

Agenda Order

Tab 1 **CS/SB 324** by **CM, Smith (CO-INTRODUCERS) Arrington;** Similar to H 00215 Construction Disruption Assistance

968940	D	S	RCS	ATD, Smith	Delete everything after	04/10 11:12 AM
154188	AA	S	LRCS	ATD, Smith	Delete L.125 - 145:	04/10 11:12 AM

Tab 2 **SB 532** by **Ingoglia;** Identical to H 00445 Toll Payments

751638	A	S	RCS	ATD, Ingoglia	btw L.42 - 43:	04/10 11:34 AM
--------	---	---	-----	---------------	----------------	----------------

Tab 3 **CS/SB 574** by **TR, Collins;** Similar to H 00313 Toll Exemptions for Purple Heart Medal Recipients

Tab 4 **CS/SB 766** by **EE, Burgess;** Similar to H 00583 Registration of Agents and Organizations Associated with Foreign Countries of Concern

842796	A	S	RCS	ATD, Burgess	Delete L.37 - 41:	04/10 11:34 AM
--------	---	---	-----	--------------	-------------------	----------------

Tab 5 **CS/SB 824** by **TR, Pizzo;** Similar to H 00605 Specialty License Plates/Supporting FHP Troopers

Tab 6 **CS/SB 1024** by **TR, Burgess;** Compare to H 00049 Specialty License Plates/United States Naval Academy and United States Military Academy

Tab 7 **SB 1152** by **Arrington;** Specialty License Plates/Florida Wildflower

Tab 8 **CS/SB 1246** by **TR, Rodriguez;** Specialty License Plates/Save Coastal Wildlife

Tab 9 **CS/SB 1644** by **TR, Rodriguez;** Identical to CS/H 01487 Emergency Services

Tab 10 **CS/SB 1662** by **TR, Collins;** Similar to CS/CS/H 01397 Transportation

690598	A	S	RCS	ATD, Collins	Delete L.346 - 1661:	04/14 05:09 PM
--------	---	---	-----	--------------	----------------------	----------------

Tab 11 **CS/SB 1714** by **CA, Burton (CO-INTRODUCERS) Arrington, Bernard;** Identical to CS/H 00701 Local Housing Assistance Plans

COMMITTEE MEETING EXPANDED AGENDA**APPROPRIATIONS COMMITTEE ON TRANSPORTATION,
TOURISM, AND ECONOMIC DEVELOPMENT****Senator DiCeglie, Chair
Senator Polsky, Vice Chair****MEETING DATE:** Thursday, April 10, 2025
TIME: 8:30—10:30 a.m.
PLACE: *Toni Jennings Committee Room, 110 Senate Building***MEMBERS:** Senator DiCeglie, Chair; Senator Polsky, Vice Chair; Senators Arrington, Avila, Bernard, Collins, Grall, Ingoglia, Leek, Martin, McClain, Sharief, Smith, Truenow, and Wright

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	CS/SB 324 Commerce and Tourism / Smith (Similar H 215)	Construction Disruption Assistance; Citing this act as the "Construction Disruption Assistance Act"; establishing the Construction Impact Relief Revolving Loan Program within the Department of Commerce; requiring the department to provide specified financial assistance to eligible small businesses within construction zones; requiring the department to develop a public awareness and marketing campaign to promote the program in partnership with specified entities; directing the department to establish a hotline to provide information about the program, etc. CM 03/31/2025 Fav/CS ATD 04/10/2025 Fav/CS FP	Fav/CS Yeas 13 Nays 0
2	SB 532 Ingoglia (Identical H 445)	Toll Payments; Exempting certain disabled veterans from the required payment of tolls for the use of toll facilities, etc. TR 03/25/2025 Favorable ATD 04/10/2025 Fav/CS FP	Fav/CS Yeas 13 Nays 0
3	CS/SB 574 Transportation / Collins (Similar H 313)	Toll Exemptions for Purple Heart Medal Recipients; Revising eligibility for toll exemptions to include operators displaying a Purple Heart special license plate or a Purple Heart special motorcycle license plate, etc. TR 03/25/2025 Fav/CS ATD 04/10/2025 Favorable FP	Favorable Yeas 14 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Appropriations Committee on Transportation, Tourism, and Economic Development
 Thursday, April 10, 2025, 8:30—10:30 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	CS/SB 766 Ethics and Elections / Burgess (Similar H 583)	Registration of Agents and Organizations Associated with Foreign Countries of Concern; Requiring agents of foreign countries of concern and foreign-supported political organizations to register with the Division of Elections within a specified timeframe; requiring the registration of an agent of a foreign country of concern be signed under oath; requiring the division to create registration forms; providing requirements for such forms; requiring periodic updates by agents and organizations, etc. EE 03/31/2025 Fav/CS ATD 04/10/2025 Fav/CS RC	Fav/CS Yeas 13 Nays 0
5	CS/SB 824 Transportation / Pizzo (Similar H 605)	Specialty License Plates/Supporting FHP Troopers; Directing the Department of Highway Safety and Motor Vehicles to develop a Supporting FHP Troopers license plate; providing for distribution and use of fees collected from the sale of the plate, etc. TR 03/19/2025 Fav/CS ATD 04/10/2025 Favorable FP	Favorable Yeas 14 Nays 0
6	CS/SB 1024 Transportation / Burgess (Compare H 49)	Specialty License Plates/United States Naval Academy and United States Military Academy; Directing the Department of Highway Safety and Motor Vehicles to develop a United States Naval Academy license plate and a United States Military Academy license plate, etc. TR 03/19/2025 Fav/CS ATD 04/10/2025 Favorable FP	Favorable Yeas 13 Nays 0
7	SB 1152 Arrington	Specialty License Plates/Florida Wildflower; Increasing the annual use fee for the Florida Wildflower license plate and providing a discount for owners purchasing the plate for more than a specified number of vehicles, etc. TR 04/01/2025 Favorable ATD 04/10/2025 Favorable FP	Favorable Yeas 13 Nays 0

COMMITTEE MEETING EXPANDED AGENDAAppropriations Committee on Transportation, Tourism, and Economic Development
Thursday, April 10, 2025, 8:30—10:30 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
8	CS/SB 1246 Transportation / Rodriguez	Specialty License Plates/Save Coastal Wildlife; Directing the Department of Highway Safety and Motor Vehicles to develop a Save Coastal Wildlife license plate; specifying design elements for the plate; providing for distribution and use of fees collected from the sale of the plates, etc. TR 03/25/2025 Fav/CS ATD 04/10/2025 Favorable FP	Favorable Yeas 13 Nays 0
9	CS/SB 1644 Transportation / Rodriguez (Identical CS/H 1487)	Emergency Services; Deleting a limitation on the number of red or red and white warning signals that certain vehicles may display; revising the circumstances under which certain applicants for a specified license are exempt from a requirement to obtain certificates of public convenience and necessity; providing criminal penalties for the submission of an affidavit that fraudulently attests to certain facts; revising a limitation on the number of counties that may be granted a certain exemption, etc. TR 04/01/2025 Fav/CS ATD 04/10/2025 Favorable RC	Favorable Yeas 13 Nays 0
10	CS/SB 1662 Transportation / Collins (Similar CS/CS/H 1397, Compare H 1125, H 1185, S 1694)	Transportation; Authorizing the Secretary of Transportation to appoint a specified number of assistant secretaries; creating the Florida Transportation Research Institute; providing that certain spaceport and space industry-related facility projects and commercial shipbuilding and manufacturing facility projects are eligible for grant funding under the Florida Seaport Transportation and Economic Development Program; authorizing the department, in consultation with the Department of Commerce and the Department of Environmental Protection, to fund certain infrastructure projects and projects associated with certain critical infrastructure projects; requiring airports to provide the Department of Transportation with the opportunity to use certain airport property for a specified purpose during a declared state of emergency, etc. TR 03/25/2025 Fav/CS ATD 04/10/2025 Fav/CS AP	Fav/CS Yeas 14 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Appropriations Committee on Transportation, Tourism, and Economic Development
Thursday, April 10, 2025, 8:30—10:30 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
11	CS/SB 1714 Community Affairs / Burton (Identical CS/H 701)	Local Housing Assistance Plans; Authorizing counties and eligible municipalities to expend certain funds on lot rental assistance for mobile home owners for a specified time period; requiring each county and eligible municipality to include in its local housing assistance plan certain strategies; providing that lot rental assistance for eligible mobile home owners is an approved home ownership activity for certain purposes; authorizing counties and eligible municipalities to provide certain funds to mobile home owners for rehabilitation and emergency repairs, etc. CA 03/31/2025 Fav/CS ATD 04/10/2025 Favorable RC	Favorable Yeas 13 Nays 0

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: CS/CS/SB 324

INTRODUCER: Appropriations Committee on Transportation, Tourism, and Economic Development, Commerce and Tourism Committee and Senator Smith and others

SUBJECT: Construction Disruption Assistance

DATE: April 13, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Renner</u>	<u>McKay</u>	<u>CM</u>	<u>Fav/CS</u>
2.	<u>Nortelus</u>	<u>Nortelus</u>	<u>ATD</u>	<u>Fav/CS</u>
3.	_____	_____	<u>FP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 324 establishes the Construction Impact Relief Revolving Loan Program (program) within the Department of Commerce (department). Under the program, the department must provide low-interest loans of up to \$100,000 for operational costs of eligible small businesses during construction disruptions.

The department must develop a public awareness and marketing campaign to promote the program and encourage customer support for small businesses adversely impacted by construction activities.

Applicants must provide certain documentation in order to obtain financial assistance from the department. Applicants must agree to accept consultation from the Florida Small Business Development Center Network as a condition to participate in the program. The bill prohibits an applicant from participating in the program if they are eligible for other loan programs.

The department must submit an annual report by November 1 to the Governor and the Legislature summarizing the program's performance, including the total number of small businesses and residents served, total funds disbursed, and program outcomes.

The department may not be held liable in any civil action arising out of or relating to the administration, processing, approval, denial, or disbursement of funds under the program, provided such actions were made in good faith and without gross negligence or willful misconduct.

The bill requires the department to adopt rules by October 1, 2025, to implement the program.

The bill may have an indeterminate fiscal impact on the department that can be absorbed within existing resources. **See Section V: Fiscal Impact Statement.**

The bill takes effect July 1, 2025.

II. Present Situation:

Infrastructure Projects

Numerous agencies are the primary funders of infrastructure projects, including, but not limited to, the following:

- Department of Commerce (department) Construction Projects
 - Florida Job Growth Fund - an economic development program designed to promote public infrastructure and workforce training across the state. The fund is prohibited from being used for the exclusive benefit of any single company, corporation, or business entity. Proposals are reviewed by the department and chosen by the Governor to meet the demand for workforce or infrastructure needs.¹
 - Rural Infrastructure Fund - facilitates the planning, preparation, and financing of infrastructure projects in rural communities, including, but not limited to, roads and facilities related to stormwater systems.²
- Department of Environmental Protection
 - Clean Water State Revolving Fund – provides loans to construct water pollution control facilities.³
- Department of Transportation
 - State Transportation Trust Fund - provides funding for certain transportation systems and projects throughout the state.⁴

The Florida Small Business Development Center Network

Established in 2008, the Florida Small Business Development Center Network (SBDC) is the principal business assistance organization for small businesses in the state. The purpose of the network is to serve emerging and established for-profit, privately held businesses that maintain a place of business in the state.⁵ The network is funded in part by the U.S. Small Business Administration, Department of Defense, State of Florida through appropriations, and other

¹ Section 288.101, F.S.

² Section 288.0655, F.S.

³ See s. 403.1835, F.S.

⁴ Section 206.46(1), F.S.

⁵ Ch. 2008-149, Laws of Fla., codified as s. 288.001, F.S.

private and public partners with the University of West Florida serving as the network's designated lead host institution.⁶

III. Effect of Proposed Changes:

The bill creates ss. 288.9991-288.9998, F.S., known as the "Construction Disruption Assistance Act."

The bill creates s. 288.9995, F.S., to establish the Construction Impact Relief Revolving Loan Program (program). Under the program, the department must provide low-interest loans of up to \$100,000, with interest not to exceed the federal funds rate at the time the loan is issued, for operational costs of eligible small businesses during construction disruptions.

The department must also develop a public awareness and marketing campaign, in partnership with local chambers of commerce and other business organizations, to promote the program and encourage customer support for small businesses adversely impacted by construction activities. Marketing campaign efforts must include, but are not limited to:

- Digital advertising campaigns; and
- Signage and outreach.

Applications must be submitted to the department and include documentation of a demonstrable loss, as well as a plan for utilizing the funds. Proof of demonstrable loss must include, but is not limited to, the following:

- Documentation of reduction in revenue from the start date of construction activities to the week before an application is submitted to the department. Such proof may be made by comparing the applicant's average weekly or monthly revenue of the year before the construction activities began and the applicant's current weekly or monthly revenue.
- Photo or video evidence of the obstruction, which may include, but is not limited to, restricting parking or primary entry access or blocking visibility of the applicant from all directions of traffic along the road and sidewalks during each phase of construction.

The applicant must agree to accept consultation with the SBDC as a condition to participate in the program. The applicant is prohibited from participating in the program if they are eligible for another loan program.

The bill creates s. 288.9997, F.S. releasing from liability the department or any of its officers, employees, agents, or contractors for actions arising out of or related to the administration, processing, approval, denial, or disbursement of funds under the program, provided such actions were made in good faith and without gross negligence or willful misconduct.

The bill creates s. 288.9998, F.S., requiring the department to submit a report annually by November 1 to the Governor and Legislature summarizing the performance of the program, including the total number of small businesses and residents served, total funds disbursed, and program outcomes.

The bill defines the following terms:

⁶ America's SBDC Florida, *About Funding*, available at <https://floridasbdc.org/about/> (last visited April 3, 2025).

- Construction zone – the immediate area where construction activities directly restrict physical or visual access to a small business, including partial or complete obstruction of entryways, parking, or signage visibility.
- Demonstrable loss – a verifiable reduction in revenue, property damage, or increased operational costs directly attributed to state or local government construction activities.
- Eligible small business – a business with 50 or fewer employees whose primary access points are obstructed by state or local government construction activities directly adjacent to or in front of the business, as determined by the department.

The bill requires the department to adopt rules by October 1, 2025, to implement the act.

The bill takes effect July 1, 2025.

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 identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Eligible small businesses that can show a demonstrable loss of revenue due to construction impacting their establishment may be able to receive financial assistance from the department.

C. Government Sector Impact:

The bill may have an indeterminate fiscal impact that can be absorbed by the department within their existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates the following sections of the Florida Statutes: 288.9991, 288.9992, 288.9993, 288.9994, 288.9995, 288.9996, and 288.9997.

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

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

CS/CS by Appropriations Committee on Transportation, Tourism, and Economic Development on April 10, 2025:

The committee substitute:

- Requires applicants to apply to the department for assistance and agree to accept consultation from the Florida Small Business Development Center Network. If an applicant is enrolled in any other loan program, they are not eligible to participate in this program.
- Provides that the department may not be held liable for a civil action arising out of the administration, processing, approval, denial, or disbursement of funds under the program.
- Removes that an applicant's compliance with the department's rules related to the application, evaluation, and dispute resolution process constitutes a presumption of good faith.

CS by Commerce and Tourism on March 31, 2025.

The CS:

- Changes the name of the Construction Impact Relief Program to the Construction Impact Revolving Loan Program (program) and removes the requirement that the Department of Commerce (department) establish the program through the Florida Growth Fund.
- Removes the option for the department to provide grants to eligible small businesses within construction zones.
- Clarifies that the department may provide certain loans with interest not to exceed the federal funds rate at the time the loan is issued for eligible small business operational costs.

- Removes the requirement that the department, in concert with local governments, include local event sponsorships and promotions in the marketing campaign to promote the program.
- Requires eligible small business applicants to provide certain documentation to obtain financial assistance from the department, and to consult with the Florida Small Business Development Center Network.
- Provides that an applicant is not eligible to participate in the program if the applicant is eligible for other loan programs.

B. Amendments:

None.

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



968940

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/10/2025	.	
	.	
	.	
	.	

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

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Part XIII of chapter 288, Florida Statutes,
consisting of ss. 288.9991-288.9998, Florida Statutes, is
created and entitled "Construction Disruption Assistance Act."

Section 2. Section 288.9991, Florida Statutes, is created
to read:

288.9991 Short title.—This part shall be known and may be



968940

11 cited as the "Construction Disruption Assistance Act."

12 Section 3. Section 288.9992, Florida Statutes, is created
13 to read:

14 288.9992 Legislative findings; purpose.—The Legislature
15 finds and declares that:

16 (1) Prolonged state and local government construction
17 projects that directly block access to small businesses cause
18 significant financial and operational hardships that negatively
19 impact local economies and threaten the livelihoods of business
20 owners and employees.

21 (2) It is the purpose of this act to establish a program to
22 provide financial relief, promotional support, and loss coverage
23 to small businesses adversely impacted by state and local
24 government construction projects, ensuring their resilience and
25 viability during essential infrastructure improvements.

26 Section 4. Section 288.9993, Florida Statutes, is created
27 to read:

28 288.9993 Definitions.—As used in this part, the term:

29 (1) "Construction zone" means the immediate area where
30 construction activities directly restrict physical or visual
31 access to a small business, including partial or complete
32 obstruction of entryways, parking, or signage visibility.

33 (2) "Demonstrable loss" means a verifiable reduction in
34 revenue, property damage, or increased operational costs
35 directly attributed to state or local government construction
36 activities.

37 (3) "Department" means the Department of Commerce.

38 (4) "Eligible small business" means a business with 50 or
39 fewer employees whose primary access points are obstructed by



968940

40 state or local government construction activities directly
41 adjacent to or in front of the business, as determined by the
42 department.

43 (5) "Program" means the Construction Impact Relief
44 Revolving Loan Program established in s. 288.9995.

45 Section 5. Section 288.9994, Florida Statutes, is created
46 to read:

47 288.9994 Rulemaking authority.—By October 1, 2025, the
48 department shall adopt rules to implement this part, including,
49 but not limited to, developing guidelines for the award of loans
50 under the program and creating application forms for the
51 program.

52 Section 6. Section 288.9995, Florida Statutes, is created
53 to read:

54 288.9995 Construction Impact Relief Revolving Loan
55 Program.—

56 (1) The Construction Impact Relief Revolving Loan Program
57 is created within the department. The program may be funded by
58 the Legislature. Under the program, the department shall:

59 (a) Provide financial assistance to eligible small
60 businesses within construction zones, including low-interest
61 loans of up to \$100,000, with interest not to exceed the federal
62 funds rate at the time the loan is issued, for the operational
63 costs of eligible small businesses during construction
64 disruptions.

65 (b) Develop a public awareness and marketing campaign to
66 promote the program in partnership with local chambers of
67 commerce and other business organizations and to encourage
68 customer support for small businesses adversely impacted by



968940

69 state and local government construction activities. Such
70 marketing campaign efforts must include, but are not limited to,
71 all of the following:

72 1. Digital advertising campaigns.

73 2. Signage and outreach.

74 (2) An applicant seeking to obtain financial assistance
75 under paragraph (1)(a) must submit an application to the
76 department. The application must require documentation of
77 demonstrable loss and a plan for the use of funds. Proof of
78 demonstrable loss must include, but is not limited to, all of
79 the following:

80 (a) Documentation of reduction in revenue from the start
81 date of the state or local government construction activities to
82 the week before an application is submitted to the department.
83 Such proof may be made by comparing the applicant's average
84 weekly or monthly revenue of the year before the state or local
85 government construction activities began and the applicant's
86 current weekly or monthly revenue.

87 (b) Photo or video evidence of the obstruction to the
88 applicant due to the construction zone. Such obstruction may
89 include, but is not limited to, any of the following:

90 1. Restricting parking or primary entry access to the
91 eligible small business.

92 2. Blocking visibility of the applicant from all directions
93 of traffic flow along the road and adjoining sidewalks in which
94 the applicant is located, during each phase of construction.

95 (3) An applicant must agree to accept consultation from the
96 Florida Small Business Development Center Network created in s.
97 288.001 as a condition to participate in the program. If an



968940

98 applicant is enrolled in any other loan program, he or she is
99 not eligible to participate in the program.

100 Section 7. Section 288.9996, Florida Statutes, is created
101 to read:

102 288.9996 Publication on department website; accessibility.

103 (1) The department shall maintain and publish detailed
104 information about the program on its website. The information
105 must include, but is not limited to, all of the following:

106 (a) A clear description of the application process.

107 (b) Detailed eligibility criteria for applicants.

108 (c) The timeline and procedures for review, approval, and
109 disbursement of funds.

110 (d) Contact information, including e-mail addresses and
111 telephone numbers, applicants or interested parties may obtain
112 for additional information or assistance.

113 (2) The department shall update the information as changes
114 occur and ensure the website is accessible to all potential
115 applicants or interested parties, including those with
116 disabilities, in accordance with applicable state and federal
117 accessibility laws.

118 Section 8. Section 288.9997, Florida Statutes, is created
119 to read:

120 288.9997 Liability.-

121 (1) The department or any of its officers, employees,
122 agents, or contractors may not be held liable in any civil
123 action arising out of or relating to the administration,
124 processing, approval, denial, or disbursement of funds under the
125 program, provided such actions were made in good faith and
126 without gross negligence or willful misconduct.



968940

127 (2) An applicant must acknowledge, as a condition of
128 applying to the program, that submitting an application does not
129 guarantee funding and that the department is not liable for any
130 damages, including, but not limited to, lost profits or business
131 interruptions resulting from the department denying a loan or
132 delaying disbursement of a loan, or from government construction
133 activities.

134 (3) This part may not be construed to create a private
135 right of action against the department or any of its officers,
136 employees, agents, or contractors. Eligibility determinations,
137 prioritization of applications, and loan award decisions made in
138 accordance with applicable program rules and guidelines are
139 considered final agency action and are not subject to further
140 judicial review except as provided in s. 120.68.

141 (4) The department may adopt rules establishing clear
142 application procedures, evaluation criteria, and dispute
143 resolution processes to ensure consistency and transparency in
144 program administration. An applicant's compliance with such
145 rules constitutes a presumption of good faith.

146 Section 9. Section 288.9998, Florida Statutes, is created
147 to read:

148 288.9998 Annual reporting requirement.—The department
149 shall, by November 1 of each year, submit an annual report to
150 the Governor, the President of the Senate, and the Speaker of
151 the House of Representatives which summarizes the performance of
152 the program, including the total number of small businesses and
153 residents served, the total funds disbursed, and the program
154 outcomes.

155 Section 10. This act shall take effect July 1, 2025.



968940

156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184

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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to construction disruption assistance;
creating part XIII of ch. 288, F.S., to be entitled
the "Construction Disruption Assistance Act"; creating
s. 288.9991, F.S.; providing a short title; creating
s. 288.9992, F.S.; providing legislative findings and
purpose; creating s. 288.9993, F.S.; defining terms;
creating s. 288.9994, F.S.; establishing rulemaking
authority; creating s. 288.9995, F.S.; establishing
the Construction Impact Relief Revolving Loan Program
within the Department of Commerce; authorizing the
Legislature to fund the program; requiring the
department to provide specified financial assistance
to eligible small businesses within construction
zones; requiring the department to develop a public
awareness and marketing campaign to promote the
program in partnership with specified entities;
providing requirements for the campaign; requiring
applicants to submit specified information with their
applications; requiring an applicant to agree to
accept consultation from the Florida Small Business
Development Center Network as a condition to
participate in the program; prohibiting an applicant
from participating in the program under certain



968940

185 circumstances; creating s. 288.9996, F.S.; directing
186 the department to maintain and publish certain
187 information about the program on its website, and to
188 update such information as changes occur; requiring
189 such information to be accessible to certain persons
190 with disabilities; creating s. 288.9997, F.S.;
191 providing that the department or any of its officers,
192 employees, agents, or contracts are not liable in any
193 civil action arising out of or relating to specified
194 duties of the program if such actions were made in
195 good faith and without gross negligence or willful
196 misconduct; providing construction; requiring an
197 applicant to acknowledge that submitting and
198 application does not guarantee funding; providing that
199 the department is not liable for any damages resulting
200 in the department denying an applicant; providing
201 construction; providing that certain determinations,
202 prioritizations, and decisions made are deemed final
203 agency action and not subject to further judicial
204 review; providing an exception; authorizing the
205 department to adopt rules; providing that an
206 applicant's compliance with such rules constitutes a
207 presumption of good faith; creating s. 288.9998, F.S.;
208 requiring the department to submit an annual report
209 containing certain information by a specified date to
210 the Governor and the Legislature; providing an
211 effective date.



154188

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/10/2025	.	
	.	
	.	
	.	

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

1 **Senate Amendment to Amendment (968940) (with title**
2 **amendment)**

3
4 Delete lines 125 - 145
5 and insert:
6 program.

7 (2) An applicant must acknowledge, as a condition of
8 applying to the program, that submitting an application does not
9 guarantee funding and that the department is not liable for any
10 damages, including, but not limited to, lost profits or business



11 interruptions resulting from the department denying a loan or
12 delaying disbursement of a loan, or from government construction
13 activities.

14 (3) This part may not be construed to create a private
15 right of action against the department or any of its officers,
16 employees, agents, or contractors. Eligibility determinations,
17 prioritization of applications, and loan award decisions made in
18 accordance with applicable program rules and guidelines are
19 considered final agency action and are not subject to further
20 judicial review except as provided in s. 120.68.

21 (4) The department may adopt rules establishing clear
22 application procedures, evaluation criteria, and dispute
23 resolution processes to ensure consistency and transparency in
24 program administration.

25
26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 Delete lines 194 - 207

29 and insert:

30 duties of the program; providing construction;
31 requiring an applicant to acknowledge that submitting
32 and application does not guarantee funding; providing
33 that the department is not liable for any damages
34 resulting in the department denying an applicant;
35 providing construction; providing that certain
36 determinations, prioritizations, and decisions made
37 are deemed final agency action and not subject to
38 further judicial review; providing an exception;
39 authorizing the department to adopt rules; creating s.



154188

40

288.9998, F.S.;



The Florida Senate

Committee Agenda Request

To: Senator Nick DiCeglie, Chair
Appropriations Committee on Transportation, Tourism, and Economic
Development

Subject: Committee Agenda Request

Date: April 1, 2025

I respectfully request that **Senate Bill # 324**, relating to Construction Disruption Assistance, be placed on the:

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

A handwritten signature in blue ink that reads "Carlos G. Smith".

Senator Carlos Guillermo Smith
Florida Senate, District 17

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/SB 532

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

SUBJECT: Toll Payments

DATE: April 14, 2025

REVISED: _____

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

I. Summary:

CS/SB 532 creates an exemption from the payment of tolls for the following individuals:

- A person who has been determined to have a 100 percent disability rating for compensation by the United States Department of Veterans Affairs or who has been determined to have a service-connected disability rating of 100 percent and receives disability retirement pay from any branch of the United States Armed Services.
- A person operating a motor vehicle displaying a Purple Heart Specialty license plate or a motorcycle displaying a Purple Heart special motorcycle license plate.

This bill will have a negative fiscal impact on state and local governments. **See Section V., Fiscal Impact for details.**

The bill takes effect July 1, 2025.

II. Present Situation:

Toll Facilities

The Florida Turnpike Enterprise, which is part of the Florida Department of Transportation (FDOT), operates the Florida Turnpike System with 515 centerline miles of limited-access toll facilities.¹ The FDOT-owned toll facilities include Alligator Alley, the Pinellas Bayway System, the Sunshine Skyway Bridge, the Wekiva Parkway, and the Garcon Point Bridge.²

¹ Florida Turnpike Enterprise, 2024 Comprehensive Annual Financial Report, p. 8. <https://floridasturnpike.com/wp-content/uploads/2024/12/FY%202024%20ACFR.pdf> (last visited April 3, 2025).

² Florida Department of Transportation, *Enterprise Toll Report*, https://floridasturnpike.com/wp-content/uploads/2024/07/2_Department-owned-Facilities.pdf (last visited April 3, 2025).

Other Florida entities operating toll facilities include, but are not limited to, the Central Florida Expressway Authority, the Greater Miami Expressway Agency, the Mid-Bay Bridge Authority, and the Tampa-Hillsborough County Expressway Authority. Other toll facilities are operated by Escambia County,³ Lee County,⁴ and Miami-Dade County.⁵

Payment of Tolls for the Use of a Toll Facility

Florida law requires the FDOT to fix adjust, charge, and collect such tolls and amounts for the use of the Turnpike System as are required in order to provide a fund sufficient with other revenues of the Turnpike System to pay the cost of maintaining, improving, repairing, and operating such turnpike system; to pay the principal of and interest on all bonds issued to finance or refinance any portion of the Turnpike System; and to create reserves for these purposes.⁶

Any person using a toll facility is required to pay the applicable toll, except for limited exceptions, which are:

- An employee of the toll agency on official state business.
- State military personnel while on official military business.
- A person with a disability that impairs his or her ability to deposit tolls into toll basket.
- A person exempt from toll payment by the authorizing resolution for bonds issued to finance the facility.
- A person exempt on a temporary basis when a toll facility is used as a detour route.
- A law enforcement officer operating an official vehicle while on official law enforcement business.
- A person operating a fire vehicle or a rescue vehicle while on official business.
- A person participating in the funeral procession of a law enforcement officer or firefighter killed in the line of duty.⁷
- Any person driving a vehicle belonging to the Department of Military Affairs transporting military personnel, stores, and property.⁸
- As part of an emergency evacuation, when tolls are suspended by the Secretary of Transportation.⁹

The failure to pay a toll is a noncriminal traffic infraction, punishable as a moving violation.¹⁰ A toll violation has a mandatory fine of \$100 for each violation, plus the amount of unpaid tolls.¹¹ With additional fees, the penalty may be up to \$198, plus the amount of unpaid tolls.¹²

³ Visit Pensacola, <https://www.visitpensacola.com/plan-your-trip/getting-here/#jlget-around> (last visited April 3, 2025).

⁴ Lee County, *Lee County Tolls*, <https://www.leegov.com/tolls>, (last visited April 3, 2025).

⁵ Miami-Dade County, *Causeways*, https://www.miamidade.gov/global/service.page?Mduid_service=ser1684342734896148 (last visited April 3, 2025).

⁶ Section 338.231, F.S., Florida Department of Transportation (FDOT), Agency Analysis of 2025 House Bill 313 and Senate Bill 574, p. 2. *FDOT Analysis* (on file with Senate Committee on Transportation).

⁷ Section 338.155(1)(a), F.S.

⁸ Section 338.155(2), F.S.

⁹ Section 338.155(1)(b), F.S.

¹⁰ Section 338.155(1)(c), F.S.

¹¹ Section 318.18(7), F.S.

¹² Florida Clerk of Courts, *2024 Distribution Schedule*, p. 64, available at:

https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2024_Distribution_Schedule_-_pdf (last visited April 3, 2025).

Turnpike Bond Covenants

Florida law authorizes the FDOT to borrow money as provided by the State Bond Act¹³ to finance the cost of any one or more legislatively approved Turnpike projects. The principal of, and the interest on, such bonds must be payable solely from revenues pledged for their repayment.¹⁴

In connection with the issuance of such bonds, the state has covenanted to not limit or restrict the rights vested in the Department to establish and collect tolls for the use of the Turnpike System and otherwise fulfill the terms of any agreements with its bondholders. The State also covenanted not to impair the rights or remedies of the FDOT's bondholders until the bonds are fully paid and discharged.¹⁵ Statutes creating the state's expressway authorities contain similar provisions.¹⁶

The Florida Turnpike Enterprise's master bond resolution, originally adopted in 1988, and amended and restated in 2005 (Resolution), contains commitments by the FDOT regarding funding and operation of the Turnpike System. Section 5.03 of the Resolution provides that the Resolution is a contract with the bondholders and is enforceable in court by the bondholders. The Resolution may not be amended in any way that affects "the unconditional promises of the Department to fix, maintain and collect Tolls for the use of the Turnpike System" without consent of all the holders of outstanding Turnpike bonds. The FDOT has also issued bonds to fund capital improvements to Alligator Alley.¹⁷

Section 5.08 of the Resolution is entitled "No Free Use of Florida Turnpike." In that section, the FDOT covenanted that it "shall not allow or permit any free use of the Toll roads of the Florida Turnpike, except to officials or employees of the Department whose official duties in connection with the Florida Turnpike require them to travel over the Florida's Turnpike, or except as may be provided by laws in effect on the date of the adoption of this Resolution." The resolution under which the Alligator Alley bonds were sold contains a similar covenant regarding the use of Alligator Alley.¹⁸

Disabled Veteran

The Department of Veterans Affairs (VA) uses a disability rating system to determine the level of compensation for veterans with service-connected disabilities. These ratings range from 0 percent to 100 percent, with higher percentages indicating more severe disabilities and greater compensation. VA disability ratings are based on the impact of a veteran's service-connected conditions on their ability to work and perform daily activities. The rating system is designed to

¹³ Sections 215.57 through 215.83, F.S.

¹⁴ Section 338.227(1), F.S. *FDOT Analysis* at 2.

¹⁵ Section 338.229, F.S., *FDOT Analysis* at 2.

¹⁶ *See* ss. 348.0313, 348.64, and 348.761, F.S.

¹⁷ *FDOT Analysis* at 2. Alligator Alley bonds are issue pursuant to s. 338.165(4), F.S.

¹⁸ *Id.*

provide financial support to veterans whose earning capacity has been reduced due to their service-related injuries or illnesses.¹⁹

Among the benefits Florida offers a 100 percent disabled veteran are exemptions from certain driver license and state ID card fees, disabled veteran license plates, and with a disabled veteran license plate, free parking at publicly-owned airports.²⁰

Purple Heart License Plates

The Purple Heart medal is presented to service members who have been wounded or killed as a result of enemy action while serving in the U.S. military. A Purple Heart is a solemn distinction and means a service member has greatly sacrificed themselves, or paid the ultimate price, while in the line of duty.²¹

Florida authorizes various military or veteran-related special license plates, including a special license plate for Purple Heart recipients. To receive the plate, one must apply to the Department of Highway Safety and Motor Vehicles (DHSMV), provide proof of being a Purple Heart medal recipient,²² and pay the appropriate motor vehicle license tax. The Purple Heart special license plate is stamped with the words “Purple Heart” and has the likeness of the Purple Heart medal on the plate.²³

Florida law also authorizes a Purple Heart special motorcycle license plate, issued in the same manner as the Purple Heart special license plate. The Purple Heart special motorcycle license plate is stamped with the term “Combat-wounded Veteran,” and has the term “Purple Heart” stamped on the plate and has the likeness of the Purple Heart medal appearing on the plate.²⁴

As of March 2025, there are 9,426 active Purple Heart license plate registrations in Florida.²⁵

III. Effect of Proposed Changes:

The bill exempts the following persons from paying tolls for the use of toll facilities:

- A person who has been determined by the United States Department of Veterans Affairs or its predecessor to have a service-connected 100 percent disability rating for compensation or

¹⁹ Benefits.com, *What a 100 VA Disability Rating Means For Your Career*, <https://benefits.com/veterans-disability/100-va-rating-work/> (last visited April 3, 2025).

