fixed guideway system for transporting people or goods, which system is, by definition of the United States Department of Transportation, reasonably expected to reach speeds of at least 110 miles per hour, including, but not limited to, a monorail system, dual track rail system, suspended rail system, magnetic levitation system, pneumatic repulsion system, or other system approved by the enterprise. The term includes a corridor, associated intermodal connectors, and structures essential to the operation of the line, including the land, structures, improvements, rights-of-way, easements, rail lines, rail beds, guideway structures, switches, yards, parking facilities, power relays, switching houses, and rail stations and also includes facilities or equipment used exclusively for the purposes of design, construction, operation, maintenance, or the financing of the high-speed rail system.

⁶⁶ Section 341.822(2)(a), F.S.

⁶⁷ Section 341.301(8), F.S., defines the term "rail corridor" to mean a linear contiguous strip of real property that is used for rail service. The term includes the corridor and structures essential to railroad operations, including the land, structures, improvements, rights-of-way, easements, rail lines, rail beds, guideway structures, switches, yards, parking facilities, power relays, switching houses, rail stations, any ancillary development, and any other facilities or equipment used for the purposes of construction, operation, or maintenance of a railroad that provides rail service.

Effective Date (Section 13)

The bill takes effect July 1, 2024.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

The bill provides for \$15 million in recurring funds from the STTF to be made available annually for the Intermodal Logistics Center Infrastructure Support Program. This will result in a positive fiscal impact to intermodal logistics centers and related businesses.

C. Government Sector Impact:

The bill may have a positive fiscal impact on the Florida Department of Transportation Financing Corporation as it provides that specified revenues deposited into the STTF must first be available for appropriation for payments under a service contract entered into with the corporation to fund arterial highway projects. This provision may also reduce bond financing costs.

Subject to specific appropriation, the bill authorizes local governments in specified areas to seek financial assistance in paying for projects on state and county roads primarily used for agricultural purposes.

The bill may have a negative fiscal impact on any public transit provider, authority, public-use airport, or a port that is found to be in violation of s. 381.00316, F.S.

Public transit providers may experience changes in their cost structures associated with complying with provisions in the bill limiting their administrative costs and certifying that their administrative costs are within the limits provided for in the bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 20.23, 311.101, 338.231, 339.08, 339.0803, 339.0809, 339.2818, 341.071 and 341.822.

The bill creates the following sections of the Florida Statutes: 334.61 and 341.072.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Appropriations Committee on Transportation, Tourism, and Economic Development on February 20, 2024:

The committee substitute:

- Removes a landscaping expenditure provision from the bill.
- Updates the FDOT’s statutory program areas to reflect its current organizational structure.
- Requires public notice and input prior to a governmental entity repurposing one or more existing traffic lanes.
- Prohibits the FDOT from spending state funds on transportation entities violating certain statutory requirements.
- Reallocates specified New Starts Transit funds to the SIS for a two year period.
- Revises provisions to relating to public transit provider administrative costs to compare providers by fleet size and to exempt rail transit providers.
- Prohibits public transit providers from spending the FDOT funds on certain marketing or advertising activities.
- Prohibits window tinting on public transit buses from being any darker than what is legally allowed for motor vehicles.

CS by Transportation on February 6, 2023:

The committee substitute:

- Requires, beginning in the 2024-2025 fiscal year, \$15 million in recurring revenue from the STTF must be made available for the Intermodal Logistics Center Infrastructure Support Program.
- Provides that specified funds deposited into the State Transportation Trust Fund must first be used for the payment of service contracts with the Florida Department of Transportation Financing Corporation.
- Provides that, subject to appropriation, a local government within specified areas may compete for additional funding using the Small County Outreach Program criteria for state or county roads used primarily for agricultural purposes.
- Revises provisions in the bill regarding the administrative costs of public transit providers to limit administrative costs to 20 percent above the statewide average.
- Requires public transit providers to disclose employee compensation, ridership performance and metrics, and any gifts accepted in exchange for contracts.
- Clarifies the rail corridor provision by providing that the Florida Rail Enterprise is authorized to preserve future rail corridors and rights of way.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/20/2024	.	
	.	
	.	
	.	

The Appropriations Committee on Transportation, Tourism, and Economic Development (DiCeglie) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraphs (b) and (d) of subsection (3) of
section 20.23, Florida Statutes, are amended to read:

20.23 Department of Transportation.—There is created a
Department of Transportation which shall be a decentralized
agency.

(3)



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11 (b) The secretary may appoint positions at the level of
12 deputy assistant secretary or director which the secretary deems
13 necessary to accomplish the mission and goals of the department,
14 including, but not limited to, the areas of program
15 responsibility provided in this paragraph, each of whom shall be
16 appointed by and serve at the pleasure of the secretary. The
17 secretary may combine, separate, or delete offices as needed in
18 consultation with the Executive Office of the Governor. The
19 department's areas of program responsibility include, but are
20 not limited to all of the following:

- 21 1. Administration.†
- 22 2. Planning.†
- 23 3. Modal development. ~~Public transportation.~~†
- 24 4. Design.†
- 25 5. Highway operations.†
- 26 6. Right-of-way.†
- 27 7. Toll operations.†
- 28 8. Transportation technology.
- 29 ~~9.8.~~ Information systems.†
- 30 ~~10.9.~~ Motor carrier weight inspection.†
- 31 ~~11.10.~~ Work program development ~~Management and budget.~~†
- 32 ~~12.11.~~ Comptroller.†
- 33 ~~13.12.~~ Construction.†
- 34 14. Statewide corridors.
- 35 ~~15.13.~~ Maintenance.~~† and~~
- 36 16. Forecasting and performance.
- 37 17. Emergency management.
- 38 18. Safety.
- 39 19.14. Materials.



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40 ~~(d) The secretary shall appoint an inspector general~~
41 ~~pursuant to s. 20.055 who shall be directly responsible to the~~
42 ~~secretary and shall serve at the pleasure of the secretary.~~

43 Section 2. Present subsection (7) of section 311.101,
44 Florida Statutes, is redesignated as subsection (8), and a new
45 subsection (7) is added to that section, to read:

46 311.101 Intermodal Logistics Center Infrastructure Support
47 Program.—

48 (7) Beginning with the 2024-2025 fiscal year through the
49 2029-2030 fiscal year, \$15 million in recurring funds shall be
50 made available from the State Transportation Trust Fund for the
51 program. The Department of Transportation shall include projects
52 proposed to be funded under this section in the tentative work
53 program developed pursuant to s. 339.135(4).

54 Section 3. Section 334.61, Florida Statutes, is created to
55 read:

56 334.61 Traffic lane repurposing.—

57 (1) Whenever a governmental entity proposes any project
58 that will repurpose one or more existing traffic lanes, the
59 governmental entity shall include a traffic study to address any
60 potential adverse impacts of the project, including, but not
61 limited to, changes in traffic congestion and impacts on safety.

62 (2) If, following the study required by subsection (1), the
63 governmental entity elects to continue with the design of the
64 project, it must notify all affected property owners, impacted
65 municipalities, and the counties in which the project is located
66 at least 180 days before the design phase of the project is
67 completed. The notice must provide a written explanation
68 regarding the need for the project, information on how to review



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69 the traffic study required by subsection (1), and indicate that
70 all affected parties will be given an opportunity to provide
71 comments to the proposing entity regarding potential impacts of
72 the change.

73 (3) The governmental entity shall hold at least one public
74 meeting, with at least 30 days prior notice, before completing
75 the design phase of the project in the jurisdiction where the
76 project is located. At the public meeting, the governmental
77 entity shall explain the purpose of the project and receive
78 public input, including possible alternatives, to determine the
79 manner in which the project will affect the community.

80 (4) The governmental entity shall review all comments from
81 the public meeting and take the comments and any alternatives
82 presented during the meeting into consideration in the final
83 design of the project.

84 Section 4. Paragraph (c) of subsection (3) of section
85 338.231, Florida Statutes, is amended to read:

86 338.231 Turnpike tolls, fixing; pledge of tolls and other
87 revenues.—The department shall at all times fix, adjust, charge,
88 and collect such tolls and amounts for the use of the turnpike
89 system as are required in order to provide a fund sufficient
90 with other revenues of the turnpike system to pay the cost of
91 maintaining, improving, repairing, and operating such turnpike
92 system; to pay the principal of and interest on all bonds issued
93 to finance or refinance any portion of the turnpike system as
94 the same become due and payable; and to create reserves for all
95 such purposes.

96 (3)

97 (c) Notwithstanding any other provision of law to the



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98 contrary, any prepaid toll account of any kind which has
99 remained inactive for 10 ~~3~~ years is ~~shall be~~ presumed unclaimed
100 and its disposition shall be handled by the Department of
101 Financial Services in accordance with all applicable provisions
102 of chapter 717 relating to the disposition of unclaimed
103 property, and the prepaid toll account shall be closed by the
104 department.

105 Section 5. Present subsection (4) of section 339.08,
106 Florida Statutes, is redesignated as subsection (5), and a new
107 subsection (4) is added to that section, to read:

108 339.08 Use of moneys in State Transportation Trust Fund.—

109 (4) The department may not expend any state funds as
110 described in s. 215.31 to support a project or program of any of
111 the following entities which is found in violation of s.
112 381.00316:

113 (a) A public transit provider as defined in s. 341.031;

114 (b) An authority created pursuant to chapter 343, chapter
115 348, or chapter 349;

116 (c) A public-use airport as defined in s. 332.004; or

117 (d) A port listed in s. 311.09(1).

118
119 The department shall withhold state funds until the public
120 transit provider, authority, public-use airport, or port is
121 found in compliance with s. 381.00316.

122 Section 6. Section 339.0803, Florida Statutes, is amended
123 to read:

124 339.0803 Allocation of increased revenues derived from
125 amendments to s. 320.08 by ch. 2019-43.—

126 (1) Beginning in the 2021-2022 fiscal year and each fiscal



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127 year thereafter, funds that result from increased revenues to
128 the State Transportation Trust Fund derived from the amendments
129 to s. 320.08 made by chapter 2019-43, Laws of Florida, and
130 deposited into the fund pursuant to s. 320.20(5)(a) must be used
131 to fund arterial highway projects identified by the department
132 in accordance with s. 339.65 and may be used for projects as
133 specified in ss. 339.66 and 339.67. For purposes of the funding
134 provided in this section, the department shall prioritize use of
135 existing facilities or portions thereof when upgrading arterial
136 highways to limited or controlled access facilities. However,
137 this section does not preclude use of the funding for projects
138 that enhance the capacity of an arterial highway. The funds
139 allocated as provided in this section shall be in addition to
140 any other statutory funding allocations provided by law.

141 (2) Revenues deposited into the State Transportation Trust
142 Fund pursuant to s. 320.20(5)(a) shall first be available for
143 appropriation for payments under a service contract entered into
144 with the Florida Department of Transportation Financing
145 Corporation pursuant to s. 339.0809(4) to fund arterial highway
146 projects. For the corporation's bonding purposes, two or more of
147 such projects in the department's adopted work program may be
148 treated as a single project.

149 Section 7. Subsection (13) of section 339.0809, Florida
150 Statutes, is amended to read:

151 339.0809 Florida Department of Transportation Financing
152 Corporation.—

153 (13) The department may enter into a service contract in
154 conjunction with the issuance of debt obligations as provided in
155 this section which provides for periodic payments for debt



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156 service or other amounts payable with respect to debt
157 obligations, plus any administrative expenses of the Florida
158 Department of Transportation Financing Corporation. Funds
159 appropriated for payments under a service contract shall be
160 available after funds pledged to payment on bonds, but before
161 other statutorily required distributions.

162 Section 8. Subsection (8) is added to section 339.2818,
163 Florida Statutes, to read:

164 339.2818 Small County Outreach Program.—

165 (8) Subject to specific appropriation, in addition to funds
166 appropriated for projects under this section, a local government
167 either wholly or partially within the Everglades Agricultural
168 Area as defined in s. 373.4592(15), the Peace River Basin, or
169 the Suwannee River Basin may compete for additional funding
170 using the criteria listed in paragraph (4)(c) at up to 100
171 percent of project costs on state or county roads used primarily
172 as farm to market connections between rural agricultural areas
173 and market distribution centers, excluding capacity improvement
174 projects.

175 Section 9. Subsection (6) of section 341.051, Florida
176 Statutes, is amended to read:

177 341.051 Administration and financing of public transit and
178 intercity bus service programs and projects.—

179 (6) (a) ANNUAL APPROPRIATION.—Funds paid into the State
180 Transportation Trust Fund pursuant to s. 201.15 for the New
181 Starts Transit Program are hereby annually appropriated for
182 expenditure to support the New Starts Transit Program.

183 (b) The unallocated New Starts Transit Program funds
184 remaining as of July 1, 2024, must be reallocated for the



185 purpose of the Strategic Intermodal System within the State
186 Transportation Trust Fund. This paragraph expires June 30, 2026.

187
188 For purposes of this section, the term "net operating costs"
189 means all operating costs of a project less any federal funds,
190 fares, or other sources of income to the project.

191 Section 10. Subsection (4) is added to section 341.071,
192 Florida Statutes, to read:

193 341.071 Transit productivity and performance measures;
194 reports.-

195 (4) (a) As used in this subsection, the term:

196 1. "Administrative costs" includes, but is not limited to,
197 salaries of employees' compensation and benefits, small business
198 outreach, professional service contracts not directly related to
199 the operation and maintenance of a transit system, and other
200 overhead expenses. This term does not include insurance costs.

201 2. "Public transit provider" means a public agency
202 providing public transit service, including an authority created
203 pursuant to part II of chapter 343 or chapter 349. This section
204 does not apply to the Central Florida Commuter Rail Commission
205 or the authority created pursuant to part II of chapter 343.

206 3. "Tier 1 provider" as defined in 49 C.F.R. part 625.

207 4. "Tier 2 provider" as defined in 49 C.F.R. part 625.

208 (b) Beginning November 1, 2024, and annually thereafter,
209 each public transit provider shall, during a publicly-noticed
210 meeting, certify that its budgeted and actual administrative
211 costs are not greater than 20 percent above the annual state
212 average of administrative costs for its tier. The provider shall
213 also disclose all employees' compensation and benefits,



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214 ridership performance and metrics, and any gifts as defined in
215 s. 112.312 accepted in exchange for contracts. This information
216 must be posted on the provider's website.

217 (c) To support compliance with paragraph (b), the
218 department shall, by tier, determine the percentage of each
219 provider's total operating budget spent on administrative costs
220 annually by March 31 to inform the provider's following fiscal
221 year budget.

222 Section 11. Section 341.072, Florida Statutes, is created
223 to read:

224 341.072 Public transit provider marketing and advertising
225 standards.—

226 (1) As a condition of receiving funds from the department,
227 a public transit provider may not expend department funds for
228 marketing or advertising activities, including any wrap,
229 tinting, or paint on a bus, commercial motor vehicle, or motor
230 vehicle, as those terms are defined in s. 316.003, except those
231 that are limited to displaying a brand or logo of the public
232 transit provider, the official seal of the jurisdictional
233 governmental entity, or a state agency public service
234 announcement.

235 (2) The department shall incorporate guidelines for the
236 marketing or advertising activities allowed under subsection (1)
237 in the public transportation grant agreement entered with each
238 public transit provider.

239 (3) Any new wrap, tinting, paint, medium, or advertisement
240 on the passenger windows of a vehicle used by a public transit
241 provider may not be darker than the legally allowed window
242 tinting as provided in s. 316.2954.



243 Section 12. Paragraph (a) of subsection (2) of section
244 341.822, Florida Statutes, is amended to read:

245 341.822 Powers and duties.—

246 (2) (a) In addition to the powers granted to the department,
247 the enterprise has full authority to exercise all powers granted
248 to it under this chapter. Powers shall include, but are not
249 limited to, the ability to plan, construct, maintain, repair,
250 and operate a high-speed rail system, ~~to acquire corridors, and~~
251 to coordinate the development and operation of publicly funded
252 passenger rail systems in the state, and to preserve future rail
253 corridors and rights-of-way in coordination with the
254 department's planning of the State Highway System.

255 Section 13. This act shall take effect July 1, 2024.

256
257 ===== T I T L E A M E N D M E N T =====

258 And the title is amended as follows:

259 Delete everything before the enacting clause
260 and insert:

261 A bill to be entitled
262 An act relating to the Department of Transportation;
263 amending s. 20.23, F.S.; revising the list of areas of
264 program responsibility within the Department of
265 Transportation; deleting the requirement that the
266 secretary of the department appoint the department's
267 inspector general and that he or she be directly
268 responsible to the secretary; amending s. 311.101,
269 F.S.; requiring that a specified amount of recurring
270 funds from the State Transportation Trust Fund be made
271 available for the Intermodal Logistics Center



272 Infrastructure Support Program; requiring the
273 department to include specified projects in its
274 tentative work program; creating s. 334.61, F.S.;
275 requiring a governmental entity that proposes certain
276 projects to conduct a traffic study; requiring notice
277 to property owners affected by such projects within a
278 specified timeframe; providing notice requirements;
279 requiring such governmental entities to hold a public
280 meeting before completion of the design phase of such
281 projects; providing requirements for such public
282 meetings; requiring such governmental entities to
283 review and take into consideration comments and
284 alternatives presented in public meetings in the final
285 project design; amending s. 338.231, F.S.; extending
286 the length of time before which an inactive prepaid
287 toll account becomes unclaimed property; amending s.
288 339.08, F.S.; prohibiting the department from
289 expending state funds to support a project or program
290 of specified entities; requiring the department to
291 withhold state funds until such entities are in
292 compliance with a specified provision; amending s.
293 339.0803, F.S.; prioritizing availability of certain
294 revenues deposited into the State Transportation Trust
295 Fund for payments under service contracts with the
296 Florida Department of Transportation Financing
297 Corporation to fund arterial highway projects;
298 providing that two or more of such projects may be
299 treated as a single project for certain purposes;
300 amending s. 339.0809, F.S.; specifying priority of



301 availability of funds appropriated for payments under
302 a service contract with the corporation; amending s.
303 339.2818, F.S.; authorizing, subject to appropriation,
304 a local government within a specified area to compete
305 for funding using specified criteria on specified
306 roads; providing an exclusion; amending s. 341.051,
307 F.S.; requiring that certain unallocated funds for the
308 New Starts Transit Program remaining as of a specified
309 date be reallocated to the Strategic Intermodal
310 System; providing for expiration; amending s. 341.071,
311 F.S.; defining terms; requiring each public transit
312 provider to certify annually that its budgeted and
313 actual administrative costs are not greater than a
314 specified amount; requiring the disclosure and posting
315 of specified information; requiring the department to
316 make a certain annual determination for a specified
317 purpose; creating s. 341.072, F.S.; prohibiting a
318 public transit provider, as a condition of receiving
319 state funds, from expending state funds for certain
320 marketing or advertising activities; requiring the
321 department to incorporate guidelines in the public
322 transportation grant agreement entered into with each
323 public transit provider; providing that certain media
324 on passenger windows of public transit provider
325 vehicles comply with a specified provision; amending
326 s. 341.822, F.S.; revising the powers of the Florida
327 Rail Enterprise; providing an effective date.

