

<b>Tab 1</b>	<b>SB 532</b> by <b>Ingoglia</b> ; Identical to H 00445 Toll Payments						
<b>Tab 2</b>	<b>SB 574</b> by <b>Collins</b> ; Identical to H 00313 Toll Exemptions for Purple Heart Medal Recipients						
787450	A	S	RCS	TR, Collins	Delete L.35:	03/26 08:36 AM	
<b>Tab 3</b>	<b>SB 1210</b> by <b>Martin</b> ; Similar to H 00699 Traffic Infractions Resulting in a Crash with Another Vehicle						
<b>Tab 4</b>	<b>SB 1246</b> by <b>Rodriguez</b> ; Specialty License Plates/Save Coastal Wildlife						
151564	A	S	RCS	TR, Rodriguez	Delete L.29 - 42:	03/26 08:36 AM	
<b>Tab 5</b>	<b>SB 1378</b> by <b>Arrington</b> ; Compare to CS/H 00479 Leaving the Scene of a Crash Involving Only Damage to Vehicle or Property						
662394	A	S	RCS	TR, Arrington	Delete L.22 - 25:	03/26 08:36 AM	
<b>Tab 6</b>	<b>SB 1662</b> by <b>Collins</b> ; Similar to CS/H 01397 Transportation						
702262	A	S	RCS	TR, Collins	Delete L.274 - 1827:	03/26 08:36 AM	
<b>Tab 7</b>	<b>SB 1696</b> by <b>Calatayud</b> ; Similar to CS/H 01525 Prearranged Transportation Services						
<b>Tab 8</b>	<b>SB 1738</b> by <b>Ingoglia</b> ; Identical to H 00203 Transportation Concurrency						
<b>Tab 9</b>	<b>SB 1820</b> by <b>Leek</b> ; Similar to CS/H 00429 Motor Vehicle Manufacturers and Dealers						
800490	D	S	RCS	TR, Leek	Delete everything after	03/26 08:36 AM	

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**TRANSPORTATION**  
**Senator Collins, Chair**  
**Senator Avila, Vice Chair**

**MEETING DATE:** Tuesday, March 25, 2025  
**TIME:** 4:00—6:00 p.m.  
**PLACE:** Mallory Horne Committee Room, 37 Senate Building

**MEMBERS:** Senator Collins, Chair; Senator Avila, Vice Chair; Senators Arrington, Davis, Jones, Martin, McClain, Truenow, and Wright

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 532</b> 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 FP	Favorable Yeas 8 Nays 0
2	<b>SB 574</b> Collins (Identical H 313)	Toll Exemptions for Purple Heart Medal Recipients; Revising eligibility for toll exemptions to include operators displaying a Purple Heart specialty license plate or a Purple Heart special motorcycle license plate, etc.  TR     03/25/2025 Fav/CS ATD FP	Fav/CS Yeas 8 Nays 0
3	<b>SB 1210</b> Martin (Similar H 699)	Traffic Infractions Resulting in a Crash with Another Vehicle; Requiring the imposition of specified civil penalties and periods of driver license suspension on a person found at a mandatory hearing to have committed certain traffic infractions that resulted in a crash with another vehicle, in addition to any other penalties; requiring persons cited for specified infractions that result in a crash with another vehicle to appear at a certain mandatory hearing, etc.  TR     03/25/2025 Favorable JU RC	Favorable Yeas 8 Nays 0
4	<b>SB 1246</b> 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 FP	Fav/CS Yeas 8 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

Transportation

Tuesday, March 25, 2025, 4:00—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
5	<b>SB 1378</b> Arrington (Compare CS/H 479)	Leaving the Scene of a Crash Involving Only Damage to Vehicle or Property; Requiring that a person convicted of leaving the scene of a crash resulting only in damage to a vehicle or other property be ordered to make restitution, etc.  TR 03/25/2025 Fav/CS CJ RC	Fav/CS Yeas 8 Nays 0
6	<b>SB 1662</b> Collins (Similar H 1397, Compare H 567, H 1125, H 1185, H 1427, CS/S 110, CS/S 462, S 1694)	Transportation; Authorizing the Secretary of Transportation to appoint a specified number of assistant secretaries; creating the Florida Transportation Research Institute; requiring the department to distribute a certain amount from the proceeds of a specified tax to the State Transportation Trust Fund for a specified purpose; requiring seaports located in a specified county to include certain statements in any agreement with the department as a condition of receiving certain grants; requiring that a private airport of public interest obtain a certain certificate from the department before allowing aircraft operations, etc.  TR 03/25/2025 Fav/CS ATD AP	Fav/CS Yeas 7 Nays 0
7	<b>SB 1696</b> Calatayud (Similar CS/H 1525)	Prearranged Transportation Services; Prohibiting the impersonation of a transportation network company driver; providing that services purchased from a transportation network company are not considered privately owned or operated bus transit systems; requiring transportation service providers to provide certain drivers with access to certain training materials, etc.  TR 03/25/2025 Favorable CJ RC	Favorable Yeas 8 Nays 0
8	<b>SB 1738</b> Ingoglia (Identical H 203, S 1074)	Transportation Concurrency; Revising facilities required to be identified in the capital improvements element of a comprehensive plan that imposes transportation concurrency, etc.  CA 03/17/2025 Favorable TR 03/25/2025 Favorable RC	Favorable Yeas 8 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

Transportation

Tuesday, March 25, 2025, 4:00—6:00 p.m.

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TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
9	<b>SB 1820</b> Leek (Similar CS/H 429)	Motor Vehicle Manufacturers and Dealers; Prohibiting an applicant or a licensee, or a common entity thereof, from establishing, implementing, or enforcing certain criteria for measuring the sales or service performance of its franchised motor vehicle dealers unless certain conditions are met; revising the circumstances in which a discontinuation, cancellation, nonrenewal, modification, or replacement of a franchise agreement is deemed unfair; deleting a provision requiring the Department of Highway Safety and Motor Vehicles to conduct inquiries of licensees relating to certain complaints made by certain motor vehicle dealer associations, etc.  TR CM RC	Fav/CS Yeas 8 Nays 0

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Other Related Meeting Documents

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**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

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

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Prepared By: The Professional Staff of the Committee on Transportation

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BILL: SB 532

INTRODUCER: Senator Ingoglia

SUBJECT: Toll Payments

DATE: March 25, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Johnson</u>	<u>Vickers</u>	<u>TR</u>	<b>Favorable</b>
2.	_____	_____	<u>ATD</u>	_____
3.	_____	_____	<u>FP</u>	_____

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**I. Summary:**

SB 532 provides a toll exemption for persons who have been determined to have a 100 percent disability rating for compensation by the United States Department of Veterans Affairs or who have 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.

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.<sup>1</sup> FDOT-owned toll facilities include Alligator Alley, the Pinellas Bayway System, the Sunshine Skyway Bridge, the Wekiva Parkway, and the Garcon Point Bridge.<sup>2</sup>

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,

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

<sup>2</sup> Florida Department of Transportation, *Enterprise Toll Report*, [https://floridasturnpike.com/wp-content/uploads/2024/07/2\\_Department-owned-Facilities.pdf](https://floridasturnpike.com/wp-content/uploads/2024/07/2_Department-owned-Facilities.pdf) (last visited March 20, 2025).

and the Tampa-Hillsborough County Expressway Authority. Other toll facilities are operated by Escambia County,<sup>3</sup> Lee County,<sup>4</sup> and Miami-Dade County.<sup>5</sup>

### **Payment of Tolls for the Use of a Toll Facility**

Florida law requires 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.<sup>6</sup>

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.<sup>7</sup>
- Any person driving a vehicle belonging to the Department of Military Affairs transporting military personnel, stores, and property.<sup>8</sup>
- As part of an emergency evacuation, when tolls are suspended by the Secretary of Transportation.<sup>9</sup>

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

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<sup>3</sup> Visit Pensacola, <https://www.visitpensacola.com/plan-your-trip/getting-here/#jlget-around> (last visited March 21, 2025).

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

<sup>5</sup> Miami-Dade County, *Causeways*, [https://www.miamidade.gov/global/service.page?Mduid\\_service=ser1684342734896148](https://www.miamidade.gov/global/service.page?Mduid_service=ser1684342734896148) (last visited March 21, 2025).

<sup>6</sup> 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).

<sup>7</sup> Section 338.155(1)(a), F.S.

<sup>8</sup> Section 338.155(2), F.S.

<sup>9</sup> Section 338.155(1)(b), F.S.

<sup>10</sup> Section 338.155(1)(c), F.S.

<sup>11</sup> Section 318.18(7), F.S.

<sup>12</sup> 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](https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2024_Distribution_Schedule_-_pdf) (last visited February 12, 2025).

## Payment of Tolls and Turnpike Bond Covenants

Florida law authorizes FDOT to borrow money as provided by the State Bond Act<sup>13</sup> 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.<sup>14</sup>

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 FDOT's bondholders until the bonds are fully paid and discharged.<sup>15</sup> Statutes creating the state's expressway authorities contain similar provisions.<sup>16</sup>

The Turnpike master bond resolution, originally adopted in 1988, and amended and restated in 2005 (Resolution), contains commitments by 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. FDOT has also issued bonds to fund capital improvements to Alligator Alley.<sup>17</sup>

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.<sup>18</sup>

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

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<sup>13</sup> Sections 215.57 through 215.83, F.S.

<sup>14</sup> Section 338.227(1), F.S. *FDOT Analysis* at 2.

<sup>15</sup> Section 338.229, F.S., *FDOT Analysis* at 2.

<sup>16</sup> *See* ss. 348.0313, 348.64, and 348.761, F.S.

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

<sup>18</sup> *Id.*

<sup>19</sup> Benefits.com, *What a 100 VA Disability Rating Means For Your Career*, <https://benefits.com/veterans-disability/100-va-rating-work/> (last visited March 21, 2025).

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.<sup>20</sup>

### III. Effect of Proposed Changes:

The bill exempts 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 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 from paying tolls for the use of toll facilities.

To incorporate this toll exemption, 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 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, Section 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 would be exempt from paying to tolls 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.<sup>21,22,23</sup>

The Revenue Estimating Conference determined that the bill may reduce revenues of local governments by \$5.6 million beginning in Fiscal Year 2025-2026. If costs imposed by the bill exceed \$2.4 million, the mandates provisions may apply. If the bill does

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<sup>20</sup> 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 March 21, 2025).

<sup>21</sup> FLA. CONST. art. VII, s. 18(d).

<sup>22</sup> 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 March 21, 2025).

<sup>23</sup> 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](https://edr.state.fl.us/content/conferences/population/ConferenceResults_Tables.pdf) (last visited March 21, 2025).



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.

**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 may experience a reduction in costs associated with no longer being required to pay tolls.

**C. Government Sector Impact:**

On February 14, 2025, the Revenue Estimating Conference adopted the following consensus estimate for this bill:<sup>24</sup>

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)

<sup>24</sup> Revenue Estimating Conference, *2025 Revenue Impacts*, pp. 31-34.  
[https://edr.state.fl.us/Content/conferences/revenueimpact/archives/2025/\\_pdf/impact0214.pdf](https://edr.state.fl.us/Content/conferences/revenueimpact/archives/2025/_pdf/impact0214.pdf) (last visited March 20, 2025).

FDOT estimates that it will see 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.<sup>25</sup>

FDOT also estimates an indeterminate increase in its operation and maintenance costs associated with implementing this toll exemption. Increase in operating costs would include providing a transponder at no cost to the recipients, certification and registration of eligible SunPass<sup>26</sup> account holders, system modifications for the program, and recurring administrative costs to monitor the program.<sup>27</sup>

#### **VI. Technical Deficiencies:**

None.

#### **VII. Related Issues:**

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 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 FDOT's credit rating, resulting in higher interest rates and increased borrowing costs and would also likely reduce FDOT's future bonding capacity.<sup>28</sup>

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 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.<sup>29</sup>

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 FDOT toll facilities, multiple expressway authorities, county and city toll facilities, and independent toll facilities.<sup>30</sup>

#### **VIII. Statutes Affected:**

This bill substantially amends section 338.155 of the Florida Statutes.

This bill reenacts section 316.1001 of the Florida Statutes.

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<sup>25</sup> *FDOT Analysis*, p. 4.

<sup>26</sup> SunPass is Florida's electronic toll transponder.

<sup>27</sup> *FDOT Analysis*, p. 4

<sup>28</sup> *Id.* at 5.