²⁰ Florida Department of Veterans' Affairs, *Florida Veterans Benefits Guide 2025*, p. 13-15. <https://floridavets.org/wp-content/uploads/2012/08/FDVA-Benefits-Guide.pdf?v=2020r2> (last visited April 3, 2025).

²¹ USO, *9 Things You Need to Know About the Purple Heart Medal* <https://www.uso.org/stories/2276-8-purple-heart-facts> (last visited April 2, 2025).

²² A Purple Heart Medal recipient or un-remarried surviving spouse of a Purple Heart Medal recipient must provide proof from the U.S. Government of being a recipient of the Purple Heart Medal. Department of Highway Safety and Motor Vehicles, APPLICATION FOR MILITARY SERVICE-RELATED LICENSE PLATES, <https://www.flhsmv.gov/pdf/forms/83034.pdf> (last visited April 2, 2025).

²³ Section 320.089(1)(a), F.S.

²⁴ Section 320.0875, F.S.

²⁵ Department of Highway Safety and Motor Vehicles, *Specialty License Plates*, <https://www.flhsmv.gov/motor-vehicles-tags-titles/personalized-specialty-license-plates/specialty-license-plates/> (last visited April 2, 2025).

who has been determined to have a service-connected disability rating of 100 percent and is in receipt of disability retirement pay from any branch of the United States Armed Services.

- A person operating a motor vehicle displaying a Purple Heart specialty license plate or a motorcycle displaying a Purple Heart special motorcycle license plate.

To incorporate these toll exemptions, the bill reenacts s. 316.1001, F.S., providing that failure to pay a toll is a noncriminal traffic infraction, punishable as a moving violation.

The bill does not specify how the FDOT and other toll entities will implement these toll exemptions.

The bill takes effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Article VII, s. 18(b) of the Florida Constitution provides that, except upon the approval of each house of the Legislature by a two-thirds vote of the membership, the Legislature may not enact, amend, or repeal any general law if the anticipated effect of doing so would be to reduce the authority that municipalities or counties have to raise revenue in the aggregate, as such authority existed on February 1, 1989. Under the bill, 100 percent disabled veterans and persons with Purple Heart specialty license plates would be exempt from paying tolls to all toll facilities in the state, including those operated by municipalities and counties.

However, the mandate requirements do not apply to laws having an insignificant fiscal impact, which for Fiscal Year 2025-2026 is forecast at approximately \$2.4 million.^{26,27,28} The Revenue Estimating Conference (REC) determined that the bill may reduce revenues of local governments by \$5.9 million beginning in Fiscal Year 2025-2026.²⁹ If costs imposed by the bill exceed \$2.4 million, the mandates provisions may apply. If the bill does qualify as a mandate, in order to be binding upon cities and counties, the bill must be approved by a two-thirds vote of the membership of each house.

B. Public Records/Open Meetings Issues:

None.

²⁶ FLA. CONST. art. VII, s. 18(d).

²⁷ An insignificant fiscal impact is the amount not greater than the average statewide population for the applicable fiscal year times \$0.10. See Florida Senate Committee on Community Affairs, *Interim Report 2012-115: Insignificant Impact*, (Sept. 2011), available at <http://www.flsenate.gov/PublishedContent/Session/2012/InterimReports/2012-115ca.pdf> (last visited April 3, 2025).

²⁸ Based on the Florida Demographic Estimating Conference's February 4, 2025, population forecast for 2025 of 23,332,606. The conference packet is available at: https://edr.state.fl.us/content/conferences/population/ConferenceResults_Tables.pdf (last visited April 3, 2025).

²⁹ Revenue Estimating Conference, *2025 Revenue Impacts*, pp. 31-37. <https://edr.state.fl.us/Content/conferences/revenueimpact/archives/2025/pdf/impact0214.pdf> (last visited April 3, 2025).

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:

Qualifying disabled veterans or persons with Purple Heart specialty license plates may experience a reduction in costs associated with no longer being required to pay tolls.

C. Government Sector Impact:

On February 14, 2025, the REC adopted the following consensus estimate for the toll exemption for disabled veterans:³⁰

Fiscal Year	General Revenue - Recurring	State Trust- Recurring	Local - Recurring	Total – Recurring
2025-2026	\$0	(\$10.4 million)	(\$5.6 million)	(\$16.0 million)
2026-2027	\$0	(\$10.5 million)	(\$5.7 million)	(\$16.2 million)
2027-2028	\$0	(\$10.7 million)	(\$5.7 million)	(\$16.4 million)
2028-2029	\$0	(\$10.8 million)	(\$5.8 million)	(\$16.6 million)
2029-2030	\$0	(\$10.9 million)	(\$5.9 million)	(\$16.8 million)

On February 14, 2025, the REC adopted the following consensus estimate for the toll exemption for Purple Heart license plates:³¹

Fiscal Year	General Revenue - Recurring	State Trust- Recurring	Local - Recurring	Total – Recurring
2025-2026	\$0	(\$0.5 million)	(\$0.3 million)	(\$0.8 million)
2026-2027	\$0	(\$0.5 million)	(\$0.3 million)	(\$0.8 million)

³⁰ Revenue Estimating Conference, *2025 Revenue Impacts*, pp. 31-34.

<https://edr.state.fl.us/Content/conferences/revenueimpact/archives/2025/pdf/impact0214.pdf> (last visited April 3, 2025).

³¹ *Id.* at 35-37.

2027-2028	\$0	(\$0.5 million)	(\$0.3 million)	(\$0.8 million)
2028-2029	\$0	(\$0.5 million)	(\$0.3 million)	(\$0.8 million)
2029-2030	\$0	(\$0.5 million)	(\$0.3 million)	(\$0.8 million)

The FDOT estimates that it will experience an indeterminate negative fiscal impact to recurring toll revenues. This negative impact on toll revenues will have a negative impact on the Florida Turnpike Enterprise’s five-year capital plan.³²

The FDOT also estimates an indeterminate increase in its operation and maintenance costs associated with implementing these toll exemptions. Increase in operating costs would include providing a transponder at no cost to the recipients, certification and registration of eligible SunPass³³ account holders, system modifications for the program, and recurring administrative costs to monitor the program.³⁴

VI. Technical Deficiencies:

The bill refers to a Purple Heart *specialty* license plate, which does not exist. However, Florida offers a Purple Heart *special* license plate, which is limited to Purple Heart recipients who provide the required documentation.

VII. Related Issues:

The FDOT has indicated that since the Turnpike System leverages its revenue to accelerate projects through issuance of revenue bonds, any reduction in revenue prompts a reduction in the FDOT’s Work Program and would require the FDOT’s to remove transportation projects included in its current 5-year Work Program. It would also result in negative impacts on the economic feasibility of planned Turnpike projects. This reduction in toll revenue may prompt bond rating agencies to downgrade the FDOT’s credit rating, resulting in higher interest rates and increased borrowing costs and would also likely reduce the FDOT’s future bonding capacity.³⁵

VIII. Statutes Affected:

This bill substantially amends section 338.155 of the Florida Statutes.

This bill reenacts section 316.1001 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.)

CS by Appropriations Committee on Transportation, Tourism, and Economic Development on April 10, 2025:

³² *FDOT Analysis*, p. 4.

³³ SunPass is Florida’s electronic toll transponder.

³⁴ *FDOT Analysis*, p. 4

³⁵ *Id.* at 5.

- The committee substitute provides a toll exemption for a person operating a motor vehicle displaying a Purple Heart specialty license plate or a motorcycle displaying a Purple Heart special motorcycle license plate.

B. Amendments:

None.

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



751638

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/10/2025	.	
	.	
	.	
	.	

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

Senate Amendment (with title amendment)

Between lines 42 and 43

insert:

10. A person operating a motor vehicle displaying a Purple Heart specialty license plate or a motorcycle displaying a Purple Heart special motorcycle license plate.

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

And the title is amended as follows:



751638

11 Delete line 3
12 and insert:
13 F.S.; exempting certain disabled veterans and persons
14 operating motor vehicles and motorcycles displaying
15 certain license plates from the



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Banking and Insurance, *Chair*
Environment and Natural Resources, *Vice Chair*
Appropriations Committee on Criminal and
Civil Justice
Appropriations Committee on Transportation,
Tourism, and Economic Development
Fiscal Policy
Regulated Industries
Rules

JOINT COMMITTEE:

Joint Committee on Public Counsel Oversight

SENATOR BLAISE INGOLIA

11th District

March 25th, 2025

The Honorable Nick DiCeglie, Chair
Appropriation Committee on Transportation, Tourism, and Economic Development
414 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399

RE: SB 532 Toll Payments

Chair DiCeglie,

Senate Bill 532 has been referred to the Appropriation Committee on Transportation, Tourism, and Economic Development as its second committee of reference. I respectfully ask that it be placed on the committee agenda at your earliest convenience.

If I may answer questions or be of assistance, please do not hesitate to contact me. Thank you for your leadership and consideration.

Regards,

A handwritten signature in blue ink, appearing to read "Blaise Ingolia". The signature is stylized with a large, sweeping flourish that extends to the right and loops back under the name.

Blaise Ingolia
State Senator, District 11

CC'd: Sarah Nortelus, Brooke Conlan

REPLY TO:

- 2943 Landover Boulevard, Spring Hill, Florida 34608 (352) 666-5707
- 306 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5011

Senate's Website: www.flsenate.gov

BEN ALBRITTON
President of the Senate

JASON BRODEUR
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: CS/SB 574

INTRODUCER: Transportation Committee and Senator Collins

SUBJECT: Toll Exemptions for Purple Heart Medal Recipients

DATE: April 10, 2025

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>Nortelus</u>	<u>ATD</u>	<u>Favorable</u>
3.	_____	_____	<u>FP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

CS/SB 574 provides an exemption from paying tolls for a person operating a motor vehicle displaying a Purple Heart special license plate or a motorcycle displaying a Purple Heart special motorcycle license plate.

This bill will have a negative fiscal impact on state and local governments. **See Section V., Fiscal Impact for details.**

The bill takes effect July 1, 2025.

II. Present Situation:

Toll Facilities

The Florida Turnpike Enterprise, which is part of the Florida Department of Transportation (FDOT), operates the Florida Turnpike System with 515 centerline miles of limited-access toll facilities.¹The FDOT-owned toll facilities include Alligator Alley, the Pinellas Bayway System, the Sunshine Skyway Bridge, the Wekiva Parkway, and the Garcon Point Bridge.²

¹ Florida Turnpike Enterprise, 2024 Comprehensive Annual Financial Report, p. 8. <https://floridasturnpike.com/wp-content/uploads/2024/12/FY%202024%20ACFR.pdf> (last visited April 2, 2025).

² Florida Department of Transportation, *Enterprise Toll Report*, https://floridasturnpike.com/wp-content/uploads/2024/07/2_Department-owned-Facilities.pdf (last visited April 2, 2025).

Other Florida entities operating toll facilities include, but are not limited to, the Central Florida Expressway Authority, the Greater Miami Expressway Agency, the Mid-Bay Bridge Authority, and the Tampa-Hillsborough County Expressway Authority, Escambia County,³ Lee County,⁴ and Miami-Dade County.⁵

Payment of Tolls for the Use of a Toll Facility

Florida law requires the FDOT to fix adjust, charge, and collect such tolls and amounts for the use of the Turnpike System as are required in order to provide a fund sufficient with other revenues of the Turnpike System to pay the cost of maintaining, improving, repairing, and operating such turnpike system; to pay the principal of and interest on all bonds issued to finance or refinance any portion of the Turnpike System; and to create reserves for these purposes.⁶

Any person using a toll facility is required to pay the applicable toll, except for limited exceptions, which are:

- An employee of the toll agency on official state business.
- State military personnel while on official military business.
- A person with a disability that impairs his or her ability to deposit tolls into toll basket.
- A person exempt from toll payment by the authorizing resolution for bonds issued to finance the facility.
- A person is exempt on a temporary basis when a toll facility is used as a detour route.
- A law enforcement officer operating an official vehicle while on official law enforcement business.
- A person operating a fire vehicle or a rescue vehicle while on official business.
- A person participating in the funeral procession of a law enforcement officer or firefighter killed in the line of duty.⁷
- Any person driving a vehicle belonging to the Department of Military Affairs transporting military personnel, stores, and property.⁸
- As part of an emergency evacuation, when tolls are suspended by the Secretary of Transportation.⁹

³ Visit Pensacola, <https://www.visitpensacola.com/plan-your-trip/getting-here/#jlget-around> (last visited April 2, 2025).

⁴ Lee County, *Lee County Tolls*, <https://www.leegov.com/tolls>, (last visited March 21, 2025).

⁵ Miami-Dade County, *Causeways*, https://www.miamidade.gov/global/service.page?Mduid_service=ser1684342734896148 (last visited March 21, 2025).

⁶ Section 338.231, F.S., Florida Department of Transportation (FDOT), Agency Analysis of 2025 House Bill 313 and Senate Bill 574, p. 2. *FDOT Analysis* (on file with Senate Committee on Transportation).

⁷ Section 338.155(1)(a), F.S.

⁸ Section 338.155(2), F.S.

⁹ Section 338.155(1)(b), F.S.

The failure to pay a toll is a noncriminal traffic infraction, punishable as a moving violation.¹⁰ A toll violation has a mandatory fine of \$100 for each violation, plus the amount of unpaid tolls.¹¹ With additional fees, the penalty may be up to \$198, plus the amount of unpaid tolls.¹²

Payment of Tolls and Turnpike Bond Covenants

Florida law authorizes the FDOT to borrow money as provided by the State Bond Act¹³ to finance the cost of any one or more legislatively approved Turnpike projects. The principal of, and the interest on, such bonds must be payable solely from revenues pledged for their repayment.¹⁴

In connection with the issuance of such bonds, the state has covenanted to not limit or restrict the rights vested in the FDOT to establish and collect tolls for the use of the Turnpike System and otherwise fulfill the terms of any agreements with its bondholders. The State also covenanted not to impair the rights or remedies of the FDOT's bondholders until the bonds are fully paid and discharged.¹⁵ Statutes creating the state's expressway authorities contain similar provisions.¹⁶

The Turnpike master bond resolution, originally adopted in 1988, and amended and restated in 2005 (Resolution), contains commitments by the FDOT regarding funding and operation of the Turnpike System. Section 5.03 of the Resolution provides that the Resolution is a contract with the bondholders and is enforceable in court by the bondholders. The Resolution may not be amended in any way that affects "the unconditional promises of the Department to fix, maintain and collect Tolls for the use of the Turnpike System" without consent of all the holders of outstanding Turnpike bonds. The FDOT has also issued bonds to fund capital improvements to Alligator Alley.¹⁷

Section 5.08 of the Resolution is entitled "No Free Use of Florida Turnpike." In that section, the FDOT covenanted that it "shall not allow or permit any free use of the Toll roads of the Florida Turnpike, except to officials or employees of the Department whose official duties in connection with the Florida Turnpike require them to travel over the Florida's Turnpike, or except as may be provided by laws in effect on the date of the adoption of this Resolution." The resolution under which the Alligator Alley bonds were sold contains a similar covenant regarding the use of Alligator Alley.¹⁸

¹⁰ Section 338.155(1)(c), F.S.

¹¹ Section 318.18(7), F.S.

¹² Florida Clerk of Courts, *2024 Distribution Schedule*, p. 64, available at:

https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2024_Distribution_Schedule_-_pdf (last visited April 2, 2025).

¹³ Sections 215.57 through 215.83, F.S.

¹⁴ Section 338.227(1), F.S. *FDOT Analysis* at 2.

¹⁵ Section 338.229, F.S., *FDOT Analysis* at 2.

¹⁶ See ss. 348.0313, 348.64, and 348.761, F.S.

¹⁷ *FDOT Analysis* at 2. Alligator Alley bonds are issue pursuant to s. 338.165(4), F.S.

¹⁸ *Id.*

Purple Heart License Plates

The Purple Heart medal is presented to service members who have been wounded or killed as a result of enemy action while serving in the U.S. military. A Purple Heart is a solemn distinction and means a service member has greatly sacrificed themselves, or paid the ultimate price, while in the line of duty.¹⁹

Florida authorizes various military or veteran-related special license plates, including a special license plate for Purple Heart recipients. To receive the plate, one must apply to the Department of Highway Safety and Motor Vehicles (DHSMV), provide proof of being a Purple Heart medal recipient,²⁰ and pay the appropriate motor vehicle license tax. The Purple Heart special license plate is stamped with the words “Purple Heart” and has the likeness of the Purple Heart medal on the plate.²¹

Florida law also authorizes a Purple Heart special motorcycle license plate, issued in the same manner as the Purple Heart special license plate. The Purple Heart special motorcycle license plate is stamped with the term “Combat-wounded Veteran,” and has the term “Purple Heart” stamped on the plate and has the likeness of the Purple Heart medal appearing on the plate.²²

As of March 2025, there are 9,426 active Purple Heart license plate registrations in Florida.²³

III. Effect of Proposed Changes:

The bill exempts from toll payments a person operating a motor vehicle displaying a Purple Heart special license plate or a motorcycle displaying a Purple Heart special motorcycle license plate.

The bill does not specify how the FDOT and other toll entities will implement this toll exemption.

The bill takes effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Article VII, s. 18(b) of the Florida Constitution provides that, except upon the approval of each house of the Legislature by a two-thirds vote of the membership, the Legislature

¹⁹ USO, *9 Things You Need to Know About the Purple Heart Medal* <https://www.uso.org/stories/2276-8-purple-heart-facts> (last visited April 2, 2025).

²⁰ A Purple Heart Medal recipient or un-remarried surviving spouse of a Purple Heart Medal recipient must provide proof from the U.S. Government of being a recipient of the Purple Heart Medal. Department of Highway Safety and Motor Vehicles, APPLICATION FOR MILITARY SERVICE-RELATED LICENSE PLATES, <https://www.flhsmv.gov/pdf/forms/83034.pdf> (last visited April 2, 2025).

²¹ Section 320.089(1)(a), F.S.

²² Section 320.0875, F.S.

²³ Department of Highway Safety and Motor Vehicles, *Specialty License Plates*, <https://www.flhsmv.gov/motor-vehicles-tags-titles/personalized-specialty-license-plates/specialty-license-plates/> (last visited April 2, 2025).

may not enact, amend, or repeal any general law if the anticipated effect of doing so would be to reduce the authority that municipalities or counties have to raise revenue in the aggregate, as such authority existed on February 1, 1989. Under the bill, persons with a Purple Heart special license plate would not be required to pay tolls on any toll facilities, including those operated by municipalities and counties.

However, the mandate requirements do not apply to laws having an insignificant fiscal impact, which for Fiscal Year 2025-2026 is forecast at approximately \$2.4 million.^{24,25,26} The Revenue Estimating Conference determined that the bill will reduce revenues to local governments by \$0.3 million beginning in Fiscal Year 2025-2026, which appears to be insignificant.

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:

Persons with the Purple Heart special license plate may experience a reduction in expenditures associated with no longer being required to pay tolls.

²⁴ FLA. CONST. art. VII, s. 18(d).

²⁵ An insignificant fiscal impact is the amount not greater than the average statewide population for the applicable fiscal year times \$0.10. See Florida Senate Committee on Community Affairs, *Interim Report 2012-115: Insignificant Impact*, (Sept. 2011), available at <http://www.flsenate.gov/PublishedContent/Session/2012/InterimReports/2012-115ca.pdf> (last visited April 2, 2025).

²⁶ Based on the Florida Demographic Estimating Conference's February 4, 2025, population forecast for 2025 of 23,332,606. The conference packet is available at: https://edr.state.fl.us/content/conferences/population/ConferenceResults_Tables.pdf (last visited April 2, 2025).

C. Government Sector Impact:

On February 14, 2025, the Revenue Estimating Conference adopted the following consensus estimate for this bill:²⁷

Fiscal Year	General Revenue - Recurring	State Trust- Recurring	Local - Recurring	Total – Recurring
2025-2026	\$0	(\$0.5 million)	(\$0.3 million)	(\$0.8 million)
2026-2027	\$0	(\$0.5 million)	(\$0.3 million)	(\$0.8 million)
2027-2028	\$0	(\$0.5 million)	(\$0.3 million)	(\$0.8 million)
2028-2029	\$0	(\$0.5 million)	(\$0.3 million)	(\$0.8 million)
2029-2030	\$0	(\$0.5 million)	(\$0.3 million)	(\$0.8 million)

The FDOT estimates that it will experience a negative indeterminate fiscal impact to recurring toll revenues. This negative impact on toll revenues will have a negative impact on the Turnpike’s five-year capital plan.²⁸

The FDOT also estimates an indeterminate increase in its operation and maintenance costs associated with implementing this toll exemption. The increase in operating costs would include providing a transponder at no cost to the recipients, certification and registration of eligible SunPass²⁹ account holders, system modifications for the program, and recurring administrative costs to monitor the program.³⁰

VI. Technical Deficiencies:

None.

VII. Related Issues:

The FDOT has indicated that since the Turnpike System leverages its revenue to accelerate projects through issuance of revenue bonds, any reduction in revenue prompts a reduction in the FDOT’s Work Program and would require the FDOT’s to remove transportation projects included in its current five-year Work Program. It would also result in negative impacts on the economic feasibility of planned Turnpike projects. This reduction in toll revenue may prompt bond rating agencies to downgrade the FDOT’s credit rating, resulting in higher interest rates and increased borrowing costs and would also likely reduce the FDOT’s future bonding capacity.³¹

The language does not provide clear steps to implement this toll exemption. Similar to other statutory toll exemptions, the Turnpike will need to determine and confirm eligibility for the

²⁷ Revenue Estimating Conference, 2025 Revenue Impacts, pp. 34-37. <https://edr.state.fl.us/Content/conferences/revenueimpact/archives/2025/pdf/impact0214.pdf> (last visited April 2, 2025).

²⁸ *FDOT Analysis*, p. 4.

²⁹ SunPass is Florida’s electronic toll transponder.

³⁰ *FDOT Analysis*, p.4.

³¹ *Id.* at 5.

Purple Heart toll exemption, develop an application and registration process, require proof that the driver maintains a valid driver's license in good standing, and issue a transponder.³²

The bill amends a section of law pertaining to the Turnpike, however toll collections for other toll facilities in the state are interoperable and indistinguishable to the traveler from the Turnpike. As written, it is unclear if the waiver is intended only for Turnpike facilities or all toll facilities in the state which extends the fiscal impact and bond covenant impairment to the FDOT's toll facilities, multiple expressway authorities, county and city toll facilities, and independent toll facilities.³³

VIII. Statutes Affected:

This bill substantially amends section 338.155 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.)

CS by Transportation on March 25, 2025

Changes the term “specialty” to “special” since the Purple Heart license plate is a military-related special license plate.

B. Amendments:

None.

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

³² *Id.*

³³ *Id.*

The Florida Senate

APPEARANCE RECORD

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

574

Bill Number or Topic

4/10/25

Meeting Date

TED

Committee

Amendment Barcode (if applicable)

Name

WILLIAM B. SMITH

Phone

305-333-4344

Address

300 E BREVARD ST.

Email

WBSMITH@FLPBA.ORG

Street

TALLAHASSEE

State

R

32301

Zip

City

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:

FL PBA

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 766

INTRODUCER: Appropriations Committee on Transportation, Tourism, and Economic Development,
Ethics and Elections Committee and Senator Burgess

SUBJECT: Registration of Agents and Organizations Associated with Foreign Countries of Concern

DATE: April 14, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Cleary</u>	<u>Roberts</u>	<u>EE</u>	<u>Fav/CS</u>
2.	<u>Wells</u>	<u>Nortelus</u>	<u>ATD</u>	<u>Fav/CS</u>
3.	<u> </u>	<u> </u>	<u>RC</u>	<u> </u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 766 creates a state-level framework for the registration of agents and organizations associated with foreign nations. Specifically, the bill requires individuals acting as agents of foreign countries of concern and foreign-supported political organizations to register with the Department of State’s Division of Elections. Registrants must disclose specified information related to their identity, funding, affiliations, financial transactions, and political activities. All registrations must be updated at least every 90 days. The bill authorizes the Florida Elections Commission to enforce compliance via fines.

The bill may have an indeterminate, negative fiscal impact on the state. **See Section V. Fiscal Impact Statement.**

The bill takes effect July 1, 2025.

II. Present Situation:

Federal Law

Signed in 1938, the Foreign Agents Registration Act (FARA) sought to expose foreign influence in American politics, with a focus on identifying and making a public record of attempts to

spread propaganda and foreign agendas.¹ FARA has been revised to respond to the changing nature of representation of foreign entities in the United States, reorienting the law away from propaganda activities and toward foreign advocacy and lobbying.²

FARA requires certain persons, referred to as “agents of a foreign principal,”³ to register with the Department of Justice (DOJ) and disclose their relationships, activities, receipts, and disbursements in support of their advocacy or public relations activities, when representing foreign entities, known as “foreign principals,”⁴ within the United States. Individuals who meet the definition of an “agent of a foreign principal” are required to file a registration statement within 10 days of agreeing to become an agent.⁵ Supplemental statements must be filed every six months thereafter.⁶ Registration statements must include:⁷

- The registrant’s name and both personal and business addresses;
- The registrant’s status, nationality of all individuals, partnerships, and corporate directors or officers;

¹ 22 U.S.C. §§ 611, 621; See Jacob R. Straus, *Foreign Agents Registration Act (FARA): Background and Issues for Congress*, Congressional Research Service (June 30, 2020) available at <https://www.congress.gov/crs-product/R46435>; See *Vierick v. United States*, 318 U.S. 236, 241 (1943); See also, U.S. Congress, House Committee on the Judiciary, *Lobbying Disclosure Act of 1995*, report to accompany H.R. 2564, 104th Cong., 1st sess., November 14, 1995, H.Rept.104-339, part 1 (Washington: GPO, 1995), pp. 5-8 (FARA responded to foreign influence concerns by creating a system designed “to identify agents of foreign principals who might engage in subversive acts or in spreading foreign propaganda and to require them to make a public record of the nature of their employment.”).

² *Id.* (FARA was amended in 1938, 1942, 1966, and 1995.).

³ 22 U.S.C. §611(c) (“Except as provided under §611(d), the term ‘agent of a foreign principal’ means- (1) any person who acts as an agent, representative, employee, or servant, or any person who acts in any other capacity at the order, request, or under the direction or control, of a foreign principal or of a person any of whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign principal, and who directly or through any other person- (i) engages within the United States in political activities for or in the interests of such foreign principal; (ii) acts within the United States as a public relations counsel, publicity agent, information-service employee or political consultant for or in the interests of such foreign principal; (iii) within the United States solicits, collects, disburses, or dispenses contributions, loans, money, or other things of value for or in the interest of such foreign principal; or (iv) within the United States represents the interests of such foreign principal before any agency or official of the Government of the United States; and (2) any person who agrees, consents, assumes or purports to act as, or who is or holds himself out to be, whether or not pursuant to contractual relationship, an agent of a foreign principal as defined in clause (1) of this subsection.”); *But see* 22 U.S.C. §611(d) (Section (d) provides that, “(d) The term ‘agent of a foreign principal’ does not include any news or press service or association organized under the laws of the United States or of any State or other place subject to the jurisdiction of the United States, or any newspaper, magazine, periodical, or other publication for which there is on file with the United States Postal Service information in compliance with section 3611 of title 39, published in the United States, solely by virtue of any bona fide news or journalistic activities, including the solicitation or acceptance of advertisements, subscriptions, or other compensation therefor, so long as it is at least 80 per centum beneficially owned by, and its officers and directors, if any, are citizens of the United States, and such news or press service or association, newspaper, magazine, periodical, or other publication, is not owned, directed, supervised, controlled, subsidized, or financed, and none of its policies are determined by any foreign principal defined in subsection (b) of this section, or by any agent of a foreign principal required to register under this subchapter.”).

⁴ 22 U.S.C. §611(b) (“The term ‘foreign principal’ includes - (1) a government of a foreign country and a foreign political party; (2) a person outside of the United States, unless it is established that such person is an individual and a citizen of and domiciled within the United States, or that such person is not an individual and is organized under or created by the laws of the United States or of any State or other place subject to the jurisdiction of the United States and has its principal place of business within the United States; and (3) a partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country.”).

⁵ 22 U.S.C. §612(a).

⁶ 22 U.S.C. §612(b).

⁷ 22 U.S.C. §612.

- A statement on the nature of the registrant’s business, a complete list of employees, the nature of their work, and the name and address of every foreign principal the registrant represents;
- Copies of the registrant’s written agreement with a foreign principal and conditions of all oral agreements;
- The nature and amount of contributions, income, money, or other items of value received from a foreign principal; and
- A detailed statement on spending connected with activities for the foreign principal.

The registration and supplemental statements must be made under oath⁸ and filed electronically.⁹ The Attorney General is required to maintain permanent copies of all registration statements and to provide copies to the public, the Secretary of State, other executive agencies, and congressional committees.¹⁰ FARA requires that political propaganda be filed with the DOJ and specifically labeled.¹¹ These “informational materials” must be filed by agents of foreign principals within 48 hours of registration and must contain specific labeling language.¹² Further, all informational materials distributed by registered foreign agents “must contain a conspicuous label if such media are used as instruments to disseminate informational materials.”¹³ FARA also requires all agents of a foreign principal keep and preserve all books and records of activities that are required to be disclosed under the law.¹⁴ These records include: activities taken on behalf of a foreign principal, correspondence about political activities, original copies of contracts, names of individuals to whom informational materials have been transmitted, and bookkeeping and financial records.¹⁵

In addition, FARA requires firms or other entities that are agents of a foreign principal to also register.¹⁶ The entities’ officers or directors are under obligation to ensure the agent of a foreign principal is registered and are potentially liable and could face prosecution for failed compliance.¹⁷

Certain agents of a foreign principal are exempt from registering under FARA.¹⁸

⁸ 22 U.S.C. §612(c).

⁹ 22 U.S.C. §612(g).

¹⁰ 22 U.S.C. §616(a)-(d) (The Attorney General must also maintain a publicly available, internet accessible, searchable, and downloadable database).

¹¹ 22 U.S.C. §614.

¹² See U.S. Department of Justice, National Security Division, Foreign Agents Registration Act (FARA) Unit, “What are the Filing and Labeling Requirements for Informational Materials?” *General FARA Frequently Asked Questions*, at <https://www.justice.gov/nsd-fara/general-fara-frequently-asked-questions>. For additional regulations on the labeling of informational materials, see 28 C.F.R. §5.402, at https://www.ecfr.gov/cgi-bin/text-idx?SID=55bbcbd4f61d657ca4ec8a5862d848e1&mc=true&node=se28.1.5_1402&rgn=div8. (The following labeling language must be included on “informational materials”: “This material is distributed by (name of registrant) on behalf of (name of foreign principal). Additional information is available at the Department of Justice, Washington, DC.”).

¹³ *Id.*

¹⁴ 22 U.S.C. §615; See 28 C.F.R. §5.500(b) (records must be available for inspection); See also 28 C.F.R. §5.500(c) (records must be kept for three years after the foreign principal-agent relationship has been terminated).

¹⁵ 28 C.F.R. §5.500(a).

¹⁶ 22 U.S.C. §617.

¹⁷ *Id.*

¹⁸ 22 U.S.C. §613 (FARA listed exemptions: **Diplomatic or Consular Officers-** Duly accredited diplomatic or consular officials, recognized by Department of State, performing official functions; **Official of Foreign Government-** officials of

Violators of FARA face potential fines or imprisonment.¹⁹ The Attorney General may establish regulations to implement the law.²⁰ Further, every six months, the Attorney General must submit a report to Congress on the administration of FARA.²¹

The first judicial challenge to the registration requirements under FARA arose in *Viereck v. United States*, 318 U.S. 236, 237 (1943).²² There, the United States Supreme Court upheld the registration requirements, finding the requirements both reasonable and within the Congressional legislative power.²³ In 1982, the registration requirements were challenged and upheld by the Court of Appeals for the District of Columbia as not burdensome to free speech.²⁴ FARA's labeling requirements and the "political propaganda" definition were first challenged in 1986.²⁵ The Court of Appeals for the District of Columbia held that despite the public being able to interpret the term "political propaganda" as official government disapproval, any First

recognized governments who are not public-relations counsel, publicity agent, information-services employee, or citizen of the United States, acting in an official capacity; **Staff Members of Diplomatic or Consular Officers-** any staff member or employee of a duly accredited diplomatic or consular officer, other than a public relations counsel, of a State Department recognized foreign government performing official functions; **Private and Nonpolitical Activities; Solicitation of Funds-** "any person engaging or agree to engage only (1) in private and nonpolitical activities in furtherance of the bona fide trade or commerce of such foreign principal; or (2) in other activities not serving predominantly a foreign interest; or (3) in the soliciting or collecting of funds and contributions within the United States to be used only for medical aid and assistance, or for food and clothing to relieve human suffering"; **Religious, Scholastic, or Scientific Pursuits-** person engaged "only in activities in furtherance of bona fide religious, scholastic, academic, or scientific pursuits or of the fine arts"; **Defense of Foreign Government Vital to United States Defense-** Agents "whose foreign principal is a government of a foreign country the defense of which the President deems vital to the defense of the United States," if certain specified conditions are met; **Qualified to Practice Law-** any person qualified to practice law who engages "in the legal representation of a disclosed foreign principal before any court of law or any agency of the Government of the United States." Does not include advocacy activity outside judicial proceedings, criminal or civil law enforcement inquires, investigations, or statutorily required agency proceedings; **Lobbying Disclosure Act (LDA) Filer-** Individuals registered under LDA are not required to register under FARA.).

¹⁹ 22 U.S.C. §618(a) (Any person who willfully violates the law or willfully makes false statements in registration or supplemental statements upon conviction may "be punished by a fine of not more than \$10,000 or by imprisonment for not more than five years, or both."); *See also* 22 U.S.C. §618(a) (Violating provisions of the filing and labeling requirements for political propaganda, failing to correct deficient registration statements, or having a contingent fee arrangement with a foreign principal carry potential penalties of up to a \$5,000 fine or six months in prison.).