By the Committee on Transportation; and Senator DiCeglie

596-02958B-24

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1 A bill to be entitled
 2 An act relating to the Department of Transportation;
 3 amending s. 20.23, F.S.; deleting the requirement that
 4 the secretary of the department appoint the
 5 department's inspector general; amending s. 311.101,
 6 F.S.; requiring that a specified amount of recurring
 7 funds from the State Transportation Trust Fund be made
 8 available for the Intermodal Logistics Center
 9 Infrastructure Support Program; requiring the
 10 department to include specified projects in its
 11 tentative work program; amending s. 334.044, F.S.;
 12 revising requirements for the allocation of funds by
 13 the department for the purchase of plant materials;
 14 amending s. 338.231, F.S.; extending the length of
 15 time before which an inactive prepaid toll account
 16 becomes unclaimed property; amending s. 339.0803,
 17 F.S.; prioritizing availability of certain revenues
 18 deposited into the State Transportation Trust Fund for
 19 payments under service contracts with the Florida
 20 Department of Transportation Financing Corporation to
 21 fund arterial highway projects; providing that two or
 22 more of such projects may be treated as a single
 23 project for certain purposes; amending s. 339.0809,
 24 F.S.; specifying priority of availability of funds
 25 appropriated for payments under a service contract
 26 with the corporation; amending s. 339.2818, F.S.;
 27 authorizing, subject to appropriation, a local
 28 government within specified areas to compete for
 29 funding using specified criteria on specified roads;

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 providing an exclusion; amending s. 341.071, F.S.;
 31 defining the terms "administrative costs" and "public
 32 transit provider"; requiring each public transit
 33 provider to annually certify that its budgeted and
 34 actual administrative costs are not greater than a
 35 specified amount; requiring the disclosure of
 36 specified information; requiring the department to
 37 calculate the annual state average of administrative
 38 costs by a specified date; amending s. 341.822, F.S.;
 39 revising the powers of the Florida Rail Enterprise;
 40 providing an effective date.

41
 42 Be It Enacted by the Legislature of the State of Florida:

43
 44 Section 1. Paragraph (d) of subsection (3) of section
 45 20.23, Florida Statutes, is amended to read:

46 20.23 Department of Transportation.—There is created a
 47 Department of Transportation which shall be a decentralized
 48 agency.

49 (3)

50 ~~(d) The secretary shall appoint an inspector general~~
 51 ~~pursuant to s. 20.055 who shall be directly responsible to the~~
 52 ~~secretary and shall serve at the pleasure of the secretary.~~

53 Section 2. Present subsection (7) of section 311.101,
 54 Florida Statutes, is redesignated as subsection (8), and a new
 55 subsection (7) is added to that section, to read:

56 311.101 Intermodal Logistics Center Infrastructure Support
 57 Program.—

58 (7) Beginning with the 2024-2025 fiscal year through the

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59 2029-2030 fiscal year, \$15 million in recurring funds shall be
 60 made available from the State Transportation Trust Fund for the
 61 program. The Department of Transportation shall include projects
 62 proposed to be funded under this section in the tentative work
 63 program developed pursuant to s. 339.135(4).

64 Section 3. Subsection (26) of section 334.044, Florida
 65 Statutes, is amended to read:

66 334.044 Powers and duties of the department.—The department
 67 shall have the following general powers and duties:

68 (26) To provide for the enhancement of environmental
 69 benefits, including air and water quality; to prevent roadside
 70 erosion; to conserve the natural roadside growth and scenery;
 71 and to provide for the implementation and maintenance of
 72 roadside conservation, enhancement, and stabilization programs.

73 (a) Of the total amount appropriated for a contracted
 74 construction project, the percentage allocated for the purchase
 75 of plant materials is as follows:

76 1. For projects with a contracted amount of \$50 million or
 77 less, 1.5 percent.

78 2. For projects with a contracted amount of \$50,000,001 to
 79 \$100 million, 1 percent.

80 3. For projects with a contracted amount of \$100,000,001 to
 81 \$250 million, 0.75 percent.

82 4. For projects with a contracted amount of \$250,000,001 to
 83 \$500 million, 0.50 percent.

84 5. For projects with a contracted amount of \$500,000,001 or
 85 more, 0.25 percent. At least 1.5 percent of the amount
 86 contracted for construction projects shall be allocated by the
 87 department on a statewide basis for the purchase of plant

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88 ~~materials.~~

89 (b) Department districts may not expend funds for
 90 landscaping in connection with any project that is limited to
 91 resurfacing existing lanes unless the expenditure has been
 92 approved by the department's secretary or the secretary's
 93 designee. To the greatest extent practical, at least 50 percent
 94 of the funds allocated under this subsection shall be allocated
 95 for large plant materials and the remaining funds for other
 96 plant materials. Except as prohibited by applicable federal law
 97 or regulation, all plant materials shall be purchased from
 98 ~~Florida~~ commercial nursery stock in this state on a uniform
 99 competitive bid basis. The department shall develop grades and
 100 standards for landscaping materials purchased through this
 101 process. To accomplish these activities, the department may
 102 contract with nonprofit organizations having the primary purpose
 103 of developing youth employment opportunities.

104 Section 4. Paragraph (c) of subsection (3) of section
 105 338.231, Florida Statutes, is amended to read:

106 338.231 Turnpike tolls, fixing; pledge of tolls and other
 107 revenues.—The department shall at all times fix, adjust, charge,
 108 and collect such tolls and amounts for the use of the turnpike
 109 system as are required in order to provide a fund sufficient
 110 with other revenues of the turnpike system to pay the cost of
 111 maintaining, improving, repairing, and operating such turnpike
 112 system; to pay the principal of and interest on all bonds issued
 113 to finance or refinance any portion of the turnpike system as
 114 the same become due and payable; and to create reserves for all
 115 such purposes.

116 (3)

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117 (c) Notwithstanding any other ~~provision of~~ law to the
 118 contrary, any prepaid toll account of any kind which has
 119 remained inactive for 10 ~~3~~ years ~~is shall be~~ presumed unclaimed
 120 and its disposition shall be handled by the Department of
 121 Financial Services in accordance with all applicable provisions
 122 of chapter 717 relating to the disposition of unclaimed
 123 property, and the prepaid toll account shall be closed by the
 124 department.

125 Section 5. Section 339.0803, Florida Statutes, is amended
 126 to read:

127 339.0803 Allocation of increased revenues derived from
 128 amendments to s. 320.08 by ch. 2019-43.—

129 (1) Beginning in the 2021-2022 fiscal year and each fiscal
 130 year thereafter, funds that result from increased revenues to
 131 the State Transportation Trust Fund derived from the amendments
 132 to s. 320.08 made by chapter 2019-43, Laws of Florida, and
 133 deposited into the fund pursuant to s. 320.20(5) (a) must be used
 134 to fund arterial highway projects identified by the department
 135 in accordance with s. 339.65 and may be used for projects as
 136 specified in ss. 339.66 and 339.67. For purposes of the funding
 137 provided in this section, the department shall prioritize use of
 138 existing facilities or portions thereof when upgrading arterial
 139 highways to limited or controlled access facilities. However,
 140 this section does not preclude use of the funding for projects
 141 that enhance the capacity of an arterial highway. The funds
 142 allocated as provided in this section shall be in addition to
 143 any other statutory funding allocations provided by law.

144 (2) Revenues deposited into the State Transportation Trust
 145 Fund pursuant to s. 320.20(5) (a) shall first be available for

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146 appropriation for payments under a service contract entered into
 147 with the Florida Department of Transportation Financing
 148 Corporation pursuant to s. 339.0809(4) to fund arterial highway
 149 projects. For the corporation's bonding purposes, two or more of
 150 such projects in the department's approved work program may be
 151 treated as a single project.

152 Section 6. Subsection (13) of section 339.0809, Florida
 153 Statutes, is amended to read:

154 339.0809 Florida Department of Transportation Financing
 155 Corporation.—

156 (13) The department may enter into a service contract in
 157 conjunction with the issuance of debt obligations as provided in
 158 this section which provides for periodic payments for debt
 159 service or other amounts payable with respect to debt
 160 obligations, plus any administrative expenses of the Florida
 161 Department of Transportation Financing Corporation. Funds
 162 appropriated for payments under a service contract shall be
 163 available after funds pledged to payment on bonds but before
 164 other statutorily required distributions.

165 Section 7. Subsection (8) is added to section 339.2818,
 166 Florida Statutes, to read:

167 339.2818 Small County Outreach Program.—

168 (8) Subject to specific appropriation in addition to funds
 169 appropriated for projects under this section, a local government
 170 either wholly or partially within the Everglades Agricultural
 171 Area as defined in s. 373.4592(15), the Peace River Basin, or
 172 the Suwannee River Basin may compete for additional funding
 173 using the criteria listed in paragraph (4) (c) at up to 100
 174 percent of project costs on state or county roads used primarily

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175 as farm to market connections between rural agricultural areas
 176 and market distribution centers, excluding capacity improvement
 177 projects.

178 Section 8. Subsection (4) is added to section 341.071,
 179 Florida Statutes, to read:

180 341.071 Transit productivity and performance measures;
 181 reports.—

182 (4) (a) As used in this subsection, the term:

183 1. "Administrative costs" includes, but is not limited to,
 184 salaried employees' compensation and benefits, small business
 185 outreach, professional service contracts not directly related to
 186 the operation and maintenance of a transit system, and other
 187 overhead expenses. This term does not include insurance costs.

188 2. "Public transit provider" means a public agency
 189 providing public transit service, including an authority created
 190 pursuant to chapter 343 or chapter 349.

191 (b) Each public transit provider shall, during a publicly
 192 noticed meeting, annually certify that its budgeted and actual
 193 administrative costs are not greater than 20 percent above the
 194 annual state average of administrative costs. The provider shall
 195 also disclose all employees' compensation and benefits,
 196 ridership performance and metrics, and any gifts as defined in
 197 s. 112.312 accepted in exchange for contracts.

198 (c) To support compliance with paragraph (b), the
 199 department shall determine the annual state average of
 200 administrative costs by calculating the annual administrative
 201 costs of all the public transit providers in this state annually
 202 by March 31 to inform the provider's following Fiscal Year
 203 budget.

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204 Section 9. Paragraph (a) of subsection (2) of section

205 341.822, Florida Statutes, is amended to read:

206 341.822 Powers and duties.—

207 (2) (a) In addition to the powers granted to the department,
 208 the enterprise has full authority to exercise all powers granted
 209 to it under this chapter. Powers shall include, but are not
 210 limited to, the ability to plan, construct, maintain, repair,
 211 and operate a high-speed rail system, ~~to acquire corridors, and~~
 212 to coordinate the development and operation of publicly funded
 213 passenger rail systems in the state, and to preserve future rail
 214 corridors and rights-of-way in coordination with the
 215 department's planning of the State Highway System.

216 Section 10. This act shall take effect July 1, 2024.

2/20/2024

Meeting Date

The Florida Senate APPEARANCE RECORD

1224

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

TED APPROP

Committee

Amendment Barcode (if applicable)

Name

Michael Rubin

Phone

850-222-8023

Address

502 E JEFFERSON ST

Email

Street

Tall

FL

32301

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

FLORIDA PORTS COUNCIL

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

2/20/2024

Meeting Date

Appropriations Committee on Transportation, Tourism, and Economic Development

Committee

The Florida Senate APPEARANCE RECORD

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SB 1226

Bill Number or Topic

Amendment Barcode (if applicable)

Name Garrett Wallace

Phone 8507275000

Address 115 East Park Ave

Email garrett.wallace@tnc.org

Street

Tallahassee

FL

32301

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

The Nature Conservancy

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

02/20/24

Meeting Date

ATD

Committee

The Florida Senate APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 1226

Bill Number or Topic

956720

Amendment Barcode (if applicable)

Name **Candice Ericks**

Phone **954-648-1204**

Address **205 S. Adams St.**

Email **candice@ericksconsultants.com**

Street

Tallahassee

FL

32301

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

**South Florida Regional
Transportation Authority (SFRTA)**

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic Development

BILL: SB 1256

INTRODUCER: Senator Martin

SUBJECT: Voter Registration Applications

DATE: February 20, 2024

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Biehl</u>	<u>Roberts</u>	<u>EE</u>	<u>Favorable</u>
2.	<u>Wells</u>	<u>Jerrett</u>	<u>ATD</u>	<u>Favorable</u>
3.	_____	_____	<u>FP</u>	_____

I. Summary:

SB 1256 revises voter-registration duties of the Florida Department of Highway Safety and Motor Vehicles (DHSMV) by:

- Prohibiting the DHSMV from changing the party affiliation of an applicant who is updating his or her voter registration record unless the applicant designates and consents in writing to change his or her party affiliation.
- Requiring the DHSMV to, after verifying voter registration information and receiving the applicant’s electronic signature, provide the applicant with a printed receipt that includes the submitted voter registration information and document any changes in party affiliation.
- Requiring driver license examiners providing voter registration services to ask certain questions, and prohibiting certain questions, regarding voter registration; and requiring the DHSMV to record when a person chooses not to disclose his or her voter registration status and forward such information to the Department of State.
- Requiring the DHSMV to ensure that technology processes and updates do not alter an applicant’s party affiliation without the written consent of the applicant.
- Requiring the DHSMV to be in full compliance with the bill’s requirements within 3 months after the bill becomes law.

The bill may have an indeterminate, but likely substantial fiscal impact. See Section V, Fiscal Impact Statement.

The bill takes effect July 1, 2024.

II. Present Situation:

National Voter Registration Act of 1993

Congress passed the National Voter Registration Act (NVRA) in 1993¹ “to establish procedures that will increase the number of eligible citizens who register to vote in elections for Federal office,” while also ensuring “that accurate and current voter registration rolls are maintained.”² The NVRA requires, among other things, that each a state allow a driver’s license application, or a renewal application, submitted to a state motor vehicle authority to also serve as a voter registration application with respect to elections for Federal office, unless the applicant fails to sign the voter registration application.³ The voter registration application portion of a driver’s license application is prohibited by the NVRA from requiring any information that duplicates information⁴ required in the driver’s license portion of the form.⁵ The NVRA requires a voter registration application to include the following:

- A statement of each voter eligibility requirement (including citizenship).
- An attestation that the applicant meets each eligibility requirement.
- A signature of the applicant, under penalty of perjury.⁶

A voter registration application submitted to a state motor vehicle authority by a person who has already registered to vote is considered as updating the person’s voter registration.⁷

Voter Registration and the Florida Department of Highway Safety and Motor Vehicles

The Florida Election Code⁸ implements the NVRA by requiring the Department of Highway Safety and Motor Vehicles (DHSMV)⁹ to provide an applicant “the opportunity to register to vote or to update a voter registration record” when he or she does any of the following actions:

- Applies for or renews a driver license.
- Applies for or renews an identification card (I.D. card).¹⁰
- Changes an address on an existing driver license or I.D. card.¹¹

The DHSMV must notify each applicant, orally or in writing, that:¹²

¹ National Voter Registration Act of 1993, P.L. 103-31.

² 52 U.S.C. § 20501.

³ 52 U.S.C. § 20504(a)(1). This provision of the NVRA has given the act the colloquial designation by which the bill is most commonly known: the “Motor-Voter” law.

⁴ Additionally, the NVRA requires that a voter registration application issued in conjunction with an application for a driver’s license only contain the minimum amount of information necessary to prevent duplicate voter registration and to enable state election officials to assess applicant eligibility and administer voter registration and other parts of the election process. 52 U.S.C. §20504(c)(2)(B).

⁵ 52 U.S.C. §20504(c)(2)(A).

⁶ 52 U.S.C. §20504(c)(2)(C).

⁷ 52 U.S.C. §20504(a)(2).

⁸ Chapters 97-106, F.S., are known as the Florida Election Code. Section 97.011, F.S.

⁹ The DHSMV and certain county tax collectors have entered into statutorily authorized contracts, whereby tax collectors may deliver full or limited driver license services on behalf of the department. *See* s. 322.02, F.S.

¹⁰ *See* s. 322.051, F.S.

¹¹ Section 97.057(1), F.S.

¹² Section 97.057(2)(a), F.S.