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

**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.

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

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By Senator Ingoglia

11-00396-25

2025532\_\_

1 A bill to be entitled  
 2 An act relating to toll payments; amending s. 338.155,  
 3 F.S.; exempting certain disabled veterans from the  
 4 required payment of tolls for the use of toll  
 5 facilities; reenacting s. 316.1001(1), F.S., relating  
 6 to the required payment of tolls on toll facilities  
 7 and penalties, to incorporate the amendment made to s.  
 8 338.155, F.S., in a reference thereto; providing an  
 9 effective date.

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

12  
 13 Section 1. Paragraph (a) of subsection (1) of section  
 14 338.155, Florida Statutes, is amended to read:

15 338.155 Payment of toll on toll facilities required;  
 16 exemptions.—

17 (1) (a) A person may not use a toll facility without payment  
 18 of tolls, except:

19 1. An employee of the agency operating the toll project  
 20 when using the toll facility on official state business.

21 2. State military personnel while on official military  
 22 business.

23 3. A person with a disability as provided in subsection  
 24 (3).

25 4. A person exempt from toll payment by the authorizing  
 26 resolution for bonds issued to finance the facility.

27 5. A person exempt on a temporary basis where use of such  
 28 toll facility is required as a detour route.

29 6. A law enforcement officer operating an official vehicle

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

11-00396-25

2025532\_\_

30 while on official law enforcement business.

31 7. A person operating a fire vehicle while on official  
 32 business or a rescue vehicle while on official business.

33 8. A person participating in the funeral procession of a  
 34 law enforcement officer or firefighter killed in the line of  
 35 duty.

36 9. A person who has been determined by the United States  
 37 Department of Veterans Affairs or its predecessor to have a  
 38 service-connected 100-percent disability rating for compensation  
 39 or who has been determined to have a service-connected  
 40 disability rating of 100 percent and is in receipt of disability  
 41 retirement pay from any branch of the United States Armed  
 42 Services.

43 Section 2. For the purpose of incorporating the amendment  
 44 made by this act to section 338.155, Florida Statutes, in a  
 45 reference thereto, subsection (1) of section 316.1001, Florida  
 46 Statutes, is reenacted to read:

47 316.1001 Payment of toll on toll facilities required;  
 48 penalties.—

49 (1) A person may not use any toll facility without payment  
 50 of tolls, except as provided in s. 338.155. Failure to pay a  
 51 prescribed toll is a noncriminal traffic infraction, punishable  
 52 as a moving violation under chapter 318.

53 Section 3. This act shall take effect July 1, 2025.

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

**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.)

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Prepared By: The Professional Staff of the Committee on Transportation

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BILL: CS/SB 574

INTRODUCER: Transportation Committee and Senator Collins

SUBJECT: Toll Exemptions for Purple Heart Medal Recipients

DATE: March 25, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Johnson	Vickers	TR	Fav/CS
2.			ATD	
3.			FP	

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Technical Changes

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**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.<sup>1</sup> FDOT-owned toll facilities include Alligator Alley, the Pinellas Bayway System, the Sunshine Skyway Bridge, the Wekiva Parkway, and the Garcon Point Bridge.<sup>2</sup>

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

<sup>2</sup> Florida Department of Transportation, *Enterprise Toll Report*, [https://floridasturnpike.com/wp-content/uploads/2024/07/2\\_Department-owned-Facilities.pdf](https://floridasturnpike.com/wp-content/uploads/2024/07/2_Department-owned-Facilities.pdf) (last visited March 20, 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,<sup>3</sup> Lee County,<sup>4</sup> and Miami-Dade County.<sup>5</sup>

### **Payment of Tolls for the Use of a Toll Facility**

Florida law requires 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.<sup>6</sup>

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.<sup>7</sup>
- Any person driving a vehicle belonging to the Department of Military Affairs transporting military personnel, stores, and property.<sup>8</sup>
- As part of an emergency evacuation, when tolls are suspended by the Secretary of Transportation.<sup>9</sup>

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<sup>3</sup> Visit Pensacola, <https://www.visitpensacola.com/plan-your-trip/getting-here/#jlget-around> (last visited March 21, 2025).

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

<sup>5</sup> Miami-Dade County, *Causeways*, [https://www.miamidade.gov/global/service.page?Mduid\\_service=ser1684342734896148](https://www.miamidade.gov/global/service.page?Mduid_service=ser1684342734896148) (last visited March 21, 2025).

<sup>6</sup> 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).

<sup>7</sup> Section 338.155(1)(a), F.S.

<sup>8</sup> Section 338.155(2), F.S.

<sup>9</sup> Section 338.155(1)(b), F.S.

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

### **Payment of Tolls and Turnpike Bond Covenants**

Florida law authorizes FDOT to borrow money as provided by the State Bond Act<sup>13</sup> 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.<sup>14</sup>

In connection with the issuance of such bonds, the state has covenanted to not limit or restrict the rights vested in 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 FDOT's bondholders until the bonds are fully paid and discharged.<sup>15</sup> Statutes creating the state's expressway authorities contain similar provisions.<sup>16</sup>

The Turnpike master bond resolution, originally adopted in 1988, and amended and restated in 2005 (Resolution), contains commitments by 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. FDOT has also issued bonds to fund capital improvements to Alligator Alley.<sup>17</sup>

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.<sup>18</sup>

### **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

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<sup>10</sup> Section 338.155(1)(c), F.S.

<sup>11</sup> Section 318.18(7), F.S.

<sup>12</sup> 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](https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2024_Distribution_Schedule_-_pdf) (last visited February 12, 2025).

<sup>13</sup> Sections 215.57 through 215.83, F.S.

<sup>14</sup> Section 338.227(1), F.S. *FDOT Analysis* at 2.

<sup>15</sup> Section 338.229, F.S., *FDOT Analysis* at 2.

<sup>16</sup> See ss. 348.0313, 348.64, and 348.761, F.S.

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

<sup>18</sup> *Id.*

and means a service member has greatly sacrificed themselves, or paid the ultimate price, while in the line of duty.<sup>19</sup>

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,<sup>20</sup> 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.<sup>21</sup>

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.<sup>22</sup>

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

### 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 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, Section 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, 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.

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<sup>19</sup> USO, *9 Things You Need to Know About the Purple Heart Medal* <https://www.uso.org/stories/2276-8-purple-heart-facts> (last visited February 14, 2025).

<sup>20</sup> 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 March 21, 2025).

<sup>21</sup> Section 320.089(1)(a), F.S.

<sup>22</sup> Section 320.0875, F.S.

<sup>23</sup> 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 March 19, 2025).



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.<sup>24,25,26</sup> 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.

**C. Government Sector Impact:**

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

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<sup>24</sup> FLA. CONST. art. VII, s. 18(d).

<sup>25</sup> 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 Mar. 7, 2025).

<sup>26</sup> 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](https://edr.state.fl.us/content/conferences/population/ConferenceResults_Tables.pdf) (last visited Mar. 7, 2025).

<sup>27</sup> Revenue Estimating Conference, 2025 Revenue Impacts, pp. 34-37. <https://edr.state.fl.us/Content/conferences/revenueimpact/archives/2025/pdf/impact0214.pdf> (last visited February 17, 2025).

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)

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.<sup>28</sup>

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 SunPass<sup>29</sup> account holders, system modifications for the program, and recurring administrative costs to monitor the program.<sup>30</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

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 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 FDOT’s credit rating, resulting in higher interest rates and increased borrowing costs and would also likely reduce FDOT’s future bonding capacity.<sup>31</sup>

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 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.<sup>32</sup>

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 FDOT’s

<sup>28</sup> *FDOT Analysis*, p. 4.

<sup>29</sup> SunPass is Florida’s electronic toll transponder.

<sup>30</sup> *FDOT Analysis*, p.4.

<sup>31</sup> *Id.* at 5.

<sup>32</sup> *Id.*

toll facilities, multiple expressway authorities, county and city toll facilities, and independent toll facilities.<sup>33</sup>

**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.

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

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<sup>33</sup> *Id.*



787450

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/26/2025	.	
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	.	

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The Committee on Transportation (Collins) recommended the following:

**Senate Amendment (with title amendment)**

Delete line 35

and insert:

Heart special license plate or a motorcycle displaying a

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

And the title is amended as follows:

Delete line 5

and insert:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10



787450

11

displaying a Purple Heart special license plate or a

By Senator Collins

14-00696A-25

2025574\_\_

A bill to be entitled

An act relating to toll exemptions for Purple Heart medal recipients; amending s. 338.155, F.S.; revising eligibility for toll exemptions to include operators displaying a Purple Heart specialty license plate or a Purple Heart special motorcycle license plate; providing an effective date.

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

Section 1. Paragraph (a) of subsection (1) of section 338.155, Florida Statutes, is amended to read:

338.155 Payment of toll on toll facilities required; exemptions.—

(1)(a) A person may not use a toll facility without payment of tolls, except:

1. An employee of the agency operating the toll project when using the toll facility on official state business.

2. State military personnel while on official military business.

3. A person with a disability as provided in subsection (3).

4. A person exempt from toll payment by the authorizing resolution for bonds issued to finance the facility.

5. A person exempt on a temporary basis where use of such toll facility is required as a detour route.

6. A law enforcement officer operating an official vehicle while on official law enforcement business.

7. A person operating a fire vehicle while on official

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

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2025574\_\_

business or a rescue vehicle while on official business.

8. A person participating in the funeral procession of a law enforcement officer or firefighter killed in the line of duty.

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

Section 2. This act shall take effect July 1, 2025.

Page 2 of 2

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**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

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

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Prepared By: The Professional Staff of the Committee on Transportation

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BILL: SB 1210

INTRODUCER: Senator Martin

SUBJECT: Traffic Infractions Resulting in a Crash with Another Vehicle

DATE: March 25, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Johnson	Vickers	TR	<b>Favorable</b>
2.			JU	
3.			RC	

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**I. Summary:**

SB 1210 requires a mandatory hearing for a person cited for running a red light or a stop sign which resulted in a crash with another vehicle. For a first offense, there is a civil penalty of \$500, in addition to other penalties. For a second offense, there is a civil penalty of \$1,000, in addition to any other penalties, and the person's driver license must be suspended for six months. For a third or subsequent infraction, there is a civil penalty of \$1,000, in addition to any other penalties, and the person's driver license must be suspended for one year.

The bill requires persons found to have run a red light or stop sign resulting in a crash with another vehicle to carry the same additional insurance as is required for convictions and certain pleas relating to driving under the influence.

The bill has a fiscal impact on both state and local governments. *See* Section V., Fiscal Impact Statement for details.

This bill takes effect October 1, 2025.

**II. Present Situation:**

**Requirements for Vehicles to Stop**

Florida law requires the driver of any vehicle to obey the instructions of any applicable official traffic control device unless otherwise directed by a police officer.<sup>1</sup> A violation is a noncriminal

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<sup>1</sup> Section 316.074(1), F.S. There are also exceptions granted to drivers of authorized emergency vehicles.

traffic infraction, punishable as a moving violation.<sup>2</sup> The statutory base fine is \$60,<sup>3</sup> but with additional fees and surcharges, the total penalty may be up to \$159.<sup>4</sup>

Florida law also requires that the driver of a vehicle approaching an intersection with a stop sign to stop before entering the intersection.<sup>5</sup> A violation is a noncriminal traffic infraction, punishable as a moving violation. The statutory base fine is \$60,<sup>6</sup> but with additional fees and surcharges, the total penalty may be up to \$159.<sup>7</sup>

### **Traffic Infractions Requiring a Mandatory Hearing**

Any person cited for any traffic infraction listed below must appear before a designated official for a hearing:

- Any infraction which results in a crash that causes the death of another;
- Any infraction which results in a crash that causes serious bodily injury<sup>8</sup> of another;
- Any infraction of passing a school bus on the side of the bus where children enter or exit the bus while the bus is displaying a stop signal;<sup>9</sup>
- Any infraction related to unsecured loads;<sup>10</sup> or
- Any speeding infraction involving exceeding the speed limit by 30 mph or more.<sup>11,12</sup>

### **Motor Vehicle Insurance Requirements – Driving Under the Influence**

Section 324.023, F.S., provides that in addition to any other statutory insurance requirement, every owner or operator of a motor vehicle, and who, regardless of adjudication of guilt, has been found guilty of or entered a plea of guilty or nolo contendere to driving under the influence<sup>13</sup> must establish and maintain insurance or other ability to respond in damages for liability on account of motor vehicle accidents of:

- \$100,000 for bodily injury to, or death of, one person in any one crash;
- \$300,000 because of bodily injury to, or death of, two or more persons in any one crash; and
- \$50,000 in property damage in any one crash.