²⁰ The regulations for FARA are located at 28 C.F.R. §§5.1-5.1101.; *But see Justice Department Proposes New Regulations to Modernize Foreign Agents Registration Act Administration and Enforcement*, U.S. Department of Justice Website Press Release (Friday, December 20, 2024), available at <https://www.justice.gov/archives/opa/pr/justice-department-proposes-new-regulations-modernize-foreign-agents-registration-act> (FARA's implementing regulations have not been updated since 2007. The DOJ recently announced a proposed rule that would alter key exemptions that companies and individuals most frequently rely on, including (1) the "commercial" exemption, (2) the exemption for persons whose activities do not predominantly serve a foreign interest, and (3) the exemption for persons qualified to practice law. The proposed rule also adds several new requirements for handling "informational materials," including by requiring foreign agents to more frequently and conspicuously disclose their agency status (such as on websites, broadcasts, and social media), even when performing acts such as scheduling meetings with members of Congress or other U.S. officials. The practical effect of the proposed changes will be to limit the number of individuals who could claim the exemptions.).

²¹ 22 U.S.C. §621.

²² Lynn Alvey Dawson, *Constitutional Law-Freedom of Expression-the Foreign Agents Registration Act*, *Meese v. Keene*, 107 S.ct. 1862 (1987), 12 Suffolk Transnat'l L.J. 457 (1989).

²³ *Id.*

²⁴ *Attorney General v. Irish People, Inc.*, 684 F.2d 928, 945 (D.C. Cir. 1982).

²⁵ *See Block v. Meese*, 793 F.2d 1303, 1306-07 (D.C. Cir. 1986)

Amendment infringement was not severe enough to invalidate the those provisions of FARA.²⁶ In 1987, The United States Supreme Court upheld the constitutionality of FARA, finding that the labeling and definition requirements did not raise constitutional concerns because the term “political propaganda” as defined, was neutral, determining the slight risk of negative connotation to the term did not constitute government censorship.²⁷ In June 2024, The Court of Appeals for the District of Columbia, relying on its 1987 ruling in *United States v. McGoff*,²⁸ held that the government can only file lawsuits seeking to compel FARA registration against individuals who are “engaged in or about to engage” in undisclosed foreign influence.²⁹

Federal law, under the Federal Elections Campaign Act (FECA)³⁰ as amended, prohibits foreign nationals,³¹ in connection with any federal, state, or local election, from making:

- Contributions;
- Donations;
- Expenditures (including independent expenditures); and
- Disbursements solicited, directed, received or made directly or indirectly by or from such foreign nationals.³²

This prohibition includes advances of personal funds; contributions or donations made to political party committees and organizations, state or local party committees for the purchase or construction of an office building funds;³³ and contributions or disbursements to make electioneering communications.³⁴ Foreign nationals are also prohibited from directly or

²⁶ *Id.*

²⁷ *Meese v. Keene*, 107 S. Ct. 1862, 1873 (1987); See Lynn Alvey Dawson, *Constitutional Law-Freedom of Expression-the Foreign Agents Registration Act*, *Meese v. Keene*, 107 S.Ct. 1862 (1987), 12 Suffolk Transnat'l L.J. 457, 465 (1989) (“In *Keene v. Meese* the Court, consistent with its prior decisions, has upheld the requirements of the Foreign Agents Registration Act. By maintaining the constitutionality of the Act, the Court has indicated its reluctance to invalidate an Act of Congress where the alleged infringement of first amendment rights is slight.”). *But see* American Civil Liberties Union and the Knight First Amendment Institute at Columbia University *amicus brief* (filed March 5, 2025) in *United States v. Terry*, No. 1:24-cr-00427 (S.D.N.Y) (For recent arguments in support of a narrow interpretation of FARA, in an amicus brief for pending case, the ACLU argues that “FARA’s definitions of ‘foreign principal,’ ‘request,’ ‘political activities,’ and ‘publicity agent’ can be interpreted to cover a vast array of constitutionally protected activity. Absent a narrowing interpretation, the statute risks suppressing and chilling protected speech without any legitimate governmental justification. To avoid the serious First Amendment questions that might otherwise arise, the Court should interpret FARA’s terms narrowly. . . Although the government has a legitimate interest in better informing Americans about potential foreign manipulation of the U.S. political process, a broad reading of FARA’s terms would sweep in a wide array of constitutionally protected speech and would likely violate the First Amendment.”).

²⁸ *United States v. McGoff*, 831 F.2d 1071(D.C. Cir. 1987).

²⁹ *Attorney General v. Wynn*, No. 22-5328 (D.C. Cir. 2024).

³⁰ 52 U.S.C. § 30121.

³¹ See 11 CFR 110.20(a)(3) (A “foreign national” is: “1. An individual who is not a citizen of the United States or a national of the United States and has not been lawfully admitted to the U.S. for permanent residence, as defined in 8 U.S.C. § 1101(a)(20); or 2. A foreign principal, as defined in 22 U.S.C. § 611(b).”).

³² Federal Election Commission Web page, *Foreign Nationals*, (last visited March 14, 2025), available at [https://www.fec.gov/help-candidates-and-committees/foreign-nationals/#:~:text=Federal%20law%20prohibits%20contributions%2C%20donations,federal%2C%20state%20or%20local%20election.](https://www.fec.gov/help-candidates-and-committees/foreign-nationals/#:~:text=Federal%20law%20prohibits%20contributions%2C%20donations,federal%2C%20state%20or%20local%20election.;); See 52 U.S.C. § 30101(1). (FECA defines an “election” to encompass not only general, special, primary, and runoff elections but also conventions or caucuses of political parties that have the authority to nominate candidates.).

³³ See 11 CFR 300.35

³⁴ *Id.*

indirectly donating to an inaugural committee, and it is a violation of federal law to knowingly accept such donations from a foreign national.³⁵

Florida Law

Florida law prohibits foreign nationals³⁶ from directly or indirectly making, or offering to make, a contribution or expenditure in connection with any election held in the state.³⁷ The prohibition applies to both candidate and ballot question campaigns.³⁸

Any state agency or political subdivision that receives, directly or indirectly, any gift or grant with a value of \$50,000 or more from any foreign source must disclose such gift or grant to the Department of Financial Services within 30 days.³⁹ Such disclosure must include the date and amount of the gift or grant and the name and country of residence or domicile of the foreign source.⁴⁰

A state agency, political subdivision, or public school authorized to expend state-appropriated funds or levy ad valorem taxes is prohibited from participating in any agreement with or accepting any grant from a foreign country of concern, or any entity controlled by a foreign country of concern which:

- Constrains the freedom of contract of such public entity;
- Allows the curriculum or value of a program in the state to be directed or controlled by the foreign country of concern; or
- Promotes an agenda detrimental to the safety or security of the United States or its residents.⁴¹

Before the execution of any cultural exchange agreement with a foreign country of concern, the substance of the agreement must be shared with federal agencies concerned with protecting

³⁵ *Id.*

³⁶ See s. 106.08(12)(a)1, F.S. (“the term ‘foreign national’ means: a. A foreign government; b. A foreign political party; c. A foreign corporation, partnership, association, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country; d. A person with foreign citizenship; or e. A person who is not a citizen or national of the United States and is not lawfully admitted to the United States for permanent residence. 2. The term does not include: a. A person who is a dual citizen or dual national of the United States and a foreign country. b. A domestic subsidiary of a foreign corporation, partnership, association, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country if: (I) The donations and disbursements used toward a contribution, or an expenditure are derived entirely from funds generated by the subsidiary’s operations in the United States; and (II) All decisions concerning donations and disbursements used toward a contribution or an expenditure are made by individuals who either hold United States citizenship or are permanent residents of the United States. For purposes of this sub-sub-subparagraph, decisions concerning donations and disbursements do not include decisions regarding the subsidiary’s overall budget for contributions or expenditures in connection with an election.”).

³⁷ Section 106.08(12)(b), F.S.

³⁸ *Id.*

³⁹ Section 286.101(2), F.S.

⁴⁰ *Id.*

⁴¹ Section 288.860(2), F.S. (A “foreign country of concern” is defined as 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 Nicolas Maduro, or the Syrian Arab Republic, including any agency or any other entity under significant control of such countries.).

national security or enforcing trade sanctions, embargoes, or other restrictions under federal law.⁴² If such a federal agency provides information suggesting that such an agreement promotes an agenda detrimental to the safety or security of the United States or its residents, the public entity may not enter into the agreement.⁴³

Other States

Recently a number of other states, including Georgia, Arizona, Illinois, Oklahoma, Tennessee, West Virginia, California, and New York, have introduced FARA-like or FARA-related bills aimed at regulating foreign-influenced political activity at the state level. To date, none of these recently introduced bills have been enacted into law.⁴⁴

III. Effect of Proposed Changes:

This bill creates a new requirement under the Florida Election Code⁴⁵ for the registration of agents and organizations associated with foreign countries of concern.

⁴² Section 288.860(2)(c), F.S.

⁴³ *Id.*

⁴⁴ Adie J. Olson, Jason Abel, Elizabeth Goodwin, Jennifer M. Jackson, Amanda Powell, Katherine Kyriakoudes, *Not FAR-Away: Proposed State Legislation Increases in an Attempt to Regulate Foreign Agents*, Steptoe Law Blog (June 26, 2024), available at <https://www.steptoe.com/en/news-publications/political-law-blog/not-far-away-proposed-state-legislation-increases-in-an-attempt-to-regulate-foreign-agents.html>. ((**Georgia, Senate Bill 368** (this bill closely resembled FARA, requiring agents of foreign principals to register with the State Ethics Commission and banned foreign contributions to political campaigns. But, unlike FARA, the bill did not provide a definition for “political activity.” Georgia’s Governor Kemp vetoed the bill stating the bill would result in unintended registration requirements at the state level for agent of foreign principals due to several disclosure exemptions provided under FARA being absent. Further, the lack of a definition for “political activity,” would cause confusion about what activities would trigger registration.); **Arizona, House Bill 2506** (The bill would require registration for activities related to only “countries of concern,” identified as China (including Hong Kong), Cuba, Iran, North Korea, Russia, Saudia Arabia, and Venezuela, with the goal of closing existing loopholes of FARA.); **Illinois, Senate Bill 3542** (The bill mirrors FARA with slight modifications. The bill aimed to apply only to foreign agents conducting activities on behalf of foreign principals from “countries of concern.” The definition of “foreign agent” in the bill is nearly identical to FARA’s definition, merely replacing “United States” for “state,” referencing Illinois; **Oklahoma, House Bill 1150** (The bill only applies to foreign agents acting on behalf of principals from “countries of concern,” defined as those countries listed by the U.S. Secretary of State as hostile or a “country of concern.” The bill mirrors FARA, including most of FARA’s exemptions, except the bill does not include FARA’s commercial exemption; **Tennessee, House Bill 1854** (The bill mirror’s FARA’s definition of “foreign agent,” replacing “United States” for “state” in the definition. It applied to only “countries of concern” or any other country that the governor of Tennessee deemed concerning. The bill included a provision for retroactive filling for the prior ten years of all foreign agents from “countries of concern” and required higher education institutions to establish policies for anyone employed or receiving funds from the school who is found in violation of the legislation; **West Virginia, House Bill 5043**, (The bill mirrored FARA but altered the scope of the definition of “foreign agent” to include those acting “within the United States, and specifically within West Virginia.”; **California, Senate Bill 1151** (The bill required foreign agent to file periodic reports with the California Secretary of State’s Office on the same schedule as lobbyists.)).

⁴⁵ See Chapters 97-106, F.S.

The bill provides definitions for the terms “address,”⁴⁶ “agent of a foreign country of concern,”⁴⁷ “foreign country of concern,”⁴⁸ “foreign supported political organization,”⁴⁹ “payment,”⁵⁰ and “political activity.”⁵¹

The bill requires a person to register with the Florida Department of State, Division of Elections (Division) within 10 days of becoming an agent of a foreign country of concern. The Division is required to create a registration form, which at a minimum, must require the following information to be disclosed by registrants:

- The registrant’s name.
- The address of the registrant’s primary residence and all other addresses associated with the registrant.
- The name and address of the registrant’s principal place of business.
- A detailed statement describing the nature of the registrant’s business.
- The name of each foreign country of concern for whom the registrant is acting, assuming or purporting to act, or has agreed to act.
- A detailed statement describing the nature of the work and the character of the business or other activities of each foreign country of concern.
- A statement detailing each time the registrant received a payment from a foreign country of concern within the previous 60 days. The statement must identify the amount of the payment and the nature of such payment.
- The total amount of such payments the registrant has received within the previous 60 days from a foreign country of concern.
- A detailed statement of every activity the registrant, or a person on behalf of the registrant, is performing, has performed, or has agreed to perform on behalf of a foreign country of concern.
- If the registrant is also engaged in political activity on behalf of a person who is not associated with a foreign country of concern but who is an agent of a foreign country of concern the registrant must include the following information:
 - The name, employer, business and residence addresses, and, if applicable, nationality of such person.

⁴⁶ “Address” is defined to mean any address, no matter where located, inside or outside of the United States.

⁴⁷ “Agent of a foreign country of concern” means a person: 1. Who acts as an agent, an employee, a representative, or a servant, or who otherwise acts at the order, at the request, or under the direction or control, of a foreign country of concern; 2. Whose actions are financed, in whole or in part, by a foreign country of concern; and 3. Who engages in political activity.

⁴⁸ “Foreign country of concern” has the same meaning as in s. 288.860; *See* s. 288.860 (“Foreign country of concern” means 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 under significant control of such foreign country of concern).

⁴⁹ “Foreign supported political organization” means a political party or a domestic partnership, an association, a corporation, an organization, or any other business entity that has its principal place of business in a foreign country of concern; or is at least 20 percent beneficially owned by a foreign country of concern, a nonresident alien from a foreign country of concern, or an entity organized under the laws of or having its principal place of business in a foreign country of concern.

⁵⁰ “Payment” includes compensation and disbursement made in any form, including, but not limited to, contributions, income, money, tangible property, and intangible property.

⁵¹ “Political activity” means an activity that is performed to: 1. Influence an agency, a public official, or a local governmental entity; 2. Influence the public in creating, adopting, or changing state laws or government policies; 3. Support or oppose a candidate for office; 4. Influence the outcome of an election; or 5. Support or oppose any issue.

- A detailed statement of all activities the registrant, or a person on behalf of the registrant, is performing, has performed, or has agreed to perform on behalf of such person.
- A statement detailing each time the registrant received a payment from such person within the previous 60 days. The statement must identify the amount of the payment and the nature of such payment.
- A detailed statement of the payments made by the registrant during the previous 60 days in connection with actions taken by the registrant as an agent of, on behalf of, or in furtherance of the goals of a foreign country of concern or a person who is an agent of a country of concern.
- A detailed statement of any payments made by the registrant during the previous 60 days related to any political activity.

A registered individual must update the information provided on the registration form at least every 90 days.

On or about January 1, 2026, each foreign-supported political organization must register with the Division. The Division must create a separate form for such registration that at a minimum requires the following information:

- The organization's name and mailing address and the address of any physical office.
- The names and titles of all officers or directors of the organization.
- The address of all officers or directors of the organization.
- A detailed statement of any payment made by the organization that would constitute political activity during the previous calendar year.
- A detailed statement of any payment made to, or received by, the organization from a foreign country of concern or an agent of a foreign country of concern during the preceding calendar year.

A registered organization must update the information provided on the registration form at least every 90 days.

A person or organization found to be in violation of this section by the Florida Elections Commission is subject to:

- The remedies provided in ss. 106.265⁵² and 106.27.⁵³
- A fine up to \$500 per violation.
- A fine up to \$2,000 for any willful or repeated violation.
- A fine up to \$10,000 and temporary or permanent ban for any willful or repeated violation in which the foreign country of concern is a hostile foreign country of concern.

⁵² “(1)(a) The commission or, in cases referred to the Division of Administrative Hearings pursuant to s. 106.25(5), the administrative law judge is authorized upon the finding of a violation of this chapter or chapter 104 to impose civil penalties in the form of fines not to exceed \$2,500 per count. The fine may be multiplied by a factor of 3, not to exceed \$7,500, for each subsequent count of the same category, beginning with the fourth offense.”

⁵³ “(1) Criminal proceedings for violations of this chapter or chapter 104 may be brought in the appropriate court of competent jurisdiction . . . (2) Civil actions may be brought by the commission for relief, including permanent or temporary injunctions, restraining orders, or any other appropriate order for the imposition of civil penalties provided by this chapter. . . (3) Civil actions may be brought to enjoin temporarily the issuance of certificates of election to successful candidates who are alleged to have violated the provisions of this chapter or 104.”

The bill takes effect July 1, 2025.

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:

An individual or entity required to register under the bill may raise issues under the First Amendment, arguing that the requirements, under the bill, burdens their ability to engage in constitutionally protected political speech under the First Amendment. See further discussion under the “Present Situation” section of this bill analysis, discussing courts’ constitutional analysis of FARA.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

There is an indeterminate negative impact on individuals or entities who are required to register under the bill. There will be some expense in collecting, maintaining, filing, and updating, the required information provided in the bill to the Division of Elections. Further, there will be a cost associated with individuals or entities or who are penalized for noncompliance.

C. Government Sector Impact:

The bill will likely have an indeterminate, negative fiscal impact on the state due to the costs associated with developing and maintaining the registration system, as well as administrative oversight, compliance monitoring, and enforcement related to the system. However, revenue from fines imposed for violations may offset some of these costs.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 106.031 of the 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/CS by Appropriations Committee on Transportation, Tourism, and Economic Development on April 10, 2025:

The committee substitute:

Changes the definition of “Foreign-supported political organization” to mean a political party or a domestic partnership, an association, a corporation, an organization, or any other business entity that has its principal place of business in a foreign country of concern; or is at least 20 percent beneficially owned by a foreign country of concern, a nonresident alien from a foreign country of concern, or an entity organized under the laws of or having its principal place of business in a foreign country of concern.

CS by Ethics and Elections on March 31, 2025:

The CS narrows the scope of the agents or organizations required to register under the bill. Specifically, the CS requires only an agent of a foreign country of concern or a foreign-supported political association to register. The CS conforms but retains the provisions of the underlying bill’s reporting requirements and prescribed penalties for violations.

- B. **Amendments:**

None.



842796

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/10/2025	.	
	.	
	.	
	.	

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

Senate Amendment

Delete lines 37 - 41

and insert:

corporation, an organization, or any other business entity that:

1. Has its principal place of business in a foreign country of concern; or

2. Is at least 20 percent beneficially owned by a foreign country of concern, a nonresident alien from a foreign country of concern, or an entity organized under the laws of or having



842796

11 its principal place of business in a foreign country of concern.

The Florida Senate

APPEARANCE RECORD

SB766

10 Apr 25

Meeting Date

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

Bill Number or Topic

Approp. on Transportation, Tourism and Economic Development
Committee

Amendment Barcode (if applicable)

Name Christopher Holton

Phone 504-224-8857

Address 2020 Pennsylvania Ave.

Email holton@centerforsecuritypolicy.org

Street

Washington

DC

20006

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:

Center for Security Policy

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 \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

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/SB 824

INTRODUCER: Transportation Committee and Senator Pizzo

SUBJECT: Specialty License Plates/Supporting FHP Troopers

DATE: April 10, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Shutes</u>	<u>Vickers</u>	<u>TR</u>	<u>Fav/CS</u>
2.	<u>Wells</u>	<u>Nortelus</u>	<u>ATD</u>	<u>Favorable</u>
3.	_____	_____	<u>FP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 824 authorizes the Department of Highway Safety and Motor Vehicles (DHSMV) to create a new specialty license plate for Supporting FHP Troopers. The annual use fee for the plate is \$25.

Proceeds of the sale of the Supporting FHP Troopers specialty license plate will be distributed to the Florida Highway Patrol Advisory Council, Inc., to fund scholarships for current members of the Florida Highway Patrol and their family members who are attending a vocational school, technical school, college or university.

The estimated fiscal impact associated with the implementation of new specialty license plates is \$8,280. **See Section V. Fiscal Impact Statement.**

The bill takes effect October 1, 2025.

II. Present Situation:

Florida Highway Patrol Advisory Council, Inc.

The Florida Highway Patrol Advisory Council, Inc., is a Florida not-for-profit corporation registered with the Florida Department of State.¹ The organization's website includes the following statement: "We Serve the Men & Women Who Are Dedicated to Keeping Our Streets Safe."²

The Florida Highway Patrol Advisory Council is comprised of business, professional, and community leaders throughout the state. Members of the Advisory Council provide assistance to the Director of the Florida Highway Patrol by offering input regarding the performance of the Patrol and the quality of service provided to the public. On an ongoing basis the Advisory Council provides financial and other support to the families of troopers and auxiliary troopers who lose their life or sustain life-threatening injuries in the line of duty. One hundred percent of the funding for the Advisory Council is through charitable contributions.³

Specialty License Plates

According to the DHSMV, as of February 2025, there are 133 specialty license plates authorized by the Legislature. Of these plates, 113 are available for immediate purchase and 20 are in the presale process. 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.⁴ 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.⁵

In order to establish a specialty license plate (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.⁶

¹ Florida Department of State: Division of Corporations, *Florida Highway Patrol Advisory Council, Inc.* Sunbiz.org, Document number N99000003623 (March 13, 2025).

² Florida Highway Patrol Advisory Council, Inc., [About the FHP Advisory Council](#), (last visited March 13, 2025).

³ *Id* at 1.

⁴ 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.

⁵ Section 320.08058, F.S.

⁶ 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.

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.⁷ 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

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

⁷ Section 320.08058(3), F.S., provides that any collegiate plate established after October 1, 2002, must comply with the requirements of s. 320.08053, F.S., other than the presale voucher requirements in s. 320.08053(2)(b), F.S., and be specifically authorized by the Legislature.

⁸ Section 320.08053(2)(b), F.S.

⁹ Section 320.08053(3)(a), F.S.

¹⁰ Section 320.08053(3)(b), F.S.

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.

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

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 Supporting FHP Troopers. The annual use fee for the plate is \$25. The plate must bear the colors and design approved by the DHSMV, with the word "Florida" at the top of the plate and the words "Supporting FHP Troopers" at the bottom of the plate.

Proceeds of the sale of the Supporting FHP Troopers specialty license plate will be distributed to the Florida Highway Patrol Advisory Council, Inc. The organization may use up to 10 percent of the proceeds for marketing and promotion of the plate. Thereafter, the annual use fees from the sale of the plate will be distributed to fund scholarships, based on the councils' established criteria, for current members of the Florida Highway Patrol and their family members who are attending a vocational school, technical school, college or university.

For the purposes of this plate, the term "family member" means a spouse, child, stepchild, or legally adopted child of the Florida Highway Patrol member or a child raised in the home and claimed by the Florida Highway Patrol member as a dependent under the federal income tax code before the child's 18th birthday.

The bill takes effect October 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

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.

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:

If the specialty license plate is produced, the Florida Highway Patrol Advisory Council, Inc., will receive annual use fees associated with sales of the plate.

C. Government Sector Impact:

the estimated fiscal impact associated with the implementation of new specialty license plates is \$8,280.

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.)

CS by Transportation on March 18, 2025:

The committee substitute removes the exemption in the bill related to the 3,000 pre-sale voucher requirement and the 3,000 annual registration requirement which are applicable to all new specialty license plates.

B. Amendments:

None.

The Florida Senate

APPEARANCE RECORD

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

4/10/25

Meeting Date

824

Bill Number or Topic

TED

Committee

Amendment Barcode (if applicable)

Name WILLIAM B. SMITH

Phone 305-333-4344

Address 300 W BREVARD ST.

Email WSMITH@FLPBA.ORG

Street

TALLAHASSEE FL

32301

City

State

Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [X] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[X] I am a registered lobbyist, representing:

FL PBA

[] 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 Nick DiCeglie, Chair
Appropriations Committee on Transportation, Tourism, and Economic
Development

Subject: Committee Agenda Request

Date: March 21, 2025

I respectfully request that **Senate Bill #824**, relating to Specialty License Plates/Supporting FHP Troopers, be placed on the:

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

A handwritten signature in black ink, appearing to read "JPizzo".

Senator Jason W. B. Pizzo
Florida Senate, District 37

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/SB 1024

INTRODUCER: Transportation Committee and Senator Burgess

SUBJECT: Specialty License Plates/United States Naval Academy and United States Military Academy

DATE: April 10, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Shutes</u>	<u>Vickers</u>	<u>TR</u>	<u>Fav/CS</u>
2.	<u>Wells</u>	<u>Nortelus</u>	<u>ATD</u>	<u>Favorable</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/SB 1024 authorizes the Department of Highway Safety and Motor Vehicles (DHSMV) to create two new specialty license plates: United States Naval Academy and United States Military Academy. The annual use fee for each plate is \$25.

Proceeds of the sale of the United States Naval Academy specialty license plate will be distributed to the Blue Angels Foundation, Inc., which may use up to 10 percent of the fees for administrative costs related to the promotion and marketing of the plate. The balance of the fees must be used by the Blue Angels Foundation, Inc., to provide funding to wounded veterans for critical services, with a focus on transitional housing, post-traumatic stress treatment, and suicide prevention.

Proceeds of the sale of the United States Military Academy specialty license plate will be distributed to the Home Base Florida Foundation, which may use up to 10 percent of the fees for administrative costs related to the promotion and the marketing of the plate. The balance of the fees must be used by the Home Base Florida Foundation, to assist in world-class clinical care, wellness, education, and research, for veterans, service members, and their families who need more complex care.

The estimated fiscal impact associated with the implementation of two new specialty license plates is \$16,560. **See Section V., Fiscal Impact Statement.**

The bill takes effect October 1, 2025.

II. Present Situation:

Blue Angels Foundation, Inc.

The Blue Angels Foundation, Inc., is a Florida not-for-profit corporation registered with the Florida Department of State.¹ The mission of the foundation is to support wounded veterans by providing funding for critical services and access to the best care available in the nation as they transition back to the civilian community.² The foundation's focus is on transitional housing, post-traumatic stress treatment, and suicide prevention.³

Home Base Florida Foundation

Home Base Florida is a Florida chapter of a Massachusetts-based national organization that is dedicated to healing the invisible wounds of war – such as post-traumatic stress disorder, traumatic brain injury, anxiety, depression, and co-occurring substance use – for veterans, service members, and their families through world-class clinical care, wellness, education, and research.⁴ Through key partnerships and philanthropic support, they help eliminate the financial barrier to accessing high-quality care. All services are provided at no cost to the participant.⁵

Specialty License Plates

According to the DHSMV, as of February 2025, there are 133 specialty license plates authorized by the Legislature. Of these plates, 113 are available for immediate purchase and 20 are in the presale process. 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.⁶ 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.⁷

In order to establish a specialty license plate (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

¹ Florida Department of State: Division of Corporations, *Blue Angels Foundation, Inc.* Sunbiz.org, Document number N11000005457 (March 18, 2025).

² Blue Angels Foundation, [Mission Statement - Blue Angels Foundation of Pensacola, FL](#) (last visited March 18, 2025)

³ *Id.*

⁴ Home Base Florida, [Home Base Florida | Home Base](#) (last visited March 18, 2025)

⁵ *Id.*

⁶ 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.

⁷ Section 320.08058, F.S.

- 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.⁸

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.⁹ 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.¹⁰

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.¹¹

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 135.¹²

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.¹³ 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.¹⁴

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.¹⁵ 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.¹⁶

⁸ 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.

⁹ Section 320.08058(3), F.S., provides that any collegiate plate established after October 1, 2002, must comply with the requirements of s. 320.08053, F.S., other than the presale voucher requirements in s. 320.08053(2)(b), F.S., and be specifically authorized by the Legislature.

¹⁰ Section 320.08053(2)(b), F.S.

¹¹ Section 320.08053(3)(a), F.S.

¹² Section 320.08053(3)(b), F.S.

¹³ Section 320.08056(10)(a), F.S.

¹⁴ 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.

¹⁵ Section 320.08056(10)(a), F.S.

¹⁶ Section 320.08056(11), F.S.

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.¹⁷ 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.¹⁸

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.¹⁹

III. Effect of Proposed Changes:

The bill amends s. 320.08058, F.S., to authorize the DHSMV to create two new specialty license plates: United States Naval Academy and United States Military Academy. The annual use fee for each plate is \$25. The plates must bear the colors and design approved by the department, with the word "Florida" at the top of the plate and the words "Go Navy, Beat Army" and "Go Army, Beat Navy" at the bottom of the respective plates.

The DHSMV is directed to retain annual use fees from the sale of each plate until all startup costs associated with the development and issuance of the plate have been recovered. Thereafter; annual use fees from the sale of the plate will be distributed as follows:

- Proceeds of the sale of the United States Naval Academy specialty license plate will be distributed to the Blue Angels Foundation, Inc. The organization may use up to 10 percent of the proceeds for marketing and promotion of the plate. Thereafter, the annual use fees from the sale of the plate will be distributed to the Blue Angels Foundation, Inc., to provide funding to wounded veterans for critical services, with a focus on transitional housing, post-traumatic stress treatment, and suicide prevention.
- Proceeds of the sale of the United States Military Academy specialty license plate will be distributed to the Home Base Florida Foundation, which may use up to 10 percent of the fees for administrative costs related to the promotion and the marketing of the plate. The balance

¹⁷ Section 320.08056(8)(a), F.S.

¹⁸ Section 320.08056(8)(b), F.S.

¹⁹ Chapter 2020-181, s. 7, Laws of Fla.

of the fees must be used by the Home Base Florida Foundation, to assist in world-class clinical care, wellness, education, and research, for veterans, service members, and their families who need more complex care.

The bill takes effect October 1, 2025.

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:

If the specialty license plates are produced, the Blue Angels Foundation, Inc., and the Home Base Florida Foundation will receive annual use fees associated with sales of the plates.

C. Government Sector Impact:

The estimated fiscal impact associated with the implementation two new specialty license plates is \$16,560.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill 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.)

CS by Transportation on March 18, 2025:

The committee substitute:

- Changes the recipient organization for the United States Naval Academy specialty license plate from the Jacksonville Chapter of the Naval Academy Alumni Association to the Blue Angels Foundation, Inc.
- Directs the DHSMV to develop a United States Military Academy license plate. The annual use fees from the plate must be distributed to the Home Base Florida Foundation.

B. Amendments:

None.

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 1152

INTRODUCER: Senator Arrington

SUBJECT: Specialty License Plates/Florida Wildflower

DATE: April 10, 2025

REVISED: _____

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

I. Summary:

SB 1152 increases the annual use fee for the existing Florida Wildflower specialty license plate from \$15 to \$25, consistent with the annual use fee amount applicable to all new specialty license plates. The bill provides that for a vehicle owner purchasing the Florida Wildflower specialty license plate for more than 10 vehicles registered to that owner, the annual use fee remains \$15 per plate.

The bill will likely have an indeterminate positive fiscal impact on the public sector. **See Section V., Fiscal Impact Statement.**

The bill takes effect October 1, 2025.

II. Present Situation:

Specialty License Plates

According to the Department of Highway Safety and Motor Vehicles (DHSMV), as of February 2025, there are 133 specialty license plates authorized by the Legislature. Of these plates, 113 are available for immediate purchase and 20 are in the presale process. 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.¹ 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.²

¹ 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.

² Section 320.08058, 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.³ 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.⁴

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.⁵ 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.⁶

Florida Wildflower Specialty License Plate

Current law provides that the \$15 annual use fee from the sale of the Florida Wildflower specialty license plate shall be distributed to the Florida Wildflower Foundation, Inc., a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code. The proceeds must be used to establish native Florida wildflower research programs, wildflower educational programs, and wildflower grant programs to municipal, county, and community-based groups in this state.⁷

According to DHSMV, in 2024 there were 33,988 total sales of the Florida Wildflower specialty license plate.⁸

III. Effect of Proposed Changes:

The bill amends s. 320.08056, F.S., to increase the annual use fee of the Florida Wildflower specialty license plate from \$15 to \$25, except for an owner purchasing the specialty license plate for more than 10 vehicles registered to that owner, the annual use fee remains at \$15 per plate.

The \$25 annual use fee is consistent with the amount established in s. 320.08056(3)(d), F.S., which is applicable to all new specialty license plates.

The bill takes effect October 1, 2025.

³ Section 320.08056(10)(a), F.S.

⁴ 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.

⁵ Section 320.08056(10)(a), F.S.

⁶ Section 320.08056(11), F.S.

⁷ Section 320.0858(27)(b), F.S.

⁸ Email from Jonas Marquez, Director of Legislative Affairs, Department of Highway Safety and Motor Vehicles, RE: Information Request, regarding specialty license plate sales (February 4, 2025).

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:

If the annual use fee increases from \$15 to \$25, the Florida Wildflowers Foundation, Inc., will experience an indeterminate positive fiscal impact associated with increased revenues available to the foundation.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends section 320.08056 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.

The Florida Senate

APPEARANCE RECORD

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

4/10/2025

Meeting Date

SB 1152

Bill Number or Topic

Approps TED

Committee

Amendment Barcode (if applicable)

Name Matt Puckett

Phone

Address 119 South Monroe Street

Email

Street

Tallahassee

FL

32301

City

State

Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [x] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[x] 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 Wildflower Foundation

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/SB 1246

INTRODUCER: Transportation Committee and Senator Rodriguez

SUBJECT: Specialty License Plates/Save Coastal Wildlife

DATE: April 10, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Shutes</u>	<u>Vickers</u>	<u>TR</u>	<u>Fav/CS</u>
2.	<u>Wells</u>	<u>Nortelus</u>	<u>ATD</u>	<u>Favorable</u>
3.	_____	_____	<u>FP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1246 authorizes the Department of Highway Safety and Motor Vehicles (DHSMV) to create a new specialty license plate for Save Coastal Wildlife. The annual use fee for the plate is \$25.

Proceeds of the sale of the Save Coastal Wildlife specialty license plate will be distributed to the Zoo Miami Foundation, Inc., for conservation of imperiled coastal wildlife and ecosystems in this state through field conservation and mission focused research. The organization may use up to 10 percent of the proceeds for marketing and promotion of the plate.

The estimated fiscal impact associated with the implementation of new specialty license plates is \$8,280. **See Section V. Fiscal Impact Statement.**

The bill takes effect October 1, 2025.

II. Present Situation:

Zoo Miami Foundation, Inc.

Zoo Miami Foundation, Inc. is a Florida not-for-profit corporation registered with the Florida Department of State.¹ According to the Foundation’s website: “Zoo Miami Foundation is fueled by the generosity of individuals, corporations, foundations, and government entities; the Zoo Miami Foundation offers robust Learning Experience programs, supports vital conservation efforts, and funds essential capital projects that enhance animal welfare and visitor experiences at Zoo Miami.² With one of the largest membership bases in South Florida, Zoo Miami Foundation continues to make a significant impact, educating and inspiring the community to take action in conservation efforts.”³

Specialty License Plates

According to the DHSMV, as of February 2025, there are 133 specialty license plates authorized by the Legislature. Of these plates, 113 are available for immediate purchase and 20 are in the presale process. 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.⁴ 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.⁵

In order to establish a specialty license plate (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.⁶

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.⁷ 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

¹ Florida Department of State: Division of Corporations, *Zoo Miami Foundation, Inc.* Sunbiz.org, Document number 726093 (March 19, 2025).