- Information gathered for a driver license or I.D. card application, renewal, or change of address can be automatically transferred to a voter registration application.
- If he or she submits additional information and provides his or her signature, the voter registration application will be completed and thereafter sent to the proper election authority.
- Any information provided by him or her may also be used to update an existing voter registration record.
- If he or she declines to register to vote, such declination will remain confidential and may be used only for voter registration purposes.¹³
- The driver license office in which he or she applies to register to vote or updates a voter registration record will remain confidential and may be used only for voter registration purposes.¹⁴

During the process of completing a driver license or I.D. card application, renewal, or change of address, each driver license examiner¹⁵ must ask orally, or in writing if the person is hearing impaired, whether he or she wants to register to vote or update their voter registration record.¹⁶ If the person responds in the affirmative, all applicable information used by the DHSMV to fill out the application, renewal, or change of address will be transferred to the voter registration application.¹⁷ The voter registration application is required to be the same in content, format, and size as the uniform statewide voter registration application.¹⁸ After the applicable information has been transferred, the person will be asked to provide any additional information necessary for the voter registration application to be complete.¹⁹ The completed voter registration application must be presented to the person for him or her to review and verify.²⁰ Once the person reviews and verifies the information, he or she must provide an electronic signature affirming the accuracy of the information.²¹ The DHSMV is required to electronically transmit completed voter registration applications within 24 hours to the statewide voter registration system,²² which is administered by the Department of State (DOS).²³

If an applicant declines to register to vote, update their voter registration record, or change their address by either orally declining or by failing to sign the completed voter registration

¹³ The NVRA requires that declinations to register to vote be kept confidential. 52 U.S.C. § 20504(c)(2)(D)(ii); *see also* s. 97.0585(1)(a), F.S., providing a public record exemption for such declinations.

¹⁴ The NVRA requires that the office at which an applicant submits a voter registration application be kept confidential. 52 U.S.C. § 20504(c)(2)(D)(iii); *see also* s. 97.0585(1)(b), F.S., providing a public record exemption for information relating to the place where a person registered to vote or where he or she updated a registration record.

¹⁵ The DHSMV is required to designate persons as “driver license examiners,” who are tasked with conducting examinations, making factual reports of findings and recommendations as the DHSMV may require, and enforcing the following: all driver license laws; suspension, revocation, and cancellation orders; and laws relating to the registration of motor vehicles. Section 322.13, F.S.

¹⁶ Section 97.057(2)(b), F.S.

¹⁷ Section 97.057(2)(b)1., F.S.

¹⁸ Section 97.057(3)(a), F.S.; *see* s. 97.052, F.S.

¹⁹ However, the additional information may not duplicate information already obtained by the driver license examiner. Section 97.057(2)(b)1.b., F.S.

²⁰ Section 97.057(2)(b)1.c., F.S.

²¹ *Id.*

²² *See* ss. 97.012(11) and 98.035, F.S.

²³ If the voter registration application was completed via a physical paper document, the DHSMV must forward the document within five days to the supervisor of elections of the applicable county. Section 97.057(4), F.S.

application, the DHSMV must note the declination and forward the information to the statewide voter registration system.²⁴

A driver license examiner providing voter registration services is prohibited from:

- Seeking to influence an applicant’s political preference or party registration;
- Displaying any political preference or party allegiance;
- Making any statement to an applicant or taking any action the purpose or effect of which is to discourage the person from registering to vote; or
- Disclosing any applicant’s voter registration information except as needed for the administration of voter registration.²⁵

The Florida Election Code provides an adjudicatory mechanism for a person who has suffered an alleged violation of the NVRA.²⁶ Such person may file with the DOS a written complaint that states the alleged violation.²⁷ Once received, the parties to the complaint must be given an opportunity to resolve the issue through an informal dispute resolution process.²⁸ If the informal dispute resolution process fails to resolve the issue, the complainant may bring an action in the respective circuit court for declaratory or injunctive relief if he or she gave proper written notice to the Secretary of State and an agreement was not reached or the alleged violation was not corrected within 90 days after the notice — or within 20 days of the notice if the alleged violation occurred within 120 days before the date of the election.²⁹

Statewide Voter Registration Application

The DOS is required to create a uniform statewide voter registration application (VR application) by rule.³⁰ The VR application is required to elicit the following information:

- Name.
- Date of Birth.
- Address of legal residence.³¹
- Mailing address (if different from address of legal residence).
- E-mail address and whether the applicant wishes to receive sample ballots by e-mail.
- County of legal residence.
- Race or ethnicity.

²⁴ Section 97.057(2)(b)2., F.S. This voter registration information transmittal is in addition to other types of information required to be submitted weekly by the DHSMV to the DOS. *See* s. 98.093(8), F.S.

²⁵ Section 97.057(6), F.S.

²⁶ Section 97.023, F.S.; *see also* r. 1S-2.036, F.A.C.

²⁷ Section 97.023(1)(a) and (b), F.S.

²⁸ Section 97.023(2), F.S. If the alleged violation occurred within 30 days before a state or federal election and the alleged violation will affect the registrant’s right to vote in such election, the registrant may immediately bring an action in the circuit court in the county where the alleged violation occurred. Section 97.023(3), F.S.

²⁹ Section 97.023(3), F.S.

³⁰ Section 97.052(1), F.S.; *see* r. 1S-2.040, F.A.C., incorporating the uniform statewide voter registration application by reference. Uniform Statewide Voter Registration Application, DS-DE 39, *available at* <https://www.flrules.org/gateway/readRefFile.asp?refId=3171&filename=Voter%20Reg%20App%20-%20DS-DE%2039%20-%20adoption.doc> (last visited February 2, 2024).

³¹ “Address of legal residence” means the legal residential address of the elector and includes all information necessary to differentiate one residence from another, including, but not limited to, a distinguishing apartment, suite, lot, room, or dormitory room number or other identifier. Section 97.021(3), F.S.

- State or country of birth.
- Sex.
- Party Affiliation.
- Whether the applicant needs assistance in voting.
- Name and address where last registered.
- Last four digits of the applicant's social security number.
- Florida driver license number or the identification number from a Florida I.D. card.
- An indication, if applicable, that the applicant has not been issued a Florida driver license, a Florida I.D. card, or a social security number.
- Telephone number (optional).
- Signature of the applicant under penalty for false swearing.³²
- Whether the application is being used for initial registration, to update a voter registration record, or to request a replacement voter information card.
- Whether the applicant is a citizen of the United States by asking the question "Are you a citizen of the United States of America?"
- Whether the applicant has been convicted of a felony and, if convicted, has had his or her voting rights restored.
- Whether the applicant has been adjudicated mentally incapacitated with respect to voting or, if so adjudicated, has had his or her right to vote restored.³³

The VR application must also contain the following constitutionally required oath:³⁴

I do solemnly swear (or affirm) that I will protect and defend the Constitution of the United States and the Constitution of the State of Florida, and that I am qualified to register as an elector under the Constitution and laws of the State of Florida.³⁵

Voter Registration and Party Affiliation

If a person fails to designate a party when he or she initially registers to vote, the supervisor of elections (supervisor) must designate that person as registered without party affiliation, also known as No Party Affiliated (NPA).³⁶ The supervisor must notify the voter of such designation and how he or she may change party affiliation.³⁷ Once registered, a voter's currently recorded political party affiliation may not be changed unless the voter indicates otherwise.³⁸ If a voter does wish to update the party affiliation on his or her voter registration record, he or she must notify the supervisor by submitting a VR application indicating such.³⁹ After a voter's party affiliation is changed, the supervisor will issue that person a new voter information card.⁴⁰

³² See s. 104.011, F.S., for penalties for false swearing.

³³ Section 97.052(2), F.S.

³⁴ Section 97.052(3)(a), F.S.

³⁵ Article VI, s. 3, FLA. CONST.; see also s. 97.051, F.S.

³⁶ Section 97.053(5)(b), F.S.

³⁷ *Id*; See s. 97.1031(2), F.S., to see how a voter's party affiliation may be changed.

³⁸ Rule 1S-2.039(6)(b), F.A.C.

³⁹ Section 97.1031(2), F.S.

⁴⁰ Section 97.1031(3), F.S. Supervisors must provide registered voters with a voter information card, which constitutes notice of approval of registration. The card must contain the voter's registration number, date of registration, full name, party affiliation, date of birth, address of legal residence, precinct number, polling place address, name and contact information of

III. Effect of Proposed Changes:

The bill requires the VR application to allow an applicant who is completing an application for the purpose of updating a voter registration record without changing their party affiliation to indicate that he or she is choosing not to disclose his or her party affiliation.

The bill prohibits the party affiliation of an applicant who is updating his or her voter registration record from being changed unless the applicant designates and consents in writing to change his or her party affiliation.

The bill prohibits the DHSMV from:

- Using a voter registration application to change the party affiliation of an applicant, unless the applicant designates a change in party affiliation and provides a separate original signature consenting to the party affiliation change.
- Updating a voter's registration record to change party affiliation, unless the individual designates the change and separately consent to such change in writing.

The bill requires the DHSMV to, after verifying the voter registration information and receiving the applicant's electronic signature, provide the applicant with a printed receipt that includes the submitted voter registration information and document any change in party affiliation.

The bill requires driver license examiners providing voter registration services to ask the following new questions:

- Whether the applicant is registered to vote;
- Whether the applicant is not registered to vote;
- Whether the applicant does not know if he or she is registered to vote; or
- Whether the applicant does not wish to disclose whether he or she is registered to vote.

If the applicant is not registered to vote or does not know whether he or she is registered to vote, the bill requires the driver license examiner to ask whether the applicant wishes to register to vote and, if the applicant is registered to vote, whether he or she wishes to update a voter registration record.

The bill provides that the DHSMV must also record when a person chooses to not disclose his or her voter registration status and forward such information to the DOS.

The bill prohibits driver license examiners from making any change to applicant's party affiliation, unless the applicant provides a separate original signature consenting to the party affiliation change or discussing an applicant's political preference or party registration.

The bill requires the DHSMV to ensure that information technology processes and updates do not alter an applicant's party affiliation without the written consent of the applicant. Lastly, the DHSMV must be in full compliance with the bill within three months after the bill becomes law.

the supervisor, and other information deemed necessary by the supervisor. Voters may request a replacement card in writing and supervisors must issue a new card if the voter's name, address of legal residence, polling place address, or party affiliation changes. Section 97.071, F.S.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

Not applicable. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditures of funds, reduce the authority that counties or municipalities have to raise revenues in the aggregate, or reduce the percentage of state tax shared with counties or municipalities. In addition, bills that affect state or local elections are exempt from the requirements of Art. VII, s. 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill may have an indeterminate, but likely substantial, fiscal impact on state expenditures as the DHSMV will have to make changes to the program used to register voters. The DHSMV has estimated that reprogramming the program could cost \$9,675.⁴¹ Additionally, if the bill is interpreted as requiring a separate “wet” (i.e. physical signature on paper) then the DHSMV will have to alter their largely electronic processes to account for the signature and may no longer be able offer driver license renewal or replacement transactions online.⁴² Lastly, the DHSMV might incur costs related to the production of

⁴¹ DHSMV Agency Bill Analysis of HB 135, on file with the Committee on Ethics and Elections. House Bill 135 is identical to this bill.

⁴² *Id.*

the registration receipt required under the bill, as well as training staff on the new requirements in the bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 97.052, 97.053, and 97.057.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Martin

33-01465-24

20241256__

A bill to be entitled

An act relating to voter registration applications; amending s. 97.052, F.S.; revising the information that the uniform statewide voter registration application must be designed to elicit; amending s. 97.053, F.S.; providing an exception to a requirement that certain voter registration applicants must be registered without party affiliation; amending s. 97.057, F.S.; requiring the Department of Highway Safety and Motor Vehicles to notify certain individuals of certain information; requiring a driver license examiner to make specified inquiries; prohibiting the department from changing the party affiliation of an applicant except in certain circumstances; requiring the department to provide an applicant with a certain receipt; revising the methods by which an applicant may decline to register to vote or update certain voter registration information; prohibiting a person providing voter registration services for a driver license office from taking certain actions; requiring the department to ensure that information technology processes and updates do not alter certain information without written consent; requiring the department to be in full compliance with the act within a certain period; providing an effective date.

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

Page 1 of 5

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

33-01465-24

20241256__

Section 1. Paragraph (j) of subsection (2) of section 97.052, Florida Statutes, is amended to read:

97.052 Uniform statewide voter registration application.—

(2) The uniform statewide voter registration application must be designed to elicit the following information from the applicant:

(j) Party affiliation or, for an applicant who is completing the application to update a voter registration record without changing his or her party affiliation, an indication that the applicant is choosing not to disclose his or her party affiliation.

Section 2. Paragraph (b) of subsection (5) of section 97.053, Florida Statutes, is amended to read:

97.053 Acceptance of voter registration applications.—

(5)

(b) An applicant who fails to designate party affiliation must be registered without party affiliation, except that the party affiliation of an applicant who is updating a voter registration record may not be changed unless the applicant designates and consents in writing to a change in party affiliation. The supervisor must notify the voter by mail that the voter has been registered without party affiliation and that the voter may change party affiliation as provided in s. 97.1031.

Section 3. Subsection (2) and subsection (6) of section 97.057, Florida Statutes, are amended, and subsection (14) is added to that section, to read:

97.057 Voter registration by the Department of Highway Safety and Motor Vehicles.—

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33-01465-24

20241256__

59 (2) The Department of Highway Safety and Motor Vehicles
60 shall:

61 (a) Notify each individual, orally or in writing, that:

62 1. Information gathered for the completion of a driver
63 license or identification card application, renewal, or change
64 of address can be automatically transferred to a voter
65 registration application;

66 2. If additional information and a signature are provided,
67 the voter registration application will be completed and sent to
68 the proper election authority;

69 3. Information provided can also be used to update a voter
70 registration record, except that party affiliation will not be
71 changed unless the individual designates a change in party
72 affiliation and separately consents to such change in writing;

73 4. All declinations will remain confidential and may be
74 used only for voter registration purposes; and

75 5. The particular driver license office in which the person
76 applies to register to vote or updates a voter registration
77 record will remain confidential and may be used only for voter
78 registration purposes.

79 (b) Require a driver license examiner to inquire orally or,
80 if the applicant is hearing impaired, inquire in writing whether
81 the applicant is registered to vote, is not registered to vote,
82 does not know if he or she is registered to vote, or does not
83 wish to disclose whether he or she is registered to vote. If the
84 applicant is not or does not know whether he or she is
85 registered to vote, the driver license examiner shall inquire
86 whether the applicant wishes to register to vote and, if the
87 applicant is registered to vote, the driver license examiner

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20241256__

88 shall inquire whether the applicant wishes to ~~register to vote~~
89 ~~or~~ update a voter registration record during the completion of a
90 driver license or identification card application, renewal, or
91 change of address.

92 1. If the applicant chooses to register to vote or to
93 update a voter registration record:

94 a. All applicable information received by the Department of
95 Highway Safety and Motor Vehicles in the course of filling out
96 the forms necessary under subsection (1) must be transferred to
97 a voter registration application.

98 b. The additional necessary information must be obtained by
99 the driver license examiner and must not duplicate any
100 information already obtained while completing the forms required
101 under subsection (1).

102 c. A voter registration application with all of the
103 applicant's voter registration information required to establish
104 the applicant's eligibility pursuant to s. 97.041 must be
105 presented to the applicant to review and verify the voter
106 registration information received and provide an electronic
107 signature affirming the accuracy of the information provided.

108 d. The voter registration application may not be used to
109 change the party affiliation of the applicant unless the
110 applicant designates a change in party affiliation and provides
111 a separate original signature consenting to the party
112 affiliation change.

113 e. After verifying the voter registration information and
114 providing his or her electronic signature, the applicant must be
115 provided with a printed receipt that includes such information
116 and documents any change in party affiliation.

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33-01465-24

20241256__

117 2. If the applicant declines to register to vote, update
118 the applicant's voter registration record, or change the
119 applicant's address by either orally declining or choosing not
120 to disclose the applicant's voter registration status or by
121 failing to sign the voter registration application, the
122 Department of Highway Safety and Motor Vehicles must note such
123 declination on its records and shall forward the declination to
124 the statewide voter registration system.

125 (6) A person providing voter registration services for a
126 driver license office may not:

127 (a) Make any change to an applicant's party affiliation
128 unless the applicant provides a separate original signature
129 consenting to the party affiliation change or discuss or seek to
130 influence an applicant's political preference or party
131 registration;

132 (b) Display any political preference or party allegiance;

133 (c) Make any statement to an applicant or take any action
134 the purpose or effect of which is to discourage the applicant
135 from registering to vote; or

136 (d) Disclose any applicant's voter registration information
137 except as needed for the administration of voter registration.

138 (14) The Department of Highway Safety and Motor Vehicles
139 shall ensure that information technology processes and updates
140 do not alter an applicant's party affiliation without the
141 written consent of the applicant.

142 Section 4. The Department of Highway Safety and Motor
143 Vehicles must be in full compliance with this act within 3
144 months after this act becomes a law.

145 Section 5. This act shall take effect upon becoming a law.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

1.20.24

Meeting Date

1256

Bill Number or Topic

T.ED.A.

Committee

Amendment Barcode (if applicable)

Name

Sarah Suskey

Phone

Address

Email

Street

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Rob Secor Democracy

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Criminal Justice, *Chair*
Appropriations
Appropriations Committee on Criminal and Civil Justice
Community Affairs
Environment and Natural Resources
Ethics and Elections

SELECT COMMITTEE:

Select Committee on Resiliency

SENATOR JONATHAN MARTIN

33rd District

February 13, 2024

The Honorable Ed Hooper
Senate Committee on Appropriations Committee on Transportation, Tourism, and Economic Development, Chair
201 The Capitol
404 South Monroe Street
Tallahassee, FL 32399

RE: SB 1256 – Voter Registration Applications

Dear Chair Hooper:

Please allow this letter to serve as my respectful request to place SB 1256, relating to Voter Registration Applications on the next committee agenda.

Your kind consideration of this request is greatly appreciated. Please feel free to contact my office for any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Martin".