These higher insurance limits must be carried for a minimum of three years. If such person has not been convicted of driving under the influence or a felony traffic offense for a period of three

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<sup>2</sup> Section 316.074(6), F.S.

<sup>3</sup> Section 318.18(3)(a), F.S.,

<sup>4</sup> Florida Association of Clerks of Court, *2024 Distribution Schedule*, p. 48.

[https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2024\\_Distribution\\_Schedule\\_-\\_pdf](https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2024_Distribution_Schedule_-_pdf) (last visited March 19, 2025).

<sup>5</sup> Section 316.123(2)(a), F.S. There is an exception for when directed to proceed by a police officer or a traffic control signal.

<sup>6</sup> Section 318.18(3)(a), F.S.,

<sup>7</sup> *Supra* note 4.

<sup>8</sup> Section 316.1933(1)(b), F.S., defines the term “serious bodily injury” to mean an injury to any person, including the driver, which consists of a physical condition that creates a substantial risk of death, serious personal disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

<sup>9</sup> Section 316.172(1)(b), F.S.

<sup>10</sup> Sections 316.520(1) and (2), F.S.

<sup>11</sup> Sections 316.183(2), s. 316.187, or s. 316.189, F.S.

<sup>12</sup> Section 318.19, F.S.

<sup>13</sup> Section 316.193, F.S. This provision applies to convictions and pleas after October 1, 2007.



years from the date of reinstatement of his or her driving privileges for the driving under the influence offense, the owner or operator is no longer subject to these additional insurance requirements.<sup>14</sup>

**Relevant Crash Data**

The Department of Highway Safety and Motor Vehicles’ (DHSMV) crash report database identified the following type and number of crashes in 2023 related to running red lights or stop signs:<sup>15</sup>

First Driver Action	Crashes with Fatalities	Crashes with Incapacitating Injuries	Crashes with Non-Incapacitating Injuries	Crashes with Possible Injuries	Crashes with No Injuries	Total Crashes
Ran Red Light	84	681	6,067	7,889	30,324	33,045
Ran Stop Sign	57	422	2,063	4,065	12,962	19,569
Total	141	1,103	8,130	11,954	43,286	52,614

**III. Effect of Proposed Changes:**

The bill requires a mandatory hearing for the offense of running a red light or a stop sign resulting in a crash with another vehicle.<sup>16</sup>

The bill provides that if a person is required to appear before a designated official and has been found to have committed the infraction of running a red light or a stop sign resulting in a crash with another vehicle, the designated official must impose a civil penalty of:

- For a first infraction, \$500 in addition to any other penalties.
- For a second infraction, \$1,000 in addition to any other penalties and the person’s driver license must be suspended for six months.
- For a third or subsequent offense, \$1,000 in addition to any other penalties and the person’s driver license must be suspended for one year.

The bill requires persons found to have committed such infractions to maintain the same insurance as is currently required for convictions and certain pleas for driving under the influence for a minimum of three years.

This bill takes effect October 1, 2025.

<sup>14</sup> Section 324.023, F.S.

<sup>15</sup> Department of Highway Safety and Motor Vehicles, *2023 Crash Report*, p. 32 [https://www.flhsmv.gov/pdf/crashreports/crash\\_facts\\_2023.pdf](https://www.flhsmv.gov/pdf/crashreports/crash_facts_2023.pdf) (last visited March 19, 2025).

<sup>16</sup> Section 316.003(109), F.S., defines the term “vehicle” to mean every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except personal delivery devices, mobile carriers, and devices used exclusively upon stationary rails or tracks.

**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:

Drivers who violate the provisions of the bill will experience a negative fiscal impact associated with increased penalties and additional insurance requirements. There may also be additional indeterminate economic costs associated with driver license suspensions.

## C. Government Sector Impact:

State and local governments will experience an indeterminate positive fiscal impact as a result of the additional revenues associated with the enhanced civil penalties provided for in the bill.

There may be an indeterminate negative fiscal impact on the court system due to the significant number of additional mandatory hearings that would be required by the bill.

**VI. Technical Deficiencies:**

On line 116, there may need to be an “or” added at the end of that line.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 318.14, 318.19, and 324.023.

**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.

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

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By Senator Martin

33-01746A-25

20251210\_\_

A bill to be entitled

An act relating to traffic infractions resulting in a crash with another vehicle; amending s. 318.14, F.S.; requiring the imposition of specified civil penalties and periods of driver license suspension on a person found at a mandatory hearing to have committed certain traffic infractions that resulted in a crash with another vehicle, in addition to any other penalties; amending s. 318.19, F.S.; requiring persons cited for specified infractions that result in a crash with another vehicle to appear at a certain mandatory hearing; amending s. 324.023, F.S.; requiring certain owners and operators of motor vehicles to establish and maintain the ability to respond in damages for liability on account of certain accidents; providing an effective date.

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

Section 1. Subsection (5) of section 318.14, Florida Statutes, is amended to read:

318.14 Noncriminal traffic infractions; exception; procedures.—

(5) Any person electing to appear before the designated official or who is required to appear is ~~shall be~~ deemed to have waived his or her right to the civil penalty provisions of s. 318.18. The official, after a hearing, shall make a determination as to whether an infraction has been committed. If the commission of an infraction has been proven, the official

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may impose a civil penalty not to exceed \$500, except that in cases involving unlawful speed in a school zone or involving unlawful speed in a construction zone, the civil penalty may not exceed \$1,000; or require attendance at a driver improvement school, or both. If the person is required to appear before the designated official pursuant to s. 318.19(1) and is found to have committed the infraction, the designated official must ~~shall~~ impose a civil penalty of \$1,000 in addition to any other penalties and the person's driver license shall be suspended for 6 months. If the person is required to appear before the designated official pursuant to s. 318.19(1) and is found to have committed the infraction against a vulnerable road user as defined in s. 316.027(1), the designated official must ~~shall~~ impose a civil penalty of not less than \$5,000 in addition to any other penalties, the person's driver license must ~~shall~~ be suspended for 1 year, and the person must ~~shall~~ be required to attend a department-approved driver improvement course relating to the rights of vulnerable road users relative to vehicles on the roadway as provided in s. 322.0261(2). If the person is required to appear before the designated official pursuant to s. 318.19(2) and is found to have committed the infraction, the designated official must ~~shall~~ impose a civil penalty of \$500 in addition to any other penalties and the person's driver license must ~~shall~~ be suspended for 3 months. If the person is required to appear before the designated official pursuant to s. 318.19(2) and is found to have committed the infraction against a vulnerable road user as defined in s. 316.027(1), the designated official must ~~shall~~ impose a civil penalty of not less than \$1,500 in addition to any other penalties, the

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59 person's driver license ~~must shall~~ be suspended for 3 months,  
 60 and the person ~~must shall~~ be required to attend a department-  
 61 approved driver improvement course relating to the rights of  
 62 vulnerable road users relative to vehicles on the roadway as  
 63 provided in s. 322.0261(2). If the person is required to appear  
 64 before the designated official pursuant to s. 318.19(6) and is  
 65 found to have committed an infraction of s. 316.074(1) or s.  
 66 316.123(2) which resulted in a crash with another vehicle as  
 67 defined in s. 316.003, the designated official must impose a  
 68 civil penalty of \$500 in addition to any other penalties. If the  
 69 person is required to appear before the designated official  
 70 pursuant to s. 318.19(6) for an infraction and is found to have  
 71 committed a second infraction of s. 316.074(1) or s. 316.123(2)  
 72 which resulted in a crash with another vehicle as defined in s.  
 73 316.003, the designated official must impose a civil penalty of  
 74 \$1,000 in addition to any other penalties and the person's  
 75 driver license must be suspended for 6 months. If the person is  
 76 required to appear before the designated official pursuant to s.  
 77 318.19(6) for an infraction and is found to have committed a  
 78 third or subsequent infraction of s. 316.074(1) or s. 316.123(2)  
 79 which resulted in a crash with another vehicle as defined in s.  
 80 316.003, the designated official must impose a civil penalty of  
 81 \$1,000 in addition to any other penalties and the person's  
 82 driver license must be suspended for 1 year. If the official  
 83 determines that no infraction has been committed, no costs or  
 84 penalties may shall be imposed and any costs or penalties that  
 85 have been paid ~~must shall~~ be returned. Moneys received from the  
 86 mandatory civil penalties imposed pursuant to this subsection  
 87 upon persons required to appear before a designated official

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20251210\_\_

88 pursuant to s. 318.19(1) or (2) shall be remitted to the  
 89 Department of Revenue and deposited into the Department of  
 90 Health Emergency Medical Services Trust Fund to provide  
 91 financial support to certified trauma centers to assure the  
 92 availability and accessibility of trauma services throughout the  
 93 state. Funds deposited into the Emergency Medical Services Trust  
 94 Fund under this section shall be allocated as follows:  
 95 (a) Fifty percent shall be allocated equally among all  
 96 Level I, Level II, and pediatric trauma centers in recognition  
 97 of readiness costs for maintaining trauma services.  
 98 (b) Fifty percent shall be allocated among Level I, Level  
 99 II, and pediatric trauma centers based on each center's relative  
 100 volume of trauma cases as calculated using the hospital  
 101 discharge data collected pursuant to s. 408.061.  
 102 Section 2. Section 318.19, Florida Statutes, is amended to  
 103 read:  
 104 318.19 Infractions requiring a mandatory hearing.—Any  
 105 person cited for the infractions listed in this section does  
 106 ~~shall~~ not have the provisions of s. 318.14(2), (4), and (9)  
 107 available to him or her but must appear before the designated  
 108 official at the time and location of the scheduled hearing:  
 109 (1) Any infraction which results in a crash that causes the  
 110 death of another;  
 111 (2) Any infraction which results in a crash that causes  
 112 "serious bodily injury" of another as defined in s. 316.1933(1);  
 113 (3) Any infraction of s. 316.172(1)(b);  
 114 (4) Any infraction of s. 316.520(1) or (2); ~~or~~  
 115 (5) Any infraction of s. 316.183(2), s. 316.187, or s.  
 116 316.189 of exceeding the speed limit by 30 mph or more;

Page 4 of 6

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

33-01746A-25

20251210\_\_

117 (6) Any infraction of s. 316.074(1) or s. 316.123(2) which  
 118 results in a crash with another vehicle as defined in s.  
 119 316.003.

120 Section 3. Section 324.023, Florida Statutes, is amended to  
 121 read:

122 324.023 Financial responsibility for bodily injury or  
 123 death.—

124 (1) In addition to any other financial responsibility  
 125 required by law, every owner or operator of a motor vehicle that  
 126 is required to be registered in this state, or that is located  
 127 within this state, and who:—

128 (a) Regardless of adjudication of guilt, has been found  
 129 guilty of or entered a plea of guilty or nolo contendere to a  
 130 charge of driving under the influence under s. 316.193 after  
 131 October 1, 2007; or

132 (b) Is found to have committed an infraction of s.  
 133 316.074(1) or s. 316.123(2) which resulted in a crash with  
 134 another vehicle as defined in s. 316.003,

135 shall, by one of the methods established in s. 324.031(1) or  
 136 (2), establish and maintain the ability to respond in damages  
 137 for liability on account of accidents arising out of the use of  
 138 a motor vehicle in the amount of \$100,000 because of bodily  
 139 injury to, or death of, one person in any one crash and, subject  
 140 to such limits for one person, in the amount of \$300,000 because  
 141 of bodily injury to, or death of, two or more persons in any one  
 142 crash and in the amount of \$50,000 because of property damage in  
 143 any one crash. If the owner or operator chooses to establish and  
 144 maintain such ability by furnishing a certificate of deposit  
 145

Page 5 of 6

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33-01746A-25

20251210\_\_

146 pursuant to s. 324.031(2), such certificate of deposit must be  
 147 at least \$350,000. Such higher limits must be carried for a  
 148 minimum period of 3 years.

149 (2) If ~~an~~ the owner or operator required to establish and  
 150 maintain such ability under paragraph (1) (a) has not been  
 151 convicted of driving under the influence or a felony traffic  
 152 offense for a period of 3 years from the date of reinstatement  
 153 of driving privileges for a violation of s. 316.193, the owner  
 154 or operator is ~~shall be~~ exempt from this section.