² Zoo Miami Foundation, [Zoo Miami Foundation | Zoo Miami](#), (last visited March 19, 2025).

³ *Id.*

⁴ 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.

⁵ Section 320.08058, F.S.

⁶ 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.

⁷ Section 320.08058(3), F.S., provides that any collegiate plate established after October 1, 2002, must comply with the requirements of s. 320.08053, F.S., other than the presale voucher requirements in s. 320.08053(2)(b), F.S., and be specifically authorized by the Legislature.

⁸ Section 320.08053(2)(b), F.S.

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

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

⁹ Section 320.08053(3)(a), F.S.

¹⁰ Section 320.08053(3)(b), F.S.

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.

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

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 Save Coastal Wildlife. The annual use fee for the plate is \$25. The plate must bear the colors and design approved by the DHSMV, with the word “Florida” at the top of the plate and the words “Save Coastal Wildlife” at the bottom of the plate.

Proceeds of the sale of the Save Coastal Wildlife specialty license plate will be distributed to the Zoo Miami Foundation, Inc. The organization may use up to 10 percent of the proceeds for marketing and promotion of the plate.

Thereafter, the annual use fees from the sale of the plate will be distributed as follows:

- 85 percent must be used to maintain programs at the Marjory Stoneman Douglas Institute at Zoo Miami which conserve imperiled coastal wildlife and ecosystems.
- 15 percent must be distributed to eligible Florida-based nonprofit organizations to conserve native-imperiled coastal wildlife and ecosystems.

The bill takes effect October 1, 2025.

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.

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

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

None.

B. Private Sector Impact:

If the specialty license plate is produced, the Zoo Miami Foundation, Inc., will receive the annual use fees associated with sales of the plate.

C. Government Sector Impact:

The estimated fiscal impact associated with the bill is \$8,280.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill 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.)

CS by Transportation March 25, 2025:

The committee substitute:

- Authorizes the Zoo Miami Foundation, Inc., to use up to 10 percent of the funds from the sale of the plate for administrative and marketing costs.
- Removes the provision authorizing the Auditor General to examine certain records (s. 320.08062, F.S., already provides that all organizations that receive annual use proceeds from specialty license plates are subject to specified audit and attestation requirements).

B. Amendments:

None.



The Florida Senate

Committee Agenda Request

To: Senator Nick DiCeglie, Chair
Appropriations Committee on Transportation, Tourism, and Economic
Development

Subject: Committee Agenda Request

Date: March 25, 2025

I respectfully request that **CS/SB 1246**, relating to Specialty License Plates/Save Coastal Wildlife, be placed on the:

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

A handwritten signature in cursive script, appearing to read "Ana Maria Rodriguez".

Senator Ana Maria Rodriguez
Florida Senate, District 40

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/SB 1644

INTRODUCER: Transportation Committee and Senator Rodriguez

SUBJECT: Emergency Services

DATE: April 10, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Johnson</u>	<u>Vickers</u>	<u>TR</u>	<u>Fav/CS</u>
2.	<u>Wells</u>	<u>Nortelus</u>	<u>ATD</u>	<u>Favorable</u>
3.	_____	_____	<u>RC</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1644 addresses various provisions related to emergency services. Specifically, the bill:

- Repeals the limit of two red or red and white warning signals on certain private vehicles responding to emergencies;
- Amends the eligibility requirements for an exemption from the certificate of public convenience and necessity requirement for the licensure of basic life support or advanced life support services;
- Requires an applicant for such an exemption to submit a sworn affidavit and providing criminal penalties for fraudulent affidavits;
- Authorizes entities with such an exemption to receive public funds and increases the number of counties in which this exemption may be granted; and
- Prohibits volunteer ambulance services from applying for, receiving funds under, or participating in any grant program designed exclusively for publicly operated fire departments or emergency medical services agencies.

The bill does not have a fiscal impact on state revenues or expenditures. **See Section V., Fiscal Impact Statement.**

This bill takes effect July 1, 2025.

II. Present Situation:

Display of Lights on Vehicles

Florida law prohibits a person from driving or moving any vehicle upon any highway with any lamp or device showing or displaying a red, red and white, or blue light visible from directly in front except for certain vehicles as provided in s. 316.2397, F.S.,¹ which authorizes certain lights on police vehicles, fire-vehicles, and other emergency-related vehicles.

Under this statute, vehicles of medical staff physicians or technicians of license medical facilities licensed by the state or of volunteer ambulance services², ambulances, buses, and taxicabs may show or display red lights.³

A privately owned vehicle belonging to a medical staff physician or technician of a licensed medical facility licensed by the state or of a volunteer ambulance service, while responding to an emergency in the line of duty, may display or use red warning signals. Warning signals must be visible from the front and from the rear of such vehicle, subject to certain restrictions and conditions including that no more than two red or red and white warning signals may be displayed.⁴

Licensure of Basic Life Support or Advanced Life Support Services

Section 401.25, F.S., requires the Department of Health to license entities providing basic life support or advanced life support services. Licensure requirements include the applicant obtaining a certificate of public convenience and necessity from each county in which the applicant will operate. An applicant that is an active first responder agency is exempt from the certificate of public convenience and necessity requirements if it:

- Is a faith-based, not-for-profit charitable corporation which has been responding to medical emergencies in this state for at least 10 consecutive years.
- Is not a parent, subsidiary, or affiliate of, or related to, any for-profit entity.
- Provides basic life support services or advanced life support services solely through at least 50 unpaid licensed emergency medical technicians or paramedic volunteers.
- Is not operating for pecuniary profit or financial gain.
- Does not distribute to or inure to the benefit of its directors, members, or officers any part of its assets or income.
- Does not receive any government funding. However, the volunteer ambulance service may receive funding from specialty license plate proceeds.
- Has never had a license denied, revoked, or suspended.
- Provides services free of charge.
- As part of its application for licensure, provides to the Department of Health a management plan with specified information and proof of adequate insurance coverage to meet state or county insurance requirements, whichever requirements are greater.

¹ Section 316.2397(1), F.S.

² This is authorized under s. 316.2398, F.S.

³ Section 316.2397(3)(b), F.S.

⁴ Section 316.2398(1)(a), F.S.

- Provides a disclaimer on all written materials that the volunteer ambulance service is not associated with the state's 911 system.

This exemption may be granted to operate in no more than four counties. However, an applicant is not exempted from and must comply with all other licensure requirements. An applicant must also take all reasonable efforts to enter into a memorandum of understanding with the emergency medical services licensee within whose jurisdiction the applicant will provide services in order to facilitate communications and coordinate emergency services for situations beyond the scope of the applicant's capacity and for situations of advanced life support that are deemed priority 1 or priority 2 emergencies.⁵

Volunteer Ambulance Services

Florida law defines the term “volunteer ambulance service” to mean a faith-based, not-for-profit charitable corporation:

- Registered as a not-for-profit corporation;⁶
- Licensed as a basic life support service or an advanced life support service;⁷
- Not a parent, subsidiary, or affiliate of, or related to, any for-profit entity;
- Uses only unpaid volunteers to provide basic life support services or advanced life support services free of charge;
- Is not operating for pecuniary profit or financial gain; and
- Does not distribute to or inure to the benefit of its directors, volunteers, members, or officers any part of its assets or income.⁸

Florida appears to have at least two volunteer ambulance services that currently meet this definition.⁹

III. Effect of Proposed Changes:

Section 1 amends s. 316.2398, F.S., to remove the limit of two red or red and white warning signals to be displayed on certain privately owned vehicles responding to emergencies.

Section 2 amends s. 401.25, F.S., relating to eligibility for the exemption from a certificate of public convenience and necessity requirements for providers of basic and advanced life support services, to change the number of years that the entity has been responding to medical emergencies from 10 consecutive years to 15 consecutive years. The bill increases the minimum number of unpaid licensed emergency medical technicians or paramedic volunteers from 50 to 150, with this minimum in at least three counties at the time of the application. The bill also prohibits the distribution of benefits to other related parties, and clarifies that services are provided at no cost to the patient.

⁵ Section 401.25(2)(d), F.S.

⁶ Not-for-profit corporations are registered under ch. 617, F.S.

⁷ Licensing for basic or advanced life support services in under ch. 401, F.S.

⁸ Sections 316.003(111) and 401.23(23), F.S.

⁹ See Hatzalah South Florida Emergency Medical Services, <https://hsfems.org/> (last visited March 27, 2025), and Jewish Volunteer Ambulance Corps <https://jvacusa.org/> (last visited March 27, 2025).

The bill repeals the provision that such entities do not receive any government funding, with an exception for a volunteer ambulance service receiving funding from the proceeds from the sale of specialty license plates.¹⁰

The bill provides that an applicant seeking an exemption from a certificate of public convenience and necessity requirements for providers must submit to the Department of Health a sworn affidavit attesting that the applicant meets all of the requirements of the exemption. A person who submits a fraudulent affidavit violates s. 837.012, F.S., relating to perjury when not in an official proceeding, and commits a misdemeanor in the first degree.¹¹

The bill increases from four to 15, the number of counties for which the exemption for a certificate of public convenience and necessity applies.

The bill provides that a private ambulance service licensed under s. 401.25, F.S., may not apply for, receive funds under, or participate in any grant program designed exclusively for publicly operated fire departments or emergency medical services.

Section 3 amends s. 395.401, F.S., to conform a cross-reference.

Section 4 provides an effective date of July 1, 2025.

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.

¹⁰ Section 320.08058(106), F.S., creates the Florida Stands with Israel license plate with the proceeds distributed to Hatzalah of Miami-Dade, Inc., to assist in training and deploying first responders to expedite emergency response.

¹¹ The penalty for a misdemeanor in the first degree is a term of imprisonment not exceeding one year or a fine of up to \$1,000. See ss. 775.082(4)(a) and 775.083(1)(d), F.S.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Sections 316.003(111) and 401.23(23), F.S. provide identical definitions for the term “volunteer ambulance service.” These definitions are consistent with the existing statute providing an exemption from the certificate of public convenience and necessity requirement. However, the bill amends these requirements, and these definitions will no longer be consistent with this statute.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 316.2398, 395.401, and 401.25.

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 Transportation on April 1, 2025:

- Reverts to existing law the authorization for specified professions to display and use red lights on privately-owned vehicles when responding to emergencies.
- Revises the prohibition on receiving government funds for first-responder agencies exempt from the certificate of public convenience and necessary requirements for licensees as a basic life support or advanced life support service.
- Prohibits volunteer ambulance services from applying for, receiving funds under, or participating in any grant program designed exclusively for publicly operated fire departments or emergency medical service agencies.
- Conforms a cross-reference.

B. Amendments:

None.

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



The Florida Senate

Committee Agenda Request

To: Senator Nick DiCeglie, Chair
Appropriations Committee on Transportation, Tourism, and Economic
Development

Subject: Committee Agenda Request

Date: April 7, 2025

I respectfully request that **CS/SB 1644**, relating to Emergency Services, be placed on the:

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

A handwritten signature in cursive script, appearing to read "Ana Maria Rodriguez".

Senator Ana Maria Rodriguez
Florida Senate, District 40

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 1662

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

SUBJECT: Transportation

DATE: April 14, 2025

REVISED: _____

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

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 1662 addresses various provisions relating to transportation. Specifically, the bill:

- Provides position titles for the assistant secretaries of the Florida Department of Transportation (FDOT) and authorizes the Secretary of Transportation to appoint an Executive Director of Transportation Technology.
- Revises provisions regarding the qualifications of Florida Transportation Commission (FTC) members.
- Requires the FTC to monitor any transit entity receiving public transit block grant funding.
- Creates the Florida Transportation Research Institute.
- Authorizes certain space-related and commercial shipbuilding projects to receive Florida Seaport Transportation and Economic Development funding.
- Requires seaports to submit semiannual reports to the FDOT regarding their operations.
- Prohibits state funding to seaports near spaceport territory unless such seaports agree to specified land use requirements.
- Authorizes the FDOT to issue blanket permits allowing the movement of certain large cranes, including movement at night.
- Repeals provisions regarding high-occupancy vehicle lanes, including a related toll exemption.
- Authorizes the withholding of state transportation funds to local jurisdictions for traffic signals not in compliance with the FDOT's uniform system for traffic control devices.

- Requires the FDOT to inspect and certify private airports of public interest.
- Authorizes the FDOT to fund certain infrastructure projects associated with spaceports.
- Requires airports to provide the FDOT with the opportunity to use certain airport property as a staging area during declared states of emergency.
- Requires commercial service airports to establish comprehensive airport infrastructure programs with annual certifications to the FDOT regarding these programs.
- Authorizes the FDOT to fund additional aviation-related workforce development projects.
- Makes nonhub airports subject to commercial service airport transparency and accountability requirements and amends such requirements for all commercial service airports.
- Requires commercial service airports to notify the FDOT after receiving certain communications or directives from the federal government and following specified incidents of concern.
- Codifies advanced air mobility into Florida law.
- Revises the FDOT's authorization regarding public information and education campaigns.
- Authorizes the FDOT to adopt rules to comply with federal disadvantaged business enterprise rules.
- Authorizes parking authorities, pursuant to an interlocal agreement, to operate in jurisdictions contiguous with their chartered jurisdiction.
- Creates the Florida Transportation Academy, within the FDOT, to coordinate with certain entities regarding workforce development.
- Authorizes the FDOT to require the modification of an existing connection to a state road due to safety or operational concerns.
- Increases the size of a "small business" as it relates to the FDOT's business development program.
- Repeals the FDOT's disadvantaged business enterprise program.
- Authorizes the FDOT to require a surety bond in an amount less than the awarded contract price.
- Prohibits camping on right-of-way of the State Highway System, except on the Florida National Scenic Trail with the appropriate permit.
- Prohibits the FDOT from providing funds to transportation-related entities for projects or programs that are inconsistent with the energy policy of the state.
- Repeals an obsolete report requirement related to electric vehicle charging infrastructure.
- Revises and makes permanent the FDOT's Strategic Intermodal System supply chain demands program.
- Revises and makes permanent the allocation of unused New Starts Transit funds to the Strategic Intermodal System.
- Revises the membership of the Jacksonville Transportation Authority's governing body.

The bill has an indeterminate fiscal impact on state and local governments as well as the private sector. **See Section V. Fiscal Impact Statement.**

This bill takes effect July 1, 2025.

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:

Florida Department of Transportation (Section 1)

Present Situation

The Florida Department of Transportation (FDOT) is a decentralized agency headed by the Secretary of Transportation.¹ The secretary may appoint up to three assistant secretaries who report to the secretary and perform such duties as the secretary assigns.² The FDOT employs the following assistant secretaries: Engineering and Operations, Finance and Administration, and Strategic Development.³

According to the FDOT, Transportation Technology prioritizes technology projects to ensure enterprise coordination and management of technology and technology resources to deliver the FDOT's core mission. Transportation Technology resources bolster safety and connectivity on Florida roadways by aligning technology and data; automating services; creating enterprise data and technology standards; and enhancing cybersecurity, mitigating risks resulting from emerging technologies.⁴

Effect of Proposed Changes

The bill authorizes the Secretary of Transportation to appoint three assistant secretaries: a Chief Operations Officer, a Chief Finance and Administration Officer, and a Chief Strategic Development Officer. The Secretary of Transportation may also appoint an Executive Director of Transportation Technology. These positions are included in Senior Management Service and are exempt from the Career Service System.⁵

Florida Transportation Commission (Section 1)

Present Situation

The Florida Transportation Commission (FTC) is a nine-member citizen's oversight board for the FDOT and expressway and regional transportation authorities. While the FTC is assigned to the FDOT for administrative and fiscal accountability purposes, it is independent of the FDOT. Each FTC member, who must have private sector business managerial experience, is appointed by the Governor, subject to Senate confirmation.⁶

¹ Section 20.23, F.S.

² Section 20.23(1)(d), F.S.

³ Florida Department of Transportation (FDOT) Organizational Chart, February 2025. Available at: <https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/humanresources/documents/fdotorganizationchart.pdf> (last visited March 3, 2025).

⁴ FDOT, Office of Transportation Technology, <https://www.fdot.gov/technology/default.shtm> (last visited March 3, 2025).

⁵ This is pursuant to s. 110.205(2)(j), F.S.

⁶ Florida Transportation Commission (FTC), *Summary of Organization and Responsibilities*, <http://www.ftc.state.fl.us/aboutus.shtm> (last visited March 5, 2025). The FTC is codified in s. 20.23(2), F.S.

FTC commissioners are prohibited from, while serving on the FTC and for two years after leaving the FTC, having any direct or indirect interest in any contract, franchise, privilege, or other benefit granted or awarded by the FDOT.⁷

Among its statutorily required duties, the FTC must monitor the efficiency, productivity, and management of legislatively-created expressway and transit authorities, including, the Greater Miami-Expressway Agency, the Tampa-Hillsborough County Expressway Authority, the Central Florida Expressway Authority, the Jacksonville Transportation Authority, the Mid-Bay Bridge Authority, the South Florida Regional Transportation Authority, and the Central Florida Regional Transportation Authority. The FTC must also periodically review each of these entities' operations and budget, acquisition of property, management of revenue and bond proceeds, and compliance with applicable laws and generally accepted accounting principles.⁸

For purposes of the Standards of Conduct for Public Officers, the term "public officer" includes any person elected or appointed to hold office in any agency, including any person serving on an advisory body.⁹ These standards of conduct include provisions relating to the solicitation or acceptance of gifts, doing business with one's agency, unauthorized compensation, salary and expenses, misuse of public position, conflicting employment or contractual relationships, the disclosure or use of certain information, and postemployment restrictions.¹⁰

The FDOT administers a public transit block grant program, which provides grant funds to public transit providers¹¹ in urbanized areas. These public transit block grants may be used for capital projects, service development and transit corridor projects, and operations.¹²

Effect of Proposed Changes

The bill repeals the statutory requirement that each FTC member possess private-sector business experience. In its place, the bill requires at least three FTC members to be representatives of or possess expertise in the higher education, transportation, or workforce development industries.

The bill removes the prohibition of FTC commissioners, while serving on the FTC and for two years afterwards, from having any direct or indirect interest in any contract, franchise, privilege, or other benefit granted or awarded by the FDOT. In its place, the bill requires the FTC commissioners to follow the standards of conduct for public officers or employees.

The bill requires the FTC to monitor the efficiency, productivity, and management of any transit entity that receives public transit block grant funding.

⁷ Section 20.23(2)(g), F.S.

⁸ Section 20.23(2)(b)8., F.S. These are the agencies and authorities created in chs. 343, 348, and 349, F.S., and ch. 2000-411, Laws of Fla.

⁹ Section 112.313(1), F.S.

¹⁰ Section 112.313, F.S.

¹¹ Section 341.031(1), F.S., defines the term "public transit provider" to mean a public agency providing public transit service, including rail authorities created in ch. 343, F.S.

¹² Section 341.052(2), F.S.

Florida Transportation Research Institute (Section 1)

Present Situation

Florida's colleges and universities conduct various transportation-related research projects. Statutorily-created transportation research entities at Florida's public universities include the Center for Urban Transportation Research (CUTR)¹³ at the University of South Florida and the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies (I-STREET) Living Lab¹⁴ at the University of Florida.

Effect of Proposed Changes

The bill provides legislative findings that:

- The transportation industry is critical to Florida's economic future and the competitiveness of Florida's transportation industry depends upon the development and maintenance of a qualified workforce and cutting-edge research and innovation.
- Florida's transportation industry has varied and complex workforce needs ranging from technical and mechanical training to continuing education opportunities for workers with advanced degrees and certifications.
- The timely need also exists for coordinated research and innovation efforts to promote emerging technologies and innovative construction methods and tools to address alternative funding mechanisms.

The bill provides the Legislature's intent to support programs designed to address the workforce development needs of Florida's transportation industry.

The bill creates the Florida Transportation Research Institute (FTRI) as a consortium of higher education professionals. The FTRI's purpose is to drive cutting-edge research, innovation, transformational technologies, and breakthrough solutions to support workforce development efforts that contribute to Florida's transportation industry.

The bill provides that it is the FTRI's mission to advance Florida's transportation infrastructure and systems through research, education and engagement for a safer, more efficient, resilient, and innovative movement of people and goods throughout the state.

The FTRI reports to the FDOT and is composed of members from the University of Florida, Indian River State College, the University of Central Florida, the University of South Florida, and Florida International University. The FDOT must select a member to serve as the institute's administrative lead. The FDOT must periodically assess the administrative lead's performance to ensure accountability and assess the attainment of performance goals.

The Secretary of Transportation must appoint a representative from the FDOT to serve as the FTRI's executive director. The FDOT must coordinate with the FTRI's members to adopt policies establishing its executive committee and mission statement.

¹³ The Center for Urban Transportation Research is codified in s. 334.065, F.S.

¹⁴ Implementing Solutions from Transportation Research and Evaluating Emerging Technologies (I-STREET) Living Lab is codified in s. 334.066, F.S.

The FTRI may award grants that align with its purpose. Such grants may be directed to member and nonmember institutions with proven expertise relevant to the grant, including not-for-profit organization and institutes of higher education. The FDOT may allocate funds to the FTRI from the State Transportation Trust Fund (STTF). The FTRI may expend such funds for its operations and programs to support research and innovation projects that provide solutions to Florida's transportation needs.

The FTRI must submit an annual report to the Secretary of Transportation and the FTC on its performance metrics. The report must include, but is not limited to, the expenditure of its allocated funds, ongoing and proposed research efforts, and the application and success of past research efforts.

FDOT's Areas of Program Responsibility (Section 1)

Present Situation

The FDOT's areas of program responsibility are administration, planning, modal development, design, highway operations, right-of-way, transportation technology, information technology, motor carrier weight inspection, work program and budget, comptroller, statewide corridors, maintenance, forecasting and performance, emergency management, safety materials, infrastructure and innovation, permitting, and traffic operations.¹⁵

Effect of Proposed Changes

The bill adds "operational technology" to the FDOT's areas of program responsibility. The bill also changes "modal development" to "supply chain and modal development" and "information systems" to "information technology."

Seaport Transportation and Economic Development (Sections 2 and 3)

Present Situation

Florida's seaports include 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.¹⁶

The FDOT's Florida Seaport Transportation and Economic Development (FSTED) Council consists of the director, or the director's designee of each seaport, the Secretary of Transportation or his or her designee; and the Secretary of the Commerce or his or her designee.¹⁷

The FSTED Council annually prepares its five-year Florida Seaport Mission Plan, providing its goals and objectives regarding the development of port facilities and an intermodal transportation system. The plan must include specific recommendations for the construction of transportation facilities connecting any port to another transportation mode and for the efficient, cost-effective

¹⁵ Section 20.23(3)(b), F.S.

¹⁶ Section 311.09(1), F.S.

¹⁷ Section 311.09(1), F.S.

development of transportation facilities or port facilities for the purpose of enhancing trade, promoting cargo flow, increasing cruise passenger movements, increasing port revenues, and providing economic benefits.^{18, 19}

The FDOT's FSTED Program finances port transportation or seaport facilities projects to improve the movement and intermodal transportation of cargo or passengers and support the interests, purposes, and requirements of the ports.²⁰ The FDOT must annually provide a minimum of \$25 million from the STTF to fund this program.²¹

Projects eligible for the FSTED Program funding include:

- Transportation facilities within the port.
- The dredging or deepening of channels, turning basins, or harbors.
- The construction or rehabilitation of certain port facilities.
- The acquisition of equipment used in the movement of cargo or passengers.
- The acquisition of land for port purposes.
- The acquisition, improvement, enlargement, or extension of existing port facilities.
- Environmental protection projects meeting specified requirements.
- Transportation facilities not otherwise included in the FDOT's work program.
- Intermodal access projects.
- Construction or rehabilitation of port facilities in small ports under certain conditions.
- Seaport master plan or strategic plan development or updates.²²

Effect of Proposed Changes

The bill provides that the purpose of the FSTED Council is to support the growth of Florida's seaports through review, development, and financing of port transportation and port facilities.

The bill makes the following additional project types eligible for the FSTED Program funding:

- Spaceport or space industry-related planning or construction of facilities on seaport property which are necessary or useful for advancing Florida's space industry and provide an economic benefit to this state.
- Commercial shipbuilding and manufacturing facilities on seaport property, if such projects provide an economic benefit to the community where the seaport is located.

The bill requires that the Florida Seaport Mission Plan include specific recommendations regarding the construction of transportation facilities connecting any port to the space or aerospace industries.

The bill requires each port member of the FSTED Council to submit a semiannual report to the FDOT related to his or her port's operations and support of Florida's economic competitiveness and supply chain. Each report must include any information required by the FDOT in

¹⁸ Section 311.09(3), F.S.

¹⁹ Section 311.09(3), F.S. A copy of the 2023-2024 Seaport Mission Plan is available at: <https://flaports.org/wp-content/uploads/Florida-SMP-2024-PRINT-V2.pdf> (last visited March 7, 2025).

²⁰ Section 311.07(1), F.S.

²¹ Section 311.07(2), F.S.

²² Section 311.07(3)(b), F.S.

consultation with the Department of Commerce. Reports must include, but are not limited to, the following:

- Bulk break capacity;
- Liquid storage and capacity;
- Fuel storage and capacity;
- Container capacity; and
- A description of any supply chain disruption.

Seaport Funding (Section 4)

Present Situation

In addition to the FSTED Program, ch. 311, F.S., relating to seaports, authorizes the following seaport-related funding programs:

- The Strategic Port Investment Initiative to fund port-related strategic investments.²³
- The Seaport Employment Training Grant Program to provide grants to stimulate and support seaport training and employment programs.²⁴
- The Seaport Security Grant Program to assist seaports in implementing security plans and security measures.²⁵

Section 215.31, F.S., describes the term “state funds” as revenue, including licenses, fees, imposts, or exactions collected or received under Florida law by each and every state official, office, employee, bureau, division, board, commission, institution, agency, or undertaking of the state or the judicial branch.

In Brevard County, spaceport territory includes: Patrick Space Force Base, Cape Canaveral Space Force Station, John F. Kennedy Space Center, Space Coast Regional Airport, Space Coast Regional Airport Industrial Park, and Spaceport Commerce Park.²⁶

In Bay County, spaceport territory includes Tyndall Air Force Base.²⁷

Effect of Proposed Changes

The bill provides that as a condition of receiving a project grant under any seaport program and as a condition of receiving state funds, a seaport located in a county identified in the description of spaceport territory, must include in any agreement with the FDOT that the seaport may not convert any planned or existing land, facility, or infrastructure designated for cargo purposes to any alternative purposes unless the conversion is approved by the seaport at a publicly noticed meeting as a separate line item on the agenda and with a reasonable opportunity for public comment. If the seaport approves the conversion, express approval must be obtained by the FSTED Council and the FTC upon recommendation by the funding agency.

²³ Section 311.10, F.S.

²⁴ Section 311.11, F.S.

²⁵ Section 311.12(6), F.S.

²⁶ Section 331.304(1) and (5), F.S.

²⁷ Section 331.304(7), F.S.

The bill defines the term “cargo purposes” to include, but is not limited to, a facility, activity, property, energy source, or infrastructure asset that support spaceport activities.

Special Mobile Equipment (Sections 5 and 8)

Present Situation

Special Mobile Equipment

Florida law defines the term “special mobile equipment” to mean any vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway.²⁸

Special mobile equipment includes, but is not limited to, ditchdigging apparatus, well-boring apparatus, and road construction and maintenance machinery, such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earthmoving carryalls and scrapers, power shovels and draglines, and self-propelled cranes and earthmoving equipment.²⁹

Special Permits for Oversize or Overweight Vehicles

Florida law prohibits oversize or overweight vehicles or loads from entering onto or operating on a public road unless the vehicle’s owner or operator has first obtained a special permit for such movement from the appropriate governing jurisdiction.³⁰

Florida’s statutory limits for the width, height, length, and weight of vehicle, including the load, on its roadways are:

- Width - 102 inches; however, the use of certain roads may be restricted due to safety concerns.³¹
- Height - 13 feet six inches.³²
- Length – 40 feet for a straight truck, 48 feet for a semi-trailer, and 28 feet for tandem trailer trucks.³³
- Weight – 80,000, including enforcement tolerances.³⁴

The FDOT or a local authority may, with respect to highways under their respective jurisdictions, issue a special permit authorizing an applicant to operate or move a vehicle or combination of vehicles of an excess size or weight upon any highway under its jurisdiction.³⁵ The permit must describe the vehicle or vehicles and load to be operated or moved and the highways for which the permit is requested. The FDOT or local authority may at its discretion,

²⁸ Section 316.003(83), F.S.

²⁹ *Id.*

³⁰ Section 316.550(1), F.S.

³¹ Section 316.515(1), F.S.

³² Section 316.515(2), F.S.

³³ Section 316.515(3), F.S.

³⁴ Section 316.515, F.S., maximum weight limits are set by formula, but the vehicle’s overall gross vehicle weight may not exceed 80,000 points, including enforcement tolerances.

³⁵ Section 316.550(2), F.S.

issue or withhold a permit. If a permit is issued, FDOT or local authority, may limit or prescribe the conditions of operation of such vehicle or vehicles.³⁶

Such a permit may authorize a self-propelled truck crane operating off the Interstate Highway System to tow a motor vehicle which does not weigh more than 5,000 pounds, if the combined weight of the crane and such motor vehicle does not exceed 95,000 pounds.³⁷

FDOT Permit Rules – Overweight and Overdimensional Vehicles

Pursuant to its overweight and overdimensional permit rules,³⁸ FDOT, when evaluating permit requests and prescribing permit conditions, must consider items including whether the load can be reasonably dismantled or disassembled, traffic flow and safety issues, and any assistance that may be needed.³⁹

For nighttime movement, when FDOT’s criteria for issuing a permit are met, FDOT must issue a permit provided that:

- Nighttime travel is recommended by the appropriate FDOT District Traffic Engineering Offices or determined to be a permit requirement. Law enforcement escorts are used.
- Warning lights delineate the load’s shape and size.
- The sides and rear of trailers and loads are as prescribed in state law and federal regulations.⁴⁰

For self-propelled equipment,⁴¹ including cranes, the FDOT requires a trip or multi-trip permit to be issued when specified criteria is met. For all self-propelled equipment, the boom must be fully retracted. For nighttime movement, front overhang must have a minimum of 80 inches clearance above the roadway. In addition, the following restrictions apply:

- Total length up to 80 feet.
 - Front overhang over six feet up to nine feet. Movement is permitted on all days, all hours. A warning light is required to be mounted at the extreme end of the protrusion in such a way as to be seen by all approaching traffic.
 - Front overhang over nine feet. Movement is permitted on all days, during daytime hours only. A warning light is required to be mounted at the extreme end of the protrusion in such a way as to be seen by all approaching traffic.
- Total Length over 80 feet. Movement is permitted daytime hours only, excluding holidays. Flags and warning signs are required. A warning light is required to be mounted at the extreme end of the protrusion in such a way as to be seen by all approaching traffic.⁴²

³⁶ *Id.*

³⁷ Section 316.550(3), F.S.

³⁸ Rule 14-26, F.A.C.

³⁹ Rule 14-26.00425, F.A.C.

⁴⁰ Rule 14-26.012(5)(f), F.A.C.

⁴¹ Rule 14-26.0041(27), F.A.C., defines the term “self-propelled equipment” to mean a single rigid frame unit propelled with its own power source which does not transport a divisible load, and includes equipment such as earth handling equipment, cranes (which may include a dolly attachment), derricks and fire trucks.

⁴² Rule 14-26.012(9)(c), F.A.C.

Effect of Proposed Changes

The bill amends the statutory definition of “special mobile equipment” changing the term “self-propelled cranes” to “mobile cranes and accessory support vehicles.” The bill also removes “cranes or shovels” from the list of items that the term “special mobile equipment” does not include.

The bill authorizes the FDOT to issue a mobile crane special blanket permit for any of the following purposes:

- To authorize a mobile crane to operate on and off the Interstate Highway System while towing a motor vehicle that does not weigh more than 5,000 pounds of the combined weight of the motor vehicle does not exceed 95,000 pounds;
- To authorize a mobile crane and accessory support vehicles that are up to 12 feet in width, 14 feet six inches in height, and 100 feet in length to operate on and off the Interstate Highway System at all hours except as restricted under a local travel-related curfew; or
- To authorize a mobile crane and accessory support vehicle which, due to their design for special use, exceed the statutory weight limits⁴³ to operate on and off the Interstate Highway System.

High-Occupancy Vehicle (HOV) Lanes (Section 6 and 42)

Present Situation

Florida law defines the term “high-occupancy-vehicle lane” or “HOV lane” to mean a lane of a public roadway designated for use by vehicles in which there is more than one occupant unless otherwise authorized by federal law.⁴⁴

Florida law authorizes hybrid and low-emission vehicles that federal minimum fuel economy standards to drive in the HOV lane at any time.⁴⁵

The Department of Highway Safety and Motor Vehicles (DHSMV) issues annual decals and registration certificates, reflecting the HOV lane designation, on vehicles authorized to drive in an HOV lane at any time. The DHSMV may charge up to \$5 per decal but may not exceed its costs. This fee is deposited in the Highway Safety Operating Trust Fund.⁴⁶ According to the DHSMV, as of March 7, 2025, there were 25,428 active HOV decals.⁴⁷

Florida law provides a toll exemption for the use of HOV toll lanes or express lanes by vehicles issued HOV decals and are registered to use HOV toll lanes or express lanes and issued HOV

⁴³ These weight limits are established in s. 316.535, F.S.

⁴⁴ Section 316.0741(1)(a), F.S.

⁴⁵ Section 316.0741(4), F.S. The federal minimum fuel economy standards are in 23 U.S.C. s. 166(f)(3)(B),

⁴⁶ Section 316.0741(5), F.S.

⁴⁷ Email from Jonas Marquez, Director of Legislative Affairs, Department of Highway Safety and Motor Vehicles, Re: SB 1662 HOV Lanes, March 11, 2025. (On file with Senate Committee on Transportation).

decals.⁴⁸ The FDOT rules provide such a toll exemption for the I-95 Express lanes in Miami-Dade, Broward, and Palm Beach counties.⁴⁹

Unlawfully driving in an HOV lane is punishable as a moving violation;⁵⁰ however, points are not assessed against a driver license for this violation.⁵¹

Effect of Proposed Changes

The bill repeal s. 316.0741, F.S., repealing HOV lanes. This includes the DHSMV's authority to issue HOV decals and authorization for FDOT to provide toll exemption for HOV toll lanes or express lanes for specified vehicles.