Jonathan Martin
Senate District 33

Cc: Charlotte Jerrett, Staff Director
Brooke Conlan, Administrative Assistant

REPLY TO:

- 2000 Main Street, Suite 401, Fort Myers, Florida 33901 (239) 338-2570
- 311 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5033

Senate's Website: www.flsenate.gov

KATHLEEN PASSIDOMO
President of the Senate

DENNIS BAXLEY
President Pro Tempore

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic Development

BILL: SB 1260

INTRODUCER: Senator Trumbull

SUBJECT: Verification of Reemployment Assistance Benefit Eligibility

DATE: February 19, 2024 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Baird</u>	<u>McKay</u>	<u>CM</u>	<u>Favorable</u>
2.	<u>Nortelus</u>	<u>Jerrett</u>	<u>ATD</u>	<u>Pre-meeting</u>
3.	_____	_____	<u>FP</u>	_____

I. Summary:

SB 1260 makes a number of changes to reemployment assistance eligibility requirements. The bill changes benefit eligibility conditions as follows:

- Requires that non-Florida residents seeking reemployment assistance benefits report to workforce centers in their state of residence.
- Removes language explicitly stating that the online skills assessment offered by the Department of Commerce (the department) is voluntary.
- Requires that weekly, a claimant must complete at least one job application in person with an employer that has an expected job opening, and must certify and attest biweekly that they will appear for all scheduled interviews and actively seek work.

The bill adds more conditions that can disqualify an individual from receiving benefits including:

- Failing to contact at least five prospective employers per week, unless otherwise exempt;
- Failing to appear on three or more occasions for a scheduled job interview;
- Failing to accept suitable work within 2 business days of being offered; or
- Failing to return to the individual's self-employment when directed by the department, or when recalled to work by his or her former employer.

The department must maintain a web page and e-mail address for employers to report known or suspected violations of the disqualification for benefits provisions, and notify employers of the web page and e-mail address.

Additionally, the bill creates a new section in chapter 443, F.S., which requires the department to verify the identity of each claimant who applies for reemployment assistance benefits before paying any benefits to that individual, and to weekly cross-check the information contained in the claim with various specified national and state databases.

The bill also requires that the department to do all of the following:

- Investigate any claim indicating suspicious activity associated with a mailing address, a bank account, an e-mail address, a telephone number, or an internet protocol address that is associated with another existing claim for reemployment assistance benefits and verify that the claim is legitimate before paying any benefits.
- Scrutinize any claim filed from a foreign Internet protocol address before paying any benefits.
- Work with the United States Department of Labor, state workforce agencies, and law enforcement entities to share information related to fraudulent claims to the extent feasible for further investigation and prosecution.
- Submit a yearly report to the Legislature on fraudulent reemployment assistance claims and related information, including the number of fraudulent claims referred for investigation and possible prosecution, and the sources of information that were used to cross-check claims during the reporting period.

Finally, the bill requires the department to procure an online workforce search and match tool that meets certain specified requirements.

The bill has an indeterminate negative fiscal impact on the Department of Commerce. See Section V., Fiscal Impact Statement.

The bill takes effect July 1, 2024.

II. Present Situation:

Unemployment Compensation Overview

According to the U.S. Department of Labor (USDOL), the Federal-State Unemployment Insurance Program provides unemployment benefits to eligible workers who are unemployed through no-fault of their own (as determined under state law) and who meet the requirements of state law.¹ The program is administered as a partnership of the federal government and the states.² The individual states collect unemployment compensation payroll taxes on a quarterly basis, which are used to pay benefits, while the Internal Revenue Service collects an annual federal payroll tax under the Federal Unemployment Tax Act (FUTA).³ FUTA collections go to the states for costs of administering state unemployment compensation and job service programs. In addition, FUTA pays one-half of the cost of extended unemployment benefits (during periods of high unemployment) and provides for a fund from which states may borrow, if necessary, to pay benefits.⁴

¹ USDOL, State Unemployment Insurance Benefits, *available at* <https://oui.doleta.gov/unemploy/uifactsheet.asp> (last visited January 25, 2024).

² There are 53 programs, including the 50 states, Puerto Rico, the Virgin Islands, and the District of Columbia. USDOL, Unemployment Compensation, Federal – State Partnership, *available at* <https://oui.doleFta.gov/unemploy/pdf/partnership.pdf> (last visited January 25, 2024).

³ FUTA is codified at 26 U.S.C. § 3301-3309.

⁴ USDOL, Unemployment Insurance Tax Topic, *available at* <https://oui.doleta.gov/unemploy/uitaxtopic.asp#:~:text=FUTA%20taxes%20are%20calculated%20by,times%20the%20employer's%20taxable%20wages.&text=Employers%20who%20pay%20their%20state,tax%20paid%20to%20the%20state>, (last visited January 25, 2024).

States are permitted to set benefit eligibility requirements, the amount and duration of benefits, and the state tax structure, as long as state law does not conflict with FUTA or Social Security Act requirements. Florida's program was created by the Legislature in 1937.⁵ The department is the current agency responsible for administering Florida's laws, primarily through its Division of Workforce Services. The department contracts with the Florida Department of Revenue (DOR) to provide unemployment tax collections services.⁶

State Reemployment Assistance Benefits

In Florida, which rebranded the unemployment compensation program as the reemployment assistance program in 2012,⁷ a qualified claimant may receive benefits equal to 25 percent of wages, not to exceed \$6,325 in a benefit year.⁸ Benefits range from a minimum of \$32 per week to a maximum weekly benefit amount⁹ of \$275, for a maximum of between 12 weeks and 23 weeks,¹⁰ depending on the claimant's length of prior employment and wages earned and the unemployment rate.¹¹

The maximum available weeks is set at the beginning of the year and applies for the entire calendar year. The maximum available weeks is based upon the average seasonally adjusted statewide unemployment rate for the months of July, August, and September.¹² If the average rate for that most recent third calendar year quarter is at or below 5 percent, then the maximum weeks of benefits available is 12 weeks. For each 0.5 percent step about 5 percent, an additional week of benefits is added to the maximum duration, up to 23 weeks of benefits if that average third quarter unemployment rate is 10.5 percent. On January 1, 2021, the maximum weeks of benefits increased from 12 weeks to 19 weeks based on the three month average of July, August, and September of 2020, which was 8.6 percent.¹³

⁵ Chapter 18,402, Acts of 1937 Laws of Fla.

⁶ Section 443.1316, F.S.

⁷ Chapter 2012-30, Laws of Fla.

⁸ Section 443.111(5), F.S. The maximum amount of benefits available is calculated by multiplying an individual's weekly benefit amount by the number of available benefit weeks.

⁹ Pursuant to section 443.111(3), F.S., the "weekly benefit amount," is an amount equal to one twenty-sixth of the total wages for insured work paid during the quarter of the base period where the wages paid were highest.

¹⁰ Section 443.111(5)(c), F.S. If the average unemployment rate for the 3 months in the most recent third calendar year quarter is at or below 5 percent, then the maximum weeks of benefits available is 12; for each 0.5 percent that the unemployment rate is above 5 percent, an additional week of benefits becomes available up to 23 weeks at an unemployment rate of 10.5 percent. On January 1, 2021, the maximum weeks of benefits increased from 12 weeks to 19 weeks based on the three month average of July, August, and September of 2020, which was 8.7 percent.

¹¹ The average weekly benefit amount for each quarter in 2020 was: first quarter – \$254; second quarter – \$236; third quarter – \$227; and fourth quarter – \$228. USDOL, Unemployment Insurance Data, run report for Florida, *available at* https://oui.doleta.gov/unemploy/data_summary/DataSum.asp, (last visited January 25, 2024).

¹² Section 443.111(5)(c), F.S. Typically in the calculation of monthly unemployment rates, a rate is published about midway through the following month and the revised rate is published about midway through the next month. *See* The Department of Commerce, Unemployment – Local Area Unemployment Statistics (LAUS) – Release Schedule, (2021), *available at* <http://lmsresources.labormarketinfo.com/library/DataReleaseSchedule.pdf>, (last visited January 25, 2024).

¹³ The Department of Commerce, Florida Department of Economic Opportunity Announces Florida Achieves Six Consecutive Months of Month-Over-Month Job Growth, (November 20, 2020), *available at* <https://floridajobs.org/news-center/DEO-Press/2020/11/20/florida-department-of-economic-opportunity-announces-florida-achieves-six-consecutive-months-of-month-over-month-job-growth>, (last visited January 25, 2024).

To receive benefits, a claimant must meet certain monetary and non-monetary eligibility requirements. Key eligibility requirements involve a claimant's earnings during a certain period of time, the manner in which the claimant became unemployed, and the claimant's efforts to find new employment.¹⁴

Benefit Eligibility Conditions

A claimant must meet certain requirements in order to be eligible for benefits for each week of unemployment. Generally, these include efforts related to finding new employment, such as:¹⁵

- Completing the department's online work registration;¹⁶
- Reporting to the One-Stop Career Center when directed to do so by the local CareerSource board;
- Being able to and available for work;¹⁷
- Contacting at least 5 prospective employers each week or going to the One-Stop Career Center for reemployment services; and
- Participating in reemployment services.

For each week of benefits claimed, a claimant must submit to the department the name, address, and telephone number of each prospective employer contacted.¹⁸ A claimant must be actively seeking work to be considered available for work. "This means engaging in systematic and sustained efforts to find work, including contacting at least five prospective employers for each week of unemployment claimed" or three prospective employers for individuals who live in small counties.¹⁹ Proof of work search efforts cannot include the same prospective employer at the same location in three consecutive weeks, unless in the meantime the employer has indicated that it is hiring. The department conducts random audits of the submitted information to verify that claimants are meeting these requirements.

The requirement to be available for work and able to work applies to an individual during the major portion of the individual's customary work week. Consequently, individuals whose benefits are not based on full-time work are not required to seek or be available to accept full-time work.²⁰

¹⁴ See Section 443.101, F.S.

¹⁵ Section 443.091(1), F.S.,

¹⁶ See Section 443.091(1)(b), F.S., and Employ Florida, available at <https://www.employflorida.com/vosnet/Default.aspx>, (last visited January 25, 2024). Employ Florida Marketplace is a partnership of Workforce Florida, Inc., and the Department of Commerce. It provides job-matching and workforce resources.

¹⁷ "Able to work" means physically and mentally capable of performing the duties of the occupation in which work is being sought. "Available for work" means actively seeking and being ready and willing to accept suitable work. See Section 443.036(1) and (6), F.S. See also Rule 73B-11.021(2), F.A.C.

¹⁸ Section 449.091(1)(c)1., F.S.

¹⁹ Section 443.091(1)(d), F.S. A "small county" is a county that has an unincarcerated population of 75,000 or less. Section 120.52(19), F.S.

²⁰ Rule 73B-11.021(2), F.A.C.

An individual must make a thorough and continued effort to obtain work and take positive actions to become reemployed. To aid unemployed individuals, free reemployment services and assistance are available.²¹

The department's website provides links to local, state, and national employment databases and to resources for job training or further educational opportunities. The One-Stop Career Centers provide job search counseling and workshops, occupational and labor market information, referral to potential employers, and job training assistance. Claimants may also receive an e-mail from the Employ Florida Marketplace with information about employment services or available jobs. Additionally, a claimant may be selected to participate in reemployment assistance services, such as the Reemployment Services and Eligibility Assessment (RESEA) program, designed to address the reemployment needs of claimants.²²

Currently, if you are a non-resident of Florida you are exempt from having to complete the department's online work registration and reporting to the one-stop career center as directed by the local workforce development board for reemployment services.

Disqualification for Reemployment Assistance Benefits

Section 443.101, F.S., specifies the circumstances under which an individual would be disqualified from receiving benefits. These circumstances include:

- Voluntarily leaving work without good cause, or being discharged by his or her employing unit for misconduct connected with the work;²³
- Failing to apply for available suitable work when directed by the department or the One-Stop Career Center, to accept suitable work when offered, or to return to suitable self-employment when directed to do so;²⁴
- Making false or fraudulent representations in filing for benefits;
- Being discharged from employment due to drug use or rejection from a job offer for failing a drug test; and
- Becoming unavailable for work due to incarceration or imprisonment.

The statute specifies the duration of the disqualification and the requirements for requalification for an individual's next benefit claim, depending on the reason for the disqualification.

²¹ Rule 73B-11.011(12), F.A.C. "Reemployment services" is defined as job search assistance, job and vocational training referrals, employment counseling and testing, labor market information, employability skills enhancement, needs assessment, orientation, and other related services provided by One-Stop Career Centers operated by local regional workforce boards.

²² RESEA services may include an orientation, initial assessment, labor market information, employability development plan, and work search services. The Department of Commerce, Program Description, available at <https://floridajobs.org/office-directory/division-of-workforce-services/workforce-programs/reemployment-services-and-eligibility-assessment-program>, (last visited January 22, 2024). Rule 73B-3.028, F.A.C., provides more information on reemployment services and requirements for participation.

²³ An individual is not disqualified for voluntarily leaving temporary work to return to full time work, or to relocate with his or her military spouse due to relocation orders, or due to circumstances related to domestic violence.

²⁴ Section 443.101(2), F.S.

III. Effect of Proposed Changes:

Section 1 specifies that the act may be cited as the “Promoting Work, Deterring Fraud Act of 2024.”

Section 2 amends the benefit eligibility conditions in s. 443.091, F.S., to require non-Florida residents seeking reemployment assistance benefits to report to workforce centers in their state of residence. Non-Florida residents are currently exempt from the requirement to report to a workforce center.

Currently, the department offers an online assessment aimed at identifying an individual’s skills, abilities, and career aptitude. The assessment is currently voluntary; the claimant is allowed to choose whether to take it.²⁵ The bill deletes the language providing that the assessment is voluntary.

The bill adds a requirement that weekly, a claimant must complete at least one job application in person with an employer that has an expected job opening, and must certify and attest biweekly that they will appear for all scheduled interviews and actively seek work.

The department must adopt rules regarding work search requirements for the purpose of ensuring claimants’ good faith participation.

Section 3 amends the disqualification for benefits provisions in s. 443.101, F.S., to add more conditions that can disqualify an individual from receiving benefits:

- Failing to contact at least five prospective employers per week, unless otherwise exempt;
- Failing to appear on three or more occasions for a scheduled job interview;
- Failing to accept suitable work within 2 business days of being offered; or
- Failing to return to the individual’s self-employment when directed by the department, or when recalled to work by their former employer.

The bill provides that the department shall maintain a web page and e-mail address for employers to report known or suspected violations and that the department shall notify employers of this state the web page and e-mail address.

Section 4 creates s. 443.112, F.S., which requires the department to verify the identity of each claimant who applies for reemployment assistance benefits before paying any benefits to that individual and to weekly cross-check the information contained in the claim with various specified national and state databases.

The specified databases for the department to utilize include:

²⁵ In 2014, the Legislature amended Section 443.091, F.S., to repeal the requirement that applicants for reemployment assistance must complete an initial skills review to receive benefits and then added language that the Department of Economic Opportunity (now the Department of Commerce) to offer a voluntary online assessment that will identify an individual’s skills, abilities, and career aptitude. *See* Ch. 2014-218, Laws of Fla. s. 17.

- The National Association of State Workforce Agencies Integrity Data Hub – a free resource to state workforce agency staff with advanced data cross-matching and analysis capabilities that detects and prevents unemployment insurance fraud and improper payments.²⁶
- The United States Department of Health and Human Services National Directory of New Hires – a database that legally requires federal and state workforce agencies to report their new hires, quarterly wages, and unemployment insurance data, and is only available to authorized persons or entities for authorized purposes.²⁷
- The State Directory of New Hires – a database where employers are required to report newly hired or rehired employees within 20 days of the date of hire.²⁸
- The Department of Corrections inmate database – a database containing public record information on felony offenders sentenced to the Department of Corrections.²⁹
- The Social Security Administration (SSA) Prisoner Update Processing System – which contains data reported to SSA and retained on the Prisoner Update Processing System. Examples of the data are confinement date, released date, reporter name and facility name and address.³⁰
- The Centers for Disease Control and Prevention National Vital Statistics System death records database – which collects and shares statistics about births, deaths, marriages, divorces, and fetal deaths.³¹
- The Department of Health Bureau of Vital Statistics death records database – which collects all birth, marriage, and death certificates in Florida.³²
- The United States Citizenship and Immigration Services SAVE database – which allows federal, state, and local benefit-granting agencies to verify a benefit applicant’s immigration status or naturalized/derived citizenship.³³

The bill provides that the department may not pay any claim that has not been cross-checked against all the sources listed above, or similar sources of information.

The bill also provides that the department must do all of the following:

- Investigate any claim indicating suspicious activity associated with a mailing address, a bank account, an e-mail address, a telephone number, or an internet protocol address that is

²⁶ National Association of State Workforce Agencies Integrity Data Hub available at <https://www.naswa.org/integrity-center/integrity-data-hub>, (last visited January 25, 2024).

²⁷ A Guide to the National Directory of New Hires, (January 2023), available at https://www.acf.hhs.gov/sites/default/files/documents/ocse/a_guide_to_the_national_directory_of_new_hires.pdf, (last visited January 25, 2024).

²⁸ The State Directory of New Hires is a database maintained by each state containing information regarding newly hired employees for the respective state. See Section 409.2576, F.S. and 42 U.S.C. § 653a.

²⁹ This information only includes offenders sentenced to state prison or state supervision.

³⁰ See the Social Security Administration Program Operations Manual System, Developing Prisoner Update Processing System Records and Alerts, GN 02607.600.

³¹ About the National Vital Statistics System, CTRS. FOR DISEASE CONTROL & PREVENTION, available at https://www.cdc.gov/nchs/nvss/about_nvss.htm, (last visited January 25, 2024) (indicating that the legal authority for registering vital events, including births, lies with the fifty-seven vital statistics jurisdictions--the fifty states, the District of Columbia, New York City, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands).