155 Section 4. This act shall take effect October 1, 2025.

Page 6 of 6

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

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/25/25  
Meeting Date

SB 1210  
Bill Number (if applicable)

Topic Traffic Infractions Resulting in a Crash with Another Vehicle Amendment Barcode (if applicable)

Name Jim Guarnieri

Job Title Attorney - FJA

Address 214 S ARMENIA AVE  
Street

Phone 813-689-0911

TAMPA FL 33609  
City State Zip

Email jim@tampatrillaw.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Florida Justice Association

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

S-001 (10/14/14)

March 25, 2025

Meeting Date

Transportation

Committee

Name

Barney Bishop III

Phone

850-510-9922

Address

1454 Vieux Carre Drive

Email

Barney@BarneyBishop.com

Street

Tallahassee

FL

32308

City

State

Zip

Amendment Barcode (if applicable)

Bill Number or Topic

1210

# The Florida Senate APPEARANCE RECORD

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

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:

**Fla. Smart Justice Alliance**

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

APPEARANCE RECORD

3-25-25

Meeting Date

1210

Bill Number or Topic

Transportation

Committee

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

Amendment Barcode (if applicable)

Name CAPTAIN James Cunningham

Phone 239-253-3935

Address 3319 TAMiamiP TR. E.

Email 0830@ColliverLeft.org

Street

Naples, FL 34112

City

State

Zip



Speaking:  For  Against  Information

OR

Waive Speaking:  In Support  Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

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

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

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

S-001 (08/10/2021)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

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

---

Prepared By: The Professional Staff of the Committee on Transportation

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BILL: CS/SB 1246

INTRODUCER: Transportation Committee and Senator Rodriguez

SUBJECT: Specialty License Plates/Save Coastal Wildlife

DATE: March 25, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Shutes	Vickers	TR	<b>Fav/CS</b>
2.			ATD	
3.			FP	

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**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 DHSMV has not submitted a bill analysis for SB 1246 but based on similar specialty license plate bill analyses submitted for the 2024-2025 Legislative Session, the fiscal impact associated with the bill is \$8,280.

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.<sup>1</sup> 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.<sup>2</sup> 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.”<sup>3</sup>

### Specialty License Plates

According to 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.<sup>4</sup> 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.<sup>5</sup>

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.<sup>6</sup>

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.<sup>7</sup> 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.<sup>8</sup>

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

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

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

<sup>3</sup> *Id.*

<sup>4</sup> 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.

<sup>5</sup> Section 320.08058, F.S.

<sup>6</sup> 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.

<sup>7</sup> 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.

<sup>8</sup> 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.<sup>9</sup>

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.<sup>10</sup>

### ***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.<sup>11</sup> 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.<sup>12</sup>

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.<sup>13</sup> 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.<sup>14</sup>

### ***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.<sup>15</sup> 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.<sup>16</sup>

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

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<sup>9</sup> Section 320.08053(3)(a), F.S.

<sup>10</sup> Section 320.08053(3)(b), F.S.

<sup>11</sup> Section 320.08056(10)(a), F.S.

<sup>12</sup> 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.

<sup>13</sup> Section 320.08056(10)(a), F.S.

<sup>14</sup> Section 320.08056(11), F.S.

<sup>15</sup> Section 320.08056(8)(a), F.S.

<sup>16</sup> 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.<sup>17</sup>

### **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.

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<sup>17</sup> 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 DHSMV has not submitted a bill analysis for SB 1246, but based on similar specialty license plate bill analyses submitted for the 2024-2025 Legislative Session, the 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.



151564

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/26/2025	.	
	.	
	.	
	.	

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The Committee on Transportation (Rodriguez) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 29 - 42

and insert:

research. Up to 10 percent of the annual use fees may be used for costs associated with the design and creation of the license plate, annual administrative costs directly associated with the administration of the Save Coastal Wildlife program, and marketing of the license plate. Of the remaining funds:

1. Eighty-five percent must be used to maintain programs at



151564

11 the Marjory Stoneman Douglas Institute at Zoo Miami which  
12 conserve imperiled coastal wildlife and ecosystems.

13 2. Fifteen percent must be distributed to eligible Florida-  
14 based nonprofit organizations to conserve native imperiled  
15 coastal wildlife and ecosystems.

16  
17 ===== T I T L E A M E N D M E N T =====

18 And the title is amended as follows:

19 Delete lines 8 - 9

20 and insert:

21 providing an effective date.



By Senator Rodriguez

40-00701-25

20251246\_\_

A bill to be entitled

An act relating to specialty license plates; amending s. 320.08058, F.S.; 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; authorizing the Auditor General to examine certain records; providing an effective date.

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

Section 1. Subsection (136) is added to section 320.08058, Florida Statutes, to read:

320.08058 Specialty license plates.—

(136) SAVE COASTAL WILDLIFE LICENSE PLATES.—

(a) The department shall develop a Save Coastal Wildlife license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Save Coastal Wildlife" must appear at the bottom of the plate. The plate must include the image of an American flamingo.

(b) The annual use fees from the sale of the plate must be distributed to the Zoo Miami Foundation, a nonprofit organization under s. 501(c)(3) of the Internal Revenue Code, for conservation of imperiled coastal wildlife and ecosystems in this state through field conservation and mission-focused research. Up to 15 percent of the annual use fees may be used

Page 1 of 2

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

40-00701-25

20251246\_\_

for costs associated with the design and creation of the license plate, annual administrative costs directly associated with the administration of the Save Coastal Wildlife program, and marketing of the license plate. Of the remaining funds:

1. Eighty-five percent must be used to maintain programs at the Marjory Stoneman Douglas Institute at Zoo Miami which conserve imperiled coastal wildlife and ecosystems.

2. Fifteen percent must be distributed to eligible Florida-based nonprofit organizations to conserve native-imperiled coastal wildlife and ecosystems.

(c) The Auditor General may examine any records of the Zoo Miami Foundation and any other organization that receives funds from the sale of the plate to determine compliance with law.

Section 2. This act shall take effect October 1, 2025.

Page 2 of 2

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

**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.)

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Prepared By: The Professional Staff of the Committee on Transportation

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BILL: CS/SB 1378

INTRODUCER: Transportation Committee and Senator Arrington

SUBJECT: Leaving the Scene of a Crash Involving Only Damage to Vehicle or Property

DATE: March 25, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Johnson	Vickers	TR	Fav/CS
2.			CJ	
3.			RC	

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 1378 authorizes a court to order a driver who is convicted of leaving the scene of a crash, who caused or otherwise contributed to the crash, that resulted in damage to a vehicle or other property which is driven or attended by any person, to make restitution to the vehicle or property owner for any damage caused by the driver's vehicle.

The bill does not appear to have a fiscal impact on state or local government. The bill may have an indeterminate positive fiscal impact on the private sector. *See* Section V., Fiscal Impact Statement for details.

This bill takes effect October 1, 2025.

**II. Present Situation:**

**Duty to Give Information and Render Aid**

Section 316.062, F.S., outlines a driver's duties to give information and render aid if he or she is involved in a crash resulting in personal injury, death, or property damage, including but not limited to:

- Giving his or her name, address, and the registration number of the vehicle he or she is driving to any person injured in such crash, or to the driver or occupant of or person

attending any vehicle or other property damaged in the crash, or to any police officer at the scene of the crash or who is investigating the crash;

- Exhibiting his or her license or permit to drive, upon request and if available, to any such person or police officer specified above; and
- Rendering reasonable assistance to any injured person, including carrying such person to a physician, surgeon, or hospital for medical or surgical treatment if it is apparent that treatment is necessary or upon the injured person's request.

### **Crashes Involving Damage to Vehicle or Other Property**

Under s. 316.061(1), F.S., the driver of any vehicle involved in a crash resulting only in damage to a vehicle or other property which is driven or attended by any person must immediately stop such vehicle at the scene of the crash, or as close thereto as possible, and must remain at the scene of the crash until he or she has fulfilled the requirements of s. 316.062, F.S., related to the duty to give information and render aid.

A person who violates s. 316.061(1), F.S., by leaving the scene of a crash involving damage to a vehicle or property which is attended by another person commits a second degree misdemeanor,<sup>1</sup> and must pay an additional fine of \$5, which is deposited in the Emergency Medical Services Trust Fund, which is used to improve and expand prehospital emergency medical services.<sup>2</sup>

Under s. 316.063(1), F.S., the driver of any vehicle which collides with, or is involved in a crash with, any vehicle or other property which is unattended, resulting in any damage to such other vehicle or property, must immediately stop and either locate and notify the operator or owner of the vehicle or other property of the driver's name and address and the registration number of the vehicle he or she is driving, or must securely attach in a conspicuous place in or on the vehicle or other property a written notice giving the driver's name and address and the registration number of the vehicle he or she is driving, and must notify the nearest office of a duly authorized police authority.

A person who violates s. 316.063(1), F.S., by leaving the scene of a collision or crash with any vehicle or other property which is unattended, resulting in any damage to such other vehicle or property, commits a second degree misdemeanor.

### **Crash Involving Death or Personal Injuries**

Under s. 316.027(2), F.S., the driver of a vehicle involved in a crash occurring on public or private property which results in death or personal injury to another person must immediately stop the vehicle at the scene of the crash, or as close thereto as possible, and must remain at the scene of the crash until he or she has fulfilled the requirements of s. 316.062, F.S., related to the duty to give information and render aid.

---

<sup>1</sup> A second degree misdemeanor is punishable by up to six months in county jail and a \$500 fine. *See* .s. 775.082 and 775.083, F.S.

<sup>2</sup> Section 401.113, F.S.

A person who violates s. 316.027(2), F.S., by leaving the scene of a crash involving death or personal injuries commits a:

- Third degree felony,<sup>3</sup> if the crash results in injury to a person other than serious bodily injury.<sup>4</sup>
- Second degree felony,<sup>5</sup> if the crash results in serious bodily injury to a person.<sup>6</sup>
- First degree felony,<sup>7</sup> if the crash results in the death of a person and must be sentenced to a four year mandatory minimum term of imprisonment.<sup>8</sup>

Notwithstanding the general requirements for restitution under s. 775.089(1)(a), F.S., the court must order a person who violates s. 316.027(2), F.S., to make restitution to the victim for any damage or loss unless the court finds clear and compelling reasons not to order the restitution.<sup>9,10</sup> The Legislature added the restitution requirement to s. 316.027, F.S., in 2007.<sup>11</sup>

### Restitution

Unless a court finds clear and compelling reasons not to order restitution, s. 775.089(1)(a), F.S., requires a court to order a defendant to make restitution to a victim for damage or loss:

- Caused directly or indirectly by the defendant's offense; and
- Related to the defendant's criminal episode.

The Florida Supreme Court has interpreted s. 775.089(1)(a), F.S., to require any damage for which restitution is ordered to bear a significant relationship to, and be directly or indirectly caused by, the convicted offense.<sup>12</sup>

### III. Effect of Proposed Changes:

The bill amends s. 316.061(1), F.S., authorizing a court to order a driver who is convicted of leaving the scene of a crash, who caused or otherwise contributed to the crash, that resulted in damage to a vehicle or other property which is driven or attended by any person to make restitution to the owner of such vehicle or other property for any damage that was caused by the driver's vehicle.

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<sup>3</sup> A third degree felony is punishable by up to five years in prison and a \$5,000 fine. *See* ss. 775.082, F.S., 775.083, F.S., or 775.084, F.S.

<sup>4</sup> Section 316.027(2)(a), F.S.

<sup>5</sup> A second degree felony is punishable by up to 15 years in prison and a \$10,000 fine. *See* ss. 775.082, F.S., 775.083, F.S., or 775.084, F.S.

<sup>6</sup> Section 316.207(2)(b), F.S.

<sup>7</sup> A first degree felony is punishable by up to 30 years in prison and a \$10,000 fine. *See* ss. 775.082, F.S., 775.083, F.S., or 775.084, F.S.

<sup>8</sup> Section 316.027(2)(c), F.S.

<sup>9</sup> Section 316.207(2)(d), F.S.

<sup>10</sup> The court must also order payment to the Crimes Compensation Trust Fund (CCTF) under chapter 960, which covers expenses such as physical and mental health care and other compensable costs. Section 316.027(2), F.S., is the only leaving the scene offense that qualifies as a "crime" under s. 960.03(3)(b), F.S., and thus is the only leaving the scene offense for which a victim is eligible to receive an award from the CCTF and for which a court may order the defendant to pay restitution to the CCTF.