The bill removes a reference to HOV lanes in s. 322.27(3)(d), F.S., that provides that no points are assessed on a driver license for an HOV lane violation.

Uniform Signals and Devices (Section 7)

Present Situation

The FDOT is required to adopt a uniform system of traffic control devices that must be used on Florida's streets and highways.⁵² All official traffic control signals or official traffic control devices purchased and installed by any public body or official must conform to the FDOT's specifications.⁵³ However, upon a showing of good cause, the FDOT is authorized to permit traffic control devices not in conformity with its uniform system.⁵⁴

The FDOT may, upon receiving and investigating a report of noncompliance and after a hearing, direct the removal of any traffic control device not meeting the uniform system. The public agency with authority over the traffic control device must immediately bring the device into compliance or remove the device. An additional violation of this provision is cause for withholding state funds for traffic control purposes until the public body or official demonstrates to the FDOT that it is in compliance.⁵⁵

Effect of Proposed Changes

The bill authorizes the withholding of state funds deposited into the State Transportation Trust Fund for additional violations associated with uniform system for signals and devices. This withholding of funds is until the public body or official demonstrates to the FDOT that it is in compliance with the uniform system.

⁴⁸ Section 316.714(6), F.S.

⁴⁹ Rule 14-100.004, F.A.C.

⁵⁰ Section 316.0741(3), F.S.

⁵¹ Section 322.27(3)(d)8., F.S.

⁵² Section 316.0745(1), F.S. Rule 14-15.010, F.A.C., incorporates, by reference, the Federal Highway Administration's *Manual on Uniform Traffic Control Devices* into the Florida Administrative Code.

⁵³ Section 316.0745(3), F.S.

⁵⁴ Section 316.0745(8), F.S.

⁵⁵ Section 316.0745(7), F.S.

Florida Airport Licensing Law (Sections 9 and 10)

Present Situation

The Florida Airport Licensing Law,⁵⁶ includes definitions for following terms:

- Aircraft - a powered or unpowered machine or device capable of atmospheric flight, except a parachute or other such device used primarily as safety equipment.⁵⁷
- Airport - an area of land or water used for, or intended to be used for, landing and takeoff of aircraft, including appurtenant areas, buildings, facilities, or rights-of-way necessary to facilitate such use or intended use.⁵⁸
- Ultralight aircraft - any aircraft meeting the criteria established by part 103 of Federal Aviation Administration (FAA) regulations.⁵⁹

Under Florida law, a proposed airport's owner or lessee must obtain site approval from the FDOT. The FDOT must grant site approval if it is satisfied that specific conditions are met related to safety, local land development or zoning regulations, and notification of affected entities.⁶⁰ The FDOT may grant site approval for a public airport⁶¹ only after its favorable inspection of the proposed site.⁶² For a private airport,⁶³ the FDOT grants site approval after it receives documentation that the airport has satisfied the conditions required for site approval.⁶⁴ The FDOT may subject its site approval to reasonable conditions necessary to protect public health, safety, or welfare.⁶⁵

Under Florida law, before operating aircraft to or from the airport, the airport's owner or lessee must receive, from the FDOT, a public airport license or a private airport registration.⁶⁶ For a public airport, upon granting site approval, the FDOT must issue the airport's license after its final inspection finds that the airport complies with all license requirements. A public-airport license may be subject to reasonable conditions necessary to protect public health, safety, or welfare.⁶⁷ For a private airport, upon the FDOT granting site approval, it must provide the applicant with access to the state aviation facility data system to permit the applicant to complete the registration process. Registration is completed upon the registrant's self-certification of the FDOT-required data.⁶⁸

Florida law does not currently address private airports of public interest.

⁵⁶ Sections 330.27-330.39, F.S.

⁵⁷ Section 330.27(1), F.S.

⁵⁸ Section 330.27(2), F.S.

⁵⁹ Section 330.27(8), F.S. 14 C.F.R., part 103 relates to ultralight vehicles.

⁶⁰ Section 330.30(1)(a), F.S.

⁶¹ Section 330.27(6), F.S., defines the term "public airport" means an airport, publicly or privately owned, which is open for use by the public.

⁶² Section 334.30(1)(b), F.S.

⁶³ Section 330.27(5), F.S., defines the term "private airport" to mean an airport, publicly or privately owned, which is not open or available for use by the public, but may be made available to others by invitation of the owner or manager.

⁶⁴ Section 334.30(1)(c), F.S.

⁶⁵ Section 330.30(1)(f), F.S.

⁶⁶ Section 330.30(2)(a), F.S.

⁶⁷ Section 330.30(2)(a)1., F.S.

⁶⁸ Section 330.30(2)(a)2., F.S.

Effect of Proposed Changes

The bill amends various provisions of the Florida Airport Licensing Law. It amends various the definitions, including:

- “Aircraft” to provide that the term includes, but is not limited to, an airplane, an autogiro, a glider, a gyrodyne, a helicopter, a lift and cruise, a multicopter, paramotors, a powered lift, a seaplane, a tiltrotor, an ultralight, and a vectored thrust.
- “Airport” to provide a specific area of land or water or a structure used for aircraft operations. The term includes, but is not limited to, airparks, airports, gliderports, heliports, helistops, seaplane bases, ultralight flight parks, vertiports, and vertistops.

The bill defines the term “private airport of public interest” to mean a private airport engaged in air ambulance operations, commercial air tour operations, on-demand operations, public charter operations, scheduled operations, or supplemental operations.

The bill defines the following terms referred to in the definition of private airport of public interest:

- Air ambulance operations – a flight with a patient or medical personnel on board for the purpose of medical transportation.
- Commercial air tour operation – a flight conducted for compensation or hire in an aircraft where a purpose of the flight is sightseeing.
- Commuter operation – any scheduled operation conducted by a person operating an aircraft with a frequency of operations of at least five round trips per week on at least one route between two or more points according to the published flight schedule.
- On-demand operation – any scheduled passenger carrying operation for compensation or hire conducted by a person operating an aircraft with a frequency of operations of fewer than five round trips per week on at least one route between two or more points according to the published flight schedule.
- Public charter operation – a one-way or round-trip charter flight performed by one or more direct air carriers which is arranged and sponsored by a charter operator.
- Scheduled operation – any common carriage passenger-carrying operation for compensation or hire conducted by an air carrier or commercial operator for which the certificate holder or its representative offers in advance the departure location, departure time, and arrival location.
- Supplemental operation – any common carriage operation for compensation or hire conducted with an aircraft for which the departure time, departure location, and arrival location are specifically negotiated with the customer or customer’s representative.

The bill repeals the definition of the “ultralight aircraft” since that term is described in FAA regulations.

The bill requires a private airport of public interest, before allowing aircraft operations, to obtain a certificate from the FDOT. The FDOT must issue a certificate after a final inspection finds the airport complies with all certificate requirements. The certificate is subject to any reasonable conditions the FDOT deems necessary to protect the public. A private airport that was engaged in operations associated with a private airport of public interest on or before July 1, 2025, must obtain a certificate by July 1, 2030.

The bill authorizes the FDOT, after an initial registration, to issue a certificate to a private airport of public interest if the airport is found, after physical inspection, to comply with all certificate requirements. The certificate is subject to any reasonable condition that the FDOT deems necessary to protect the public health, safety, or welfare. A private airport of public interest's certificate expires five years after its effective date.

FDOT Funding of Space-Related Infrastructure Projects (Section 11)

Present Situation

Under Florida law, the following specified properties constitute spaceport territory:

- Certain real property in Brevard County within Patrick Space Force Base, Cape Canaveral Space Force Station, or John F. Kennedy Space Center.
- Certain real property in Santa Rosa, Okaloosa, Gulf, and Walton Counties within Eglin Air Force Base.
- Certain real property in Duval County within the Cecil Airport and Cecil Commerce Center.
- Real property which is a FAA-licensed spaceport, as designated by Space Florida's board of directors.
- Certain real property in Brevard County within Space Coast Regional Airport, Space Coast Regional Airport Industrial Park, and Spaceport Commerce Park.
- Certain real property in Miami-Dade County which was formerly included in Homestead Air Force Base and is included within Homestead Air Reserve Base or deeded to Miami-Dade County or the City of Homestead.
- Certain real property in Bay County is within Tyndall Air Force Base.⁶⁹

Florida law defines the term "critical infrastructure facility" to mean a chemical manufacturing facility, a refinery, an electrical power plant, a water treatment facility or wastewater treatment plant, a liquid natural gas terminal, a telecommunications central switching office, a gas processing plant, a seaport, a spaceport territory, or an airport.⁷⁰

Effect of Proposed Changes

The bill authorizes the FDOT to fund infrastructure projects, and projects associated with critical infrastructure facilities within or outside a spaceport territory as long as the project supports aerospace⁷¹ or launch support facilities⁷² within an adjacent spaceport territory. The FDOT must consult with the Department of Commerce and the Department of Environmental Protection in

⁶⁹ Section 334.304, F.S.

⁷⁰ Section 692.201(2), F.S. This is if the facility employs measures to exclude unauthorized persons.

⁷¹ Section 331.303(1), F.S., defines the term "aerospace" to mean the technology and industry related to the design, manufacture, maintenance, repair, and operation of aircraft or any other device intended to be used or designed for flight or reentry, including rockets, missiles, spacecraft, satellites, space vehicles, space stations, space and aircraft facilities or components thereof, and related equipment, systems, facilities, simulators, programs, and activities, including, but not limited to, the application of aerospace and aviation technologies in air-based, land-based, space-based, and sea-based platforms for commercial, civil, and defense purposes.

⁷² Section 338.301(11), F.S., defines the term "launch support facilities" to mean facilities that are located at launch sites or launch ranges that are required to support launch activities, including launch vehicle assembly, launch vehicle operations and control, communications, and flight safety functions, as well as payload operations, control, and processing.

funding these projects. These three agencies must coordinate in funding these projects in order to optimize the use of available funds.

Florida Airport Development and Assistance Act (Sections 12-15)

The Florida Airport Development and Assistance Act⁷³ generally prohibits the FDOT from participating in or exercising control in the management and operation of a sponsor's⁷⁴ airport.⁷⁵

The FDOT has statutory duties and responsibilities related to aviation development and assistance, including duty to develop, promote, and distribute supporting information and educational services.⁷⁶

The FDOT must prepare and continuously update its aviation and airport work program based on local sponsors' proposed aviation projects. The FDOT's airport work program must separately identify development projects⁷⁷ and discretionary capacity improvement projects.^{78, 79}

To be eligible to receive state funds, aviation projects must contribute to implementing the statewide aviation system plan,⁸⁰ be consistent with and will contribute to the implementation of any airport master plan or layout plan, and be consistent with, to the maximum extent feasible, the appropriate approved local government comprehensive plans.⁸¹

Subject to the availability of appropriated funds in addition to aviation fuel tax revenues,⁸² the FDOT may participate in the capital cost of eligible public airport and aviation discretionary capacity improvement projects. The FDOT must prioritize its aviation funding to support:

- Land acquisition which provides additional capacity at the qualifying international airport or at that airport's supplemental air carrier airport.
- Runway and taxiway projects that add capacity or are necessary to accommodate technological changes in the aviation industry.
- Airport access transportation projects that improve direct airport access and are approved by the airport sponsor.
- International terminal projects that increase international gate capacity.⁸³

⁷³ Sections 332.003-332.007, F.S.

⁷⁴ Section 332.004(15), F.S., defines the term "sponsor" to mean any eligible agency which, either individually or jointly with one or more eligible agencies, submits to FDOT an application for financial assistance for an airport development project in accordance with this act.

⁷⁵ Section 332.005, F.S. There are some exceptions associated with requests from the airport's sponsor.

⁷⁶ Section 332.006(7), F.S.

⁷⁷ Section 332.004(4), F.S., defines the term "airport or aviation development project" to mean any activity associated with the design, construction, purchase, improvement, or repair of a public-use airport or portion thereof, etc.

⁷⁸ Section 332.004(5), F.S., defines the term "airport or aviation discretionary capacity improvement projects" or to mean capacity improvements which are consistent, to the maximum extent feasible, with the approved local government comprehensive plans of the units of local government in which the airport is located, and which enhance intercontinental capacity at airports which meet certain requirements.

⁷⁹ Section 332.007(2)(a), F.S.

⁸⁰ FDOT is required to develop and periodically update the statewide aviation system plan pursuant to s. 332.006(1), F.S.

⁸¹ Section 332.007(5), F.S.

⁸² Section 332.007(7), F.S. Aviation fuel tax is authorized and collected pursuant to part III of ch. 216, F.S.

⁸³ Section 332.007(7)(a), F.S.

The FDOT may also fund eligible projects performed by not-for-profit organizations representing a majority of Florida's public airports. Eligible projects include aviation master planning, professional education, safety and security planning, enhancing economic development and efficiency at airports, or other planning efforts to improve the viability of Florida's airports.⁸⁴

Under the State Emergency Management Act,⁸⁵ the Governor must declare a state of emergency if an emergency⁸⁶ has occurred or there is an imminent threat of an emergency. A state of emergency may last up to 60 days and may be renewed by the Governor.⁸⁷

Effect of Proposed Changes

The bill changes the short title of the "Florida Airport Development and Assistance Act" to the "Florida Airport Development and Accountability Act."

The bill requires airports⁸⁸ to, upon the Governor's issuance a state of emergency in preparation for or in response to a natural disaster, at no cost to the state, provide the FDOT with the opportunity to use any airport property that is not within an air navigation facility,⁸⁹ to stage equipment and personnel to support emergency preparedness or operations. The bill provides that after 60 days of use as a staging area, the FDOT's further use of airport property must be pursuant to a written agreement between the airport and the FDOT.

The bill amends the FDOT's duty to develop, promote and distribute supporting information and educational services, to include, but not limit it to, educational services with a focus on retention and growth of the aviation industry workforce.

The bill requires each commercial service airport to establish and maintain an airport infrastructure program to ensure the ongoing preservation of airport infrastructure facilities in safe and serviceable condition.

The bill defines the term "airport infrastructure" to mean the facilities, systems, and structural components of an airport necessary for the safe and efficient movement of people and goods.

Beginning November 1, 2025, and annually thereafter, each commercial service airport must certify to the FDOT, in a manner prescribed by the FDOT, that it has established and maintains a

⁸⁴ Section 332.007(8), F.S.

⁸⁵ Chapter 252, F.S.

⁸⁶ Section 252.34(4), F.S., defines the term "emergency" to mean any occurrence, or threat thereof, whether natural, technological, or manmade, in war or in peace, which results or may result in substantial injury or harm to the population or substantial damage to or loss of property.

⁸⁷ Section 252.36(2), F.S.

⁸⁸ Section 332.004(1), F.S., defines the term "airport" to mean any area of land or water, or any manmade object or facility located therein, which is used, or intended for public use, for the landing and takeoff of aircraft, and any appurtenant areas which are used, or intended for public use, for airport buildings or other airport facilities or rights-of-way.

⁸⁹ Section 332.01(4), F.S., defines the term "air navigation facility" to mean any facility used in, available for use in, or designed for use in, aid of air navigation, including airports, restricted landing areas, and any structures, mechanisms, lights, beacons, marks, communicating systems, or other instrumentalities or devices used or useful as an aid, or constituting an advantage or convenience, to the safe taking off, navigation, and landing of aircraft, or the safe and efficient operation or maintenance of an airport, or restricted landing area, and any combination of any or all of such facilities.

comprehensive airport infrastructure program. The comprehensive airport infrastructure program report, and related documents and records, must be open to inspection by the FDOT and must be maintained by the airport for at least five years. At a minimum: the airport comprehensive airport infrastructure program must include:

- Identification of airport infrastructure subject to inspection and the schedule for the completion of such inspections, taking into consideration the age, type, intended use, and criticality of the infrastructure to undisrupted commercial or cargo operations.
- A preventative maintenance program for routine maintenance of airport infrastructure, for both commercial and cargo operations.
- A plan to complete any necessary repairs to, or rehabilitation or reconstruction of, airport infrastructure, including prioritization and anticipated timeframe for completion of the work.
- A progress report of inspections and their outcomes, preventative maintenance, and previously identified repair to, or rehabilitation or reconstruction of, airport infrastructure. The progress report must include any changes in timeline for completion, changes in cost estimates, and reasons that any inspection, preventative maintenance, or repair or rehabilitation did not take place.

The bill requires the FDOT-funded aviation projects to be consistent with the energy policy of the state.

The bill requires the FDOT to provide priority aviation funding in support of:

- Terminal and parking expansion projects that increase capacity at airports providing commercial service in counties with a population of 500,000 or less.
- Projects that improve safety and efficiency of airport operations.
- Emerging technology projects, workforce development projects, and projects that benefit the strategic intermodal system through intermodal connectivity.

The bill authorizes the FDOT to fund eligible projects performed by not-for-profit organizations and postsecondary institutions⁹⁰ to support the training of pilots, air traffic control personnel, or aircraft maintenance technical personnel. The bill also authorizes the FDOT to fund planning efforts to improve safety at airports. The FDOT may also fund programs that support the transition of honorably discharged military personnel to employment in the aviation industry. The FDOT's funds may provide matching funds for eligible projects funded by the Department of Commerce.

The bill authorizes the FDOT's strategic airport investment initiative to fund up to 100 percent the project's costs for capital improvements to strategically position the state to maximize opportunities in tourism.

⁹⁰ Section 1008.47(1), F.S., defines the term "postsecondary education institution" to mean a Florida College System institution, state university, or nonpublic postsecondary education institution that receives state funds.

Commercial Service Airport Transparency and Accountability (Section 16)

Present Situation

FAA regulations define the term “commercial service airport” to mean a publicly owned airport with at least 2,500 annual enplanements and scheduled air carrier service.⁹¹ Commercial service airports are categorized as follows:

- Large Hub Airports each receive one percent or more of the annual U.S. commercial enplanements. Florida’s large hub airports are Orlando International, Miami International, Ft. Lauderdale International, and Tampa International.
- Medium Hub Airports each receive 0.25 to 1.0 percent of the annual U.S. commercial enplanements. Florida’s medium hub airports are Southwest Florida International, Palm Beach International, and Jacksonville International.
- Small Hub airports each receives 0.05 to 0.25 percent of the annual U.S. commercial enplanements. Florida’s small hub airports are Sarasota/Bradenton International, Orlando Sanford International, St. Pete-Clearwater International, Destin-Ft. Walton Beach, Punta Gorda, Northwest Florida Beaches International, and Key West International.
- Nonhub airports each receives less than 0.05 percent but more than 10,000 of the annual U.S. commercial enplanements. Florida’s nonhub airports are Tallahassee International, Melbourne Orlando International, Daytona Beach International, Gainesville Regional, Vero Beach Regional, and Ft. Lauderdale Executive.⁹²

Florida law contains provisions regarding the transparency and accountability of commercial service airports. For this purpose, the following terms are defined to mean:

- Commercial service airport - a primary airport, as defined by federal law,⁹³ which is classified by the FAA as a large, medium, or small hub airport.⁹⁴
- Consent agenda - an agenda which consists of items voted on as a group and which does not provide the opportunity for public comment on each such item before approval or disapproval by the governing body.⁹⁵
- Governing body - the governing body of the county, municipality, or special district that operates a commercial service airport.⁹⁶

Each governing body of a commercial service airport must establish and maintain a website posting the following:

- All published notices of the governing body’s meetings and published meeting agendas.
- The official minutes of each meeting of the governing body.
- The airport’s approved budget for the current fiscal year.
- A link to the airport’s Airport Master Plan.

⁹¹ Federal Aviation Administration, *Airport Categories*, https://www.faa.gov/airports/planning_capacity/categories (last visited March 4, 2025).

⁹² FAA passenger statistics, October 2024, <https://www.faa.gov/sites/faa.gov/files/2024-10/cy23-all-enplanements.pdf> (last visited March 5, 2025)

⁹³ Federal law defines the term "primary airport" to mean a commercial service airport the Secretary of Transportation determines to have more than 10,000 passenger boardings each year. in 49 U.S.C. s. 47102.

⁹⁴ Section 332.0075(1)(a), F.S.

⁹⁵ Section 332.0075(1)(b), F.S.

⁹⁶ Section 332.0075(1)(d), F.S.

- A link to all of its financial and statistical reports on the FAA's website.
- Any contract or contract amendment for the purchase of commodities or contractual services executed by or on behalf of the commercial service airport in excess of \$350,000.⁹⁷
- Position and rate information for each airport employee, which must be updated annually.⁹⁸

Each November 1, each commercial service airport's governing body must submit to FDOT:

- Its approved budget for the current fiscal year;
- Any financial reports submitted to the FAA during the previous calendar year;
- A link to its website;
- A verified statement that it has complied with ethics requirements, competitive procurement requirements, and statutes relating to commercial service airport accountability.⁹⁹

The FDOT may not expend any funds allocated to a commercial service airport, unless pledged for debt service, until the commercial service airport demonstrates compliance with Florida law.¹⁰⁰

Effect of Proposed Changes

The bill amends the definition of "commercial service airport" to include airports classified by the FAA as nonhub airports, requiring such airports to comply with these statutes.

The bill clarifies the definition of the term "consent agenda" to include agenda items voted on collectively.

The bill amends the definition of the term "governing body" to have it include an appointed board or oversight entity serving as the governing body of a commercial service airport on behalf of a county, municipality, or special district.

The bill requires that information required to be posted on the governing body's website to remain posted for the longer of five years or the entirety of the period during which airport actively uses the required information.

The bill requires that each commercial service airport's website have posted both its current airport master plan and immediately preceding airport master plan be posted. Airports must also update employee salary information quarterly, instead of annually.

The bill requires commercial service airports to annually submit to the FDOT:

- The most recent copies of its strategic plans; and
- Contracts related to any financial awards received through federally funded grant programs for the preceding fiscal years.

The bill requires commercial service airports to notify the FDOT:

⁹⁷ This is purchasing CATEGORY FIVE provided in s. 287.017, F.S.

⁹⁸ Section 332.0075(2), F.S.

⁹⁹ Section 332.0075(5)(a), F.S.

¹⁰⁰ Section 332.0075(6), F.S.

- Within 48 hours after receiving a communication or directive from a federal agency relating to public health testing or the transfer of unauthorized aliens into this state.
- As soon as reasonably possible, but no later than 48 hours, after the discovery of potential cybersecurity breach or other occurrence impacting the traveling public, a disruption on state aviation operations directly impacting multiple airports with this state, or an incident occurring on airport property which require coordination with multiple local, state, or federal agencies.

Advanced Air Mobility (Section 17)

Present Situation

The National Aeronautics and Space Administration (NASA) defines the term “advanced air mobility” (AAM) to mean “an air transportation system that moves people and cargo between places previously not served or underserved by aviation – local, regional, intraregional, urban – using revolutionary new aircraft that are only just now becoming possible.”¹⁰¹

Numerous uses for AAM are being explored, including air taxi, air cargo, and public services. Air taxi supports passenger transportation within and around urban and regional areas, including routes connecting city centers to airports or to neighboring city centers. Air cargo uses feature cargo transportation supporting the middle-mile of logistics, generally seen as from the cargo port to the distribution center. Public service uses, such as search and rescue, disaster relief, and air ambulance operations are all likely early use cases for electric vertical take-off and landing (eVTOL) aircraft.¹⁰²

In 2022, the FDOT established an AAM Working Group consisting of various stakeholders. The working group developed various recommendations regarding AAM, including:

- Designate an AAM subject matter expert within the FDOT.
- Review airport hazard regulations and update those regulations as appropriate.
- Incorporate AAM into state transportation planning documents.
- Lead a statewide education campaign for local decision makers and a public awareness campaign for the general public.¹⁰³

Currently, Florida law does not address advanced air mobility.

Effect of Proposed Changes

The bill codifies AAM into Florida law. The bill requires the FDOT to:

- Address the need for vertiports, advanced air mobility, and other advances in aviation technology in the statewide aviation system plan,¹⁰⁴ and, as appropriate, in the FDOT’s work program.

¹⁰¹ FDOT, *Advanced Air Mobility*, <https://www.fdot.gov/aviation/advanced-air-mobility> (last visited March 3, 2025).

¹⁰² *Id.* at 2.

¹⁰³ FDOT AAM Report and Recommendations, August 2023. Available at: https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/aviation/pdfs/fdot-aamwg-final-report---august-10-2023.pdf?sfvrsn=56d82d5d_1 (last visited March 7, 2025).

¹⁰⁴ The statewide aviation system plan is required under s. 332.006(1), F.S.

- Designate, within the FDOT, a subject matter expert on AAM to serve as a resource for local jurisdictions navigating advances in aviation technology.
- Conduct a review of airport hazard zone regulations.¹⁰⁵
- In coordination with the Florida Department of Commerce, provide coordination and assistance for the development of a viable AAM system plan. The FDOT must incorporate this plan into its statewide aviation system plan to identify corridors of need and opportunities for industry growth.

FDOT's Purchase of Promotional Items (Section 18)

Present Situation

The FDOT may purchase promotional items as part of public information and education campaigns to promote scenic highways, traffic and train safety awareness, alternatives to single-occupant vehicle travel, commercial motor vehicle safety, electric vehicle use and charging stations, autonomous vehicles, and context design for electric vehicles and autonomous vehicles.¹⁰⁶

Effect of Proposed Changes

The bill revises the FDOT's authorization to purchase promotional items. The bill authorizes the FDOT to purchase such items to promote environmental management and workforce development. The bill changes the design of electric vehicles and autonomous vehicles to the classification of those vehicles and removes authorization regarding alternatives to single-occupant vehicle travel.

FDOT's Purchase of Insurance (Section 18)

Present Situation

Except for title insurance and emergency purchases, the Department of Management Services (DMS) purchases insurance for all agencies.¹⁰⁷ While insurance is not a commodity, Florida law requires that the purchase of insurance, whether purchased by the DMS or another agency, be done using statutory procedures for the purchase of commodities.¹⁰⁸

Florida law prohibits a primary insurance contract from being purchased on any property or insurable subjects when it is loaned to, leased by, or intended to be leased by, the state or its departments, unless the lease agreement requires insurance coverage. In those cases, the DMS must approve, in writing, the insurance coverage required by the lease.¹⁰⁹

¹⁰⁵ Chapter 333, F.S., relates to airport zoning.

¹⁰⁶ Section 334.044(5), F.S.

¹⁰⁷ Section 287.012(1), F.S., defines the term "agency" 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.

¹⁰⁸ Section 287.022(1), F.S. The purchase of commodities is pursuant to s. 287.057, F.S.

¹⁰⁹ Section 287.025(4), F.S.

Effect of Proposed Changes

The bill authorizes the FDOT, notwithstanding statutory provisions relating to the state's purchase of insurance, to directly enter into insurance contracts with local, national, or international insurance companies to purchase insurance coverage that the FDOT is contractually and legally required to provide.

FDOT's Purchase of Motor Vehicles and Heavy Equipment (Section 18)

Present Situation

Any executive or judicial branch officer or employee may not authorize the purchase or continuous lease of any motor vehicle which is to be paid for from state or department funds unless the Legislature has appropriated funds for the motor vehicle. This does not apply to motor vehicles needed to meet unforeseen or emergency situations, which, after consultation with legislative appropriations committees, requires approval from the Executive Office of the Governor.¹¹⁰

State agencies are prohibited from retaining motor vehicles for which funds have been appropriated for a replacement, unless the agency requires such vehicles to be retained to meet emergency or major unforeseen needs. State agencies, in their budget requests, must report all retained vehicles to the Legislature and provide the specific justification for each vehicle it retained.¹¹¹

Effect of Proposed Changes

The bill authorizes the FDOT, notwithstanding statutory requirements relating to the purchase and retention of motor vehicles by state agencies, to purchase or acquire heavy equipment and motor vehicles for roadway operations and emergency response regardless of whether the FDOT exchanges or ceases to operate any of the FDOT-owned heavy equipment or motor vehicle.

Parking Authorities (Section 20)

Present Situation

In most parts of Florida, parking enforcement is administered by the city or county and is administratively housed in a parking division within the local government, as in Jacksonville and Orlando. However, the Miami Parking Authority (MPA), a dependent special district, was created in 1955 by Special Act¹¹² and incorporated into the City of Miami's Charter in 1968. The MPA is governed by a volunteer five-member Board of Directors. The City of Miami Commission has final authority to confirm board appointments, approve MPA's budget, issue parking revenue bonds, and determine parking rates for MPA-managed facilities.¹¹³

This appears to be the only special district the purpose of which relates to parking.

¹¹⁰ Section 287.14(1) and(3), F.S.

¹¹¹ Section 287.14(4), F.S.

¹¹² Chapter 30997, Laws of Florida.

¹¹³ Miami Parking Authority, <https://www.miamiparking.com/the-mpa/> (last visited April 8, 2025).

Effect of Proposed Changes

The bill grants a parking authority established under Florida law or any of its counties, municipalities or political subdivisions to have full power to conduct business; to operate, manage, and control facilities; and to provide services in contiguous geographical boundaries of such counties, municipalities, or political subdivisions that originally chartered such authority. The authority may engage in activities outside of its chartering jurisdiction upon entering into an interlocal agreement with the governing body of the affected contiguous, county, municipality, or political subdivisions.

Florida Transportation Academy (Section 21)

Present Situation

The FDOT is authorized to provide, in consultation with affected stakeholders, a construction workforce development program to deliver projects in the FDOT's work program.¹¹⁴ The FDOT must annually allocate \$5 million from the STTF for this program.¹¹⁵

Effect of Proposed Changes

The bill creates the Florida Transportation Academy within the FDOT to prioritize the continued need for transportation industry workforce development programs. The bill provides a legislative finding that the growth and sustainability of the transportation industry workforce is vital to the continued success of Florida's supply chain and economic competitiveness. In order to support, promote, and sustain workforce development efforts in the transportation sector, the FDOT may:

- Coordinate with the Department of Corrections to identify and create certification and training opportunities for nonviolent, scheduled-release inmates and create a notification process between the Department of Corrections and the FDOT for nonviolent inmates with imminent scheduled-release dates who are expected to seek employment upon release.
- Coordinate with the Department of Juvenile Justice and its educational partners to create certification and training opportunities for eligible youth.
- Coordinate with veterans' organizations to encourage veterans with honorable military discharge to pursue employment opportunities within the transportation industry, including, but not limited to, employment as pilots, mechanics, and air traffic controllers.
- Coordinate with the Department of Commerce, CareerSource Florida, Inc., and regional business organizations, within and outside of the transportation industry, to further understand recruitment and retention needs and job-seeker pipelines.
- Coordinate with the American Council of Engineering Companies and the Florida Transportation Builders Association to optimize workforce recruitment and retention and assess future needs across Florida's transportation industry.

¹¹⁴ Section 334.044(35), F.S. FDOT's work program is developed pursuant to s. 339.135, F.S.

¹¹⁵ Section 339.84, F.S., This is beginning in the 2023-2024 fiscal year and for five years thereafter.

Access Management (Sections 22-23)

Present Situation

Access management is the coordinated planning, regulation, and design of access between roadways and land development to reduce conflicts on the roadway system and at its interface with other modes of travel.¹¹⁶

The State Highway System Access Management Act¹¹⁷ defines the following terms to mean:

- Connection - driveways, streets, turnouts, or other means of providing for the right of reasonable access to or from the State Highway System.¹¹⁸
- Significant change- a change in the use of the property, including land, structures or facilities, or an expansion of the size of the structures or facilities causing an increase in the trip generation of the property exceeding 25 percent more trip generation (either peak hour or daily) and exceeding 100 vehicles per day more than the existing use.¹¹⁹

In order to protect the public health, safety, and welfare, the FDOT is required to regulate vehicular access and connections to or from the State Highway System. The FDOT may issue access management permits, subject to reasonable conditions, and may revoke a permit if the applicant fails to comply with the permit conditions.¹²⁰ The FDOT may not deny a property owner a means of reasonable access to an abutting state highway, except for safety or operational concerns.¹²¹

Effect of Proposed Changes

The bill defines the term “modification of an existing connection” to mean the relocation, alteration, or closure of the connection. The bill amends the definition of the term “significant change” to include the development of land and expansion in the size of property.

The bill authorizes the FDOT to, for access management permits issued after July 1, 1988, require the modification of an existing connection to the State Highway System if the connection would jeopardize public safety or negatively impact highway’s operational characteristics.

FDOT’s Business Development Program (Section 24)

Present Situation

The FDOT is authorized to establish a business development program to assist small businesses. The program may include, but is not limited to, setting aside contracts, providing preference points for the use of small businesses, providing special assistance in bidding and contract

¹¹⁶ FDOT Access Management <https://www.fdot.gov/planning/systems/systems-management/access-management> (last visited March 20, 2025).

¹¹⁷ Sections 335.18-335.188, F.S.

¹¹⁸ Section 335.182(3)(a), F.S.

¹¹⁹ Section 335.182(3)(b), F.S.

¹²⁰ Section 335.185(1), F.S.

¹²¹ Section 335.187(5), F.S.

completion, waiving bond requirements, and implementing other strategies to increase competition.¹²²

For purposes of the FDOT's business development program, the term "small business" is defined to mean a business with yearly average gross receipts of less than \$15 million for road and bridge contracts and less than \$6.5 million for professional and nonprofessional services contracts. A business' average gross receipts are determined by averaging its annual gross receipts over the last three years, including the receipts of any affiliate.^{123, 124}

Effect of Proposed Changes

The bill amends the definition of a "small business" for purposes of the FDOT's business development program. The bill increases the maximum average yearly gross receipts to \$25 million for road and bridge contracts and \$10 million for professional and nonprofessional service contracts. The determination of average gross receipts remains unchanged.

FDOT Disadvantaged Business Enterprise (Sections 25, 26, 27 and 35)

Present Situation

Federal rules define the term "socially and economically disadvantaged individual" to mean any individual who is a citizen (or lawfully admitted permanent resident) of the United States and who has been subjected to racial or ethnic prejudice or cultural bias within American society because of his or her identity as a member of a group and without regard to his or her individual qualities. The socially and economically disadvantaged include individuals from the following groups: Black Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans, Subcontinent Asian Americans, and Women.¹²⁵ Socially and economically disadvantaged individuals can also be determined on a case-by-case basis, and the Small Business Administration may designate additional groups as socially and economically disadvantaged.¹²⁶

Florida law requires the FDOT to institute procedures to encourage the awarding of professional services and contracts to disadvantaged business enterprises.¹²⁷ The FDOT must develop and implement activities to encourage the participation of disadvantaged business enterprises in its contracting process. Such efforts may include informing disadvantaged business enterprises of

¹²² Section 337.027(1), F.S.