³² See Section 20.43(1)(c), F.S.

³³ See 42 U.S.C. § 1320b-7.

associated with another existing claim for reemployment assistance benefits and verify that the claim is legitimate and not fraudulent before paying any benefits for the claim.

- Scrutinize any claim filed from a foreign Internet protocol address before paying any benefits for the claim.
- Work with the United States Department of Labor, other workforce agencies outside the state, the Office of the Attorney General, the Department of Law Enforcement, or other relevant law enforcement entities to share information related to fraudulent claims to the extent feasible for further investigation and prosecution.
- Each year, submit to the Legislature and make available on its website, a report identifying the number of fraudulent reemployment assistance claims identified for the prior year, the number of claims not paid due to successful detection of fraudulent intentions, the number of claims and the amount of reemployment assistance benefits paid against claims subsequently identified as fraudulent, the amount of fraudulent overpayments recovered, and the number of fraudulent claims referred for investigation and possible prosecution. The report must also list the sources of information that were used to cross-check claims during the reporting period.

Section 5 amends s. 443.151, F.S., to update the section with the revised section number changes that the bill does.

Section 6 amends s. 445.003, F.S., to require the department, in alignment with the Federal Regulations public labor exchange services systems requirements, to procure a modernized online workforce search and match tool that includes artificial intelligence generation for the purpose of matching participants to jobs and training opportunities. The tool must be interoperable through an application programming interface with the consumer-first workplace system implemented in s. 445.011, F.S., and the tool must include a knowledge, skills, and interests assessment for the purpose of guiding participants to jobs and training opportunities.

The bill takes effect July 1, 2024.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Indeterminate. If provisions in the bill function to lower the amount of reemployment assistance benefits paid out, employers could see a reduction in their contribution rates over time.

C. Government Sector Impact:

The department will likely incur initial and recurring costs of approximately \$2,000,000 to create and maintain the online workforce search and match tool, the website and e-mail address for employers to report suspected violations, and check the required databases. Provisions in the bill may function to lower the amount of reemployment assistance benefits paid out.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 443.091, 443.101, 443.151, and 445.003.

This bill creates section 443.1112 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



121838

LEGISLATIVE ACTION

Senate	.	House
Comm: TP	.	
02/20/2024	.	
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The Appropriations Committee on Transportation, Tourism, and Economic Development (Trumbull) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. This act may be cited as the "Promoting Work,
Deterring Fraud Act of 2024."

Section 2. Subsection (2) of section 443.101, Florida
Statutes, is amended to read:

443.101 Disqualification for benefits.—An individual shall
be disqualified for benefits:



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11 (2) If the Department of Commerce ~~Economic Opportunity~~
12 finds that the individual has failed without good cause to apply
13 for available suitable work, including contacting the required
14 number of prospective employers per week for any week of
15 unemployment claimed in the benefit year in accordance with s.
16 443.091, accept suitable work when offered to him or her, or
17 return to the individual's customary self-employment when
18 directed by the department or return to employment when recalled
19 to work by the individual's employer after a temporary layoff,
20 the disqualification continues for the full period of
21 unemployment next ensuing after he or she failed without good
22 cause to apply for available suitable work, accept suitable
23 work, or return to his or her customary self-employment, and
24 until the individual has earned income of at least 17 times his
25 or her weekly benefit amount. The department shall by rule adopt
26 criteria to implement this subsection, including ~~for~~ determining
27 the "suitability of work," as used in this section. In
28 developing these rules, the department shall consider the
29 duration of a claimant's unemployment in determining the
30 suitability of work and the suitability of proposed rates of
31 compensation for available work. Further, after an individual
32 has received 25 weeks of benefits in a single year, suitable
33 work is a job that pays the minimum wage and is 120 percent or
34 more of the weekly benefit amount the individual is drawing.

35 (a) In determining whether or not any work is suitable for
36 an individual, the department shall consider the degree of risk
37 to the individual's health, safety, and morals; the individual's
38 physical fitness, prior training, experience, prior earnings,
39 length of unemployment, and prospects for securing local work in



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40 his or her customary occupation; and the distance of the
41 available work from his or her residence.

42 (b) Notwithstanding any other provisions of this chapter,
43 work is not deemed suitable and benefits may not be denied to
44 any otherwise eligible individual for refusing to accept new
45 work under any of the following conditions:

46 1. The position offered is vacant due directly to a strike,
47 lockout, or other labor dispute.

48 2. The wages, hours, or other conditions of the work
49 offered are substantially less favorable to the individual than
50 those prevailing for similar work in the locality.

51 3. As a condition of being employed, the individual is
52 required to join a company union or to resign from or refrain
53 from joining any bona fide labor organization.

54 (c) If the department finds that an individual was rejected
55 for offered employment as the direct result of a positive,
56 confirmed drug test required as a condition of employment, the
57 individual is disqualified for refusing to accept an offer of
58 suitable work.

59 Section 3. Section 443.1112, Florida Statutes, is created
60 to read:

61 443.1112 Verification of reemployment assistance benefit
62 eligibility.-

63 (1) The Department of Commerce shall verify the identity of
64 each claimant who applies for reemployment assistance benefits
65 before paying any benefits to that individual.

66 (2) For each week which a claimant makes a claim for
67 benefits, the department shall cross-check the information
68 contained in the claim with all of the following sources or



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69 similar sources of information:

70 (a) The National Association of State Workforce Agencies
71 Integrity Data Hub.

72 (b) The United States Department of Health and Human
73 Services National Directory of New Hires.

74 (c) The State Directory of New Hires created in s.
75 409.2576.

76 (d) The Department of Corrections inmate database.

77 (e) The Social Security Administration Prisoner Update
78 Processing System.

79 (f) The Centers for Disease Control and Prevention National
80 Vital Statistics System death records database.

81 (g) The Department of Health Bureau of Vital Statistics
82 death records database.

83 (h) The United States Citizenship and Immigration Services
84 SAVE database.

85 (3) The department may not pay any week claimed by a
86 claimant that has not been cross-checked against all the sources
87 specified in subsection (2) or similar sources of information.
88 However, in any week in which any of the sources specified in
89 subsection (2) are unavailable, the claim may be paid provided
90 the department cross-checks the claimant's information against
91 the unavailable source upon its availability.

92 (4) The department shall do all of the following:

93 (a) Investigate any claim in this state associated with a
94 mailing address, a bank account, an e-mail address, a telephone
95 number, or an Internet protocol address that is also associated
96 with another existing claim for reemployment assistance benefits
97 in this state or another state and verify that the claim in this



98 state is legitimate and not fraudulent before paying any
99 benefits for the claim.

100 (b) Scrutinize any claim in this state filed from a foreign
101 Internet protocol address before paying any benefits for the
102 claim.

103 (c) Work with the United States Department of Labor, the
104 United States Department of Justice, other state workforce
105 agencies, the Department of Law Enforcement, the state
106 attorneys, or the Office of the Statewide Prosecutor to share
107 information related to fraudulent claims or attempted fraudulent
108 claims to the extent feasible for further investigation and
109 proceedings brought under this chapter.

110 (d) Maintain a web page and an e-mail address through which
111 an individual or an employer may report known or suspected
112 violations of this chapter, including identity theft or fraud.
113 Each year the department shall notify employers in the state of
114 this web page and e-mail address for reporting violations.

115 (e) Each year make available on its website a report
116 identifying the number of fraudulent reemployment assistance
117 claims identified for the prior year, the number of claims not
118 paid due to successful detection of fraudulent intentions, the
119 number of claims and the amount of reemployment assistance
120 benefits paid against claims subsequently identified as
121 fraudulent, the amount of fraudulent overpayments recovered, and
122 the number of fraudulent claims referred for investigation and
123 possible prosecution. The report must also list the sources of
124 information that were used to cross-check claims during the
125 reporting period.

126 Section 4. Paragraph (b) of subsection (1) of section



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127 445.011, Florida Statutes, is amended to read:

128 445.011 Consumer-first workforce system.—

129 (1) The department, in consultation with the state board,
130 the Department of Education, and the Department of Children and
131 Families, shall implement, subject to legislative appropriation,
132 an automated consumer-first workforce system that improves
133 coordination among required one-stop partners and is necessary
134 for the efficient and effective operation and management of the
135 workforce development system. This system shall include, but
136 need not be limited to, the following:

137 (b)1. An automated job-matching information system that is
138 accessible to employers, job seekers, and other users via the
139 Internet, which is in alignment with the implementation of 20
140 C.F.R. s. 652.3, and that includes, at a minimum:

141 a.1- Skill match information, including skill gap analysis;
142 resume creation; job order creation; skill tests; job search by
143 area, employer type, and employer name; and training provider
144 linkage;

145 b.2- Job market information based on surveys, including
146 local, state, regional, national, and international occupational
147 and job availability information; and

148 c.3- Service provider information, including education and
149 training providers, child care facilities and related
150 information, health and social service agencies, and other
151 providers of services that would be useful to job seekers.

152 2. The job-matching information system shall use artificial
153 intelligence generation for the purpose of matching participants
154 to jobs and training opportunities and include a knowledge,
155 skills, and interests assessment for the purpose of guiding



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156 participants to jobs and training opportunities.

157 Section 5. This act shall take effect July 1, 2024.

158

159 ===== T I T L E A M E N D M E N T =====

160 And the title is amended as follows:

161 Delete everything before the enacting clause

162 and insert:

163 A bill to be entitled

164 An act relating to verification of reemployment

165 assistance benefit eligibility; providing a short

166 title; amending s. 443.101, F.S.; making a technical

167 change; revising circumstances under which the

168 department disqualifies claimants from benefits;

169 creating s. 443.1112, F.S.; requiring the department

170 to verify claimants' identities before paying

171 benefits; requiring the department to cross-check

172 certain information; providing sources against which

173 such information is cross-checked; prohibiting

174 benefits from being paid for claims that have not been

175 cross-checked; providing an exception; providing

176 duties of the department; requiring the department to

177 maintain a web page and an e-mail address for a

178 specified purpose and to notify employers each year of

179 the web page and e-mail address; providing annual

180 reporting requirements; amending s. 445.011, F.S.;

181 requiring the department's job-matching information

182 system to contain certain elements; providing an

183 effective date.



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LEGISLATIVE ACTION

Senate	.	House
Comm: TP	.	
02/20/2024	.	
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The Appropriations Committee on Transportation, Tourism, and Economic Development (Trumbull) recommended the following:

1 **Senate Substitute for Amendment (121838) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. This act may be cited as the "Promoting Work,
7 Deterring Fraud Act of 2024."

8 Section 2. Subsection (2) of section 443.101, Florida
9 Statutes, is amended to read:

10 443.101 Disqualification for benefits.—An individual shall



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11 be disqualified for benefits:

12 (2) If the Department of Commerce ~~Economic Opportunity~~
13 finds that the individual has failed without good cause to apply
14 for available suitable work, including contacting the required
15 number of prospective employers per week for any week of
16 unemployment claimed in the benefit year in accordance with s.
17 443.091, accept suitable work when offered to him or her, or
18 return to the individual's customary self-employment when
19 directed by the department or return to employment when recalled
20 to work by the individual's employer after a temporary layoff,
21 the disqualification continues for the full period of
22 unemployment next ensuing after he or she failed without good
23 cause to apply for available suitable work, accept suitable
24 work, or return to his or her customary self-employment, and
25 until the individual has earned income of at least 17 times his
26 or her weekly benefit amount. The department shall by rule adopt
27 criteria to implement this subsection, including for determining
28 the "suitability of work," as used in this section. In
29 developing these rules, the department shall consider the
30 duration of a claimant's unemployment in determining the
31 suitability of work and the suitability of proposed rates of
32 compensation for available work. Further, after an individual
33 has received 25 weeks of benefits in a single year, suitable
34 work is a job that pays the minimum wage and is 120 percent or
35 more of the weekly benefit amount the individual is drawing.

36 (a) In determining whether or not any work is suitable for
37 an individual, the department shall consider the degree of risk
38 to the individual's health, safety, and morals; the individual's
39 physical fitness, prior training, experience, prior earnings,



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40 length of unemployment, and prospects for securing local work in
41 his or her customary occupation; and the distance of the
42 available work from his or her residence.

43 (b) Notwithstanding any other provisions of this chapter,
44 work is not deemed suitable and benefits may not be denied to
45 any otherwise eligible individual for refusing to accept new
46 work under any of the following conditions:

47 1. The position offered is vacant due directly to a strike,
48 lockout, or other labor dispute.

49 2. The wages, hours, or other conditions of the work
50 offered are substantially less favorable to the individual than
51 those prevailing for similar work in the locality.

52 3. As a condition of being employed, the individual is
53 required to join a company union or to resign from or refrain
54 from joining any bona fide labor organization.

55 (c) If the department finds that an individual was rejected
56 for offered employment as the direct result of a positive,
57 confirmed drug test required as a condition of employment, the
58 individual is disqualified for refusing to accept an offer of
59 suitable work.

60 Section 3. Section 443.1112, Florida Statutes, is created
61 to read:

62 443.1112 Verification of reemployment assistance benefit
63 eligibility; detection of fraud.—

64 (1) The Department of Commerce shall verify the identity of
65 each claimant who applies for reemployment assistance benefits
66 before paying any benefits to that individual.

67 (2) For the initial claim for benefits made by a claimant
68 and as necessary to verify a claimant's eligibility for



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69 benefits, the department shall cross-check the information
70 contained in the claim with information in the United States
71 Citizenship and Immigration Services SAVE database.

72 (3) For each week which a claimant makes a claim for
73 benefits, including the initial claim for benefits, to verify a
74 claimant's eligibility for benefits the department shall cross-
75 check the information contained in the claim with all of the
76 following sources or similar sources of information:

77 (a) The National Association of State Workforce Agencies
78 Integrity Data Hub.

79 (b) The United States Department of Health and Human
80 Services National Directory of New Hires.

81 (c) The State Directory of New Hires created in s.
82 409.2576.

83 (d) The Department of Corrections inmate database.

84 (e) The Social Security Administration Prisoner Update
85 Processing System.

86 (f) The Centers for Disease Control and Prevention National
87 Vital Statistics System death records database.

88 (g) The Department of Health Bureau of Vital Statistics
89 death records database.

90 (3) The department may not pay any week claimed by a
91 claimant that has not been cross-checked against all the sources
92 specified in subsections (2) and (3), as appropriate, or similar
93 sources of information. However, in any week in which any of the
94 sources specified are unavailable, the claim may be paid
95 provided the department cross-checks the claimant's information
96 against the unavailable source upon its availability.

97 (4) The department shall do all of the following:



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98 (a) Investigate any claim in this state associated with a
99 mailing address, a bank account, an e-mail address, a telephone
100 number, or an Internet protocol address that is also associated
101 with another existing claim for reemployment assistance benefits
102 in this state or another state and verify that the claim in this
103 state is legitimate and not fraudulent before paying any
104 benefits for the claim.

105 (b) Scrutinize any claim in this state filed from a foreign
106 Internet protocol address before paying any benefits for the
107 claim.

108 (c) Work with the United States Department of Labor, the
109 United States Department of Justice, other state workforce
110 agencies, the Department of Law Enforcement, the state
111 attorneys, or the Office of the Statewide Prosecutor to share
112 information related to fraudulent claims or attempted fraudulent
113 claims to the extent feasible for further investigation and
114 proceedings brought under this chapter.

115 (d) Maintain a web page and an e-mail address through which
116 an individual or an employer may report known or suspected
117 violations of this chapter, including identity theft or fraud.
118 Each year the department shall notify employers in the state of
119 this web page and e-mail address for reporting violations.

120 (e) Each year make available on its website a report
121 identifying the number of fraudulent reemployment assistance
122 claims identified for the prior year, the number of claims not
123 paid due to successful detection of fraudulent intentions, the
124 number of claims and the amount of reemployment assistance
125 benefits paid against claims subsequently identified as
126 fraudulent, the amount of fraudulent overpayments recovered, and



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127 the number of fraudulent claims referred for investigation and
128 possible prosecution. The report must also list the sources of
129 information that were used to cross-check claims during the
130 reporting period.

131 Section 4. Paragraph (b) of subsection (1) of section
132 445.011, Florida Statutes, is amended to read:

133 445.011 Consumer-first workforce system.—

134 (1) The department, in consultation with the state board,
135 the Department of Education, and the Department of Children and
136 Families, shall implement, subject to legislative appropriation,
137 an automated consumer-first workforce system that improves
138 coordination among required one-stop partners and is necessary
139 for the efficient and effective operation and management of the
140 workforce development system. This system shall include, but
141 need not be limited to, the following:

142 (b)1. An automated job-matching information system that is
143 accessible to employers, job seekers, and other users via the
144 Internet, which is in alignment with the implementation of 20
145 C.F.R. s. 652.3, and that includes, at a minimum:

146 a.1. Skill match information, including skill gap analysis;
147 resume creation; job order creation; skill tests; job search by
148 area, employer type, and employer name; and training provider
149 linkage;

150 b.2. Job market information based on surveys, including
151 local, state, regional, national, and international occupational
152 and job availability information; and

153 c.3. Service provider information, including education and
154 training providers, child care facilities and related
155 information, health and social service agencies, and other



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156 providers of services that would be useful to job seekers.
157 2. The job-matching information system shall use artificial
158 intelligence generation for the purpose of matching participants
159 to jobs and training opportunities and include a knowledge,
160 skills, and interests assessment for the purpose of guiding
161 participants to jobs and training opportunities.