<sup>11</sup> Chapter 2007-211, Laws of Fla.

<sup>12</sup> *See, e.g., Glaubius v. State*, 688 So. 2d 913, 915 (Fla. 1997) (*citing State v. Williams*, *infra* note 12).

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:

The bill may have an indeterminate positive fiscal impact on the private sector by authorizing a court to order a driver, who caused or otherwise contributed to the crash, is convicted of unlawfully leaving the scene of a crash to make restitution for any damage that he or she caused to another person's vehicle or other property.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 316.061 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 by Transportation on March 25, 2025:**

- Authorizes, rather than requires, a court to order a driver to make restitution for specified damage.
- Specifies that the driver must have caused or otherwise contributed to the crash before a court is authorized to order restitution for specified damage.

- B. **Amendments:**

None.



662394

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/26/2025	.	
	.	
	.	
	.	

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The Committee on Transportation (Arrington) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 22 - 25  
and insert:  
punishable as provided in s. 775.082 or s. 775.083. The court may order a driver convicted of a violation of this section, who caused or otherwise contributed to the crash, to make restitution to the owner of a vehicle or other property damaged in the crash for any damage that was caused by the driver's



662394

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

12 And the title is amended as follows:

13       Delete lines 4 - 7

14 and insert:

15       s. 316.061, F.S.; authorizing a court to order a  
16       driver convicted of leaving the scene of a crash to  
17       make restitution for specified damage; providing an  
18       effective date.



By Senator Arrington

25-01558-25

20251378\_\_

1 A bill to be entitled  
 2 An act relating to leaving the scene of a crash  
 3 involving only damage to vehicle or property; amending  
 4 s. 316.061, F.S.; requiring that a person convicted of  
 5 leaving the scene of a crash resulting only in damage  
 6 to a vehicle or other property be ordered to make  
 7 restitution; providing an effective date.  
 8

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

11 Section 1. Subsection (1) of section 316.061, Florida  
 12 Statutes, is amended to read:

13 316.061 Crashes involving damage to vehicle or property.-

14 (1) The driver of any vehicle involved in a crash resulting  
 15 only in damage to a vehicle or other property which is driven or  
 16 attended by any person shall immediately stop such vehicle at  
 17 the scene of such crash or as close thereto as possible, and  
 18 shall forthwith return to, and in every event shall remain at,  
 19 the scene of the crash until he or she has fulfilled the  
 20 requirements of s. 316.062. A person who violates this  
 21 subsection commits a misdemeanor of the second degree,  
 22 punishable as provided in s. 775.082 or s. 775.083. A person  
 23 convicted of a violation of this subsection shall be ordered to  
 24 make restitution to the owner of a vehicle or other property  
 25 damaged in the crash for damage that was caused by his or her  
 26 vehicle. Notwithstanding any other provision of this section, \$5  
 27 shall be added to a fine imposed pursuant to this section, which  
 28 \$5 shall be deposited in the Emergency Medical Services Trust  
 29 Fund.

Page 1 of 2

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

25-01558-25

20251378\_\_

30 Section 2. This act shall take effect October 1, 2025.

Page 2 of 2

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

March 25, 2025

Meeting Date

Transportation

Committee

Name Barney Bishop III

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Tallahassee

City

FL

State

32308

Zip

Phone 850-510-9922

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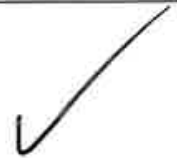
The Florida Senate APPEARANCE RECORD

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

1378

Bill Number or Topic

Amendment Barcode (if applicable)



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:

Fla. Smart Justice Alliance

[ ] 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 Committee on Transportation

BILL: CS/SB 1662

INTRODUCER: Transportation Committee and Senator Collins

SUBJECT: Transportation

DATE: March 26, 2025      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Johnson	Vickers	TR	Fav/CS
2.			ATD	
3.			AP	

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

**I. Summary:**

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 FDOT regarding their operations.
- Prohibits state funding to a seaport near certain spaceport territory unless it agrees to specified land use requirements.
- 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 FDOT’s uniform system for traffic control devices.
- Requires FDOT to certify private airports of public interest.
- Authorizes FDOT to fund certain infrastructure projects associated with spaceports.

- Requires airports to provide FDOT with the opportunity to use airport property as a staging area during certain declared states of emergency.
- Authorizes FDOT to inspect commercial airport facilities.
- Requires airports to submit annual maintenance reports to FDOT and authorizes FDOT to withhold capital improvement funds if an airport fails to perform routine maintenance.
- Authorizes 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 FDOT after receiving certain communications or directives from the federal government and following issues or incidents of concern.
- Codifies advanced air mobility into Florida law.
- Revises FDOT's authorization regarding public information and education campaigns.
- Authorizes FDOT to adopt rules to comply with federal disadvantaged business enterprise rules.
- Creates the Florida Transportation Academy, within FDOT, to coordinate with certain entities regarding workforce development.
- Authorizes 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 FDOT's business development program.
- Repeals FDOT's disadvantaged business enterprise program.
- Authorizes 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 FDOT from providing funds to transportation-related entities for projects or programs that are inconsistent with the energy policy of the state.
- Makes permanent the authorization for the chair and vice chair of the Legislative Budget Commission to approve FDOT work program amendments in certain cases.
- Repeals an obsolete report requirement related to electric vehicle charging infrastructure.
- Removes the Legislative Budget Commission's approval of emergency loans from the State Infrastructure Bank.
- Revises and makes permanent 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.
- Requires the Jacksonville Transportation Authority to post on information on its website regarding on salaries, travel, and contracts and to follow FDOT's business development program.

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

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.<sup>1</sup> The secretary of may appoint up to three assistant secretaries who report to the secretary and perform such duties as the secretary assigns.<sup>2</sup> FDOT employs the following assistant secretaries: Engineering and Operations, Finance and Administration, and Strategic Development.<sup>3</sup>

Transportation Technology prioritizes technology projects to ensure enterprise coordination and management of technology and technology resources to deliver 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.<sup>4</sup>

#### *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.<sup>5</sup>

### Florida Transportation Commission (Section 1)

#### *Present Situation*

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

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<sup>1</sup> Section 20.23, F.S.

<sup>2</sup> Section 20.23(1)(d), F.S.

<sup>3</sup> 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).

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

<sup>5</sup> This is pursuant to s. 110.205(2)(j), F.S.

<sup>6</sup> 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 FDOT.<sup>7</sup>

Among its statutorily required duties, the FTC must monitor the efficiency, productivity, and management 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, 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.<sup>8</sup>

For purposes 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.<sup>9</sup> 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.<sup>10</sup>

FDOT administers a public transit block grant program, which provides grant funds to public transit providers<sup>11</sup> in urbanized areas. Costs for which public transit block grants may be used for capital projects, service development and transit corridor projects, and operations.<sup>12</sup>

### *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 FDOT. In its place, the bill requires 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.

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<sup>7</sup> Section 20.23(2)(g), F.S.

<sup>8</sup> 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.

<sup>9</sup> Section 112.313(1), F.S.

<sup>10</sup> Section 112.313, F.S.

<sup>11</sup> 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.

<sup>12</sup> 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)<sup>13</sup> at the University of South Florida and the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies (I-STREET) Living Lab<sup>14</sup> 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 FTRI reports to 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. FDOT must select a member to serve as the institute's administrative lead. 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 FDOT to serve as FTRI's executive director. FDOT must coordinate with FTRI's members to adopt policies establishing its executive committee and mission statement.

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. FDOT may allocate funds to FTRI from the State

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

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

Transportation Trust Fund (STTF). 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*

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.<sup>15</sup>

#### *Effect of Proposed Changes*

The bill adds "operational technology" 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.<sup>16</sup>

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.<sup>17</sup> The FSTED Council may elect to provide administrative staffing, with the cost paid on a pro-rata basis by ports receiving FSTED Program funding.<sup>18</sup>

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 development of transportation facilities or port facilities for the purpose of enhancing trade,

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<sup>15</sup> Section 20.23(3)(b), F.S.

<sup>16</sup> Section 311.09(1), F.S.

<sup>17</sup> Section 311.09(1), F.S.

<sup>18</sup> Section 311.09(11), F.S.



promoting cargo flow, increasing cruise passenger movements, increasing port revenues, and providing economic benefits.<sup>19, 20</sup>

FDOT's FSTED Program finances port transportation seaport facilities projects to improve the movement and intermodal transportation of cargo or passengers and support the interests, purposes, and requirements of the ports.<sup>21</sup> FDOT must annually provide a minimum of \$25 million from the STTF to fund this program.<sup>22</sup>

Projects eligible for 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 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.<sup>23</sup>

### ***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 requires FDOT to provide administrative support to the FSTED Council on matters relating to the FSTED Program and the FSTED Council. The bill also repeals an existing statutory provision regarding the staffing of the FSTED Council.

The bill makes the following additional project types eligible for FSTED Project 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.

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<sup>19</sup> Section 311.09(3), F.S.

<sup>20</sup> 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).

<sup>21</sup> Section 311.07(1), F.S.

<sup>22</sup> Section 311.07(2), F.S.

<sup>23</sup> Section 311.07(3)(b), F.S.

The bill requires each port member of the FSTED Council to submit a semiannual report to 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 FDOT in 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.<sup>24</sup>
- The Seaport Employment Training Grant Program to provide grants to stimulate and support seaport training and employment programs.<sup>25</sup>
- The Seaport Security Grant Program to assist seaports in implementing security plans and security measures.<sup>26</sup>

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.

The following properties in Brevard County are included in Florida's description of spaceport territory: 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.<sup>27</sup>

##### *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 certain spaceport territory, must include in any agreement with FDOT that the seaport may not convert any planned or existing land, facility, or infrastructure designated for cargo purposes unless it obtains express approval from the Secretary of Transportation and the Secretary of Commerce.

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.

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<sup>24</sup> Section 311.10, F.S.

<sup>25</sup> Section 311.11, F.S.

<sup>26</sup> Section 311.12(6), F.S.

<sup>27</sup> Section 334.301(1) and (5), F.S.

## **High-Occupancy Vehicle (HOV) Lanes (Section 5 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.<sup>28</sup>

Florida law authorizes hybrid and low-emission vehicles that federal minimum fuel economy standards to drive in the HOV lane at any time.<sup>29</sup>

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. 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.<sup>30</sup> According to DHSMV, as of March 7, 2025, there were 25,428 active HOV decals.<sup>31</sup>

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 decals.<sup>32</sup> FDOT rules provide such a toll exemption for the I-95 Express lanes in Miami-Dade, Broward, and Palm Beach Counties.<sup>33</sup>

Unlawfully driving in an HOV lane is punishable as a moving violation;<sup>34</sup> however, points are not assessed against a driver license for this violation.<sup>35</sup>

### ***Effect of Proposed Changes***

The bill repeal s. 316.0741, F.S., repealing HOV lanes. This includes 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.

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<sup>28</sup> Section 316.0741(1)(a), F.S.

<sup>29</sup> S. 316.0741(4), F.S. The federal minimum fuel economy standards are in 23 U.S.C. s. 166(f)(3)(B),

<sup>30</sup> Section 316.0741(5), F.S.

<sup>31</sup> 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).

<sup>32</sup> Section 316.714(6), F.S.

<sup>33</sup> Rule 14-100.004, F.A.C.

<sup>34</sup> Section 316.0741(3), F.S.

<sup>35</sup> Section 322.27(3)(d)8., F.S.

## **Uniform Signals and Devices (Section 6)**

### ***Present Situation***

FDOT is required to adopt a uniform system of traffic control devices that must be used on Florida's streets and highways.<sup>36</sup> All official traffic control signals or official traffic control devices purchased and installed by any public body or official must conform to FDOT's specifications.<sup>37</sup> However, upon a showing of good cause, FDOT is authorized to permit traffic control devices not in conformity with its uniform system.<sup>38</sup>

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 FDOT that it is in compliance.<sup>39</sup>

### ***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 FDOT that it is in compliance with the uniform system.

## **Florida Airport Licensing Law (Sections 7 and 8)**

### ***Present Situation***

The Florida Airport Licensing Law,<sup>40</sup> 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.<sup>41</sup>
- 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.<sup>42</sup>
- Ultralight aircraft - any aircraft meeting the criteria established by part 103 of FAA.<sup>43</sup>

Under Florida law, a proposed airport's owner or lessee must obtain site approval from FDOT. 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.<sup>44</sup> FDOT may

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<sup>36</sup> 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.