¹²³ Section 337.165(1)(a), F.S., defines the term "affiliate" to mean a predecessor or successor of a contractor under the same, or substantially the same, control or a group of business entities which are connected or associated so that one entity controls or has the power to control each of the other business entities. The term "affiliate" includes the officers, directors, executives, shareholders active in management, employees, and agents of the affiliate. The ownership by one business entity of a controlling interest in another business entity or a pooling of equipment or income among business entities shall be prima facie evidence that one business entity is an affiliate of another.

¹²⁴ Section 337.027(2), F.S.

¹²⁵ Members of these groups are rebuttably presumed to be socially and economically disadvantaged.

¹²⁶ 49 CFR part 26

¹²⁷ For the purposes of FDOT's disadvantaged business enterprise program, the term "disadvantaged business enterprise" means a small business concern certified by the Department of Transportation to be owned and controlled by socially and economically disadvantaged individuals as defined by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). *See s. 337.139, F.S.*

contracting opportunities and contracting requirements and breaking larger contracts into smaller contracts.¹²⁸

The FDOT's disadvantage business enterprise program requires:

- Prime contractors to submit information regarding the uses of disadvantaged business enterprises as subcontractors.¹²⁹
- The FDOT to provide a socially and economically disadvantaged business enterprise with reasonable advance notice prior to removing such enterprise as a certified socially and economically disadvantaged business enterprises.¹³⁰

The FDOT must expend federal-aid highway funds and state matching funds with small business concerns owned and controlled by socially and economically disadvantaged individuals.¹³¹

Upon the FDOT's determination of past and continuing discrimination in non-federally funded projects, the FDOT may implement a program tailored to address specific findings of disparity. The program may include establishing annual goals for expending a percentage of state-administered highway funds with small businesses. The FDOT may utilize set-asides for small business concerns to assist in achieving these goals. The head of the FDOT may elect to set goals only when a significant disparity is documented. The FDOT must consider the findings of a disparity study in determining the program goals for each group qualified to participate.¹³²

The FDOT must certify a socially and economically disadvantaged business enterprise as prescribed in federal rules. The FDOT's initial application for certification must require sufficient information to determine eligibility. For continuing eligibility, the FDOT may accept an affidavit certifying that the business remains qualified for certification. An applicant's application and required financial information are confidential and exempt from public records laws.¹³³

The head of the FDOT may expend up to six percent of the funds which are designated to be expended on small businesses owned and controlled by socially and economically disadvantaged individuals to conduct a construction management development program for such firms. The statute continues with the program's requirements.¹³⁴

The head of the FDOT may expend up to four percent of specified DBE funds on a bond guarantee program for DBEs and who meet other standards. The state guarantees up to 90 percent of a bond amount of \$250,000 or less, and 80 percent of a bond amount of greater than \$250,000. However, the FDOT retains five percent of the total contract amount designated for the DBE until its final acceptance of the project.¹³⁵

¹²⁸ Section 337.139, F.S.

¹²⁹ Section 337.125(1), F.S.

¹³⁰ Section 337.125(3), F.S.

¹³¹ Section 339.0805(1)(a), F.S.

¹³² Section 339.0805(1)(b), F.S. Public records law is provided in s. 119.07(1), F.S.

¹³³ Section 339.0805(1)(c), F.S.

¹³⁴ Section 339.0805(3), F.S.

¹³⁵ Section 339.0805(4), F.S. FDOT may not commit funds for this program in excess of those funds specifically appropriated for this purpose.

Any individual who fraudulently represents an entity as a socially and economically disadvantaged business enterprise under commits of a felony of the second degree. An individual found in violation may not create a new corporate structure for the purpose of circumventing this provision.¹³⁶

Effect of Proposed Changes

The bill repeals the FDOT's disadvantaged business enterprise program and related provisions.

Federal Rule Authorization (Section 18)

The bill authorizes the FDOT to adopt rules for the purpose of compliance with 49 C.F.R. part 26, relating to the United States Department of Transportation's Disadvantage Business Enterprise Program and any other applicable federal law.

Conforming Changes (Sections 3, 19, 25, 30, 33, 36, and 40)

The bill makes changes to the following to provide for small businesses:

- The FSTED Council's requirement to develop job training programs associated with the maritime industry (section 3).
- The FDOT's performance measures regarding this program to performance measures to the FDOT's business development program (section 19).
- The FDOT's consideration of small business participation related to certain contracts (section 25).
- The FDOT consideration of small business involvement in certain lease proposals (section 30).
- The FDOT and Department of Management Services outreach regarding participation in certain turnpike-related projects (section 33).
- Contractors for economic development transportation projects (section 36).
- The Central Florida Expressway Authority's¹³⁷ encouragement of the use of certain businesses in its procurement and contracting opportunities (section 40).

FDOT Surety Bonds (Section 96)

Present Situation

Florida law requires that the successful bidder on most the FDOT contracts provide a surety bond in the amount of the awarded contract price. However, for multiyear maintenance contracts, the FDOT may allow incremental annual contract bonds that cumulatively total the full, awarded, multiyear contract price. For phased design-build contracts,¹³⁸ The FDOT may also allow the issuance of multiple contract performance and payment bonds to align with each contract phase to meet the bonding requirements.¹³⁹

¹³⁶ Section 337.135, F.S.

¹³⁷ The Central Florida Expressway Authority is created in part III of ch. 348, F.S.

¹³⁸ Phased design-build contracts are authorized in s. 337.11(7)(b), F.S.

¹³⁹ Section 337.18(1)(a), F.S.

Effect of Proposed Changes

The bill authorizes the Secretary of Transportation to, at his or her discretion, require a surety bond in an amount less than the awarded contract price.

Sewer Line Installation (Section 31)***Present Situation***

Section 337.401, F.S., provides for the regulation and permitting of utilities in the right of way. Under that statute, the authority (the FDOT and local governmental entities) that have jurisdiction and control over public roads may prescribe and enforce reasonable rules and regulations regarding the placing and maintaining of utilities along its right-of-way. For purposes of that statute, the term “utility” includes sewers.¹⁴⁰

Under Florida law, the authority may grant the use of a right-of-way for utility in accordance with the authority’s rules or regulations as the authority. A utility may not be installed, located, or relocated unless the authority issues a written permit. However, for public roads under the FDOT’s jurisdiction, a utility relocation schedule and relocation agreement may be executed in lieu of a written permit. The permit must require the permitholder to be responsible for any damage resulting from the issuance of such permit. The authority may initiate injunctive proceedings as provided in s. 120.69, F.S., to enforce the permit.¹⁴¹

Effect of Proposed Changes

The bill provides that a municipality may not prohibit, or require a permit, for the installation of a public sewer transmission line placed and maintained within and under publicly dedicated rights-of-way as part of a septic-to-sewer conversion where the work is being performed under permits issued by the FDOT and the Department of Environmental Protection, or its delegate, pursuant to ch. 403, F.S., relating to environmental control.

Camping on the Right-of-Way (Section 32)***Present Situation***

Florida law prohibits camping on any portion of the State Highway System’s right-of-way within 100 feet of a bridge, causeway, overpass, or ramp.¹⁴²

The Florida National Scenic Trail is Florida's official statewide nonmotorized trail, running more than 1,400 miles from the Panhandle to the Everglades and the Florida Keys.¹⁴³

Effect of Proposed Changes

The bill prohibits camping on all portions of the State Highway System’s right-of-way. However, this prohibition does not apply to a person who is actively navigating the Florida National Scenic Trail and has acquired the appropriate permits.

¹⁴⁰ Section 337.401(1)(a), F.S.

¹⁴¹ Section 337.401(2), F.S.

¹⁴² Section 337.406(4), F.S.

¹⁴³ Section 260.012(6), F.S.

Energy Policy of The State/Use of State Funds (Section 34)

Present Situation

Florida law authorizes the FDOT to expend moneys in the STTF and restricts the use of such funds to the transportation-related purposes.¹⁴⁴ However, the FDOT may not expend any state funds to support a project or program of a public transit provider, an authority;¹⁴⁵ public-use airport; or a port, which is found in violation of s. 381.00316, F.S., relating to discrimination by governmental and business entities based on health care choices. The FDOT must withhold state funds until the entity is found in compliance with that statute.¹⁴⁶

Section 377.601(3), F.S., provides that it is Florida’s energy policy to:

- Promote the cost-effective development and use of a diverse supply of domestic energy resources and discourage energy waste.
- Promote the cost-effective development and maintenance of energy infrastructure that is resilient to natural and manmade threats to the state's energy supply.
- Reduce reliance on foreign energy resources.
- Include energy reliability and security considerations in planning activities.
- Utilize and manage effectively energy resources used within state agencies.
- Encourage local governments to include energy considerations in planning activities and support the promotion of energy management programs.
- Include citizen participation in developing and implementing energy programs.
- Consider in its decisions the energy needs of each economic sector and, whenever possible, reduce those needs.
- Promote energy education and the public dissemination of information on energy and its impacts on Florida’s energy goals.
- Encourage the research, development, demonstration, and application of domestic energy resources, including renewable energy resources.
- Consider the impacts of energy-related activities on the state’s energy goals.
- Develop and maintain energy emergency preparedness plans.

Effect of Proposed Changes

The bill defines the term “energy policy of the state” to mean the energy policy described above and includes any intended or actual measure, obligation, target, or timeframe related to a reduction in carbon dioxide emissions.

The bill prohibits the FDOT from expending any state funds to support a project or program of any of the following entities: a public transit provider, an authority, a public-use airport, or a port if such entity adopts or promotes energy policy goals that are inconsistent with the energy policy of the state.

¹⁴⁴ Section 339.08(1), F.S.

¹⁴⁵ These are created pursuant to ch. 343, 348, or 349, F.S., and include, the South Florida Regional Transportation Authority, the Central Florida Regional Transportation Authority, the Greater Miami Expressway Agency, the Tampa-Hillsborough County Expressway Authority, the Central Florida Expressway Authority, and the Jacksonville Transportation Authority.

¹⁴⁶ Section 339.08(5), F.S.

Electric Vehicle Charging Infrastructure Report (Section 37)

Present Situation

In 2020,¹⁴⁷ the Legislature required the FDOT, in coordination the Public Service Commission and the Office of Energy,¹⁴⁸ to develop and recommend a master plan for current and future plans for the development of EV charging station infrastructure along the State Highway System. The FDOT was required to develop the recommended master plan, and, by July 1, 2021, submit the plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives.¹⁴⁹

Effect of Proposed Changes

The bill repeals the EV charging infrastructure report that was due by July 1, 2021.

Strategic Intermodal System Supply Chain Demands (Section 38)

Present Situation

The FDOT's Strategic Intermodal System consists of appropriate components of highway corridors, the National Highway System, airports, airports, seaports, and spaceports, rail lines and rail facilities, selected intermodal facilities, and other existing or planned corridors serving a statewide or interregional purpose.¹⁵⁰

For fiscal years 2023-2024 through 2027-2028, the FDOT must make up to \$20 million available each fiscal year from its existing work program revenues to fund projects to provide increased capacity and enhanced capabilities to move and store construction aggregates.¹⁵¹ Seaports, and rail lines, and rail facilities are eligible for project funding.¹⁵²

This program is scheduled for repeal on July 1, 2028.¹⁵³

Effect of Proposed Changes

The bill amends the FDOT's SIS supply chain program by making the FDOT's funding permissive, and removes specific dates, including the 2028 repeal date, making this program permanent.

¹⁴⁷ Chapter 2020-21, Laws of Florida.

¹⁴⁸ The Office of Energy is within the Department of Agriculture and Consumer Services.

¹⁴⁹ Section 339.287(2), F.S.

¹⁵⁰ Section 339.62, F.S.

¹⁵¹ Aggregates are raw materials that are produced from natural sources and extracted from pits and quarries, including gravel, crushed stone, and sand. When used with a binding medium, like water, cement, and asphalt, they are used to form compound materials, such as asphalt concrete and Portland cement concrete. <https://www.aem.org/news/construction-aggregates-101-what-they-are-and-why-they-matter#:~:text=Aggregates%20are%20raw%20materials%20that,concrete%20and%20Portland%20cement%20concrete>. (last visited March 9, 2025).

¹⁵² Section 339.651(3), F.S.

¹⁵³ Section 339.651(7), F.S.

New Starts Transit Funding (Section 39)

Present Situation

Federal law authorizes the Federal Transit Administration to issue certain transit capital investment grants and loans,¹⁵⁴ known as the New Starts Transit Program. The FDOT funds the New Starts Transit Program from 10 percent of the documentary stamp tax revenues distributed to the STTF¹⁵⁵ and 3.4 percent of the portion of the “new wheels on the road fee,” deposited into the STTF.¹⁵⁶

As of June 2024, the FDOT was required to reallocate unallocated New Starts Transit Program funds to the Strategic Intermodal System. This reallocation expires on June 30, 2026.¹⁵⁷

Effect of Proposed Changes

The bill makes permanent the reallocation of unused New Starts Transit Funds to the SIS. The bill also provides that if funds are allocated to projects that qualify for the New Starts Transit Program in the current fiscal year and a project will not be ready for production by June 30, the FDOT must reallocate those funds to the SIS for the next fiscal year.

Jacksonville Transportation Authority (Section 41)

Present Situation

The Jacksonville Transportation Authority (JTA) is an independent agency of the state in Duval County. JTA designs and constructs bridges and highways and provides varied mass transit services, including express and regular bus service, community shuttles for a neighborhood ride, a downtown Skyway monorail, the St. Johns River Ferry, and the Gameday Xpress. JTA also provides paratransit for the disabled and elderly, and ride request on-demand services.¹⁵⁸

JTA’s governing body consists of seven members. Three members are appointed by the Governor and confirmed by the Senate. Three members are appointed by the mayor of the City of Jacksonville and confirmed by the Jacksonville City Council. The seventh member is the FDOT’s district secretary serving the district containing Jacksonville. Except for the FDOT’s district secretary, JTA members must be residents and qualified electors of Duval County.¹⁵⁹

Effect of Proposed Changes

The bill amends the makeup of the JTA’s governing body. Four members are appointed by the Governor, subject to Senate confirmation. One of the Governor’s appointees must be a resident of the City of Jacksonville, and the other three appointees must be residents of Clay County, St. Johns County or Nassau County. Three members are appointed by the mayor of Jacksonville,

¹⁵⁴ 49 U.S.C. s. 5309

¹⁵⁵ Section 201.15(4)(a)1., F.S.

¹⁵⁶ Section 320.072(4)(b), F.S.

¹⁵⁷ Section 341.051(6)(b), F.S.

¹⁵⁸ Jacksonville Transportation Authority (JTA), *JTA Goals*, available at: <https://www.jtafla.com/about-jta/about/> (last visited March 7, 2025).

¹⁵⁹ Section 349.03(2), F.S.

who must be residents of the City of Jacksonville. The bill removes the FDOT district secretary from the board.

Conforming Changes (Sections 41, 43-46)

The bill amends ss. 110.205, 365.175, 379.2293, 493.6101, and 493.6403, F.S., conforming cross references.

Effective Date (Section 47)

This bill takes effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

The bill repeals the FDOT's disadvantaged business enterprise program, which contains an imbedded public records exemption relating to an applicant's application and financial information.¹⁶⁰ With the repeal of this exemption, this currently exempted information may become public.

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:

The bill repeals authorization for HOV lanes, including a \$5 fee paid to obtain an HOV decal, and a toll exemption for certain vehicles in HOV express lanes (section 6).

¹⁶⁰ Section 339.0805(2), F.S.

B. Private Sector Impact:

Motor vehicle owners who currently have an HOV decal would be subject to the payment of tolls (section 6).

Entities wishing to move mobile cranes and accessory support vehicles may experience a reduction in costs due to the ability to move them at all hours. (Section 8)

The FDOT's contractors may experience a reduction in surety bond costs due to the authorization of the Secretary of Transportation to waive certain surety bond requirements (section 29).

C. Government Sector Impact:

There will likely be an indeterminate negative fiscal impact on the Florida Transportation Commission in order to monitor and report on additional transit entities (Section 1).

The FDOT may experience an indeterminate negative fiscal impact associated with:

- Allocating funds to the Florida Transportation Research Institute (section 1).
- Certification of private airports of public interest, including site visits (section 10).
- Funding certain infrastructure projects near spaceports (section 11).
- Costs associated with the codification of advanced air mobility into Florida law, including the review of airport hazard zoning regulations (section 17).
- Costs incurred in establishing the Florida Transportation Academy (section 21).

The FDOT may experience an insignificant increase in toll revenues due to the repeal of HOV toll lanes (section 6).

The FDOT may see an increase in revenues from the issuance of mobile crane special blanket permits. The FDOT is authorized to charge permit fees for overweight and overdimensional vehicle permits.¹⁶¹ These fees vary based on the size of the vehicle and permit type (trip, multi-trip, or route-specific multi-trip). (Section 8)¹⁶²

The FDOT may experience cost savings associated with changes directly purchasing insurance and directly purchasing and retaining motor vehicle and heavy equipment (section 18).

The DHSMV will experience a reduction in revenues due to the repeal of HOV lanes, including the \$5 annual decal fee. However, the DSHMV should see a similar reduction to its costs (section 6).

The following provisions of the bill may have a negative fiscal impact on airports:

- Compliance with comprehensive airport infrastructure programs for commercial service airports (section 15); and

¹⁶¹ Section 316.550(6), F.S.

¹⁶² Rule 14-26.008, F.S., provides FDOT's fee schedule for these permits.

- Additional requirements regarding the transparency and accountability of commercial service airports (section 16).

VI. Technical Deficiencies:

The bill (section 20) authorizes parking authorities to operate outside of their existing jurisdiction pursuant to an interlocal agreement. The bill places this provision in s. 334.27, F.S., which provides a limitation of liability for groundwater contamination for governmental transportation entities.

VII. Related Issues:

The bill (section 6) repeals HOV lanes. Section 338.166, F.S., authorizes the FDOT to impose tolls on HOV lanes and to issue bonds secured by such toll revenues. Other statutes referring to HOV lanes may need to be amended to conform to the repeal of HOV lanes.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 20.23, 110.205, 311.07, 311.09, 311.10, 316.003, 316.0745, 316.550, 322.27, 330.27, 330.30, 331.371, 332.003, 332.005, 332.006, 332.007, 332.0075, 334.044, 334.045, 334.27, 335.182, 335.187, 337.027, 337.11, 337.18, 337.251, 337.401, 337.406, 338.227, 339.08, , 339.55, 339.651, 341.051, 348.754, 349.03, 365.172, 379.2293, 493.6101, and 493.6403.

This bill creates the following sections of the Florida Statutes: 332.15 and 334.62.

This bill repeals the following sections of the Florida Statutes: 316.0741, 337.125, 337.135, 337.139, 339.0805, and 339.287.

IX. Additional Information:

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

CS/CS by Appropriations Committee on Transportation, Tourism, and Economic Development on April 10, 2025:

- Provides a mission statement for the Florida Transportation Research Institute.
- Removes a provision from the bill requiring the FDOT to staff the FSTED Council.
- Requires seaports located near spaceports, in order to receive state funding, to obtain certain approvals before converting facilities currently used for cargo purposes to other purposes.
- Authorizes FDOT to issue permits authorizing the movement of certain large cranes, including movement at night.
- Removes a provision from the bill authorizing FDOT to conduct certain inspections of commercial airport facilities.
- Revises language in the bill regarding airport maintenance programs to require commercial service airports to adopt a comprehensive infrastructure program.

- Authorizes parking authorities to operate outside of their chartered boundaries in contiguous jurisdictions via interlocal agreements.
- Removes from the bill provisions removing the Legislative Budget Commission's oversight and approval of FDOT's budget roll-forward, FDOT work program amendments and emergency loans from the state-infrastructure bank.
- Removes from the bill specific business development and transparency requirements applicable to the Jacksonville Transportation Authority.

CS by Transportation on March 25, 2025:

- Adds the University of South Florida to the Florida Transportation Research Institute.
- Removes various provisions from the bill, including:
 - Changes relating to the independence of the Florida Transportation Commission;
 - Transfer of certain sales tax revenues to the State Transportation Trust Fund;
 - Revisions relating to the FDOT's expenditures on landscaping;
 - Additional funding for the Small County Road Assistance Program and the Small County Outreach Program.
- Makes numerous clarifying and conforming changes to the bill, including:
 - Revises the types of seaport projects that are eligible for funding;
 - Specifies that state *transportation* funds may be withheld for noncompliant traffic signals;
 - Stipulates that the FDOT may fund certain spaceport-related infrastructure projects; and
 - Revises the incidents that would require commercial service airports to provide certain notifications to the FDOT.
- Requires the FDOT's long-term use of airport property for emergency staging for longer than 60 days to be by written agreement.
- Prohibits municipalities from prohibiting or requiring a permit for the installation of a sewer transmission line for septic to sewer conversions being performed under certain state permits.
- Includes a representative from Nassau County on the governing body of the Jacksonville Transportation Authority.

B. Amendments:

None.



690598

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/14/2025	.	
	.	
	.	
	.	

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

Senate Amendment (with title amendment)

Delete lines 346 - 1661

and insert:

(b) The mission of the institute is to advance the state's transportation infrastructure and systems through research, education, and engagement for a safer and more efficient, resilient, and innovative movement of people and goods throughout this state.

(c) The institute shall report to the department and shall



690598

11 be composed of members from the University of Florida, Indian
12 River State College, the University of Central Florida, the
13 University of South Florida, and Florida International
14 University. The department shall select a member to serve as the
15 administrative lead of the institute. The department shall
16 assess the performance of the administrative lead periodically
17 to ensure accountability and assess the attainment of
18 performance goals.

19 (d) The Secretary of Transportation shall appoint a
20 representative of the department to serve as the executive
21 director of the institute. The department shall coordinate with
22 the members of the institute to adopt policies establishing the
23 institute's executive committee and mission statement.

24 (e) The institute may award grants in alignment with its
25 purpose. Such grants may be directed to member and nonmember
26 institutions that have a proven expertise relevant to the grant,
27 including not-for-profit organizations and institutions of
28 higher education.

29 (f) The department may allocate funds to the institute from
30 the State Transportation Trust Fund. The institute may expend
31 such funds for the institute's operations and programs to
32 support research and innovation projects that provide solutions
33 for this state's transportation needs.

34 (g) The institute shall submit an annual report of
35 performance metrics to the Secretary of Transportation and the
36 commission. The report must include, but is not limited to,
37 expenditures of funds allocated to the institute by the
38 department, ongoing and proposed research efforts, and the
39 application and success of past research efforts.



690598

40 ~~(4)-(3)~~

41 (b) The secretary may appoint positions at the level of
42 deputy assistant secretary or director which the secretary deems
43 necessary to accomplish the mission and goals of the department,
44 including, but not limited to, the areas of program
45 responsibility provided in this paragraph, each of whom shall be
46 appointed by and serve at the pleasure of the secretary. The
47 secretary may combine, separate, or delete offices as needed in
48 consultation with the Executive Office of the Governor. The
49 department's areas of program responsibility include, but are
50 not limited to, all of the following:

- 51 1. Administration.
- 52 2. Planning.
- 53 3. Supply chain and modal development.
- 54 4. Design.
- 55 5. Highway operations.
- 56 6. Right-of-way.
- 57 7. Toll operations.
- 58 8. Transportation technology.
- 59 9. Information technology ~~systems~~.
- 60 10. Motor carrier weight inspection.
- 61 11. Work program and budget.
- 62 12. Comptroller.
- 63 13. Construction.
- 64 14. Statewide corridors.
- 65 15. Maintenance.
- 66 16. Forecasting and performance.
- 67 17. Emergency management.
- 68 18. Safety.



690598

- 69 19. Materials.
- 70 20. Infrastructure and innovation.
- 71 21. Permitting.
- 72 22. Traffic operations.
- 73 23. Operational technology.
- 74 Section 2. Paragraph (b) of subsection (3) of section
- 75 311.07, Florida Statutes, is amended to read:
- 76 311.07 Florida seaport transportation and economic
- 77 development funding.—
- 78 (3)
- 79 (b) Projects eligible for funding by grants under the
- 80 program are limited to the following port facilities or port
- 81 transportation projects:
- 82 1. Transportation facilities within the jurisdiction of the
- 83 port.
- 84 2. The dredging or deepening of channels, turning basins,
- 85 or harbors.
- 86 3. The construction or rehabilitation of wharves, docks,
- 87 structures, jetties, piers, storage facilities, cruise
- 88 terminals, automated people mover systems, or any facilities
- 89 necessary or useful in connection with any of the foregoing.
- 90 4. The acquisition of vessel tracking systems, container
- 91 cranes, or other mechanized equipment used in the movement of
- 92 cargo or passengers in international commerce.
- 93 5. The acquisition of land to be used for port purposes.
- 94 6. The acquisition, improvement, enlargement, or extension
- 95 of existing port facilities.
- 96 7. Environmental protection projects which are necessary
- 97 because of requirements imposed by a state agency as a condition



690598

98 of a permit or other form of state approval; which are necessary
99 for environmental mitigation required as a condition of a state,
100 federal, or local environmental permit; which are necessary for
101 the acquisition of spoil disposal sites and improvements to
102 existing and future spoil sites; or which result from the
103 funding of eligible projects listed in this paragraph.

104 8. Transportation facilities as defined in s. 334.03(30)
105 which are not otherwise part of the Department of
106 Transportation's adopted work program.

107 9. Intermodal access projects.

108 10. Construction or rehabilitation of port facilities as
109 defined in s. 315.02, excluding any park or recreational
110 facilities, in ports listed in s. 311.09(1) with operating
111 revenues of \$5 million or less, provided that such projects
112 create economic development opportunities, capital improvements,
113 and positive financial returns to such ports.

114 11. Seaport master plan or strategic plan development or
115 updates, including the purchase of data to support such plans.

116 12. Spaceport or space industry-related planning or
117 construction of facilities on seaport property which are
118 necessary or useful for advancing the space industry in this
119 state and provide an economic benefit to this state.

120 13. Commercial shipbuilding and manufacturing facilities on
121 seaport property, if such projects provide an economic benefit
122 to the community in which the seaport is located.

123 Section 3. Subsections (1) and (3) of section 311.09,
124 Florida Statutes, are amended to read:

125 311.09 Florida Seaport Transportation and Economic
126 Development Council.—



690598

127 (1) The Florida Seaport Transportation and Economic
128 Development Council is created within the Department of
129 Transportation. The purpose of the council is to support the
130 growth of seaports in this state through review, development,
131 and financing of port transportation and port facilities. The
132 council is composed ~~consists~~ of the following 18 members: the
133 port director, or the port director's designee, of each of the
134 ports of Jacksonville, Port Canaveral, Port Citrus, Fort Pierce,
135 Palm Beach, Port Everglades, Miami, Port Manatee, St.
136 Petersburg, Putnam County, Tampa, Port St. Joe, Panama City,
137 Pensacola, Key West, and Fernandina; the secretary of the
138 Department of Transportation or his or her designee; and the
139 secretary of the Department of Commerce or his or her designee.

140 (3) The council shall prepare a 5-year Florida Seaport
141 Mission Plan defining the goals and objectives of the council
142 concerning the development of port facilities and an intermodal
143 transportation system consistent with the goals of the Florida
144 Transportation Plan developed pursuant to s. 339.155. The
145 Florida Seaport Mission Plan shall include specific
146 recommendations for the construction of transportation
147 facilities connecting any port to another transportation mode,
148 the construction of transportation facilities connecting any
149 port to the space and aerospace industries, and ~~for~~ the
150 efficient, cost-effective development of transportation
151 facilities or port facilities for the purpose of enhancing
152 trade, promoting cargo flow, increasing cruise passenger
153 movements, increasing port revenues, and providing economic
154 benefits to the state. The council shall develop a priority list
155 of projects based on these recommendations annually and submit



690598

156 the list to the Department of Transportation. The council shall
157 update the 5-year Florida Seaport Mission Plan annually and
158 shall submit the plan no later than February 1 of each year to
159 the President of the Senate, the Speaker of the House of
160 Representatives, the Department of Commerce, and the Department
161 of Transportation. The council shall develop programs, based on
162 an examination of existing programs in Florida and other states,
163 for the training of ~~minorities~~ and secondary school students in
164 job skills associated with employment opportunities in the
165 maritime industry, and report on progress and recommendations
166 for further action to the President of the Senate and the
167 Speaker of the House of Representatives annually. Each port
168 member of the council shall submit a semiannual report related
169 to his or her port's operations and support of the state's
170 economic competitiveness and supply chain. Reports must be
171 submitted to the Department of Transportation and include any
172 information required by the Department of Transportation in
173 consultation with the Department of Commerce. Such reports must
174 include, but are not limited to, all of the following
175 information:

176 (a) Bulk break capacity.

177 (b) Liquid storage and capacity.

178 (c) Fuel storage and capacity.

179 (d) Container capacity.

180 (e) A description of any supply chain disruption.

181 Section 4. Subsection (4) is added to section 311.10,
182 Florida Statutes, to read:

183 311.10 Strategic Port Investment Initiative.—

184 (4) As a condition of receiving a project grant under any



690598

185 program established in this chapter and as a condition of
186 receiving state funds as described in s. 215.31, a seaport
187 located in any county identified in s. 331.304(1), (5), or (7)
188 must include in any agreement with the Department of
189 Transportation that the seaport may not convert any planned or
190 existing land, facility, or infrastructure designated for cargo
191 purposes to any alternative purpose unless the conversion is
192 approved by the seaport at a publicly noticed meeting as a
193 separate line item on the agenda and with a reasonable
194 opportunity for public comment. If the conversion is approved by
195 the seaport, express approval must be obtained by the Florida
196 Seaport Transportation and Economic Development Council and the
197 Florida Transportation Commission upon recommendation by the
198 funding agency. As used in this subsection, the term "cargo
199 purposes" includes, but is not limited to, any facility,
200 activity, property, energy source, or infrastructure asset that
201 supports spaceport activities.

202 Section 5. Subsection (83) of section 316.003, Florida
203 Statutes, is amended to read:

204 316.003 Definitions.—The following words and phrases, when
205 used in this chapter, shall have the meanings respectively
206 ascribed to them in this section, except where the context
207 otherwise requires:

208 (83) SPECIAL MOBILE EQUIPMENT.—Any vehicle not designed or
209 used primarily for the transportation of persons or property and
210 only incidentally operated or moved over a highway, including,
211 but not limited to, ditchdigging apparatus, well-boring
212 apparatus, and road construction and maintenance machinery, such
213 as asphalt spreaders, bituminous mixers, bucket loaders,



690598

214 tractors other than truck tractors, ditchers, leveling graders,
215 finishing machines, motor graders, road rollers, scarifiers,
216 earthmoving carryalls and scrapers, power shovels and draglines,
217 mobile and self-propelled cranes and accessory support vehicles,
218 and earthmoving equipment. The term does not include house
219 trailers, dump trucks, truck-mounted transit mixers, ~~cranes or~~
220 ~~shovels,~~ or other vehicles designed for the transportation of
221 persons or property to which machinery has been attached.

222 Section 6. Section 316.0741, Florida Statutes, is repealed.

223 Section 7. Subsection (7) of section 316.0745, Florida
224 Statutes, is amended to read:

225 316.0745 Uniform signals and devices.—

226 (7) The Department of Transportation may, upon receipt and
227 investigation of reported noncompliance and after hearing
228 pursuant to 14 days' notice, direct the removal of any purported
229 traffic control device that fails to meet the requirements of
230 this section, wherever the device is located and without regard
231 to assigned responsibility under s. 316.1895. The public agency
232 erecting or installing the same shall immediately bring it into
233 compliance with the requirements of this section or remove said
234 device or signal upon the direction of the Department of
235 Transportation and may not, for a period of 5 years, install any
236 replacement or new traffic control devices paid for in part or
237 in full with revenues raised by the state unless written prior
238 approval is received from the Department of Transportation. Any
239 additional violation by a public body or official shall be cause
240 for the withholding of state funds deposited in the State
241 Transportation Trust Fund ~~for traffic control purposes~~ until
242 such public body or official demonstrates to the Department of



690598

243 Transportation that it is complying with this section.

244 Section 8. Subsection (3) of section 316.550, Florida
245 Statutes, is amended to read:

246 316.550 Operations not in conformity with law; special
247 permits.—

248 (3) Notwithstanding subsection (2), the Department of
249 Transportation may issue a mobile crane special blanket permit
250 for any of the following purposes:

251 (a) To authorize a mobile crane to operate on and ~~A permit~~
252 ~~may authorize a self-propelled truck crane operating off the~~
253 Interstate Highway System while towing ~~to tow~~ a motor vehicle
254 that ~~which~~ does not weigh more than 5,000 pounds if the combined
255 weight of the crane and such motor vehicle does not exceed
256 95,000 pounds. Notwithstanding s. 320.01(7) or (12), mobile
257 ~~truck~~ cranes that tow another motor vehicle under the provision
258 ~~of~~ this subsection shall be taxed under the provisions of s.
259 320.08(5)(b).

260 (b) To authorize a mobile crane and accessory support
261 vehicles that are up to 12 feet in width, 14 feet 6 inches in
262 height, and 100 feet in length to operate on and off the
263 Interstate Highway System at all hours except as restricted
264 under a local travel-related curfew.

265 (c) To authorize a mobile crane and accessory support
266 vehicles that, due to their design for special use, exceed the
267 weight limits established in s. 316.535 to operate on and off
268 the Interstate Highway System.

269 Section 9. Section 330.27, Florida Statutes, is amended to
270 read:

271 330.27 Definitions, when used in ss. 330.29-330.39.—



690598

272 (1) "Air ambulance operation" means a flight with a patient
273 or medical personnel on board for the purpose of medical
274 transportation.

275 (2) "Aircraft" means a powered or unpowered machine or
276 device capable of atmospheric flight, including, but not limited
277 to, an airplane, an autogyro, a glider, a gyrodyne, a
278 helicopter, a lift and cruise, a multicopter, paramotors, a
279 powered lift, a seaplane, a tiltrotor, an ultralight, and a
280 vectored thrust. The term does not include ~~except~~ a parachute or
281 other such device used primarily as safety equipment.

282 (3)~~(2)~~ "Airport" means a specific ~~an~~ area of land or water
283 or a structure used for, or intended to be used for, aircraft
284 operations, which may include ~~landing and takeoff of aircraft,~~
285 ~~including~~ appurtenant areas, buildings, facilities, or rights-
286 of-way necessary to facilitate such use or intended use. The
287 term includes, but is not limited to, airparks, airports,
288 gliderports, heliports, helistops, seaplane bases, ultralight
289 flightparks, vertiports, and vertistops.