162 Section 5. This act shall take effect July 1, 2024.

163
164 ===== T I T L E A M E N D M E N T =====

165 And the title is amended as follows:

166 Delete everything before the enacting clause
167 and insert:

168 A bill to be entitled

169 An act relating to verification of reemployment
170 assistance benefit eligibility; providing a short
171 title; amending s. 443.101, F.S.; making a technical
172 change; revising circumstances under which the
173 department disqualifies claimants from benefits;
174 creating s. 443.1112, F.S.; requiring the department
175 to verify claimants' identities before paying
176 benefits; requiring the department to cross-check
177 certain information; providing sources against which
178 such information is cross-checked; prohibiting
179 benefits from being paid for claims that have not been
180 cross-checked; providing an exception; providing
181 duties of the department; requiring the department to
182 maintain a web page and an e-mail address for a
183 specified purpose and to notify employers each year of
184 the web page and e-mail address; providing annual



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185 reporting requirements; amending s. 445.011, F.S.;

186 requiring the department's job-matching information

187 system to contain certain elements; providing an

188 effective date.

By Senator Trumbull

2-00783B-24

20241260__

1 A bill to be entitled
 2 An act relating to verification of reemployment
 3 assistance benefit eligibility; providing a short
 4 title; amending s. 443.091, F.S.; providing
 5 requirements for reemployment assistance benefit
 6 conditions for non-Florida residents; removing
 7 requirements that certain skills assessments of
 8 claimants be voluntary; providing specified
 9 requirements for claimants; requiring the Department
 10 of Commerce to implement rules; amending s. 443.101,
 11 F.S.; making a technical change; revising
 12 circumstances under which the department disqualifies
 13 claimants from benefits; requiring the department to
 14 maintain a web page and an e-mail address for a
 15 specified purpose and to notify employers each year of
 16 the web page and e-mail address; creating s. 443.1112,
 17 F.S.; requiring the department to verify claimants'
 18 identities before paying benefits; requiring the
 19 department to weekly cross-check certain information;
 20 providing sources against which such information is
 21 cross-checked; prohibiting benefits from being paid
 22 for claims that have not been cross-checked; providing
 23 duties of the department; providing annual reporting
 24 requirements; amending s. 443.151, F.S.; conforming a
 25 cross-reference; amending s. 445.003, F.S.; requiring
 26 the department to procure an online workforce search
 27 and match tool for a specified purpose; providing
 28 requirements for such tool; providing an effective
 29 date.

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30
 31 Be It Enacted by the Legislature of the State of Florida:
 32
 33 Section 1. This act may be cited as the "Promoting Work,
 34 Deterring Fraud Act of 2024."
 35 Section 2. Present subsections (2) through (5) of section
 36 443.091, Florida Statutes, are redesignated as subsections (3)
 37 through (6), respectively, a new subsection (2) is added to that
 38 section, and subsection (1) of that section is amended, to read:
 39 443.091 Benefit eligibility conditions.—
 40 (1) An unemployed individual is eligible to receive
 41 benefits for any week only if the Department of Commerce finds
 42 that:
 43 (a) She or he has made a claim for benefits for that week
 44 in accordance with the rules adopted by the department.
 45 (b) She or he has completed the department's online work
 46 registration and subsequently reports to the one-stop career
 47 center as directed by the local workforce development board for
 48 reemployment services, or to a workforce center in the state of
 49 his or her residence if he or she is a non-Florida resident.
 50 This requirement does not apply to persons who are:
 51 ~~1. Non-Florida residents;~~
 52 1.2- On a temporary layoff;
 53 ~~2.3-~~ Union members who customarily obtain employment
 54 through a union hiring hall;
 55 ~~3.4-~~ Claiming benefits under an approved short-time
 56 compensation plan as provided in s. 443.1116; or
 57 ~~4.5-~~ Unable to complete the online work registration due to
 58 illiteracy, physical or mental impairment, a legal prohibition

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59 from using a computer, or a language impediment. If a person is
60 exempted from the online work registration under this
61 subparagraph, then the filing of his or her claim constitutes
62 registration for work.

63 (c) To make continued claims for benefits, she or he is
64 reporting to the department in accordance with this paragraph
65 and department rules. Department rules may not conflict with s.
66 443.111(1)(b), which requires that each claimant continue to
67 report regardless of any pending appeal relating to her or his
68 eligibility or disqualification for benefits.

69 1. For each week of unemployment claimed, each report must,
70 at a minimum, include the name and address of each prospective
71 employer contacted, or the date the claimant reported to a one-
72 stop career center, pursuant to paragraph (d). For the purposes
73 of this subparagraph, the term "address" means a website
74 address, a physical address, or an e-mail address.

75 2. The department shall offer an online assessment aimed at
76 identifying an individual's skills, abilities, and career
77 aptitude. ~~The skills assessment must be voluntary, and the~~
78 ~~department shall allow a claimant to choose whether to take the~~
79 ~~skills assessment.~~ The online assessment shall be made available
80 to any person seeking services from a local workforce
81 development board or a one-stop career center.

82 a. ~~If the claimant chooses to take the online assessment,~~
83 The outcome of the assessment shall be made available to the
84 claimant, local workforce development board, and one-stop career
85 center. The department, local workforce development board, or
86 one-stop career center shall use the assessment to develop a
87 plan for referring individuals to training and employment

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88 opportunities. Aggregate data on assessment outcomes may be made
89 available to CareerSource Florida, Inc., for use in the
90 development of policies related to education and training
91 programs that will ensure that businesses in this state have
92 access to a skilled and competent workforce.

93 b. Individuals shall be informed of and offered services
94 through the one-stop delivery system, including career
95 counseling, the provision of skill match and job market
96 information, and skills upgrade and other training
97 opportunities, and shall be encouraged to participate in such
98 services at no cost to the individuals. The department shall
99 coordinate with CareerSource Florida, Inc., the local workforce
100 development boards, and the one-stop career centers to identify,
101 develop, and use best practices for improving the skills of
102 individuals who choose to participate in skills upgrade and
103 other training opportunities. The department may contract with
104 an entity to create the online assessment in accordance with the
105 competitive bidding requirements in s. 287.057. The online
106 assessment must work seamlessly with the Reemployment Assistance
107 Claims and Benefits Information System.

108 (d) She or he is able to work and is available for work. In
109 order to assess eligibility for a claimed week of unemployment,
110 the department shall develop criteria to determine a claimant's
111 ability to work and availability for work. A claimant must be
112 actively seeking work in order to be considered available for
113 work. This means engaging in systematic and sustained efforts to
114 find work, including contacting at least five prospective
115 employers for each week of unemployment claimed. Each week, a
116 claimant must complete at least one job application in person

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117 with an employer that has an expected job opening. A claimant
 118 must certify and attest biweekly that he or she will, to the
 119 best of his or her ability, appear for all scheduled interviews
 120 and is actively seeking work. The department may require the
 121 claimant to provide proof of such efforts to the one-stop career
 122 center as part of reemployment services. A claimant's proof of
 123 work search efforts may not include the same prospective
 124 employer at the same location in 3 consecutive weeks, unless the
 125 employer has indicated since the time of the initial contact
 126 that the employer is hiring. The department shall conduct random
 127 reviews of work search information provided by claimants. As an
 128 alternative to contacting at least five prospective employers
 129 for any week of unemployment claimed, a claimant may, for that
 130 same week, report in person to a one-stop career center to meet
 131 with a representative of the center and access reemployment
 132 services of the center. The center shall keep a record of the
 133 services or information provided to the claimant and shall
 134 provide the records to the department upon request by the
 135 department. However:

136 1. Notwithstanding any other provision of this paragraph or
 137 paragraphs (b) and (e), an otherwise eligible individual may not
 138 be denied benefits for any week because she or he is in training
 139 with the approval of the department, or by reason of s.
 140 443.101(2) relating to failure to apply for, or refusal to
 141 accept, suitable work. Training may be approved by the
 142 department in accordance with criteria prescribed by rule. A
 143 claimant's eligibility during approved training is contingent
 144 upon satisfying eligibility conditions prescribed by rule.

145 2. Notwithstanding any other provision of this chapter, an

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146 otherwise eligible individual who is in training approved under
 147 s. 236(a)(1) of the Trade Act of 1974, as amended, may not be
 148 determined ineligible or disqualified for benefits due to
 149 enrollment in such training or because of leaving work that is
 150 not suitable employment to enter such training. As used in this
 151 subparagraph, the term "suitable employment" means work of a
 152 substantially equal or higher skill level than the worker's past
 153 adversely affected employment, as defined for purposes of the
 154 Trade Act of 1974, as amended, the wages for which are at least
 155 80 percent of the worker's average weekly wage as determined for
 156 purposes of the Trade Act of 1974, as amended.

157 3. Notwithstanding any other provision of this section, an
 158 otherwise eligible individual may not be denied benefits for any
 159 week because she or he is before any state or federal court
 160 pursuant to a lawfully issued summons to appear for jury duty.

161 4. Union members who customarily obtain employment through
 162 a union hiring hall may satisfy the work search requirements of
 163 this paragraph by reporting daily to their union hall.

164 5. The work search requirements of this paragraph do not
 165 apply to persons who are unemployed as a result of a temporary
 166 layoff or who are claiming benefits under an approved short-time
 167 compensation plan as provided in s. 443.1116.

168 6. In small counties as defined in s. 120.52(19), a
 169 claimant engaging in systematic and sustained efforts to find
 170 work must contact at least three prospective employers for each
 171 week of unemployment claimed.

172 7. The work search requirements of this paragraph do not
 173 apply to persons required to participate in reemployment
 174 services under paragraph (e).

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175 (e) She or he participates in reemployment services, such
 176 as job search assistance services, whenever the individual has
 177 been determined, by a profiling system established by the rules
 178 of the department, to be likely to exhaust regular benefits and
 179 to be in need of reemployment services.

180 (f) She or he has been unemployed for a waiting period of 1
 181 week. A week may be counted as a waiting week under this
 182 subsection only if:

183 1. It occurs within the benefit year that includes the week
 184 for which she or he claims payment of benefits;

185 2. Benefits have not been paid for that week; and

186 3. The individual was eligible for benefits for that week
 187 as provided in this section and s. 443.101, except for the
 188 requirements of this subsection and s. 443.101(5).

189 (g) She or he has been paid wages for insured work equal to
 190 1.5 times her or his high quarter wages during her or his base
 191 period, except that an unemployed individual is not eligible to
 192 receive benefits if the base period wages are less than \$3,400.

193 (h) She or he submitted to the department a valid social
 194 security number assigned to her or him. The department may
 195 verify the social security number with the United States Social
 196 Security Administration and may deny benefits if the department
 197 is unable to verify the individual's social security number, the
 198 social security number is invalid, or the social security number
 199 is not assigned to the individual.

200 (2) The department shall adopt rules regarding work search
 201 requirements for the purpose of ensuring claimants' good faith
 202 participation.

203 Section 3. Subsection (2) of section 443.101, Florida

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204 Statutes, is amended to read:

205 443.101 Disqualification for benefits.—An individual shall
 206 be disqualified for benefits:

207 (2) If the Department of ~~Commerce Economic Opportunity~~
 208 finds that the individual has failed without good cause to apply
 209 for available suitable work, failed to contact at least five
 210 prospective employers per week in accordance with s. 443.091
 211 unless otherwise exempt, failed to appear on three or more
 212 occasions for a scheduled job interview, failed to accept within
 213 2 business days suitable work ~~when~~ offered to him or her, or
 214 failed to return to the individual's customary self-employment
 215 when directed by the department or when recalled to work by his
 216 or her former employer, the disqualification continues for the
 217 full period of unemployment next ensuing after he or she failed
 218 without good cause to apply for available suitable work, accept
 219 suitable work, or return to his or her customary self-
 220 employment, and until the individual has earned income of at
 221 least 17 times his or her weekly benefit amount. The department
 222 shall by rule adopt criteria for determining the "suitability of
 223 work," as used in this section. In developing these rules, the
 224 department shall consider the duration of a claimant's
 225 unemployment in determining the suitability of work and the
 226 suitability of proposed rates of compensation for available
 227 work. Further, after an individual has received 25 weeks of
 228 benefits in a single year, suitable work is a job that pays the
 229 minimum wage and is 120 percent or more of the weekly benefit
 230 amount the individual is drawing.

231 (a) In determining whether or not any work is suitable for
 232 an individual, the department shall consider the degree of risk

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233 to the individual's health, safety, and morals; the individual's
 234 physical fitness, prior training, experience, prior earnings,
 235 length of unemployment, and prospects for securing local work in
 236 his or her customary occupation; and the distance of the
 237 available work from his or her residence.

238 (b) Notwithstanding any other provisions of this chapter,
 239 work is not deemed suitable and benefits may not be denied to
 240 any otherwise eligible individual for refusing to accept new
 241 work under any of the following conditions:

242 1. The position offered is vacant due directly to a strike,
 243 lockout, or other labor dispute.

244 2. The wages, hours, or other conditions of the work
 245 offered are substantially less favorable to the individual than
 246 those prevailing for similar work in the locality.

247 3. As a condition of being employed, the individual is
 248 required to join a company union or to resign from or refrain
 249 from joining any bona fide labor organization.

250 (c) If the department finds that an individual was rejected
 251 for offered employment as the direct result of a positive,
 252 confirmed drug test required as a condition of employment, the
 253 individual is disqualified for refusing to accept an offer of
 254 suitable work.

255 (d) The department shall maintain a web page and an e-mail
 256 address through which employers may report known or suspected
 257 violations of this section. Each year the department shall
 258 notify employers in the state of this web page and e-mail
 259 address for reporting violations.

260 Section 4. Section 443.1112, Florida Statutes, is created
 261 to read:

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262 443.1112 Verification of reemployment assistance benefit
 263 eligibility.—

264 (1) The Department of Commerce shall verify the identity of
 265 each claimant who applies for reemployment assistance benefits
 266 before paying any benefits to that individual.

267 (2) In determining the eligibility of a claim for
 268 reemployment assistance benefits, the department shall weekly
 269 cross-check the information contained in the claim with all of
 270 the following sources or similar sources of information:

271 (a) The National Association of State Workforce Agencies
 272 Integrity Data Hub.

273 (b) The United States Department of Health and Human
 274 Services National Directory of New Hires.

275 (c) The State Directory of New Hires created in s.
 276 409.2576.

277 (d) The Department of Corrections inmate database.

278 (e) The Social Security Administration Prisoner Update
 279 Processing System.

280 (f) The Centers for Disease Control and Prevention National
 281 Vital Statistics System death records database.

282 (g) The Department of Health Bureau of Vital Statistics
 283 death records database.

284 (h) The United States Citizenship and Immigration Services
 285 SAVE database.

286 (3) Reemployment assistance benefits administered by the
 287 department may not be paid for any claim that has not been
 288 cross-checked against all the sources specified in subsection
 289 (2) or similar sources of information.

290 (4) The department shall do all of the following:

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291 (a) Investigate any claim indicating suspicious activity
 292 associated with a mailing address, a bank account, an e-mail
 293 address, a telephone number, or an Internet protocol address
 294 that is associated with another existing claim for reemployment
 295 assistance benefits and verify that the claim is legitimate and
 296 not fraudulent before paying any benefits for the claim.
 297 (b) Scrutinize any claim filed from a foreign Internet
 298 protocol address before paying any benefits for the claim.
 299 (c) Work with the United States Department of Labor, other
 300 workforce agencies outside the state, the Office of the Attorney
 301 General, the Department of Law Enforcement, or other relevant
 302 law enforcement entities to share information related to
 303 fraudulent claims or attempted fraudulent claims to the extent
 304 feasible for further investigation and prosecution.
 305 (d) Each year, submit to the Legislature and make available
 306 on its website, a report identifying the number of fraudulent
 307 reemployment assistance claims identified for the prior year,
 308 the number of claims not paid due to successful detection of
 309 fraudulent intentions, the number of claims and the amount of
 310 reemployment assistance benefits paid against claims
 311 subsequently identified as fraudulent, the amount of fraudulent
 312 overpayments recovered, and the number of fraudulent claims
 313 referred for investigation and possible prosecution. The report
 314 must also list the sources of information that were used to
 315 cross-check claims during the reporting period.
 316 Section 5. Paragraph (b) of subsection (2) of section
 317 443.151, Florida Statutes, is amended to read:
 318 443.151 Procedure concerning claims.—
 319 (2) FILING OF CLAIM INVESTIGATIONS; NOTIFICATION OF

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320 CLAIMANTS AND EMPLOYERS.—
 321 (b) *Process.*—When the Reemployment Assistance Claims and
 322 Benefits Information System described in s. 443.1113 is fully
 323 operational, the process for filing claims must incorporate the
 324 process for registering for work with the consumer-first
 325 workforce system established under s. 445.011. Unless exempted
 326 under s. 443.091(1)(b)4. ~~s. 443.091(1)(b)5.~~, a claim for
 327 benefits may not be processed until the work registration
 328 requirement is satisfied. The department may adopt rules as
 329 necessary to administer the work registration requirement set
 330 forth in this paragraph.
 331 Section 6. Subsection (8) is added to section 445.003,
 332 Florida Statutes, to read:
 333 445.003 Implementation of the federal Workforce Innovation
 334 and Opportunity Act.—
 335 (8) ONLINE WORKFORCE SEARCH AND MATCH TOOL.—The department,
 336 in alignment with the implementation of 20 C.F.R. s. 652.3 to
 337 administer a public labor exchange services system, shall
 338 procure a modernized online workforce search and match tool that
 339 includes artificial intelligence generation for the purpose of
 340 matching participants to jobs and training opportunities. The
 341 tool must be interoperable through an application programming
 342 interface with the consumer-first workforce system implemented
 343 in s. 445.011, and the tool must include a knowledge, skills,
 344 and interests assessment for the purpose of guiding participants
 345 to jobs and training opportunities.
 346 Section 7. This act shall take effect July 1, 2024.