<sup>37</sup> Section 316.0745(3), F.S.

<sup>38</sup> Section 316.0745(8), F.S.

<sup>39</sup> Section 316.0745(7), F.S.

<sup>40</sup> Sections 330.27-330.39, F.S.

<sup>41</sup> Section 330.27(1), F.S.

<sup>42</sup> Section 330.27(2), F.S.

<sup>43</sup> Section 330.27(8), F.S. 14 C.F.R., part 103 relates to ultralight vehicles.

<sup>44</sup> Section 330.30(1)(a), F.S.

grant site approval for a public airport<sup>45</sup> only after its favorable inspection of the proposed site.<sup>46</sup> For a private airport,<sup>47</sup> FDOT grants site approval after its receives documentation that the airport has satisfied the conditions required for site approval.<sup>48</sup> FDOT may subject its site approval to reasonable conditions necessary to protect public health, safety, or welfare.<sup>49</sup>

Under Florida law, before operating aircraft to or from the airport, the airport's owner or lessee must receive, from FDOT, a public airport license or a private airport registration.<sup>50</sup> For a public airport, upon granting site approval, 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.<sup>51</sup> For a private airport, upon 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 FDOT-required data.<sup>52</sup>

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

### ***Effect of Proposed Changes***

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

- 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.

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<sup>45</sup> 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.

<sup>46</sup> Section 334.30(1)(b), F.S.

<sup>47</sup> 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.

<sup>48</sup> Section 334.30(1)(c), F.S.

<sup>49</sup> Section 330.30(1)(f), F.S.

<sup>50</sup> Section 330.30(2)(a), F.S.

<sup>51</sup> Section 330.30(2)(a)1., F.S.

<sup>52</sup> Section 330.30(2)(a)2., F.S.

- 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 FDOT. 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 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 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 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 9)**

#### ***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 is within 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.<sup>53</sup>

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.<sup>54</sup>

### *Effect of Proposed Changes*

The bill authorizes FDOT to fund infrastructure projects, and projects associated with critical infrastructure facilities within or outside a spaceport territory as long as the project supports aerospace<sup>55</sup> or launch support facilities<sup>56</sup> within an adjacent spaceport territory. FDOT must consult with the Department of Commerce and the Department of Environmental Protection in 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 10-13)**

The Florida Airport Development and Assistance Act<sup>57</sup> generally prohibits FDOT from participating in or exercising control in the management and operation of a sponsor's<sup>58</sup> airport.<sup>59</sup>

FDOT has statutory duties and responsibilities related to aviation development and assistance, including duty to develop, promote, and distribute supporting information and educational services.<sup>60</sup>

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<sup>53</sup> Section 334.304, F.S.

<sup>54</sup> Section 692.201(2), F.S. This is if the facility employs measures to exclude unauthorized persons.

<sup>55</sup> 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.

<sup>56</sup> 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.

<sup>57</sup> Sections 332.003-332.007, F.S.

<sup>58</sup> 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.

<sup>59</sup> Section 332.005, F.S. There are some exceptions associated with requests from the airport’s sponsor.

<sup>60</sup> Section 332.006(7), F.S.

FDOT must prepare and continuously update its aviation and airport work program based on local sponsors' proposed aviation projects. FDOT's airport work program must separately identify development projects<sup>61</sup> and discretionary capacity improvement projects.<sup>62, 63</sup>

To be eligible to receive state funds, aviation projects must contribute to implementing the statewide aviation system plan,<sup>64</sup> 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.<sup>65</sup>

Subject to the availability of appropriated funds in addition to aviation fuel tax revenues,<sup>66</sup> FDOT may participate in the capital cost of eligible public airport and aviation discretionary capacity improvement projects. 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.<sup>67</sup>

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.<sup>68</sup>

Under the State Emergency Management Act,<sup>69</sup> the Governor must declare a state of emergency if an emergency<sup>70</sup> 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.<sup>71</sup>

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<sup>61</sup> 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.

<sup>62</sup> 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.

<sup>63</sup> Section 332.007(2)(a), F.S.

<sup>64</sup> FDOT is required to develop and periodically update the statewide aviation system plan pursuant to s. 332.006(1), F.S.

<sup>65</sup> Section 332.007(5), F.S.

<sup>66</sup> Section 332.007(7), F.S. Aviation fuel tax is authorized and collected pursuant to part III of ch. 216, F.S.

<sup>67</sup> Section 332.007(7)(a), F.S.

<sup>68</sup> Section 332.007(8), F.S.

<sup>69</sup> Chapter 252, F.S.

<sup>70</sup> 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.

<sup>71</sup> Section 252.36(2), F.S.



### *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 airports<sup>72</sup> 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 FDOT with the opportunity to use any airport property that is not within an air navigation facility,<sup>73</sup> to stage equipment and personnel to support emergency preparedness or operations. The bill provides that after 60 days of use as a staging area, FDOT’s further use of airport property must be pursuant to a written agreement between the airport and FDOT.

The bill amends 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 authorizes FDOT, when it deems it appropriate, to inspect commercial airport facilities that have received state funding. Such inspections include, but are not limited to, terminal facilities, baggage systems, and fixed guideway transportation systems.<sup>74</sup> FDOT may enter into agreements with other state regulatory agencies, including, but not limited to, the Department of Business and Professional Regulation and the Department of Health for the purpose of conducting such inspections.

The bill requires FDOT to require each airport’s sponsor to submit a report on its annual comprehensive maintenance program providing details relating to maintenance and inspections of airport infrastructure. Each report must include a schedule of inspections, locations at which inspections and maintenance are performed, a list of required maintenance needs, any remedial action required or taken after an inspection, and details of follow-up inspections.

If an airport’s comprehensive maintenance report includes evidence of the airport’s failure to perform routine maintenance, FDOT may withhold state funds intended capital expansion projects until the airport sponsor takes corrective action to address the failure. As required by FDOT, the airport sponsor must maintain records of materials and equipment used for maintenance and repair work.

For purposes of an airport sponsor’s routine maintenance report, the bill defines the term “maintenance” to mean any preventative or routine work necessary to maintain airport infrastructure in good condition, which is essential to the operation of airport infrastructure.

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<sup>72</sup> 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.

<sup>73</sup> 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.

<sup>74</sup> The inspection of fixed guideway transportation systems in accordance with s. 341.061, F.S., providing transit safety standards.

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

The bill requires 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 FDOT to fund eligible projects performed by not-for-profit organizations and postsecondary institutions<sup>75</sup> to support the training of pilots, air traffic control personnel, or aircraft maintenance technical personnel. The bill also authorizes FDOT to fund planning efforts to improve safety at airports. FDOT may also fund programs that support the transition of honorably discharged military personnel to employment in the aviation industry. FDOT's funds may provide matching funds for eligible projects funded by the Department of Commerce.

The bill authorizes 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.

### **Commercial Service Airport Transparency and Accountability (Section 14)**

#### ***Present Situation***

Federal Aviation Administration (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.<sup>76</sup> 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,

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<sup>75</sup> 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.

<sup>76</sup> Federal Aviation Administration, *Airport Categories*, [https://www.faa.gov/airports/planning\\_capacity/categories](https://www.faa.gov/airports/planning_capacity/categories) (last visited March 4, 2025).

Melbourne Orlando International, Daytona Beach International, Gainesville Regional, Vero Beach Regional, and Ft. Lauderdale Executive.<sup>77</sup>

Florida law contains provisions regarding the transparency and accountability of commercial service airports. For this purpose, the term:

- Commercial service airport - a primary airport, as defined by federal law,<sup>78</sup> which is classified by the FAA as a large, medium, or small hub airport.<sup>79</sup>
- 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.<sup>80</sup>
- Governing body - the governing body of the county, municipality, or special district that operates a commercial service airport.<sup>81</sup>

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.
- 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.<sup>82</sup>
- Position and rate information for each airport employee, which must be updated annually.<sup>83</sup>

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.<sup>84</sup>

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.<sup>85</sup>

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<sup>77</sup> FAA passenger statistics, October 2024, <https://www.faa.gov/sites/faa.gov/files/2024-10/cy23-all-enplanements.pdf> (last visited March 5, 2025)

<sup>78</sup> 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.

<sup>79</sup> Section 332.0075(1)(a), F.S.

<sup>80</sup> Section 332.0075(1)(b), F.S.

<sup>81</sup> Section 332.0075(1)(d), F.S.

<sup>82</sup> This is purchasing CATEGORY FIVE provided in s. 287.017, F.S.

<sup>83</sup> Section 332.0075(2), F.S.

<sup>84</sup> Section 332.0075(5)(a), F.S.

<sup>85</sup> Section 332.0075(6), F.S.

### ***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 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 FDOT:

- 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 15)**

#### ***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.”<sup>86</sup>

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

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<sup>86</sup> FDOT, *Advanced Air Mobility*, <https://www.fdot.gov/aviation/advanced-air-mobility> (last visited March 3, 2025).

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.<sup>87</sup>

In 2022, 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.<sup>88</sup>

Currently, Florida law does not address advanced air mobility.

### *Effect of Proposed Changes*

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

- Address the need for vertiports, advanced air mobility, and other advances in aviation technology in the statewide aviation system plan,<sup>89</sup> and, as appropriate, in FDOT's work program.
- Designate, within 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.<sup>90</sup>
- In coordination with the Florida Department of Commerce, provide coordination and assistance for the development of a viable AAM system plan. 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 16)**

#### *Present Situation*

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.<sup>91</sup>

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<sup>87</sup> *Id.* at 2.

<sup>88</sup> 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](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).

<sup>89</sup> The statewide aviation system plan is required under s. 332.006(1), F.S.

<sup>90</sup> Chapter 333, F.S., relates to airport zoning.

<sup>91</sup> Section 334.044(5), F.S.

### *Effect of Proposed Changes*

The bill revises FDOT's authorization to purchase promotional items. The bill authorizes 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 16)**

#### *Present Situation*

Except for title insurance and emergency purchases, the Department of Management Services (DMS) purchases insurance for all agencies.<sup>92</sup> While insurance is not commodity, Florida law requires that the purchase of insurance, whether purchased by DMS or another agency, be done using statutory procedures for the purchase of commodities.<sup>93</sup>

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, DMS must approve, in writing, the insurance coverage required by the lease.<sup>94</sup>

#### *Effect of Proposed Changes*

The bill authorizes 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 FDOT is contractually and legally required to provide.

### **FDOT's Purchase of Motor Vehicles and Heavy Equipment (Section 16)**

#### *Present Situation*

Any executive or judicial branch officer or employee may not authorize the purchase or continuous lease any motor vehicle which is to be paid for from of 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.<sup>95</sup>

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

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<sup>92</sup> 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.

<sup>93</sup> Section 287.022(1), F.S. The purchase of commodities is pursuant to s. 287.057, F.S.

<sup>94</sup> Section 287.025(4), F.S.

<sup>95</sup> Section 287.14(1) and(3), F.S.

retained vehicles to the Legislature and provide the specific justification for each vehicle it retained.<sup>96</sup>

### *Effect of Proposed Changes*

The bill authorizes 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 FDOT exchanges or ceases to operate any FDOT-owned heavy equipment or motor vehicle.

## **Florida Transportation Academy (Section 18)**

### *Present Situation*

FDOT is authorized to provide, in consultation with affected stakeholders, a construction workforce development program to deliver projects in FDOT's work program.<sup>97</sup> FDOT must annually allocate \$5 million from the STTF for this program.<sup>98</sup>

### *Effect of Proposed Changes*

The bill creates the Florida Transportation Academy within 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, 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 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.

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<sup>96</sup> Section 287.14(4), F.S.

<sup>97</sup> Section 334.044(35), F.S. FDOT's work program is developed pursuant to s. 339.135, F.S.

<sup>98</sup> Section 339.84, F.S., This is beginning in the 2023-2024 fiscal year and for five years thereafter.

## **Access Management (Sections 19-20)**

### ***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.<sup>99</sup>

The State Highway System Access Management Act<sup>100</sup> defines the terms:

- Connection - driveways, streets, turnouts, or other means of providing for the right of reasonable access to or from the State Highway System.<sup>101</sup>
- 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.<sup>102</sup>

In order to protect the public health, safety, and welfare, FDOT is required to regulate vehicular access and connections to or from the State Highway System. 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.<sup>103</sup> FDOT may not deny a property owner a means of reasonable access to an abutting state highway, except for safety or operational concerns.<sup>104</sup>

### ***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 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 21)**

### ***Present Situation***

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 completion, waiving bond requirements, and implementing other strategies to increase competition.<sup>105</sup>

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<sup>99</sup> FDOT Access Management <https://www.fdot.gov/planning/systems/systems-management/access-management> (last visited March 20, 2025).