290 (4) "Commercial air tour operation" means a flight
291 conducted for compensation or hire in an aircraft where a
292 purpose of the flight is sightseeing.

293 (5) "Commuter operation" means any scheduled operation
294 conducted by a person operating an aircraft with a frequency of
295 operations of at least five round trips per week on at least one
296 route between two or more points according to the published
297 flight schedule.

298 (6)~~(3)~~ "Department" means the Department of Transportation.

299 (7)~~(4)~~ "Limited airport" means any airport limited
300 exclusively to the specific conditions stated on the site



690598

301 approval order or license.

302 (8) "On-demand operation" means any scheduled passenger-
303 carrying operation for compensation or hire conducted by a
304 person operating an aircraft with a frequency of operations of
305 fewer than five round trips per week on at least one route
306 between two or more points according to the published flight
307 schedule.

308 (9)-(5) "Private airport" means an airport, publicly or
309 privately owned, which is not open or available for use by the
310 public, but may be made available to others by invitation of the
311 owner or manager.

312 (10) "Private airport of public interest" means a private
313 airport engaged in air ambulance operations, commercial air tour
314 operations, commuter operations, on-demand operations, public
315 charter operations, scheduled operations, or supplemental
316 operations.

317 (11)-(6) "Public airport" means an airport, publicly or
318 privately owned, which is open for use by the public.

319 (12) "Public charter operation" means a one-way or round-
320 trip charter flight performed by one or more direct air carriers
321 which is arranged and sponsored by a charter operator.

322 (13) "Scheduled operation" means any common carriage
323 passenger-carrying operation for compensation or hire conducted
324 by an air carrier or commercial operator for which the
325 certificateholder or its representative offers in advance the
326 departure location, departure time, and arrival location.

327 (14) "Supplemental operation" means any common carriage
328 operation for compensation or hire conducted with an aircraft
329 for which the departure time, departure location, and arrival



690598

330 location are specifically negotiated with the customer or
331 customer's representative.

332 ~~(15)(7)~~ "Temporary airport" means an airport at which
333 flight operations are conducted under visual flight rules
334 established by the Federal Aviation Administration and which is
335 used for less than 30 consecutive days with no more than 10
336 operations per day.

337 ~~(8) "Ultralight aircraft" means any aircraft meeting the~~
338 ~~criteria established by part 103 of the Federal Aviation~~
339 ~~Regulations.~~

340 Section 10. Subsections (2) and (4) of section 330.30,
341 Florida Statutes, are amended to read:

342 330.30 Approval of airport sites; registration,
343 certification, and licensure of airports.-

344 (2) LICENSES, CERTIFICATIONS, AND REGISTRATIONS;
345 REQUIREMENTS, RENEWAL, REVOCATION.-

346 (a) Except as provided in subsection (3), the owner or
347 lessee of an airport in this state shall have a public airport
348 license, private airport registration, or temporary airport
349 registration before the operation of aircraft to or from the
350 airport. Application for a license or registration shall be made
351 in a form and manner prescribed by the department.

352 1. For a public airport, upon granting site approval, the
353 department shall issue a license after a final airport
354 inspection finds the airport to be in compliance with all
355 requirements for the license. The license may be subject to any
356 reasonable conditions the department deems necessary to protect
357 the public health, safety, or welfare.

358 2. For a private airport, upon granting site approval, the



690598

359 department shall provide controlled electronic access to the
360 state aviation facility data system to permit the applicant to
361 complete the registration process. Registration shall be
362 completed upon self-certification by the registrant of
363 operational and configuration data deemed necessary by the
364 department.

365 3. For a temporary airport, the department must publish
366 notice of receipt of a completed registration application in the
367 next available publication of the Florida Administrative
368 Register and may not approve a registration application less
369 than 14 days after the date of publication of the notice. The
370 department must approve or deny a registration application
371 within 30 days after receipt of a completed application and must
372 issue the temporary airport registration concurrent with the
373 airport site approval. A completed registration application that
374 is not approved or denied within 30 days after the department
375 receives the completed application is considered approved and
376 shall be issued, subject to such reasonable conditions as are
377 authorized by law. An applicant seeking to claim registration by
378 default under this subparagraph must notify the agency clerk of
379 the department, in writing, of the intent to rely upon the
380 default registration provision of this subparagraph and may not
381 take any action based upon the default registration until after
382 receipt of such notice by the agency clerk.

383 4. A private airport of public interest must obtain a
384 certificate from the department before allowing aircraft
385 operations. The department shall issue a certificate after a
386 final inspection finds the airport to be in compliance with all
387 certificate requirements. The certificate is subject to any



690598

388 reasonable conditions the department deems necessary to protect
389 the public. A private airport that was engaged in operations
390 associated with a private airport of public interest on or
391 before July 1, 2025, must obtain a certificate from the
392 department by July 1, 2030.

393 (b) The department may license a public airport that does
394 not meet standards only if it determines that such exception is
395 justified by unusual circumstances or is in the interest of
396 public convenience and does not endanger the public health,
397 safety, or welfare. Such a license shall bear the designation
398 "special" and shall state the conditions subject to which the
399 license is granted.

400 (c) A temporary airport license or registration shall be
401 valid for less than 30 days and is not renewable. The department
402 may not approve a subsequent temporary airport registration
403 application for the same general location if the purpose or
404 effect is to evade otherwise applicable airport permitting or
405 licensure requirements.

406 (d)1. Each public airport license shall expire no later
407 than 1 year after the effective date of the license, except that
408 the expiration date of a license may be adjusted to provide a
409 maximum license period of 18 months to facilitate airport
410 inspections, recognize seasonal airport operations, or improve
411 administrative efficiency.

412 2. Registration for private airports shall remain valid
413 provided specific elements of airport data, established by the
414 department, are periodically recertified by the airport
415 registrant. The ability to recertify private airport
416 registration data shall be available at all times by electronic



690598

417 submittal. A private airport registration that has not been
418 recertified in the 24-month period following the last
419 certification shall expire, unless the registration period has
420 been adjusted by the department for purposes of informing
421 private airport owners of their registration responsibilities or
422 promoting administrative efficiency. The expiration date of the
423 current registration period will be clearly identifiable from
424 the state aviation facility data system.

425 3. The effective date and expiration date shall be shown on
426 public airport licenses. Upon receiving an application for
427 renewal of an airport license in a form and manner prescribed by
428 the department and receiving a favorable inspection report
429 indicating compliance with all applicable requirements and
430 conditions, the department shall renew the license, subject to
431 any conditions deemed necessary to protect the public health,
432 safety, or welfare.

433 4. The department may require a new site approval for any
434 airport if the license or registration has expired.

435 5. If the renewal application for a public airport license
436 has not been received by the department or no private airport
437 registration recertification has been accomplished within 15
438 days after the date of expiration, the department may revoke the
439 airport license or registration.

440 6. After initial registration, the department may issue a
441 certificate to a private airport of public interest if the
442 airport is found, after a physical inspection, to be in
443 compliance with all certificate requirements. The certificate is
444 subject to any reasonable condition that the department deems
445 necessary to protect the public health, safety, or welfare. A



690598

446 private airport of public interest certificate expires 5 years
447 after the effective date of the certificate.

448 (e) The department may revoke, or refuse to allow or issue,
449 any airport registration or recertification, or any license or
450 license renewal, if it determines:

451 1. That the site has been abandoned as an airport;

452 2. That the airport does not comply with the conditions of
453 the license, license renewal, or site approval;

454 3. That the airport has become either unsafe or unusable
455 for flight operation due to physical or legal changes in
456 conditions that were the subject of approval; or

457 4. That an airport required to file or update a security
458 plan pursuant to paragraph (f) has failed to do so.

459 (f)1. After initial licensure, a license of a publicly or
460 privately owned general aviation airport that is open to the
461 public, that has at least one runway greater than 4,999 feet in
462 length, and that does not host scheduled passenger-carrying
463 commercial service operations regulated under 14 C.F.R. part 139
464 shall not be renewed or reissued unless an approved security
465 plan has been filed with the department, except when the
466 department determines that the airport is working in good faith
467 toward completion and filing of the plan.

468 2. Security plans required by this paragraph must be
469 developed in accordance with the 2004 Security Planning for
470 General Aviation Airports guidelines published by the Florida
471 Airports Council. Certain administrative data from the approved
472 security plan shall be submitted to the Department of Law
473 Enforcement, in a format prescribed by the Department of Law
474 Enforcement, for use in protecting critical infrastructure of



690598

475 the state.

476 3. The department shall not approve a security plan for
477 filing unless it is consistent with Florida Airports Council
478 guidelines.

479 4. An airport required to file a security plan pursuant to
480 this paragraph shall update its plan at least once every 2 years
481 after the initial filing date and file the updated plan with the
482 department. The department shall review the updated plan prior
483 to approving it for filing to determine whether it is consistent
484 with Florida Airports Council guidelines. No renewal license
485 shall be issued to the airport unless the department approves
486 the updated security plan or determines that the airport is
487 working in good faith to update it.

488 (4) EXCEPTIONS.—Private airports with 10 or more based
489 aircraft may request to be inspected and licensed by the
490 department. Private airports licensed according to this
491 subsection shall be considered private airports as defined in s.
492 330.27 ~~s. 330.27(5)~~ in all other respects.

493 Section 11. Section 331.371, Florida Statutes, is amended
494 to read:

495 331.371 Strategic space infrastructure investment.—

496 (1) In consultation with Space Florida, the Department of
497 Transportation may fund spaceport discretionary capacity
498 improvement projects, as defined in s. 331.303, at up to 100
499 percent of the project's cost if:

500 (a) ~~(1)~~ Important access and on-spaceport-territory space
501 transportation capacity improvements are provided;

502 (b) ~~(2)~~ Capital improvements that strategically position the
503 state to maximize opportunities in international trade are



690598

504 achieved;

505 (c)~~(3)~~ Goals of an integrated intermodal transportation
506 system for the state are achieved; and

507 (d)~~(4)~~ Feasibility and availability of matching funds
508 through federal, local, or private partners are demonstrated.

509 (2) (a) In consultation with the Department of Commerce and
510 the Department of Environmental Protection, the Department of
511 Transportation may fund infrastructure projects, and projects
512 associated with critical infrastructure facilities as defined in
513 s. 692.201, within or outside of a spaceport territory as long
514 as the project supports aerospace or launch support facilities
515 within an adjacent spaceport territory boundary.

516 (b) The Department of Transportation, the Department of
517 Commerce, and the Department of Environmental Protection shall
518 coordinate in funding projects under this subsection to optimize
519 the use of available funds.

520 Section 12. Section 332.003, Florida Statutes, is amended
521 to read:

522 332.003 Florida Airport Development and Accountability
523 ~~Assistance~~ Act; short title.—Sections 332.003–332.007 may be
524 cited as the “Florida Airport Development and Accountability
525 ~~Assistance~~ Act.”

526 Section 13. Section 332.005, Florida Statutes, is amended
527 to read:

528 332.005 Restrictions on authority of Department of
529 Transportation.—

530 (1) This act specifically prohibits the Department of
531 Transportation from regulating commercial air carriers operating
532 within the state pursuant to federal authority and regulations;



690598

533 from participating in or exercising control in the management
534 and operation of a sponsor's airport, except when officially
535 requested by the sponsor; or from expanding the design or
536 operational capability of the department in the area of airport
537 and aviation consultants' contract work, other than to provide
538 technical assistance as requested.

539 (2) (a) Notwithstanding subsection (1), upon the declaration
540 of a state of emergency issued by the Governor in preparation
541 for or in response to a natural disaster, airports shall, at no
542 cost to the state, provide the Department of Transportation with
543 the opportunity to use any property that is not within the air
544 navigation facility as defined in s. 332.01(4) for the staging
545 of equipment and personnel to support emergency preparedness and
546 response operations.

547 (b) After 60 days of use under paragraph (a), any further
548 use of airport property by the Department of Transportation must
549 be conducted pursuant to a written agreement between the airport
550 and the department.

551 Section 14. Section 332.006, Florida Statutes, is amended
552 to read:

553 332.006 Duties and responsibilities of the Department of
554 Transportation.—The Department of Transportation shall, within
555 the resources provided to the department ~~pursuant to chapter~~
556 ~~216~~:

557 (1) Provide coordination and assistance for the development
558 of a viable aviation system in this state. To support the
559 system, a statewide aviation system plan shall be developed and
560 periodically updated which summarizes 5-year, 10-year, and 20-
561 year airport and aviation needs within the state. The statewide



690598

562 aviation system plan shall be consistent with the goals of the
563 Florida Transportation Plan developed pursuant to s. 339.155.
564 The statewide aviation system plan shall not preempt local
565 airport master plans adopted in compliance with federal and
566 state requirements.

567 (2) Advise and assist the Governor in all aviation matters.

568 (3) Upon request, assist airport sponsors, both financially
569 and technically, in airport master planning.

570 (4) Upon request, provide financial and technical
571 assistance to public agencies which operate public-use airports
572 by making department personnel and department-owned facilities
573 and equipment available on a cost-reimbursement basis to such
574 agencies for special needs of limited duration. The requirement
575 relating to reimbursement of personnel costs may be waived by
576 the department in those cases in which the assistance provided
577 by its personnel was of a limited nature or duration.

578 (5) Participate in research and development programs
579 relating to airports.

580 (6) Administer department participation in the program of
581 aviation and airport grants as provided for in ss. 332.003-
582 332.007.

583 (7) Develop, promote, and distribute supporting information
584 and educational services, including, but not limited to,
585 educational services with a focus on retention and growth of the
586 aviation industry workforce.

587 (8) Encourage the maximum allocation of federal funds to
588 local airport projects in this state.

589 (9) Support the development of land located within the
590 boundaries of airports for the purpose of industrial or other



690598

591 uses compatible with airport operations with the objective of
592 assisting airports in this state to become fiscally self-
593 supporting. Such assistance may include providing state moneys
594 on a matching basis to airport sponsors for capital
595 improvements, including, but not limited to, fixed-base
596 operation facilities, parking areas, industrial park utility
597 systems, and road and rail transportation systems which are on
598 airport property.

599 Section 15. Subsection (5), paragraph (a) of subsection
600 (7), and subsections (8) and (9) of section 332.007, Florida
601 Statutes, are amended, and paragraph (c) is added to subsection
602 (2) of that section, to read:

603 332.007 Administration and financing of aviation and
604 airport programs and projects; state plan.-

605 (2)

606 (c) Each commercial service airport as defined in s.
607 332.0075 shall establish and maintain a comprehensive airport
608 infrastructure program to ensure the ongoing preservation of
609 airport infrastructure and facilities in safe and serviceable
610 condition. For purposes of this paragraph, the term "airport
611 infrastructure" means the facilities, systems, and structural
612 components of an airport necessary for the safe and efficient
613 movement of people and goods. Beginning November 1, 2025, and
614 annually thereafter, each commercial service airport shall
615 provide a certification to the department, in a manner
616 prescribed by the department, that it has established and
617 maintains a comprehensive airport infrastructure program. The
618 comprehensive airport infrastructure program report, and related
619 documents and records, must be open to inspection by the



690598

620 department and maintained by the airport for at least 5 years.
621 The comprehensive airport infrastructure program must, at a
622 minimum, include all of the following:

623 1. Identification of airport infrastructure subject to
624 inspection and the schedule for the completion of such
625 inspections, taking into consideration the age, type, intended
626 use, and criticality of the infrastructure to undisrupted
627 commercial or cargo operations.

628 2. A preventative maintenance program for routine
629 maintenance of airport infrastructure, for both commercial and
630 cargo operations.

631 3. A plan to complete any necessary repairs to, or
632 rehabilitation or reconstruction of, airport infrastructure,
633 including prioritization and anticipated timeframe for
634 completion of the work.

635 4. A progress report of inspections and their outcomes,
636 preventative maintenance, and previously identified repair to,
637 or rehabilitation or reconstruction of, airport infrastructure.
638 The progress report must include any changes in timeline for
639 completion, changes in cost estimates, and reasons any
640 inspection, preventative maintenance, or repair or
641 rehabilitation did not take place.

642 (5) Only those projects or programs provided for in this
643 act that will contribute to the implementation of the state
644 aviation system plan, that are consistent with the energy policy
645 of the state as defined in s. 339.08(6)(a), that are consistent
646 with and will contribute to the implementation of any airport
647 master plan or layout plan, and that are consistent, to the
648 maximum extent feasible, with the approved local government



690598

649 comprehensive plans of the units of government in which the
650 airport is located are eligible for the expenditure of state
651 funds in accordance with fund participation rates and priorities
652 established herein.

653 (7) Subject to the availability of appropriated funds in
654 addition to aviation fuel tax revenues, the department may
655 participate in the capital cost of eligible public airport and
656 aviation discretionary capacity improvement projects. The annual
657 legislative budget request shall be based on the funding
658 required for discretionary capacity improvement projects in the
659 aviation and airport work program.

660 (a) The department shall provide priority funding in
661 support of:

662 1. Terminal and parking expansion projects that increase
663 capacity at airports providing commercial service in counties
664 with a population of 500,000 or less.

665 2. Land acquisition which provides additional capacity at
666 the qualifying international airport or at that airport's
667 supplemental air carrier airport.

668 ~~3.2-~~ Runway and taxiway projects that add capacity or are
669 necessary to accommodate technological changes in the aviation
670 industry.

671 ~~4.3-~~ Airport access transportation projects that improve
672 direct airport access and are approved by the airport sponsor.

673 ~~5.4-~~ International terminal projects that increase
674 international gate capacity.

675 6. Projects that improve safety and efficiency of airport
676 operations.

677 7. Emerging technology projects, workforce development



690598

678 projects, and projects that benefit the strategic intermodal
679 system through intermodal connectivity.

680 (8) The department may also fund eligible projects
681 performed by not-for-profit organizations and postsecondary
682 education institutions as defined in s. 1008.47 which support
683 the training of pilots, air traffic control personnel, or
684 aircraft maintenance technical personnel ~~that represent a~~
685 ~~majority of public airports in this state.~~ Eligible projects may
686 include activities associated with aviation master planning,
687 professional education, safety and security planning, enhancing
688 economic development and efficiency at airports in this state,
689 or other planning efforts to improve the viability and safety of
690 airports in this state. Programs that support the transition of
691 honorably discharged military personnel to the aviation industry
692 are also eligible projects under this subsection. The department
693 may provide matching funds for eligible projects funded by the
694 Department of Commerce.

695 (9) The department may fund strategic airport investment
696 projects at up to 100 percent of the project's cost if:

697 (a) Important access and on-airport capacity improvements
698 are provided;

699 (b) Capital improvements that strategically position the
700 state to maximize opportunities in tourism, international trade,
701 logistics, and the aviation industry are provided;

702 (c) Goals of an integrated intermodal transportation system
703 for the state are achieved; and

704 (d) Feasibility and availability of matching funds through
705 federal, local, or private partners are demonstrated.

706 Section 16. Paragraphs (a), (b), and (d) of subsection (1),



690598

707 subsection (2), and paragraph (a) of subsection (5) of section
708 332.0075, Florida Statutes, are amended, and paragraph (c) is
709 added to subsection (5) of that section, to read:

710 332.0075 Commercial service airports; transparency and
711 accountability; penalty.—

712 (1) As used in this section, the term:

713 (a) "Commercial service airport" means an airport providing
714 commercial service, including large, medium, small, and nonhub
715 airports as classified ~~a primary airport as defined in 49 U.S.C.~~
716 ~~s. 47102 which is classified as a large, medium, or small hub~~
717 ~~airport~~ by the Federal Aviation Administration.

718 (b) "Consent agenda" means an agenda which consists of
719 items voted on collectively or as a group and which does not
720 provide the opportunity for public comment on each such item
721 before approval or disapproval by the governing body.

722 (d) "Governing body" means the governing body of the
723 county, municipality, or special district that operates a
724 commercial service airport. The term also includes an appointed
725 board or oversight entity serving as the governing body for
726 purposes of a commercial service airport on behalf of a county,
727 municipality, or special district.

728 (2) Each governing body shall establish and maintain a
729 website to post information relating to the operation of a
730 commercial service airport. The information must remain posted
731 on the website for 5 years or for the entirety of the period
732 during which the document is actively in use, whichever is
733 longer, and must include all of the following, ~~including:~~

734 (a) All published notices of meetings and published meeting
735 agendas of the governing body.



690598

736 (b) The official minutes of each meeting of the governing
737 body, which must ~~shall~~ be posted within 7 business days after
738 the date of the meeting in which the minutes were approved.

739 (c) The approved budget for the commercial service airport
740 for the current fiscal year, which shall be posted within 7
741 business days after the date of adoption. Budgets must remain on
742 the website for 5 ~~2~~ years after the conclusion of the fiscal
743 year for which they were adopted.

744 (d) Copies of the current airport master plan and the
745 immediately preceding airport master plan for the commercial
746 service airport and a link to the current airport master plan
747 ~~for the commercial service airport~~ on the commercial service
748 airport's website.

749 (e) A link to all financial and statistical reports for the
750 commercial service airport on the Federal Aviation
751 Administration's website.

752 (f) Any contract or contract amendment for the purchase of
753 commodities or contractual services executed by or on behalf of
754 the commercial service airport in excess of the threshold amount
755 provided in s. 287.017 for CATEGORY FIVE, which must ~~shall~~ be
756 posted no later than 7 business days after the commercial
757 service airport executes the contract or contract amendment.
758 However, a contract or contract amendment may not reveal
759 information made confidential or exempt by law. Each commercial
760 service airport must redact confidential or exempt information
761 from each contract or contract amendment before posting a copy
762 on its website.

763 (g) Position and rate information for each employee of the
764 commercial service airport, including, at a minimum, the



690598

765 employee's position title, position description, and annual or
766 hourly salary. This information must ~~shall~~ be updated quarterly
767 annually.

768 (5) (a) Each November 1, the governing body of each
769 commercial service airport shall submit the following
770 information to the department:

- 771 1. Its approved budget for the current fiscal year.
- 772 2. Any financial reports submitted to the Federal Aviation
773 Administration during the previous calendar year.
- 774 3. A link to its website.
- 775 4. A statement, verified as provided in s. 92.525, that it
776 has complied with part III of chapter 112, chapter 287, and this
777 section.
- 778 5. The most recent copies of its strategic plans.
- 779 6. Contracts related to any financial awards received
780 through federally funded grant programs for the preceding year.

781 (c) A commercial service airport shall:

- 782 1. Notify the department within 48 hours after receiving a
783 communication or directive from a federal agency relating to
784 public health testing or the transfer of unauthorized aliens
785 into this state.
- 786 2. Notify the department as soon as is reasonably possible,
787 but no later than 48 hours, after the discovery of a potential
788 cybersecurity breach or other occurrence impacting the traveling
789 public, a disruption in state aviation operations directly
790 impacting multiple airports within this state, or an incident
791 occurring on airport property which requires coordination with
792 multiple local, state, or federal agencies.

793 Section 17. Section 332.15, Florida Statutes, is created to



690598

794 read:

795 332.15 Advanced air mobility.—The Department of
796 Transportation shall:

797 (1) Address the need for vertiports, advanced air mobility,
798 and other advances in aviation technology in the statewide
799 aviation system plan required under s. 332.006(1) and, as
800 appropriate, in the department's work program.

801 (2) Designate a subject matter expert on advanced air
802 mobility within the department to serve as a resource for local
803 jurisdictions navigating advances in aviation technology.

804 (3) Conduct a review of airport hazard zone regulations.

805 (4) In coordination with the Department of Commerce,
806 provide coordination and assistance for the development of a
807 viable advanced air mobility system plan in this state. The
808 department shall incorporate the plan into the statewide
809 aviation system plan required under s. 332.006(1) to identify
810 and develop statewide corridors of need and opportunities for
811 industry growth.

812 Section 18. Subsection (5) of section 334.044, Florida
813 Statutes, is amended, and subsections (37), (38), and (39) are
814 added to that section, to read:

815 334.044 Powers and duties of the department.—The department
816 shall have the following general powers and duties:

817 (5) To purchase, lease, or otherwise acquire property and
818 materials, including the purchase of promotional items as part
819 of public information and education campaigns for the promotion
820 of environmental management, scenic highways, traffic and train
821 safety awareness, ~~alternatives to single-occupant vehicle~~
822 ~~travel~~, commercial motor vehicle safety, workforce development,



690598

823 electric vehicle use and charging stations, autonomous vehicles,
824 and context classification design for electric vehicles and
825 autonomous vehicles; to purchase, lease, or otherwise acquire
826 equipment and supplies; and to sell, exchange, or otherwise
827 dispose of any property that is no longer needed by the
828 department.

829 (37) Notwithstanding s. 287.022 or s. 287.025, to directly
830 enter into insurance contracts with local, national, or
831 international insurance companies for the purchase of insurance
832 coverage that the department is contractually and legally
833 required to provide.

834 (38) Notwithstanding s. 287.14, to purchase or acquire
835 heavy equipment and motor vehicles for roadway operations and
836 emergency response purposes regardless of whether the department
837 exchanges or ceases to operate any department-owned heavy
838 equipment or motor vehicles.

839 (39) To adopt rules for the purpose of compliance with 49
840 C.F.R. part 26 and any other applicable federal law.

841 Section 19. Subsection (1) of section 334.045, Florida
842 Statutes, is amended to read:

843 334.045 Transportation performance and productivity
844 standards; development; measurement; application.—

845 (1) The Florida Transportation Commission shall develop and
846 adopt measures for evaluating the performance and productivity
847 of the department. The measures may be both quantitative and
848 qualitative and must, to the maximum extent practical, assess
849 those factors that are within the department's control. The
850 measures must, at a minimum, assess performance in the following
851 areas:



690598

- 852 (a) Production;
- 853 (b) Finance and administration;
- 854 (c) Preservation of the current state system;
- 855 (d) Safety of the current state system;
- 856 (e) Capacity improvements: highways and all public
- 857 transportation modes; and
- 858 (f) The business development program established under s.
- 859 337.027 Disadvantaged business enterprise and minority business
- 860 programs.

861 Section 20. Subsection (3) is added to section 334.27,

862 Florida Statutes, to read:

863 334.27 Governmental transportation entities; property

864 acquired for transportation purposes; limitation on soil or

865 groundwater contamination liability.-

866 (3) A parking authority established under the laws of this

867 state or any of its counties, municipalities, or political

868 subdivisions shall have full power to conduct business; to

869 operate, manage, and control facilities; and to provide services

870 to contiguous geographical boundaries of such counties,

871 municipalities, or political subdivisions that originally

872 chartered such authority. The parking authority may engage in

873 activities outside of its chartering jurisdiction upon entering

874 into an interlocal agreement with the governing body of the

875 affected contiguous county, municipality, or political

876 subdivision, as applicable.

877 Section 21. Section 334.62, Florida Statutes, is created to

878 read:

879 334.62 Florida Transportation Academy.-The Legislature

880 finds that the growth and sustainability of the transportation



690598

881 industry workforce is vital to the continued success and
882 efficiency of the state's supply chain and economic
883 competitiveness. In order to prioritize the continued need for
884 transportation industry workforce development programs, the
885 Florida Transportation Academy is established within the
886 department. In order to support, promote, and sustain workforce
887 development efforts in the transportation sector, the department
888 may do all of the following:

889 (1) Coordinate with the Department of Corrections to
890 identify and create certification and training opportunities for
891 nonviolent, scheduled-release inmates and create a notification
892 process between the Department of Corrections and the department
893 for nonviolent inmates with imminent scheduled-release dates who
894 are expected to seek employment upon release.

895 (2) Coordinate with the Department of Juvenile Justice and
896 its educational partners to create certification and training
897 opportunities for eligible youth.

898 (3) Coordinate with veterans' organizations to encourage
899 veterans with honorable military discharge to pursue employment
900 opportunities within the transportation industry, including, but
901 not limited to, employment as pilots, mechanics, and air traffic
902 controllers.

903 (4) Coordinate with the Department of Commerce,
904 CareerSource Florida, Inc., and regional business organizations,
905 within and outside of the transportation industry, to further
906 understand recruitment and retention needs and job-seeker
907 pipelines.

908 (5) Coordinate with the American Council of Engineering
909 Companies and the Florida Transportation Builders Association to



690598

910 optimize workforce recruitment and retention and assess future
911 needs across the transportation industry in this state.

912 Section 22. Present paragraph (b) of subsection (3) of
913 section 335.182, Florida Statutes, is redesignated as paragraph
914 (c) and amended, and a new paragraph (b) is added to that
915 subsection, to read:

916 335.182 Regulation of connections to roads on State Highway
917 System; definitions.—

918 (3) As used in this act, the term:

919 (b) "Modification of an existing connection" means the
920 relocation, alteration, or closure of the connection.

921 (c) ~~(b)~~ "Significant change" means:

922 1. A change in the use of the property, including the
923 development of land, structures, or facilities;~~7~~ or

924 2. An expansion of the size of the property, structures, or
925 facilities causing an increase in the trip generation of the
926 property exceeding 25 percent more trip generation, ~~(either peak~~
927 hour or daily),~~+~~ and exceeding 100 vehicles per day more than the
928 existing use.

929 Section 23. Subsections (3) and (4) of section 335.187,
930 Florida Statutes, are amended to read:

931 335.187 Unpermitted connections; existing access permits;
932 nonconforming permits; modification and revocation of permits.—

933 (3) The department may issue a nonconforming access permit
934 if denying after finding that to deny an access permit would
935 leave the property without a reasonable means of access to the
936 State Highway System. The department may specify limits on the
937 maximum vehicular use of the connection and may condition ~~be~~
938 ~~conditioned on~~ the availability of future alternative means of



690598

939 access for which access permits can be obtained.

940 (4) After written notice and the opportunity for a hearing,
941 as provided for in s. 120.60, the department may modify or
942 revoke an access permit issued after July 1, 1988, by requiring
943 modification ~~Relocation, alteration, or closure~~ of an existing
944 connection if:

945 (a) A significant change occurs in the use, design, or
946 traffic flow of the connection; or

947 (b) It would jeopardize the safety of the public or have a
948 negative impact upon the operational characteristics of the
949 highway.

950 Section 24. Subsection (2) of section 337.027, Florida
951 Statutes, is amended to read:

952 337.027 Authority to implement a business development
953 program.—

954 (2) For purposes of this section, the term "small business"
955 means a business with yearly average gross receipts of less than
956 \$25 ~~\$15~~ million for road and bridge contracts and less than \$10
957 ~~\$6.5~~ million for professional and nonprofessional services
958 contracts. A business' average gross receipts is determined by
959 averaging its annual gross receipts over the last 3 years,
960 including the receipts of any affiliate as defined in s.
961 337.165.

962 Section 25. Subsection (6) of section 337.11, Florida
963 Statutes, is amended to read:

964 337.11 Contracting authority of department; bids; emergency
965 repairs, supplemental agreements, and change orders; combined
966 design and construction contracts; progress payments; records;
967 requirements of vehicle registration.—



690598

968 (6) (a) If the secretary determines that an emergency in
969 regard to the restoration or repair of any state transportation
970 facility exists such that the delay incident to giving
971 opportunity for competitive bidding would be detrimental to the
972 interests of the state, the provisions for competitive bidding
973 do not apply; and the department may enter into contracts for
974 restoration or repair without giving opportunity for competitive
975 bidding on such contracts. Within 30 days after such
976 determination and contract execution, the head of the department
977 shall file with the Executive Office of the Governor a written
978 statement of the conditions and circumstances constituting such
979 emergency.

980 (b) If the secretary determines that delays on a contract
981 for maintenance exist due to administrative challenges, bid
982 protests, defaults or terminations and the further delay would
983 reduce safety on the transportation facility or seriously hinder
984 the department's ability to preserve the state's investment in
985 that facility, competitive bidding provisions may be waived and
986 the department may enter into a contract for maintenance on the
987 facility. However, contracts for maintenance executed under the
988 provisions of this paragraph shall be interim in nature and
989 shall be limited in duration to a period of time not to exceed
990 the length of the delay necessary to complete the competitive
991 bidding process and have the contract in place.

992 (c) When the department determines that it is in the best
993 interest of the public for reasons of public concern, economy,
994 improved operations, or safety, and only when circumstances
995 dictate rapid completion of the work, the department may, up to
996 the amount of \$500,000, enter into contracts for construction



690598

997 and maintenance without advertising and receiving competitive
998 bids. The department may enter into such contracts only upon a
999 determination that the work is necessary for one of the
1000 following reasons:

1001 1. To ensure timely completion of projects or avoidance of
1002 undue delay for other projects;

1003 2. To accomplish minor repairs or construction and
1004 maintenance activities for which time is of the essence and for
1005 which significant cost savings would occur; or

1006 3. To accomplish nonemergency work necessary to ensure
1007 avoidance of adverse conditions that affect the safe and
1008 efficient flow of traffic.

1009
1010 The department shall make a good faith effort to obtain two or
1011 more quotes, if available, from qualified contractors before
1012 entering into any contract. The department shall give
1013 consideration to small disadvantaged business enterprise
1014 participation. However, when the work exists within the limits
1015 of an existing contract, the department shall make a good faith
1016 effort to negotiate and enter into a contract with the prime
1017 contractor on the existing contract.

1018 Section 26. Section 337.125, Florida Statutes, is repealed.

1019 Section 27. Section 337.135, Florida Statutes, is repealed.

1020 Section 28. Section 337.139, Florida Statutes, is repealed.

1021 Section 29. Paragraph (a) of subsection (1) of section
1022 337.18, Florida Statutes, is amended to read:

1023 337.18 Surety bonds for construction or maintenance
1024 contracts; requirement with respect to contract award; bond
1025 requirements; defaults; damage assessments.-



690598

1026 (1) (a) A surety bond shall be required of the successful
1027 bidder in an amount equal to the awarded contract price.
1028 However, the department may choose, in its discretion and
1029 applicable only to multiyear maintenance contracts, to allow for
1030 incremental annual contract bonds that cumulatively total the
1031 full, awarded, multiyear contract price; ~~The department may~~
1032 ~~also choose,~~ in its discretion and applicable only to phased
1033 design-build contracts under s. 337.11(7) (b), to allow the
1034 issuance of multiple contract performance and payment bonds in
1035 succession to align with each phase of the contract to meet the
1036 bonding requirement in this subsection; and, at the discretion
1037 of the Secretary of Transportation and notwithstanding any
1038 bonding requirement under s. 337.18, to require a surety bond in
1039 an amount that is less than the awarded contract price.

1040 1. The department may waive the requirement for all or a
1041 portion of a surety bond if:

1042 a. The contract price is \$250,000 or less and the
1043 department determines that the project is of a noncritical
1044 nature and that nonperformance will not endanger public health,
1045 safety, or property;

1046 b. The prime contractor is a qualified nonprofit agency for
1047 the blind or for the other severely handicapped under s.
1048 413.036(2); or

1049 c. The prime contractor is using a subcontractor that is a
1050 qualified nonprofit agency for the blind or for the other
1051 severely handicapped under s. 413.036(2). However, the
1052 department may not waive more than the amount of the
1053 subcontract.