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2-20-24

Meeting Date

The Florida Senate

APPEARANCE RECORD

SB 1260

Unemployment

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

APP

Committee

Amendment Barcode (if applicable)

Name James Fogle

Phone

Address 3509 NW 22nd Dr

Email

Street

Gainesville

FL

32605

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

APPEARANCE RECORD

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02/20/24 Meeting Date

SB 1260 Bill Number or Topic

Appropriations Committee

Amendment Barcode (if applicable)

Name Brett Farrell Phone 352-615-4986

Address 504 SW Buechi Glen Street Email

Fort White, FL 32038 City State Zip

Speaking: For [] Against [x] Information [] OR Waive Speaking: In Support [] Against []

PLEASE CHECK ONE OF THE FOLLOWING: [x] I am appearing without compensation or sponsorship. [] I am a registered lobbyist, representing: [] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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The Florida Senate

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SB 1260

unemployment

Bill Number or Topic

2-20-24

Meeting Date

APP

Committee

Amendment Barcode (if applicable)

Name Jason Fuhs

Phone 352-610-1090

Address 806 NW 33rd Ave

Email jasonfuhs@gmail

Street

Gainesville, FL

32609

City

State

Zip

Speaking:

For



Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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~~SB 1260~~ SB 1260

Bill Number or Topic

2/20/24

Meeting Date

Approps Trans Tourism ED

Committee

Amendment Barcode (if applicable)

Name Tiffany Garling

Phone 850 661 3339

Address 136 S. Bronough St

Email tgarling@flchamber.com

Tallahassee

FL

32301

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

FL Chamber of Commerce

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

2-20-24

Meeting Date

SB 1260

Bill Number or Topic

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Committee

Amendment Barcode (if applicable)

Name Micka Davis

Phone 813-666-9173

Address 632 - Marphil loop Street

Email VERMICKA@AOL.COM

BRANDON City

FL State

33511 Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

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1260

Bill Number or Topic

2/20/24
Meeting Date

App. on Transport, Tourism & Economic Development Committee

Amendment Barcode (if applicable)

Name Lorinda Lehning

Phone 863 221 3976

Address 5322 Laurel Oak Dr.
Street

Email utterlylorinda@gmail.com

Winter Haven FL 33880
City State Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

- I am appearing without compensation or sponsorship.
- I am a registered lobbyist, representing:
- I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Unemployment SB 1260

Bill Number or Topic

2-20-24

Meeting Date

Amendment Barcode (if applicable)

APP

Committee

Name Brandon Perez

Phone (954) 336-8374

Address 3904 NW 21st Ter.

Email Brandonperez1992@gmail.com

Street

Gainesville

FL

32605

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

2/20/2024

Meeting Date

1260

Bill Number or Topic

Aprop. on Trans., Tourism, Econ. Dev.
Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Matthew Crane

Phone 208 550 7597

Address 11524 Citra Cir Apt 202
Street

Email matthewdcrane@msn.com

Windermere FL 34786
City State Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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2/20/24

Meeting Date

SB 1260

Bill Number or Topic

Appropriations - Transportation, Tourism, ED

Committee

Amendment Barcode (if applicable)

Name Leonda Narramore

Phone 863-409-2963

Address 4253 Stafford Dr.

Email leonda.narramore@iCloud.com

Street Winter Haven, FL 33880

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

- I am appearing without compensation or sponsorship.
 I am a registered lobbyist, representing:
 I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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The Florida Senate

APPEARANCE RECORD

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2-20-24

Meeting Date

TTED

Committee

1260

Bill Number or Topic

Amendment Barcode (if applicable)

Name Andy Williams Jr

Phone (813) 846-2299

Address 9509 Amberdale CT Unit 202

Email AWilliams@DC78.org

Street

Riverview

FL

33578

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

2/20/2024

Meeting Date

The Florida Senate

APPEARANCE RECORD

1260

Bill Number or Topic

T TED

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name ARTHUR FRANCO

Phone 407-600-7048

Address 3008 SANTA MARIA AVE.
Street

Email F150 FLBUY@AOL.COM

Clermont

FL

34715

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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02/20/24 Meeting Date

SB 1250 Bill Number or Topic

Appropriations Committee Committee

Amendment Barcode (if applicable)

Name George L. Evans

Phone (352) 317-4426

Address 7040 NW 74th St. Street

Email

Gainesville FL 32609 City State Zip

Speaking: [] For [X] Against [] Information OR Waive Speaking: [] In Support [X] Against

PLEASE CHECK ONE OF THE FOLLOWING:

- [X] I am appearing without compensation or sponsorship. [] I am a registered lobbyist, representing: [] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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The Florida Senate

APPEARANCE RECORD

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02/20/24

Meeting Date

SB 1260

Bill Number or Topic

Appropriations

Committee

Amendment Barcode (if applicable)

Name Kevin Lashorn

Phone 904-785-9169

Address 6794 Deer Springs rd

Email

City Keystone Heights FL

Zip 32656

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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SB 1260

Bill Number or Topic

20 FEB, 24

Meeting Date

Appt. CMT ON TRANS/TOUR

Committee

Amendment Barcode (if applicable)

Name Carl Childs

Phone 812-498-4992

Address 8662 S.W. 89TH LANE

Street

Email SHIZA1002000@GMAIL

COVINGSVILLE

City

FL

State

32608

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 1260

Bill Number or Topic

2/20/24

Meeting Date

Deliver both copies of this form to Senate professional staff conducting the meeting

Appro. Comm on Trans, Tourism & Ec. Dev
Committee

Amendment Barcode (if applicable)

Name

Kimberly Hudson

Phone

352-246-5309

Address

510 E Country Club Dr.

Email

kimberly.hudson222@gmail

Street

Williston FL 32696

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

2-20-2024

Meeting Date

SB 1260

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

Appropriations on Transportation, Tourism & Eco. Dev.

Committee

Amendment Barcode (if applicable)

Name Mark AVERY

Phone 352-817-8757

Address 3 Diamond Ridge Way

Email markis4uf@yahoo.com

Ocala

FL

34472

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

SB 1260
~~SB 1077~~

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

2/20/24

Meeting Date

Committee

Name

FRANZ DERRA

Phone

561 308 6608

Address

4784 ARTHUR ST

Email

Street

PPG'S

City

FL

State

33418

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. § 11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

2/20/24

Meeting Date

SB 1260

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

APPROPRIATIONS COMMITTEE

Committee

on Transportation, Tourism & Economic Development

Name GLENDA ABICENT (PRONOUNCED ABBOTT)

Phone 786-376-1181

Amendment Barcode (if applicable)

Address 4305 SW 98 AVE.

Street

Email GLENDA.ABICENT@gmail.com

MIAMI

City

FL

State

33165

Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [] In Support [X] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[X] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

[] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

2-20-24

SB1260

Meeting Date

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

Appropriations on Transport Toward

Committee

Amendment Barcode (if applicable)

Name

William Scolnik

Phone

754-244-1318

Address

1732 NE 15th Ave

Email

ScolnikWilliam@yuboo.com

Street

Font Landersda FL 33305

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without compensation or sponsorship.



I am a registered lobbyist, representing:



I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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S-001 (08/10/2021)

2/20/24

Meeting Date

The Florida Senate APPEARANCE RECORD

1260

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name Belinda Davis

Phone 561 702-7092

Address 315 N.W. 3rd Ave

Email JohnnyBelindaBy@gmail

Street

Delray Beach FL 33444

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

1/20/24

Meeting Date

The Florida Senate APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

1260

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Tasha Edwards

Phone 772-333-0780

Address 431 SW Holden Terrace
Street

Email Tasha.edwards@TU1577@gmail.com

Port Saint Lucie, FL 34989
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

2/20/24
Meeting Date

1260
Bill Number or Topic

Transportation Tourism + Economic Dev
Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Karen Woodall

Phone

Address 579 E. Call St.
Street

Email fcfcfc@yahoo.com

Tallahassee, FL 32301
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:
FI Center for Fiscal & Economic Policy

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

2/20/24 Meeting Date

1260 Bill Number or Topic

App - TRANS, Tourism, etc. Committee

Amendment Barcode (if applicable)

Name REV DR Russell Meyer

Phone 813 435 5335

Address 3838 W CYPRESS ST Street

Email advocacy@floridachurches.org

Tampa FL 33607 City State Zip

Speaking: [] For [x] Against [] Information OR Waive Speaking: [] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

[x] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

FL FAITH ADVOCACY CENTER

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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2/20/24

Meeting Date

SB1260

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Della Denny-Abbott

Phone

850 449 6061

Address

2111 St Andrews Dr

Email

Street

Cantonment FL

32533

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without compensation or sponsorship.



I am a registered lobbyist, representing:



I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

2/20/24
Meeting Date

The Florida Senate APPEARANCE RECORD

SB 1260
Affordable Housing
Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee
Name Susan Burns
Address 4015 Dorado Dr
KB FL 33418
City State Zip

Amendment Barcode (if applicable)
Phone 561 236 4508
Email Tabbylizi@gmail.com

Speaking: For Against Information **OR** Waive Speaking: In Support Against

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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2/20/24

The Florida Senate
APPEARANCE RECORD

SB1260

Meeting Date

Bill Number or Topic

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Michael Woods

Phone

Address

Street

West Palm Beach

Email

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 1260

2/20/24

Meeting Date

Bill Number or Topic

Appropriation Comm.

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Zac Cassidy

Phone

Address 6106 Southard St

Email

Street

WPB

FL

33411

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

20 FEB 2024

Meeting Date

SB 1260

Bill Number or Topic

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APPROPRIATIONS COMMITTEE

Committee

Amendment Barcode (if applicable)

Name KEVIN GIBBS

Phone 386-481-7489

Address 33 GENERAL DOOLITTLE RD

Street

Email snapper@756@gmail.com

O.B. FL 32124

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

2/20/24

Meeting Date

SB 1260

Bill Number or Topic

Appropriations Committee

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Jeremy Childress

Phone 386-233-4796

Address 488 Hickory St

Street

Email jeremychildress1987@gmail.com

New Smyrna Beach FL 32168

City

State

Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [] In Support [x] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[x] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

[] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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2/20/24

Meeting Date

Approps Com. Transp., Tour, and Econ Dev

Committee

Name **Tim Nungesser**

Phone **850-445-5367**

Address **110 East Jefferson Street**

Email **tim.nungesser@nfib.org**

Street

Tallahassee

FL

32301

City

State

Zip

The Florida Senate APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

1260

Bill Number or Topic

Amendment Barcode (if applicable)

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

National Federation of Independent Business (NFIB)

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Commerce and Tourism, *Chair*
Appropriations Committee on Transportation, Tourism,
and Economic Development, *Vice Chair*
Appropriations Committee on Agriculture, Environment,
and General Government
Banking and Insurance
Fiscal Policy
Judiciary
Transportation

SELECT COMMITTEE:

Select Committee on Resiliency

SENATOR JAY TRUMBULL

2nd District

January 23, 2024

Re: SB 1260

Dear Chair Hooper,

I am respectfully requesting that Senate Bill 1260, related Verification of Reemployment Assistance Benefit Eligibility, be placed on the agenda for your next meeting of the Appropriations Committee on Transportation, Tourism, and Economic Development.

I appreciate your consideration of this bill. If there are any questions or concerns, please do not hesitate to call my office at (850) 487-5002.

Thank you,

A handwritten signature in black ink, appearing to read "Jay Trumbull", written over a faint horizontal line.

Senator Jay Trumbull
District 2

REPLY TO:

- 840 West 11th Street, Panama City, Florida 32401 (850) 747-5454
- 320 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5002

Senate's Website: www.flsenate.gov

KATHLEEN PASSIDOMO
President of the Senate

DENNIS BAXLEY
President Pro Tempore

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic Development

BILL: SB 1464

INTRODUCER: Senator Calatayud

SUBJECT: Traffic Enforcement

DATE: February 20, 2024

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Johnson</u>	<u>Vickers</u>	<u>TR</u>	<u>Favorable</u>
2.	<u>Wells</u>	<u>Jerrett</u>	<u>ATD</u>	<u>Favorable</u>
3.	_____	_____	<u>FP</u>	_____

I. Summary:

SB 1464 creates additional requirements governing the installation and use of traffic infraction detectors, commonly known as red light cameras. Specifically, the bill provides:

- A county or municipality must enact an ordinance in order to authorize the placement or installation of, or to authorize contracting with a vendor for the placement or installation of, one or more traffic infraction detectors.
- A county or municipality operating traffic infraction detectors must annually report the results of all traffic infraction detectors within the county's or municipality's jurisdiction.
- Before a county or municipality contracts or renews a contract to place or install traffic infraction detectors, the county or municipality must approve the contract or contract renewal at a regular or special meeting of the county's or municipality's governing body.
- The bill provides requirements for the public hearing on a proposed ordinance and the annual reporting relating to traffic infraction detectors.
- The compliance or sufficiency of compliance with the above reporting requirement may not be raised in a proceeding challenging specified traffic violations enforced by a traffic infraction detector.

Additionally, the bill provides that a county or municipality that does not comply with the specified reporting requirements are suspended from operating traffic infraction detectors until such noncompliance is corrected.

The bill requires the Department of Highway Safety and Motor Vehicles (DHSMV) to publish each traffic infraction detector report submitted by a county or municipality on its website.

The bill also adds parameters around the use of all cameras for traffic enforcement such that contracts must be competitively bid, and a camera or camera component which is constructed by a Chinese manufacturer or a domestic or international manufacturer that uses materials imported from China may not be used for traffic enforcement in Florida.

The bill will have an indeterminate, but likely insignificant, fiscal impact on the state. The bill will have an indeterminate negative fiscal impact on local governments that use cameras to enforce certain traffic infractions. See Section V, Fiscal Impact Statement.

The bill takes effect July 1, 2024.

II. Present Situation:

Procurement of Commodities and Contractual Services

Section 287.057, F.S., and Rule 60 A, F.A.C., require agencies¹ to acquire commodities and contractual services, in excess of \$35,000, by competitive sealed bids, request for proposals or by competitive negotiations, unless specifically exempted.² Specific exemptions include, but are not limited to, when is an immediate danger to public health safety and welfare, commodities and contractual services only available from a single source, and certain Department of Transportation contracts.³

Chinese Manufacturers of Traffic Cameras

Section 287.138, F.S., prohibits governmental entities for contracting with entities of foreign countries of concern. The People's Republic of China is listed as a foreign county of concern.⁴

Under s. 287.138, F.S., beginning January 1, 2024, a governmental entity⁵ may not accept a bid on, a proposal for, or a reply to, or enter into, a contract with an entity which would grant the entity access to personal identifying information unless the entity provides the governmental entity with a signed affidavit. The affidavit must provide that the entity is not owned by the government of a foreign country of concern, is not owned by a foreign country of concern, and is not organized under the laws of or is headquartered in a foreign country of concern.⁶

Beginning July 1, 2025, a governmental entity may not extend or renew a contract with a foreign country of concern entity if continuing such a contract would grant the entity access to personal

¹ For purposes of ch. 287, F.S., the term "agency" is defined to mean any of the various state officers, departments, boards, commissions, divisions, bureaus, and councils and any other unit of organization, however designated, of the executive branch of state government. "Agency" does not include the university and college boards of trustees or the state universities and colleges. See s. 287.012(1), F.S.

² Florida Department of Transportation (FDOT), *Doing Business with FDOT*, <https://www.fdot.gov/procurement/doingbusiness.shtm> (last visited February 7, 2024).

³ Section 287.057(3), F.S.

⁴ Section 287.138(1)(c), F.S., defines the term "foreign country of concern" to mean the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of or any other entity of significant control of such foreign country of concern.

⁵ Section 287.138(1)(d), F.S., defines the term "governmental entity" for purposes of s. 287.138, F.S., any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, but not limited to, the Commission on Ethics, the Public Service Commission, the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.

⁶ Section 287.135(4)(a), F.S.

identifying information. An entity extending or renewing a contract with a governmental entity must provide a sworn affidavit that the entity is not owned by the government of a foreign country of concern, is not owned by a foreign country of concern, and is not organized under the laws of or is headquartered in a foreign country of concern.⁷

Use of Cameras for Traffic Enforcement

Florida law expressly preempts to the state the regulation of the use of cameras for enforcing the Florida Uniform Traffic Control Law.⁸ The only cameras currently authorized to enforce traffic laws are traffic infraction detectors (commonly known as red light cameras),⁹ speed detection systems used to enforce school zone speed limits for violations in excess of 10 miles per hour over the speed limit,¹⁰ and school bus infraction detection systems.¹¹

The law authorizing speed detection systems in school zones, in its relevant parts:

- Requires a county or municipality to enact an ordinance in order to authorize the placement or installation of a speed detection system.¹² As part of its public hearing on the proposed ordinance, the county or municipality must consider traffic data or other evidence supporting the installation and operation of each proposed school zone speed detection system, and the county or municipality must determine that the school zone where a speed detection system is to be placed or installed constitutes a heightened safety risk that warrants additional enforcement measures.¹³
- Requires a county or municipality to annually report the results of all school zone speed detection systems within the county's or municipality's jurisdiction by placing a specified report as a single reporting item on the agenda of a regular or special meeting of the county's or municipality's governing body.¹⁴ Before a county or municipality contracts or renews a contract to place or install a speed detection system in a school zone, the county or municipality must approve the contract or contract renewal at a regular or special meeting of the county's or municipality's governing body.¹⁵
 - Interested members of the public must be allowed to comment regarding the report, contract, or contract renewal under the county's or municipality's public comment policies or formats, and the report, contract, or contract renewal may not be considered as part of a consent agenda.¹⁶
 - The report must include a written summary, which must be read aloud at the regular or special meeting, and the summary must contain, for the same time period pertaining to the specified annual report to the Department of Highway Safety and Motor Vehicles (DHSMV), the number of notices of violation issued, the number that were contested, the

⁷ Section 287.138(4)(b), F.S.

⁸ Section 316.0076, F.S. Ch. 316, F.S., is the Florida Uniform Traffic Control Law.

⁹ Section 316.0083, F.S., relating to the Mark Wandall Traffic Safety Program.

¹⁰ Section 316.1896, F.S.