<sup>100</sup> Sections 335.18-335.188, F.S.

<sup>101</sup> Section 335.182(3)(a), F.S.

<sup>102</sup> Section 335.182(3)(b), F.S.

<sup>103</sup> Section 335.185(1), F.S.

<sup>104</sup> Section 335.187(5), F.S.

<sup>105</sup> Section 337.027(1), F.S.



For purposes of 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 is determined by averaging its annual gross receipts over the last three years, including the receipts of any affiliate.<sup>106, 107</sup>

### ***Effect of Proposed Changes***

The bill amends the definition of a “small business” for purposes of 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 22, 23, 24 and 32)**

#### ***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.<sup>108</sup> 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.<sup>109</sup>

Florida law requires FDOT to institute procedures to encourage the awarding of professional services and contracts to disadvantaged business enterprises.<sup>110</sup> 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 contracting opportunities and contracting requirements and breaking larger contracts into smaller contracts.<sup>111</sup>

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<sup>106</sup> 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.

<sup>107</sup> Section 337.027(2), F.S.

<sup>108</sup> Members of these groups are rebuttably presumed to be socially and economically disadvantaged.

<sup>109</sup> 49 CFR part 26

<sup>110</sup> 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.

<sup>111</sup> Section 337.139, F.S.

FDOT's disadvantage business enterprise program requires:

- Prime contractors to submit information regarding the uses of disadvantaged business enterprises as subcontractors.<sup>112</sup>
- 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.<sup>113</sup>

FDOT must expend federal-aid highway funds and state matching funds with small business concerns owned and controlled by socially and economically disadvantaged individuals.<sup>114</sup>

Upon FDOT's determination of past and continuing discrimination in nonfederally funded projects, 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. FDOT may utilize set-asides for small business concerns to assist in achieving goals these goals. The head of FDOT may elect to set goals only when a significant disparity is documented. FDOT must consider the findings of a disparity study in determining the program goals for each group qualified to participate.<sup>115</sup>

FDOT must certify a socially and economically disadvantaged business enterprise as prescribed in federal rules. FDOT's initial application for certification must require sufficient information to determine eligibility. For continuing eligibility, 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.<sup>116</sup>

The head of FDOT may to 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.<sup>117</sup>

The head of 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, FDOT retains five percent of the total contract amount designated for the DBE until its final acceptance of the project.<sup>118</sup>

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

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<sup>112</sup> Section 337.125(1), F.S.

<sup>113</sup> Section 337.125(3), F.S.

<sup>114</sup> Section 339.0805(1)(a), F.S.

<sup>115</sup> Section 339.0805(1)(b), F.S. Public records law is provided in s. 119.07(1), F.S.

<sup>116</sup> Section 339.0805(1)(c), F.S.

<sup>117</sup> Section 339.0805(3), F.S.

<sup>118</sup> Section 339.0805(4), F.S. FDOT may not commit funds for this program in excess of those funds specifically appropriated for this purpose.

found in violation may not create a new corporate structure for the purpose of circumventing this provision.<sup>119</sup>

### ***Effect of Proposed Changes***

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

### ***Federal Rule Authorization (Section 116)***

The bill authorizes 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, 17, 22, 27, 30, 34, and 39)***

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).
- FDOT's performance measures regarding this program to performance measures to FDOT's business development program (section 17).
- FDOT's consideration of small business participation related to certain contracts (section 22).
- FDOT considering small business involvement in certain lease proposals (section 27).
- FDOT and Department of Management Services outreach regarding participation in certain turnpike-related projects (section 30).
- Contractors for economic development transportation projects (section 34).
- Central Florida Expressway Authority's<sup>120</sup> encouragement of the use of certain business in its procurement and contracting opportunities (section 39).

### **FDOT Surety Bonds (Section 26)**

#### ***Present Situation***

Florida law requires that the successful bidder on most FDOT contracts provide a surety bond in the amount of the awarded contract price. However, for multiyear maintenance contracts, FDOT may allow incremental annual contract bonds that cumulatively total the full, awarded, multiyear contract price. For phased design-build contracts,<sup>121</sup> FDOT may also allow the issuance of multiple contract performance and payment bonds to align with each contract phase to meet the bonding requirements.<sup>122</sup>

#### ***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.

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<sup>119</sup> Section 337.135, F.S.

<sup>120</sup> The Central Florida Expressway Authority is created in part III of ch. 348, F.S.

<sup>121</sup> Phased design-build contracts are authorized in s. 337.11(7)(b), F.S.

<sup>122</sup> Section 337.18(1)(a), F.S.

## **Sewer Line Installation (Section 28)**

### ***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 (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.<sup>123</sup>

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 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.<sup>124</sup>

### ***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 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 29)**

### ***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.<sup>125</sup>

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.<sup>126</sup>

### ***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.

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<sup>123</sup> Section 337.401(1)(a), F.S.

<sup>124</sup> Section 337.401(2), F.S.

<sup>125</sup> Section 337.406(4), F.S.

<sup>126</sup> Section 260.012(6), F.S.

## Energy Policy of The State/Use of State Funds (Section 31)

### *Present Situation*

Florida law authorizes FDOT to expend moneys in the STTF and restricts the use of such funds to the transportation-related purposes.<sup>127</sup> However, FDOT may not expend any state funds to support a project or program of a public transit provider, an authority;<sup>128</sup> 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. FDOT must withhold state funds until the entity is found in compliance with that statute.<sup>129</sup>

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 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.

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<sup>127</sup> Section 339.08(1), F.S.

<sup>128</sup> 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.

<sup>129</sup> Section 339.08(5), F.S.

### **FDOT Budget Roll Forward (Section 33)**

#### ***Present Situation***

Florida law provides any unexpended balance remaining at the end of the fiscal year in for certain FDOT-related appropriations may be certified forward as fixed capital outlay at the end. On or before August 1 of each year, the head of FDOT must certify its roll forward to the Executive Office of the Governor.<sup>130</sup>

On or before September 1 of each year, the Executive Office of the Governor must review and approve or disapprove FDOT's certified roll forward and provide the Chief Financial Officer, the legislative appropriations committees, and the Auditor General certain information.<sup>131</sup>

Any project phases in FDOT's adopted work program not certified forward are available for roll forward for the next fiscal year of the adopted work program. Spending authority associated with such project phases may be rolled forward to the next fiscal year upon the Legislative Budget Commission's (LBC) approval.<sup>132</sup>

#### ***Effect of Proposed Changes***

The bill removes the LBC's approval of FDOT's roll forward. The bill requires FDOT's spending authority to roll forward as provided in s. 216.177, F.S. relating to the appropriations act. Upon approval, the bill requires the Executive Office of the Governor to modify FDOT's original approved fixed capital outlay operating budget.

### **FDOT - Work Program Amendments (Section 33)**

#### ***Present Situation***

FDOT's is authorized to amend work program as provided by law. However, any work program amendment that adds a new project or project phase in excess of \$3 million to the adopted work program is subject to LBC approval.<sup>133</sup> However, if FDOT submits such an amendment to the LBC and the LBC does not meet or consider the amendment within 30 days after its submittal, the LBC's chair and vice chair may authorize the approval of the amendment. This provision expires on July 1, 2025.<sup>134</sup>

#### ***Effect of Proposed Changes***

The bill makes permanent chair and vice chair of the LBC's authority to approve certain FDOT work program amendments.

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<sup>130</sup> Section 339.135(6)(c), F.S.

<sup>131</sup> *Id.*

<sup>132</sup> *Id.*

<sup>133</sup> Section 339.135(7)(h)1, F.S.

<sup>134</sup> Section 339.135(7)(h)2., F.S.

## **Electric Vehicle Charging Infrastructure Report (Section 35)**

### ***Present Situation***

In 2020,<sup>135</sup> the Legislature required FDOT, in coordination the Public Service Commission and the Office of Energy,<sup>136</sup> 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. 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.<sup>137</sup>

### ***Effect of Proposed Changes***

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

## **State Infrastructure Bank Loans (Section 36)**

### ***Present Situation***

FDOT's state-funded infrastructure bank (SIB) provides loans and credit enhancements to government units and private entities to construct and improve transportation facilities or ancillary facilities that produce or distribute natural gas or fuel.<sup>138</sup>

The SIB may provide emergency loans for capital costs or provide credit enhancements for emergency loans for damages incurred at seaports, public-use airports, and other public-use transit and intermodal facilities within an area that is part of a declared state of emergency. Such loans:

- May not exceed 24 months except in extreme circumstances; where the Secretary of Transportation may grant up to 36 months.
- Require the loan application to include documentation of damage claims filed with the Federal Emergency Management Agency or an applicable insurance carrier and documentation of the recipient's overall financial condition.
- Are subject to approval by the Secretary of Transportation and the LBC.

### ***Effect of Proposed Changes***

The bill repeals the requirement that the LBC approve emergency loans from the State Infrastructure Bank.

## **Strategic Intermodal System Supply Chain Demands (Section 37)**

### ***Present Situation***

FDOT's Strategic Intermodal System consists of appropriate components of highway corridors, the National Highway System, airports, seaports, and spaceports, rail lines and rail

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<sup>135</sup> Chapter 2020-21, Laws of Florida.

<sup>136</sup> The Office of Energy is within the Department of Agriculture and Consumer Services.

<sup>137</sup> Section 339.287(2), F.S.

<sup>138</sup> Section 339.55(1), F.S.

facilities, selected intermodal facilities, and other existing or planned corridors serving a statewide or interregional purpose.<sup>139</sup>

For fiscal years 2023-2024 through 2027-2028, 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.<sup>140</sup> Seaports, and rail lines, and rail facilities are eligible for project funding.<sup>141</sup>

This program is scheduled for repeal on July 1, 2028.<sup>142</sup>

### *Effect of Proposed Changes*

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

### **New Starts Transit Funding (Section 38)**

#### *Present Situation*

Federal law authorizes the Federal Transit Administration to issue certain transit capital investment grants and loans,<sup>143</sup> known as the New Starts Transit Program. FDOT funds the New Starts Transit Program from 10 percent of the documentary stamp tax revenues distributed to the STTF<sup>144</sup> and 3.4 percent of the portion of the "new wheels on the road fee," deposited into the STTF.<sup>145</sup>

As of June 2024, FDOT was required to reallocate unallocated New Starts Transit Program funds to the Strategic Intermodal System. This reallocation expires on June 30, 2026.<sup>146</sup>

#### *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, FDOT must reallocate those funds to the SIS for the next fiscal year.

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<sup>139</sup> Section 339.62, F.S.

<sup>140</sup> 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).

<sup>141</sup> Section 339.651(3), F.S.

<sup>142</sup> Section 339.651(7), F.S.

<sup>143</sup> 49 U.S.C. s. 5309

<sup>144</sup> Section 201.15(4)(a)1., F.S.

<sup>145</sup> Section 320.072(4)(b), F.S.

<sup>146</sup> Section 341.051(6)(b), F.S.



## **Jacksonville Transportation Authority (Section 40)**

### ***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.<sup>147</sup>

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 FDOT's district secretary serving the district containing Jacksonville. Except for FDOT's district secretary, JTA members must be residents and qualified electors of Duval County.<sup>148</sup>

Florida operates a statewide travel management system utilized by the executive and judicial branches of state government. Information on the system includes names, position title, purpose of travel, dates and locations of travel, modes of travel, confirmation of any required travel authorizations, and total travel costs.<sup>149</sup>

Florida maintains a website providing current salary information for each employee or officer of a state agency, a state university, a Florida College System institution, or the State Board of Administration. For each employee or officer, such information includes name, rate of pay; position number, class code, class title, employing agency, budget entity.<sup>150</sup>

Florida maintains a secure contract tracking system website. Each state agency, within 30 calendar days after executing a contract, must post to the tracking system certain contract-related information, including certain contract documents.<sup>151</sup>

### ***Effect of Proposed Changes***

The bill amends JTA's governing body to consist of seven members. 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, who must be residents of the City of Jacksonville. The bill removes the FDOT district secretary from the board.

The bill requires JTA to follow FDOT's business development program. The bill also requires JTA to establish protocols and systems, similar to the state's systems, regarding posting travel, salary, and contract information on its publicly-available website.