1054 2. If the department determines that it is in the best



690598

1055 interests of the department to reduce the bonding requirement
1056 for a project and that to do so will not endanger public health,
1057 safety, or property, the department may waive the requirement of
1058 a surety bond in an amount equal to the awarded contract price
1059 for a project having a contract price of \$250 million or more
1060 and, in its place, may set a surety bond amount that is a
1061 portion of the total contract price and provide an alternate
1062 means of security for the balance of the contract amount that is
1063 not covered by the surety bond or provide for incremental surety
1064 bonding and provide an alternate means of security for the
1065 balance of the contract amount that is not covered by the surety
1066 bond. Such alternative means of security may include letters of
1067 credit, United States bonds and notes, parent company
1068 guarantees, and cash collateral. The department may require
1069 alternate means of security if a surety bond is waived. The
1070 surety on such bond shall be a surety company authorized to do
1071 business in the state. All bonds shall be payable to the
1072 department and conditioned for the prompt, faithful, and
1073 efficient performance of the contract according to plans and
1074 specifications and within the time period specified, and for the
1075 prompt payment of all persons defined in s. 713.01 furnishing
1076 labor, material, equipment, and supplies for work provided in
1077 the contract; however, whenever an improvement, demolition, or
1078 removal contract price is \$25,000 or less, the security may, in
1079 the discretion of the bidder, be in the form of a cashier's
1080 check, bank money order of any state or national bank, certified
1081 check, or postal money order. The department shall adopt rules
1082 to implement this subsection. Such rules shall include
1083 provisions under which the department shall refuse to accept



690598

1084 bonds on contracts when a surety wrongfully fails or refuses to
1085 settle or provide a defense for claims or actions arising under
1086 a contract for which the surety previously furnished a bond.

1087 Section 30. Subsection (3) of section 337.251, Florida
1088 Statutes, is amended to read:

1089 337.251 Lease of property for joint public-private
1090 development and areas above or below department property.-

1091 (3) A proposal must be selected by the department based on
1092 competitive bidding, except that the department may consider
1093 other relevant factors specified in the request for proposals.
1094 The department may consider such factors as the value of
1095 property exchanges, the cost of construction, and other
1096 recurring costs for the benefit of the department by the lessee
1097 in lieu of direct revenue to the department if such other
1098 factors are of equal value including innovative proposals to
1099 involve small ~~minority~~ businesses. The department may name a
1100 board of advisers which may be composed of accountants, real
1101 estate appraisers, design engineers, or other experts
1102 experienced in the type of development proposed. The board of
1103 advisers shall review the feasibility of the proposals,
1104 recommend acceptance or rejection of each proposal, and rank
1105 each feasible proposal in the order of technical feasibility and
1106 benefit provided to the department. The board of advisers shall
1107 be reasonably compensated for the services provided and all
1108 department costs for evaluating the proposals shall be
1109 reimbursed from a proposal application fee to be set by the
1110 department and paid by the applicants. The board of advisers
1111 shall not be subject to selection under the provisions of
1112 chapter 287.



690598

1113 Section 31. Section (2) of section 337.401, Florida
1114 Statutes, is amended to read:

1115 337.401 Use of right-of-way for utilities subject to
1116 regulation; permit; fees.—

1117 (2) (a) The authority may grant to any person who is a
1118 resident of this state, or to any corporation which is organized
1119 under the laws of this state or licensed to do business within
1120 this state, the use of a right-of-way for the utility in
1121 accordance with such rules or regulations as the authority may
1122 adopt. A utility may not be installed, located, or relocated
1123 unless authorized by a written permit issued by the authority.
1124 However, for public roads or publicly owned rail corridors under
1125 the jurisdiction of the department, a utility relocation
1126 schedule and relocation agreement may be executed in lieu of a
1127 written permit. The permit must require the permit holder to be
1128 responsible for any damage resulting from the issuance of such
1129 permit. The authority may initiate injunctive proceedings as
1130 provided in s. 120.69 to enforce provisions of this subsection
1131 or any rule or order issued or entered into pursuant thereto. A
1132 permit application required under this subsection by a county or
1133 municipality having jurisdiction and control of the right-of-way
1134 of any public road must be processed and acted upon in
1135 accordance with the timeframes provided in subparagraphs
1136 (7) (d) 7., 8., and 9.

1137 (b) Notwithstanding paragraph (a), a municipality may not
1138 prohibit, or require a permit for, the installation of a public
1139 sewer transmission line placed and maintained within and under
1140 publicly dedicated rights-of-way as part of a septic-to-sewer
1141 conversion where the work is being performed under permits



690598

1142 issued by the Department of Transportation pursuant to this
1143 chapter and the Department of Environmental Protection, or its
1144 delegate, pursuant to chapter 403.

1145 Section 32. Subsection (4) of section 337.406, Florida
1146 Statutes, is amended to read:

1147 337.406 Unlawful use of state transportation facility
1148 right-of-way; penalties.—

1149 (4) (a) Camping is prohibited on any portion of the right-
1150 of-way of the State Highway System ~~that is within 100 feet of a~~
1151 ~~bridge, causeway, overpass, or ramp.~~

1152 (b) This subsection does not apply to a person who has
1153 acquired the appropriate permits and is actively navigating the
1154 federally designated Florida National Scenic Trail recognized by
1155 the state in s. 260.012(6).

1156 Section 33. Subsection (4) of section 338.227, Florida
1157 Statutes, is amended to read:

1158 338.227 Turnpike revenue bonds.—

1159 (4) The Department of Transportation and the Department of
1160 Management Services shall create and implement an outreach
1161 program designed to enhance the participation of small ~~minority~~
1162 ~~persons and minority~~ business enterprises in all contracts
1163 entered into by their respective departments for services
1164 related to the financing of department projects for the
1165 Strategic Intermodal System Plan developed pursuant to s.
1166 339.64. These services ~~shall~~ include, but are not limited to,
1167 bond counsel and bond underwriters.

1168 Section 34. Subsection (6) is added to section 339.08,
1169 Florida Statutes, to read:

1170 339.08 Use of moneys in State Transportation Trust Fund.—



1171 (6) (a) As used in this subsection, the term "energy policy
1172 of the state" means the energy policy described in s. 377.601
1173 and includes any intended or actual measure, obligation, target,
1174 or timeframe related to a reduction in carbon dioxide emissions.

1175 (b) The department may not expend any state funds as
1176 described in s. 215.31 to support a project or program of any of
1177 the following entities if such entities adopt or promote energy
1178 policy goals inconsistent with the energy policy of the state:

1179 1. A public transit provider as defined in s. 341.031(1).

1180 2. An authority created pursuant to chapter 343, chapter
1181 348, or chapter 349.

1182 3. A public-use airport as defined in s. 332.004.

1183 4. A port listed in s. 311.09(1).

1184 Section 35. Section 339.0805, Florida Statutes, is
1185 repealed.

1186 Section 36. Paragraph (b) of subsection (3) and paragraph
1187 (c) of subsection (4) of section 339.2821, Florida Statutes, are
1188 amended to read:

1189 339.2821 Economic development transportation projects.-

1190 (3)

1191 (b) The department must ensure that it is supportive of
1192 small businesses as defined in s. 337.027(2) ~~small and minority~~
1193 ~~businesses have equal access to participate in transportation~~
1194 ~~projects funded pursuant to this section.~~

1195 (4) A contract between the department and a governmental
1196 body for a transportation project must:

1197 (c) Require that the governmental body provide the
1198 department with progress reports. Each progress report must
1199 contain:



690598

1200 1. A narrative description of the work completed and
1201 whether the work is proceeding according to the transportation
1202 project schedule;

1203 2. A description of each change order executed by the
1204 governmental body;

1205 3. A budget summary detailing planned expenditures compared
1206 to actual expenditures; and

1207 4. The identity of each small ~~or minority~~ business used as
1208 a contractor or subcontractor.

1209 Section 37. Section 339.287, Florida Statutes, is repealed.

1210 Section 38. Subsections (3) and (7) of section 339.651,
1211 Florida Statutes, are amended to read:

1212 339.651 Strategic Intermodal System supply chain demands.—

1213 (3) The department may ~~shall~~ make up to \$20 million
1214 available each year ~~for fiscal years 2023-2024 through 2027-~~
1215 ~~2028,~~ from the existing work program ~~revenues,~~ to fund projects
1216 that meet the public purpose of providing increased capacity and
1217 enhanced capabilities to move and store construction aggregate.
1218 Applicants eligible for project funding under this section are
1219 seaports listed in s. 311.09 and rail lines and rail facilities.

1220 ~~(7) This section shall stand repealed on July 1, 2028.~~

1221 Section 39. Paragraph (b) of subsection (6) of section
1222 341.051, Florida Statutes, is amended to read:

1223 341.051 Administration and financing of public transit and
1224 intercity bus service programs and projects.—

1225 (6) ANNUAL APPROPRIATION.—

1226 (b) If funds are allocated to projects that qualify for the
1227 New Starts Transit Program in the current fiscal year and a
1228 project will not be ready for production by June 30, those funds



690598

1229 ~~must~~ ~~The remaining unallocated New Starts Transit Program funds~~
1230 ~~as of June 30, 2024, shall~~ be reallocated for the purpose of the
1231 Strategic Intermodal System within the State Transportation
1232 Trust Fund for the next fiscal year. ~~This paragraph expires June~~
1233 ~~30, 2026.~~

1234
1235 For purposes of this section, the term "net operating costs"
1236 means all operating costs of a project less any federal funds,
1237 fares, or other sources of income to the project.

1238 Section 40. Subsection (5) of section 348.754, Florida
1239 Statutes, is amended to read:

1240 348.754 Purposes and powers.—

1241 (5) The authority shall encourage the inclusion of local
1242 and small local, ~~small~~, ~~minority~~, and ~~women-owned~~ businesses
1243 in its procurement and contracting opportunities.

1244 Section 41. Subsection (2) of section 349.03, Florida
1245 Statutes, is amended to read:

1246 349.03 Jacksonville Transportation Authority.—

1247 (2) The governing body of the authority shall be composed
1248 ~~consist~~ of seven members. Four ~~Three~~ members shall be appointed
1249 by the Governor and confirmed by the Senate. Of the four members
1250 appointed by the Governor, one must be a resident of Duval
1251 County and three must be residents of Clay County, St. Johns
1252 County, or Nassau County. Three members shall be appointed by
1253 the mayor of the City of Jacksonville subject to confirmation by
1254 the council of the City of Jacksonville. ~~The seventh member~~
1255 ~~shall be the district secretary of the Department of~~
1256 ~~Transportation serving in the district that contains the City of~~
1257 ~~Jacksonville. Except for the seventh member,~~ Members appointed



690598

1258 by the mayor of the City of Jacksonville must ~~shall~~ be residents
1259 and qualified electors of Duval County.

1260
1261 ===== T I T L E A M E N D M E N T =====

1262 And the title is amended as follows:

1263 Delete lines 17 - 207

1264 and insert:

1265 Research Institute; specifying the purpose and mission
1266 of the institute; requiring the institute to report to
1267 the department; providing for membership of the
1268 institute; requiring the department to select a member
1269 to serve as the administrative lead of the institute;
1270 requiring the Secretary of Transportation to appoint a
1271 representative of the department to serve as the
1272 executive director of the institute; requiring the
1273 department to coordinate with the members of the
1274 institute to adopt certain policies; authorizing the
1275 institute to award certain grants; authorizing the
1276 department to allocate funds to the institute from the
1277 State Transportation Trust Fund; authorizing the
1278 institute to expend funds for certain operations and
1279 programs; requiring the institute to submit an annual
1280 report to the Secretary of Transportation and the
1281 commission; revising the department's areas of program
1282 responsibility; amending s. 311.07, F.S.; providing
1283 that certain spaceport and space industry-related
1284 facility projects and commercial shipbuilding and
1285 manufacturing facility projects are eligible for grant
1286 funding under the Florida Seaport Transportation and



1287 Economic Development Program; amending s. 311.09,
1288 F.S.; revising the purpose of the Florida Seaport
1289 Transportation and Economic Development Council;
1290 requiring that the Florida Seaport Mission Plan
1291 include certain recommendations; requiring each port
1292 member of the council to submit a certain semiannual
1293 report to the department; amending s. 311.10, F.S.;
1294 requiring seaports located in specified counties to
1295 include certain statements in any agreement with the
1296 department as a condition of receiving certain grants
1297 or state funds; requiring that express approval for
1298 certain seaport conversions be obtained by specified
1299 entities upon recommendation by the funding agency;
1300 defining the term "cargo purposes"; amending s.
1301 316.003, F.S.; revising the definition of the term
1302 "special mobile equipment"; repealing s. 316.0741,
1303 F.S., relating to high-occupancy-vehicle lanes;
1304 amending s. 316.0745, F.S.; deleting language limiting
1305 the state funds that may be withheld due to certain
1306 violations by a public body or official to state funds
1307 for traffic control purposes; providing that such
1308 violations are cause for the withholding of state
1309 funds deposited in the State Transportation Trust
1310 Fund; amending s. 316.550, F.S.; authorizing the
1311 Department of Transportation to issue a mobile crane
1312 special blanket permit for certain purposes; amending
1313 s. 330.27, F.S.; revising definitions and defining
1314 terms; amending s. 330.30, F.S.; requiring a private
1315 airport of public interest to obtain a certain



1316 certificate from the department before allowing
1317 aircraft operations; requiring certain private
1318 airports to obtain a certain certificate from the
1319 department by a specified date; amending s. 331.371,
1320 F.S.; authorizing the department, in consultation with
1321 the Department of Commerce and the Department of
1322 Environmental Protection, to fund certain
1323 infrastructure projects and projects associated with
1324 certain critical infrastructure projects; requiring
1325 such departments to coordinate in funding certain
1326 projects for a specified purpose; amending s. 332.003,
1327 F.S.; revising a short title; amending s. 332.005,
1328 F.S.; requiring airports to provide the Department of
1329 Transportation with the opportunity to use certain
1330 airport property for a specified purpose during a
1331 declared state of emergency; requiring that such use
1332 be conducted pursuant to a written agreement after a
1333 certain period of use; amending s. 332.006, F.S.;
1334 deleting a requirement that the department meet
1335 certain duties and responsibilities within the
1336 resources provided pursuant to a specified chapter;
1337 providing duties and responsibilities of the
1338 department relating to certain educational services;
1339 amending s. 332.007, F.S.; requiring commercial
1340 service airports to establish and maintain a certain
1341 program; defining the term "airport infrastructure";
1342 requiring that such airports provide a certain annual
1343 certification to the department; requiring that a
1344 certain program report be open to department



1345 inspection and maintained for a specified period;
1346 providing requirements for such program; revising the
1347 list of projects for which the department must provide
1348 priority funding; authorizing the department to fund
1349 eligible projects performed by certain organizations
1350 and postsecondary education institutions; providing
1351 that certain programs are eligible projects;
1352 authorizing the department to provide certain matching
1353 funds; revising the circumstances in which the
1354 department may fund strategic airport investment
1355 projects; amending s. 332.0075, F.S.; revising
1356 definitions; requiring that certain information remain
1357 posted on a governing body's website for a certain
1358 period; revising the information that must be included
1359 on such website; requiring the quarterly, rather than
1360 annual, update of certain information; revising
1361 information that the governing body of a commercial
1362 service airport must submit to the department
1363 annually; requiring a commercial service airport to
1364 provide certain notifications to the department;
1365 creating s. 332.15, F.S.; requiring the department to
1366 address certain needs in the statewide aviation system
1367 plan and the department's work program, designate a
1368 certain subject matter expert, conduct a specified
1369 review, and, in coordination with the Department of
1370 Commerce, provide certain coordination and assistance
1371 for the development of a viable advanced air mobility
1372 system plan; amending s. 334.044, F.S.; revising the
1373 powers and duties of the department; amending s.



690598

1374 334.045, F.S.; requiring certain measures developed
1375 and adopted by the Florida Transportation Commission
1376 to assess performance in a specified business
1377 development program, instead of disadvantaged business
1378 enterprise and minority business programs; amending s.
1379 334.27, F.S.; providing powers of certain parking
1380 authorities; authorizing parking authorities to engage
1381 in certain activities upon entering into an interlocal
1382 agreement with certain political subdivisions;
1383 creating s. 334.62, F.S.; providing legislative
1384 findings; establishing the Florida Transportation
1385 Academy within the department; authorizing the
1386 department to coordinate with certain entities for
1387 specified purposes; amending s. 335.182, F.S.;
1388 defining the term "modification of an existing
1389 connection"; revising the definition of the term
1390 "significant change"; amending s. 335.187, F.S.;
1391 authorizing the department to modify or revoke certain
1392 access permits by requiring modification of an
1393 existing connection in certain circumstances; amending
1394 s. 337.027, F.S.; revising the definition of the term
1395 "small business"; amending s. 337.11, F.S.; requiring
1396 the department to give consideration to small business
1397 participation, instead of disadvantaged business
1398 enterprise participation; repealing s. 337.125, F.S.,
1399 relating to socially and economically disadvantaged
1400 business enterprises and notice requirements;
1401 repealing s. 337.135, F.S., relating to socially and
1402 economically disadvantaged business enterprises and



690598

1403 punishment for false representation; repealing s.
1404 337.139, F.S., relating to efforts to encourage
1405 awarding contracts to disadvantaged business
1406 enterprises; amending s. 337.18, F.S.; authorizing the
1407 Secretary of Transportation to require a surety bond
1408 in an amount that is less than the awarded contract
1409 price; amending s. 337.251, F.S.; revising factors
1410 that may be considered by the department when
1411 selecting certain proposals; amending s. 337.401,
1412 F.S.; prohibiting a municipality from prohibiting, or
1413 requiring a permit for, the installation of certain
1414 public sewer transmission lines; amending s. 337.406,
1415 F.S.; prohibiting camping on any portion of the right-
1416 of-way of the State Highway System; providing
1417 applicability; amending s. 338.227, F.S.; revising the
1418 purpose for which the department and the Department of
1419 Management Services shall create and implement a
1420 certain outreach program; amending s. 339.08, F.S.;
1421 defining the term "energy policy of the state";
1422 prohibiting the department from expending state funds
1423 to support projects or programs of certain entities in
1424 certain circumstances; repealing s. 339.0805, F.S.,
1425 relating to funds to be expended with certified
1426 disadvantaged business enterprises, a construction
1427 management development program, and a bond guarantee
1428 program; amending s. 339.2821, F.S.; requiring the
1429 department to ensure that it is supportive of small
1430 businesses, rather than ensuring that small and
1431 minority businesses have equal access to participation



690598

1432 in certain transportation projects; repealing s.
1433 339.287, F.S., relating to electric vehicle charging
1434 stations and infrastructure plan development; amending
1435 s. 339.651, F.S.; authorizing, rather than requiring,
1436 the department to make a certain amount available from
1437 the existing work program to fund certain projects
1438 annually; deleting the scheduled repeal of provisions
1439 relating to Strategic Intermodal System supply chain
1440 demands; amending s. 341.051, F.S.; providing for the
1441 reallocation of certain funds; deleting the scheduled
1442 repeal of provisions providing for the reallocation of
1443 certain funds; amending s. 348.754, F.S.; revising the
1444 types of businesses the Central Florida Expressway
1445 Authority is required to encourage the inclusion of in
1446 certain opportunities; amending s. 349.03, F.S.;
1447 revising membership requirements for the governing
1448 body of the Jacksonville Transportation Authority;
1449 amending



The Florida Senate

Committee Agenda Request

To: Senator Nick DiCeglie, Chair
Appropriations Committee on Transportation, Tourism, and Economic
Development

Subject: Committee Agenda Request

Date: March 25, 2025

I respectfully request that **Senate Bill #1662**, relating to Transportation, be placed on the:

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

A handwritten signature in blue ink, appearing to read "Jay Collins".

Senator Jay Collins
Florida Senate, District 14

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/SB 1714

INTRODUCER: Community Affairs Committee and Senator Burton and others

SUBJECT: Local Housing Assistance Plans

DATE: April 10, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Hackett</u>	<u>Fleming</u>	<u>CA</u>	<u>Fav/CS</u>
2.	<u>Griffin</u>	<u>Nortelus</u>	<u>ATD</u>	<u>Favorable</u>
3.	_____	_____	<u>RC</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1714 provides that a county's or municipality's local housing assistance plan under the State Housing Initiatives Partnership Program must include a strategy for providing program funds to mobile home owners, including lot rental assistance. Lot rental assistance is considered homeownership activity for the purposes of allocating program funds, while rehabilitation and emergency repairs for mobile homes is considered construction, rehabilitation, or emergency repair of affordable, eligible housing.

Under the bill, local governments may expend funds from their local housing distribution on lot rental assistance for mobile home owners not to exceed 6 months' rent. **See Section V. Fiscal Impact Statement.**

The bill takes effect July 1, 2025.

II. Present Situation:

Affordable Housing

Affordable housing is defined in terms of household income. Housing is considered affordable when monthly rent or mortgage payments including taxes and insurance do not exceed 30

percent of the household income.¹ Resident eligibility for Florida's state and federally funded housing programs is typically governed by area median income levels, published annually by the U.S. Department of Housing and Urban Development for every county and metropolitan area.

The two primary state housing assistance programs are the State Housing Initiatives Partnership (SHIP)² and the State Apartment Incentive Loan³ programs. The SHIP program provides funds to eligible local governments, allocated using a population-based formula, to address local housing needs as identified by the local government. The SAIL program provides low interest loans on a competitive basis as gap financing for the construction or substantial rehabilitation of multifamily affordable housing developments.⁴

State Housing Initiatives Partnership (SHIP) Program

The SHIP Program was created in 1992⁵ to provide funds to local governments as an incentive to create partnerships that produce and preserve affordable homeownership and multifamily housing. The SHIP program provides funds to all 67 counties and 52 Community Development Block Grant⁶ entitlement cities on a population-based formula to finance and preserve affordable housing based on locally adopted housing plans.⁷ The program was designed to serve very-low, low, and moderate-income families and is administered by the Florida Housing Finance Corporation (FHFC).

A dedicated funding source for this program was established by the passage of the 1992 William E. Sadowski Affordable Housing Act. The SHIP Program is funded through a statutory distribution of documentary stamp tax revenues, which are deposited into the Local Government Housing Trust Fund. Subject to specific appropriation, funds are distributed quarterly to local governments participating in the program under an established formula.⁸ A county or eligible municipality seeking funds from the SHIP Program must adopt an ordinance that:

- Creates a local housing assistance trust fund;
- Adopts a local housing assistance plan to be implemented through a local housing partnership;
- Designates responsibility for administering the local housing assistance plan; and
- Creates an affordable housing advisory committee.⁹

¹ Section 420.9071(2), F.S. Public housing, commonly referred to as Section 8 Housing, is provided by local housing agencies (HAs) for low-income residents. Funding for HAs is provided directly from HUD.

² Sections 420.907-9079, F.S.

³ Section 420.5087, F.S.

⁴ Section 420.5087, F.S.

⁵ Chapter 92-317, Laws of Fla.

⁶ The CDBG program is a federal program created in 1974 that provides funding for housing and community development activities.

⁷ See ss. 420.907-420.9089, F.S.

⁸ Section 420.9073, F.S.

⁹ Section 420.9072, F.S.

Funds are expended per each local government's adopted Local Housing Assistance Plan (LHAP), which details the housing strategies it will use.¹⁰ Local governments submit their LHAPs to the FHFC for review to ensure that they meet the broad statutory guidelines and the requirements of the program rules. The FHFC must approve an LHAP before a local government may receive the SHIP funding.

A local government may not expend money distributed to it to provide ongoing rent subsidies, except for:¹¹

- Security and utility deposit assistance;
- Eviction prevention not to exceed six months' rent; or
- A rent subsidy program for very-low-income households with at least one adult who is a person with special needs¹² or is homeless,¹³ not to exceed 12 months' rental assistance.

Certain statutory requirements further restrict a local government's use of funds made available under the SHIP program (excluding amounts set aside for administrative costs):¹⁴

- At least 75 percent of SHIP funds *must* be reserved for construction, rehabilitation, or emergency repair of affordable, eligible housing;¹⁵ and
- Up to 25 percent of SHIP funds *may* be reserved for allowed rental services.¹⁶

Within those distributions by local governments, additional requirements must be met:

- At least 65 percent of SHIP funds must be reserved for home ownership for eligible persons;¹⁷
- At least 20 percent of SHIP funds must serve persons with special needs;
- Up to 20 percent of SHIP funds may be used for manufactured housing; and
- At least 30 percent of SHIP funds must be used for awards to very-low-income persons or eligible sponsors serving very-low-income persons, and another 30 percent must be used for awards for low-income-persons or eligible sponsors serving low-income persons.

¹⁰ Section 420.9075, F.S. Section 420.9075(3), F.S. outlines a list of strategies LHAPs are encouraged to employ, such as helping those affected by mobile home park closures, encouraging innovative housing design to reduce long-term housing costs, preserving assisted housing, and reducing homelessness.

¹¹ Section 420.072(7), F.S.

¹² As defined in s. 420.0004, F.S., "Person with special needs" means an adult person requiring independent living services in order to maintain housing or develop independent living skills and who has a disabling condition; a young adult formerly in foster care who is eligible for services under s. 409.1451(5), F.S.; a survivor of domestic violence as defined in s. 741.28, F.S.; or a person receiving benefits under the Social Security Disability Insurance (SSDI) program or the Supplemental Security Income (SSI) program or from veterans' disability benefits.

¹³ As defined in s. 420.621, F.S., "homeless" means an individual or family who lacks or will imminently lose access to a fixed, regular, and adequate nighttime residence.

¹⁴ Section 420.9075(5), F.S.

¹⁵ As defined in s. 420.9071(9), "Eligible housing" means any real and personal property located within the county or the eligible municipality which is designed and intended for the primary purpose of providing decent, safe, and sanitary residential units, or manufactured housing constructed after June 1994, for home ownership or rental for eligible persons as designated by each county or eligible municipality participating in the State Housing Initiatives Partnership Program.

¹⁶ See s. 420.9072(7)(b), F.S.

¹⁷ As defined in s. 420.9071(11), F.S., "Eligible person" or "eligible household" means one or more natural persons or a family determined by the county or eligible municipality to be of very low income, low income, or moderate income based upon the annual gross income of the household.

III. Effect of Proposed Changes:

Section 1 amends s. 420.9072, F.S., to permit local governments to expend funds from their local housing distribution on lot rental assistance for mobile home owners not to exceed 6 months' rent.

Section 2 amends s. 420.9075, F.S., to provide that a local housing assistance plan must include a strategy for providing program funds to mobile home owners,¹⁸ including lot rental assistance. Lot rental assistance is considered homeownership activity for the purposes of allocating program funds, while rehabilitation and emergency repairs for mobile homes is considered construction, rehabilitation, or emergency repair of affordable, eligible housing.

The bill also separates out the requirement, currently paired in statute with another, that a local government include in its local housing assistance plan a strategy that addresses the needs of persons who are deprived of affordable housing due to the closure of a mobile home park.

The bill takes effect July 1, 2025.

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.

¹⁸ Section 723.003(11), F.S., defines "mobile home owner" as a person who owns a mobile home and rents or leases a lot within a mobile home park for residential use. Section 720.003(12), F.S., defines "mobile home park" as a use of land in which lots or spaces are offered for rent or lease for the placement of mobile homes and in which the primary use of the park is residential.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill does not affect the amount of funds to be distributed to counties and municipalities under the SHIP program but alters how those funds may be expended throughout a community.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 420.9071, 420.9072 and 420.9075.

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 Community Affairs on March 31, 2025:

The committee substitute permits local governments to utilize SHIP funds for lot rental assistance for mobile home owners not exceeding 6 months' rent. The amendment also makes separate from another strategy the requirement that local governments maintain a strategy addressing the needs of persons who are deprived of affordable housing due to the closure of a mobile home park in their respective local housing assistance plans.

B. Amendments:

None.

The Florida Senate

APPEARANCE RECORD

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

CS/SB1714

Bill Number or Topic

April 10, 2025

Meeting Date

Approps TED

Committee

Amendment Barcode (if applicable)

Name Nancy Stewart

Phone

850-385-7805

Address 1400 Village Square Blvd Ste 3-156

Email

nancy.stewart@nancyblackstewart.com

Street

Tallahassee

City

FL

State

32312

Zip

Speaking: [X] For [] Against [] Information OR Waive Speaking: [] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[X] 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:

Federation of Manufactured Home Owners of FL, Inc

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

APPEARANCE RECORD

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

1714

Bill Number or Topic

4/10/25

Meeting Date

TED Appopr.

Committee

Amendment Barcode (if applicable)

Name

Lori Killinger

Phone

850/222-5702

Address

106 E. College Ave., Ste. 1500

Email

lkillinger@llw-law.com

Street

Tall

City

FL

State

32301

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:

FL Manufactured Housing Association

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:

Health Policy, *Chair*
Judiciary, *Vice Chair*
Agriculture
Appropriations Committee on Agriculture, Environment,
and General Government
Appropriations Committee on Health and
Human Services
Banking and Insurance
Fiscal Policy
Rules

SENATOR COLLEEN BURTON

12th District

April 1, 2025

The Honorable Nick DeCeglie
414 Senate Building
404 South Monroe Street
Tallahassee, FL 32399-1100

Chair DiCeglie,

I respectfully request SB 1714 Local Housing Assistance Plans be placed on the Appropriations Committee on Transportation, Tourism, and Economic Development agenda at your earliest convenience.

Thank you for your consideration.

Regards,

A handwritten signature in blue ink that reads "Colleen Burton".

Colleen Burton

CC: Sarah Nortelus, Staff Director
Brooke Conlan, Committee Administrative Assistant

REPLY TO:

- 1375 Havendale Boulevard, NW, Winter Haven, Florida 33881 (863) 413-1529
- 408 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5012

Senate's Website: www.flsenate.gov

BEN ALBRITTON
President of the Senate

JASON BRODEUR
President Pro Tempore

CourtSmart Tag Report

Room: SB 110

Case No.:

Type:

Caption: Senate Appropriations Committee on Transportation, Tourism, and Economic Development

Judge:

Started: 4/10/2025 8:30:24 AM

Ends: 4/10/2025 9:17:07 AM

Length: 00:46:44

8:30:23 AM Sen. DiCeglie (Chair)
8:31:21 AM S 1662
8:31:27 AM Sen. Collins
8:31:48 AM Sen. DiCeglie
8:32:06 AM Am. 690598
8:32:20 AM Sen. Collins
8:34:43 AM Sen. DiCeglie
8:34:48 AM S 1662 (cont.)
8:35:25 AM Sen. Collins
8:35:40 AM Sen. DiCeglie
8:35:42 AM S 574
8:36:06 AM Sen. Collins
8:36:37 AM Sen. DiCeglie
8:36:43 AM William B. Smith, Florida PBA (waives in support)
8:36:58 AM S 824
8:37:38 AM Sen. Pizzo
8:38:03 AM Sen. DiCeglie
8:38:14 AM William B. Smith (waives in support)
8:38:29 AM S 324
8:39:13 AM Sen. Smith
8:41:12 AM Sen. DiCeglie
8:41:21 AM Am. 968940
8:41:36 AM Sen. Smith
8:42:02 AM Sen. DiCeglie
8:42:08 AM Am. 154188
8:42:21 AM Sen. Smith
8:42:25 AM Sen. DiCeglie
8:42:33 AM S. 324 (cont.)
8:43:28 AM Sen. Ingoglia
8:43:31 AM Sen. Smith
8:45:34 AM Sen. Ingoglia
8:45:46 AM Sen. Smith
8:47:23 AM Sen. Ingoglia
8:47:27 AM Sen. Smith
8:48:19 AM Sen. Ingoglia
8:49:19 AM Sen. Smith
8:49:23 AM Sen. Ingoglia
8:49:25 AM Sen. Smith
8:50:02 AM Sen. Ingoglia
8:51:22 AM Sen. Smith
8:51:43 AM Sen. Ingoglia
8:51:59 AM Sen. Smith
8:53:06 AM Sen. Ingoglia
8:53:20 AM Sen. Smith
8:53:34 AM Sen. Ingoglia
8:53:39 AM Sen. Smith
8:54:14 AM Sen. Ingoglia
8:54:27 AM Sen. Smith
8:54:35 AM Sen. DiCeglie
8:54:56 AM Sen. Ingoglia
8:56:25 AM Sen. Bernard
8:57:31 AM Sen. DiCeglie

8:57:35 AM Sen. Smith
8:58:52 AM Sen. DiCeglie
8:59:25 AM S 1714
8:59:31 AM Sen. Burton
9:00:15 AM Sen. DiCeglie
9:00:20 AM Nancy Stewart, Federation of Manufactural Home Owners of Florida
9:01:24 AM Lori Killinger, Florida Manufactured Housing Association (waives in support)
9:01:27 AM Sen. Arrington
9:02:24 AM Sen. DiCeglie
9:02:32 AM Sen. Burton
9:02:41 AM Sen. DiCeglie
9:03:18 AM S 766
9:03:22 AM Sen. Burgess
9:03:55 AM Am. 842796
9:04:19 AM Sen. Burgess
9:04:22 AM Sen. DiCeglie
9:04:55 AM S 766 (cont.)
9:05:06 AM Christopher Holton, Center for Security Policy (waives in support)
9:05:41 AM Sen. Burgess
9:05:57 AM Sen. DiCeglie
9:06:02 AM S 1024
9:06:14 AM Sen. Burgess
9:06:23 AM Sen. DiCeglie
9:06:28 AM S 1246
9:07:34 AM Sen. Rodriguez
9:08:01 AM Sen. DiCeglie
9:08:06 AM S 1644
9:08:44 AM Sen. Rodriguez
9:08:50 AM Sen. DiCeglie
9:10:03 AM S 1152
9:10:42 AM Sen. Arrington
9:12:15 AM Sen. DiCeglie
9:12:19 AM Matt Puckett, Florida Wildflower Foundation (waives in support)
9:12:47 AM S 532
9:13:13 AM Sen. Ingoglia
9:13:34 AM Sen. DiCeglie
9:13:45 AM Am. 751638
9:13:52 AM Sen. Ingoglia
9:14:09 AM Sen. DiCeglie
9:14:19 AM Sen. Ingoglia
9:15:27 AM Sen. DiCeglie
9:16:01 AM Sen. Sharief
9:16:17 AM Sen. Avila
9:16:25 AM Sen. Leek
9:16:42 AM Sen. Bernard
9:16:52 AM Sen. DiCeglie