¹¹ Section 316.173, F.S.

¹² Section 316.008(9)(c), F.S. Section 316.003(83), F.S., defines the term "speed detection system" to mean a portable or fixed automated system used to detect a motor vehicle's speed using radar or LiDAR and to capture a photograph or video of the rear of a motor vehicle that exceeds the speed limit in force at the time of the violation.

¹³ *Id.*

¹⁴ Section 316.0776(3)(c), F.S.

¹⁵ *Id.*

¹⁶ Section 316.0776(3)(c)1., F.S.

- number that were upheld, the number that were dismissed, the number that were issued as uniform traffic citations, and the number that were paid and how collected funds were distributed and in what amounts. The county or municipality must report to the DHSMV that the county's or municipality's annual report was properly considered, including the date of the regular or special meeting at which the annual report was considered.¹⁷
- The compliance or sufficiency of compliance with this reporting requirement may not be raised in a proceeding challenging a violation of s. 316.1895, F.S., or s. 316.183, F.S., enforced by a speed detection system in a school zone.¹⁸

The statutes authorizing traffic infraction detectors,¹⁹ in its relevant parts, includes the following:

- Each county or municipality that operates a traffic infraction detector must submit a report by October 1, 2012, and annually thereafter, to the DHSMV which details the results of using the traffic infraction detector and the procedures for enforcement for the preceding state fiscal year.²⁰ The information submitted by the counties and municipalities must include statistical data and information required by the DHSMV in order for the DHSMV to complete the report that the DHSMV is required to compile.²¹
- On or before December 31, 2012, and annually thereafter, the DHSMV must provide a summary report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the use and operation of traffic infraction detectors, along with the DHSMV's recommendations and any necessary legislation.²² The summary report must include a review of the information submitted to the DHSMV by the counties and municipalities and must describe the enhancement of the traffic safety and enforcement programs.²³

III. Effect of Proposed Changes:

Camera Systems – Competitive Bidding

The bill provides that the provisions of s. 287.057, F.S., which exempt the purchase of commodities or contractual services from competitive bidding requirements, does not apply to contracts entered into with manufacturers or vendors of school bus infraction detection systems, speed detection systems, traffic infraction detectors, or any other camera system used for Florida's Uniform Traffic Control Law which are regulated under s. 316.0076, F.S., relating to the regulation and use of cameras.

¹⁷ Section 316.0776(3)(c)2., F.S.

¹⁸ Section 316.0776(3)(c)3., F.S.

¹⁹ Section 316.003(100), F.S., defines the term "traffic infraction detector" to mean a vehicle sensor installed to work in conjunction with a traffic control signal and a camera or cameras synchronized to automatically record two or more sequenced photographic or electronic images or streaming video of only the rear of a motor vehicle at the time the vehicle fails to stop behind the stop bar or clearly marked stop line when facing a traffic control signal steady red light. Any notification under s. 316.0083(1)(b), F.S., or traffic citation issued by the use of a traffic infraction detector must include a photograph or other recorded image showing both the license tag of the offending vehicle and the traffic control device being violated.

²⁰ Section 316.0083(4)(a), F.S.

²¹ *Id.*

²² Section 316.0083(4)(b), F.S.

²³ *Id.*

Use of Camera Systems Constructed by Chinese Manufacturers

The bill provides that a school bus infraction detection system, speed detection system, traffic infraction detector or any other camera system used for enforcing Florida's Uniform Traffic Control Law, which is constructed by a Chinese manufacturer or a domestic or international manufacturer that uses materials from China may not be used for traffic enforcement in this state.

Traffic Infraction Detectors - Transparency and Reporting

The bill requires a county or municipality to enact an ordinance in order to authorize the placement, or installation of, or to authorize contracting with a vendor for the placement or installation of one or more red light cameras. As part of its public hearing on such proposed ordinance, the county or municipality must consider traffic data or other evidence supporting the installation and operation of each red light camera, and the county or municipality must determine that the intersection at which the traffic infraction detector is to be placed or installed constitutes a heightened safety risk that warrants additional enforcement measures.

The bill requires a county or municipality that operates one or more traffic infraction detectors to annually report the results of all traffic infraction detectors with the county's or municipality's jurisdiction as a single reporting item on the agenda of a regular or special meeting of the county's or municipality's governing body. Before a county or municipality contracts or renews a contract to place or install one or more traffic infraction detectors, the county or municipality must approve the contract or contract renewal at a regular or special meeting of the county's or municipality's governing body.

At the meeting, interested members of the public must be allowed to comment regarding the report, contract, or contract renewal under the county's or municipality's public comment policies or formats, and the report, contract, or contract renewal may not be considered as part of a consent agenda.

The required report must include a written summary, and the summary must contain, for the preceding year, the number of notices of violation issued, the number that were consisted, the number that were upheld, the number that were dismissed, the number that were issued as uniform traffic citations, and the number that were paid and how the collected funds were distributed and in what amounts. The county or municipality must report to the DHSMV that the county's or municipality's annual report was considered in accordance with this provision, including the date of the regular or special meeting at which the annual report was considered.

The compliance or sufficiency of compliance with the provisions above may not be raised in a proceeding challenging a violation enforced by a traffic infraction detector.

A county or municipality that does not comply with the above, is suspended from operating traffic infraction detectors until it corrects such noncompliance.

The bill requires the DHSMV to post each report it receives regarding traffic infraction detectors submitted by a municipality or county on its website.

The bill takes effect July 1, 2024.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill may have an indeterminate, but likely insignificant, negative fiscal impact to the DHSMV to publish on its website each report on traffic infraction detectors submitted by a county or municipality.

The bill may have an indeterminate negative fiscal impact on counties and municipalities choosing to deploy traffic infraction detectors due to additional requirements and costs associated with the bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 316.0083 of the Florida Statutes.

This bill creates the following sections of the Florida Statutes: 316.0077 and 316.0078.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Calatayud

38-01666-24

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1 A bill to be entitled
 2 An act relating to traffic enforcement; creating s.
 3 316.0077, F.S.; providing that provisions exempting
 4 the purchase of commodities or contractual services
 5 from competitive bidding requirements do not apply to
 6 contracts for certain camera systems; creating s.
 7 316.0078, F.S.; prohibiting certain camera systems or
 8 components thereof constructed by a Chinese
 9 manufacturer from being used for traffic enforcement
 10 in this state; amending s. 316.0083, F.S.; requiring a
 11 county or municipality to enact an ordinance to
 12 authorize placement or installation of traffic
 13 infraction detectors; requiring the county or
 14 municipality to consider certain evidence and make a
 15 certain determination at a public hearing; requiring a
 16 county or municipality to place a specified annual
 17 report on the agenda of a regular or special meeting
 18 of its governing body; requiring approval by the
 19 governing body at a regular or special meeting before
 20 contracting or renewing a contract to place or install
 21 traffic infraction detectors; providing for public
 22 comment; prohibiting such report, contract, or
 23 contract renewal from being considered as part of a
 24 consent agenda; providing requirements for a written
 25 summary of such report; requiring counties and
 26 municipalities to report to the department that their
 27 respective annual report was considered at a certain
 28 meeting and the date of such meeting; prohibiting
 29 compliance with certain provisions from being raised

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 in a proceeding challenging a violation; providing for
 31 suspension of a noncompliant county or municipality
 32 from operating traffic infraction detectors until such
 33 noncompliance is corrected; requiring the department
 34 to publish certain reports on its website; providing
 35 an effective date.
 36

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

38
 39 Section 1. Section 316.0077, Florida Statutes, is created
 40 to read:

41 316.0077 Camera systems; competitive bidding.—The
 42 provisions of s. 287.057 which exempt the purchase of
 43 commodities or contractual services from competitive bidding
 44 requirements do not apply to contracts entered into with
 45 manufacturers or vendors of school bus infraction detection
 46 systems, speed detection systems, traffic infraction detectors,
 47 or any other camera systems used for enforcing this chapter
 48 which are regulated under s. 316.0076.

49 Section 2. Section 316.0078, Florida Statutes, is created
 50 to read:

51 316.0078 Use of camera systems constructed by Chinese
 52 manufacturers prohibited.—A school bus infraction detection
 53 system, speed detection system, traffic infraction detector, or
 54 any other camera system used for enforcing this chapter which is
 55 regulated under s. 316.0076, or any component thereof, which is
 56 constructed by a Chinese manufacturer or a domestic or
 57 international manufacturer that uses materials imported from
 58 China may not be used for traffic enforcement in this state.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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59 Section 3. Subsection (4) of section 316.0083, Florida
60 Statutes, is amended to read:

61 316.0083 Mark Wandall Traffic Safety Program;
62 administration; report.—

63 (4)(a)1. A county or municipality shall enact an ordinance
64 in order to authorize the placement or installation of, or to
65 authorize contracting with a vendor for the placement or
66 installation of, one or more traffic infraction detectors to
67 enforce s. 316.074(1) or s. 316.075(1)(c)1. As part of the
68 public hearing on such proposed ordinance, the county or
69 municipality shall consider traffic data or other evidence
70 supporting the installation and operation of each traffic
71 infraction detector, and the county or municipality must
72 determine that the intersection at which a traffic infraction
73 detector is to be placed or installed constitutes a heightened
74 safety risk that warrants additional enforcement measures.

75 2. A county or municipality that operates one or more
76 traffic infraction detectors shall annually report the results
77 of all traffic infraction detectors within the county's or
78 municipality's jurisdiction as a single reporting item on the
79 agenda of a regular or special meeting of the county's or
80 municipality's governing body. Before a county or municipality
81 contracts or renews a contract to place or install one or more
82 traffic infraction detectors, the county or municipality shall
83 approve the contract or contract renewal at a regular or special
84 meeting of the county's or municipality's governing body.

85 a. Interested members of the public must be allowed to
86 comment regarding the report, contract, or contract renewal
87 under the county's or municipality's public comment policies or

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88 formats, and the report, contract, or contract renewal may not
89 be considered as part of a consent agenda.

90 b. The report required under this subparagraph must include
91 a written summary, which must be read aloud at the regular or
92 special meeting, and the summary must contain, for the preceding
93 year, the number of notices of violation issued, the number that
94 were contested, the number that were upheld, the number that
95 were dismissed, the number that were issued as uniform traffic
96 citations, and the number that were paid and how collected funds
97 were distributed and in what amounts. The county or municipality
98 shall report to the department that the county's or
99 municipality's annual report was considered in accordance with
100 this paragraph, including the date of the regular or special
101 meeting at which the annual report was considered.

102 3. The compliance or sufficiency of compliance with this
103 paragraph may not be raised in a proceeding challenging a
104 violation of s. 316.074(1) or s. 316.075(1)(c)1. enforced by a
105 traffic infraction detector.

106 4. A county or municipality that does not comply with this
107 paragraph is suspended from operating traffic infraction
108 detectors under this subsection until such noncompliance is
109 corrected.

110 ~~(b)(a)~~ Each county or municipality that operates a traffic
111 infraction detector shall submit a report by October 1, 2012,
112 and annually thereafter, to the department which details the
113 results of using the traffic infraction detector and the
114 procedures for enforcement for the preceding state fiscal year.
115 The information submitted by the counties and municipalities
116 must include statistical data and information required by the

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117 department to complete the summary report required under
118 paragraph ~~(c) (b)~~. The department must publish each report
119 submitted by a county or municipality pursuant to this paragraph
120 on its website.

121 ~~(c) (b)~~ On or before December 31, 2012, and annually
122 thereafter, the department shall provide a summary report to the
123 Governor, the President of the Senate, and the Speaker of the
124 House of Representatives regarding the use and operation of
125 traffic infraction detectors under this section, along with the
126 department's recommendations and any necessary legislation. The
127 summary report must include a review of the information
128 submitted to the department by the counties and municipalities
129 and must describe the enhancement of the traffic safety and
130 enforcement programs.

131 Section 4. This act shall take effect July 1, 2024.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Community Affairs, Chair
Appropriations Committee on Education
Education Pre-K 12
Fiscal Policy
Health Policy
Select Committee on Resiliency

SENATOR Alexis Calatayud

38th District

February 11, 2024

Honorable Senator Ed Hooper
Chair – Appropriations Committee on Transportation, Tourism, & Economic Development
Honorable Chair Hooper,

I respectfully request that **SB-1464 Traffic Enforcement** be placed on the next committee agenda.

The bill provides that provisions exempting the purchase of commodities or contractual services from competitive bidding requirements do not apply to contracts for certain camera systems; prohibiting certain camera systems or components thereof constructed by a Chinese manufacturer from being used for traffic enforcement in this state; requiring a county or municipality to enact an ordinance to authorize placement or installation of traffic infraction detectors; requiring approval by the governing body at a regular or special meeting before contracting or renewing a contract to place or install traffic infraction detectors.

Sincerely,

Alexis M. Calatayud

Senator Alexis M. Calatayud
Florida Senate, District 38

CC: Charlotte Jerrett, Staff Director
Brooke Conlan, Committee Administrative Assistant



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Military and Veterans Affairs, Space, and Domestic Security, *Chair*
Commerce and Tourism, *Vice Chair*
Appropriations Committee on Criminal and Civil Justice
Appropriations Committee on Transportation, Tourism, and Economic Development
Environment and Natural Resources
Fiscal Policy
Governmental Oversight and Accountability

SELECT COMMITTEE:

Select Committee on Resiliency

SENATOR TOM A. WRIGHT

8th District

February 16, 2024

Chair Hooper
406 Senate Building
404 South Monroe Street
Tallahassee, FL 32399-1100

Dear Chair Hooper,

I am respectfully requesting an excused absence from the Appropriations Committee on Transportation, Tourism, and Economic Development meeting on Tuesday, February 20, 2024, scheduled from 1:30 pm to 5:30 pm.

I appreciate your consideration of this request. If you have any questions or concerns, please do not hesitate to call me directly.

Thank you,

A handwritten signature in cursive script that reads "Tom A. Wright".

Senator Tom Wright
District 8

REPLY TO:

- 4606 Clyde Morris Blvd., Suite 2-J, Port Orange, Florida 32129 (386) 304-7630
- 416 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5008

Senate's Website: www.flsenate.gov

KATHLEEN PASSIDOMO
President of the Senate

DENNIS BAXLEY
President Pro Tempore



The Florida Senate

Excusal Request

To: President Kathleen Passidomo
409 The Capitol

Subject: Attendance this week

Date: February 20, 2024

President Passidomo,

Please excuse me from committees and session this week. Unfortunately, I am not feeling well and have been advised to stay home for a few days. In the meantime, if you have any questions, please don't hesitate to reach out to my staff. I apologize for my absence and hope to be back as soon as I'm able to.

Thank you,

A handwritten signature in black ink, appearing to read "Ed Hooper", written over a horizontal line.

Senator Ed Hooper
Florida Senate, District 21

CourtSmart Tag Report

Room: SB 301

Case No.:

Type:

Caption: Senate Appropriations Committee on Transportation, Tourism, and Economic Development

Judge:

Started: 2/20/2024 1:30:00 PM

Ends: 2/20/2024 2:01:32 PM

Length: 00:31:33

1:31:39 PM Sen. Trumbull (Chair)
1:32:25 PM S 1256
1:32:29 PM Sen. Martin
1:33:30 PM Sen. Thompson
1:33:45 PM Sen. Martin
1:34:42 PM Sen. Thompson
1:35:08 PM Sen. Martin
1:35:39 PM Sarah Suskey, Secure Democracy (waives in support)
1:36:14 PM Sen. Thompson
1:36:43 PM S 1226
1:36:49 PM Sen. Diceglie
1:37:03 PM Am. 956720
1:37:08 PM Sen. Diceglie
1:38:37 PM Candice Ericks, South Florida Regional Transportation Authority (SFRTA) (waives in support)
1:38:52 PM S 1226 (Cont.)
1:39:01 PM Sen. Thompson
1:39:24 PM Sen. Diceglie
1:39:42 PM Sen. Thompson
1:39:51 PM Sen. Diceglie
1:41:01 PM Sen. Thompson
1:41:26 PM Sen. Diceglie
1:42:18 PM Garrett Wallace (waives against)
1:42:54 PM S 1032
1:43:01 PM Am. 930490
1:43:03 PM Sen. Gruters
1:45:06 PM Sen. Thompson
1:45:19 PM Sen. Gruters
1:45:25 PM Sen. Thompson
1:45:30 PM Sen. Gruters
1:45:36 PM Sen. Thompson
1:45:43 PM Sen. Gruters
1:46:09 PM Sen. Stewart
1:46:21 PM Sen. Gruters
1:46:35 PM Sen. Stewart
1:46:38 PM Sen. Gruters
1:46:47 PM Sen. Stewart
1:47:37 PM Sen. Gruters
1:48:06 PM Sen. Stewart
1:48:11 PM Sen. Gruters
1:48:16 PM Sen. Stewart
1:48:19 PM Sen. Gruters
1:48:43 PM S 1032 (Cont.)
1:48:51 PM Chad Rosenstein, Florida Airports Council (waives against)
1:49:05 PM Sen. Diceglie
1:49:48 PM Sen. Stewart
1:50:18 PM Sen. Gruters
1:52:17 PM Sen. Trumbull (Chair)
1:52:21 PM S 1446
1:52:28 PM Sen. Calatayud
1:53:32 PM Sen. Thompson
1:53:42 PM Sen. Calatayud
1:54:23 PM Sen. Thompson

1:54:42 PM	Sen. Calatayud
1:55:36 PM	Sen. Thompson
1:55:49 PM	Sen. Calatayud
1:56:12 PM	Sen. Thompson
1:56:24 PM	Sen. Calatayud
1:57:15 PM	Sen. Thompson
1:57:36 PM	Sen. Calatayud
1:57:57 PM	Sen. Stewart
1:58:35 PM	Sen. Thompson
1:59:25 PM	Sen. Calatayud
2:00:49 PM	Sen. Trumbull