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<sup>147</sup> Jacksonville Transportation Authority (JTA), *JTA Goals*, available at: <https://www.jtafla.com/about-jta/about/> (last visited March 7, 2025).

<sup>148</sup> Section 349.03(2), F.S.

<sup>149</sup> Section 112.061(16)(b), F.S.

<sup>150</sup> Section 215.985(6), F.S.

<sup>151</sup> Section 215.985(14), F.S.

**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 FDOT's disadvantaged business enterprise program, which contains a public records exemption relating to an applicant's application and financial information.<sup>152</sup> 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 5).

**B. Private Sector Impact:**

Motor vehicle owners who currently have an HOV decal would be subject to the payment of tolls (section 5).

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<sup>152</sup> Section 339.0805(2), F.S.

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 26).

**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).

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 8).
- Funding certain infrastructure projects near spaceports (section 9).
- Inspecting commercial airport facilities that have received state funds (section 12).
- Costs associated with the codification of advanced air mobility into Florida law, including the review of airport hazard zoning regulations (section 15).
- Costs incurred in establishing the Florida Transportation Academy (section 18).

FDOT may experience an insignificant increase in toll revenues due to the repeal of HOV toll lanes (section 5).

FDOT may experience cost savings associated with changes directly purchasing insurance and directly purchasing and retaining motor vehicle and heavy equipment (section 16).

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

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

- FDOT's use of airport property during certain declared states of emergency (section 11);
- FDOT's inspection of commercial airport facilities (section 12);
- Preparing annual reports on their comprehensive maintenance programs (section 13); and
- Additional requirements regarding the transparency and accountability of commercial service airports (section 1).

The bill may have a negative fiscal impact on the Jacksonville Transportation Authority to prepare certain information and post such information on its website (section 40).

**VI. Technical Deficiencies:**

The bill (section 3) requires each member of the FSTED Council to submit to FDOT a semiannual report on his or her port. This is likely meant to require each port represented by the FSTED Council to submit the report to FDOT.

**VII. Related Issues:**

The bill (section 5) repeals HOV lanes. Section 338.166, F.S., authorizes FDOT to impose tolls on HOV lanes and to issue bonds secured by such toll revenues. Section 338.166, F.S., may need to be amended to conform to the repeal of HOV lanes.<sup>153</sup>

The bill (section 8) requires FDOT to certify private airports of public interest. However, the bill does not address site approval for these airports. The airport site approval statute, s. 330.30(1), F.S., may need to be amended to address the site approval of private airports of public interest.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 20.23, 110.205, 311.07, 311.09, 311.10, 316.0745, 322.27, 330.27, 330.30, 331.371, 332.003, 332.005, 332.006, 332.007, 332.0075, 334.044, 334.045, 335.182, 335.187, 337.027, 337.11, 337.18, 337.251, 337.401, 337.406, 338.227, 339.08, 339.135, 339.2821, 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 by Transportation 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 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 FDOT may fund certain spaceport-related infrastructure projects; and
  - Revises the incidents that would require commercial service airports to provide certain notifications to FDOT.
- Requires FDOT's long-term use of airport property for emergency staging for longer than 60 days to be by written agreement.

<sup>153</sup> Section 338.166, F.S., also authorizes FDOT to impose tolls on express lanes and bond such toll revenues.

- 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.

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

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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/26/2025	.	
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The Committee on Transportation (Collins) recommended the following:

**Senate Amendment (with directory and title amendments)**

Delete lines 274 - 1827

and insert:

and fiscal accountability purposes, but it shall otherwise function independently of the control and direction of the department.

(b) The commission shall:

1. Recommend major transportation policies for the Governor's approval and assure that approved policies and any



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11 revisions are properly executed.

12           2. Periodically review the status of the state  
13 transportation system, including highway, transit, rail,  
14 seaport, intermodal development, and aviation components of the  
15 system, and recommend improvements to the Governor and the  
16 Legislature.

17           3. Perform an in-depth evaluation of the annual department  
18 budget request, the Florida Transportation Plan, and the  
19 tentative work program for compliance with all applicable laws  
20 and established departmental policies. Except as specifically  
21 provided in s. 339.135(4)(c)2., (d), and (f), the commission may  
22 not consider individual construction projects but shall consider  
23 methods of accomplishing the goals of the department in the most  
24 effective, efficient, and businesslike manner.

25           4. Monitor the financial status of the department on a  
26 regular basis to assure that the department is managing revenue  
27 and bond proceeds responsibly and in accordance with law and  
28 established policy.

29           5. Monitor on at least a quarterly basis the efficiency,  
30 productivity, and management of the department using performance  
31 and production standards developed by the commission pursuant to  
32 s. 334.045.

33           6. Perform an in-depth evaluation of the factors causing  
34 disruption of project schedules in the adopted work program and  
35 recommend to the Governor and the Legislature methods to  
36 eliminate or reduce the disruptive effects of these factors.

37           7. Recommend to the Governor and the Legislature  
38 improvements to the department's organization in order to  
39 streamline and optimize the efficiency of the department. In



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40 reviewing the department's organization, the commission shall  
41 determine if the current district organizational structure is  
42 responsive to this state's changing economic and demographic  
43 development patterns. The report by the commission must be  
44 delivered to the Governor and the Legislature by December 15  
45 each year, as appropriate. The commission may retain experts as  
46 necessary to carry out this subparagraph, and the department  
47 shall pay the expenses of the experts.

48 8. Monitor the efficiency, productivity, and management of  
49 the agencies and authorities created under chapters 348 and 349;  
50 the Mid-Bay Bridge Authority re-created pursuant to chapter  
51 2000-411, Laws of Florida; ~~and~~ any authority formed under  
52 chapter 343; and any transit entity that receives funding under  
53 the public transit block grant program pursuant to s. 341.052.  
54 The commission shall also conduct periodic reviews of each  
55 agency's and authority's operations and budget, acquisition of  
56 property, management of revenue and bond proceeds, and  
57 compliance with applicable laws and generally accepted  
58 accounting principles.

59 (g) A member of the commission shall follow the standards  
60 of conduct for public officers provided in s. 112.313 ~~may not~~  
61 ~~have any interest, direct or indirect, in any contract,~~  
62 ~~franchise, privilege, or other benefit granted or awarded by the~~  
63 ~~department~~ during the term of his or her appointment and for 2  
64 years after the termination of such appointment.

65 (3) The Legislature finds that the transportation industry  
66 is critical to the economic future of this state and that the  
67 competitiveness of the industry in this state depends upon the  
68 development and maintenance of a qualified workforce and





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69 cutting-edge research and innovation. The Legislature further  
70 finds that the transportation industry in this state has varied  
71 and complex workforce needs ranging from technical and  
72 mechanical training to continuing education opportunities for  
73 workers with advanced degrees and certifications. The timely  
74 need also exists for coordinated research and innovation efforts  
75 to promote emerging technologies and innovative construction  
76 methods and tools and to address alternative funding mechanisms.  
77 It is the intent of the Legislature to support programs designed  
78 to address the workforce development needs of the state's  
79 transportation industry.

80 (a) The Florida Transportation Research Institute is  
81 created as a consortium of higher education professionals. The  
82 purpose of the institute is to drive cutting-edge research,  
83 innovation, transformational technologies, and breakthrough  
84 solutions and to support workforce development efforts that  
85 contribute to this state's transportation industry.

86 (b) The institute shall report to the department and shall  
87 be composed of members from the University of Florida, Indian  
88 River State College, the University of Central Florida, the  
89 University of South Florida, and Florida International  
90 University. The department shall select a member to serve as the  
91 administrative lead of the institute. The department shall  
92 assess the performance of the administrative lead periodically  
93 to ensure accountability and assess the attainment of  
94 performance goals.

95 (c) The Secretary of Transportation shall appoint a  
96 representative of the department to serve as the executive  
97 director of the institute. The department shall coordinate with



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98 the members of the institute to adopt policies establishing the  
99 institute's executive committee and mission statement.

100 (d) The institute may award grants in alignment with its  
101 purpose. Such grants may be directed to member and nonmember  
102 institutions that have a proven expertise relevant to the grant,  
103 including not-for-profit organizations and institutions of  
104 higher education.

105 (e) The department may allocate funds to the institute from  
106 the State Transportation Trust Fund. The institute may expend  
107 such funds for the institute's operations and programs to  
108 support research and innovation projects that provide solutions  
109 for this state's transportation needs.

110 (f) The institute shall submit an annual report of  
111 performance metrics to the Secretary of Transportation and the  
112 commission. The report must include, but is not limited to,  
113 expenditures of funds allocated to the institute by the  
114 department, ongoing and proposed research efforts, and the  
115 application and success of past research efforts.

116 (4) ~~(3)~~

117 (b) The secretary may appoint positions at the level of  
118 deputy assistant secretary or director which the secretary deems  
119 necessary to accomplish the mission and goals of the department,  
120 including, but not limited to, the areas of program  
121 responsibility provided in this paragraph, each of whom shall be  
122 appointed by and serve at the pleasure of the secretary. The  
123 secretary may combine, separate, or delete offices as needed in  
124 consultation with the Executive Office of the Governor. The  
125 department's areas of program responsibility include, but are  
126 not limited to, all of the following:



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- 127 1. Administration.
- 128 2. Planning.
- 129 3. Supply chain and modal development.
- 130 4. Design.
- 131 5. Highway operations.
- 132 6. Right-of-way.
- 133 7. Toll operations.
- 134 8. Transportation technology.
- 135 9. Information technology ~~systems~~.
- 136 10. Motor carrier weight inspection.
- 137 11. Work program and budget.
- 138 12. Comptroller.
- 139 13. Construction.
- 140 14. Statewide corridors.
- 141 15. Maintenance.
- 142 16. Forecasting and performance.
- 143 17. Emergency management.
- 144 18. Safety.
- 145 19. Materials.
- 146 20. Infrastructure and innovation.
- 147 21. Permitting.
- 148 22. Traffic operations.
- 149 23. Operational technology.

150 Section 2. Paragraph (b) of subsection (3) of section  
151 311.07, Florida Statutes, is amended to read:

152 311.07 Florida seaport transportation and economic  
153 development funding.—

154 (3)

155 (b) Projects eligible for funding by grants under the



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156 program are limited to the following port facilities or port  
157 transportation projects:

158 1. Transportation facilities within the jurisdiction of the  
159 port.

160 2. The dredging or deepening of channels, turning basins,  
161 or harbors.

162 3. The construction or rehabilitation of wharves, docks,  
163 structures, jetties, piers, storage facilities, cruise  
164 terminals, automated people mover systems, or any facilities  
165 necessary or useful in connection with any of the foregoing.

166 4. The acquisition of vessel tracking systems, container  
167 cranes, or other mechanized equipment used in the movement of  
168 cargo or passengers in international commerce.

169 5. The acquisition of land to be used for port purposes.

170 6. The acquisition, improvement, enlargement, or extension  
171 of existing port facilities.

172 7. Environmental protection projects which are necessary  
173 because of requirements imposed by a state agency as a condition  
174 of a permit or other form of state approval; which are necessary  
175 for environmental mitigation required as a condition of a state,  
176 federal, or local environmental permit; which are necessary for  
177 the acquisition of spoil disposal sites and improvements to  
178 existing and future spoil sites; or which result from the  
179 funding of eligible projects listed in this paragraph.

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

183 9. Intermodal access projects.

184 10. Construction or rehabilitation of port facilities as



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185 defined in s. 315.02, excluding any park or recreational  
186 facilities, in ports listed in s. 311.09(1) with operating  
187 revenues of \$5 million or less, provided that such projects  
188 create economic development opportunities, capital improvements,  
189 and positive financial returns to such ports.

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

192 12. Spaceport or space industry-related planning or  
193 construction of facilities on seaport property which are  
194 necessary or useful for advancing the space industry in this  
195 state and provide an economic benefit to this state.

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

199 Section 3. Subsections (1), (2), (3), and (11) of section  
200 311.09, Florida Statutes, are amended to read:

201 311.09 Florida Seaport Transportation and Economic  
202 Development Council.—

203 (1) The Florida Seaport Transportation and Economic  
204 Development Council is created within the Department of  
205 Transportation. The purpose of the council is to support the  
206 growth of seaports in this state through review, development,  
207 and financing of port transportation and port facilities. The  
208 council is composed ~~consists~~ of the following 18 members: the  
209 port director, or the port director's designee, of each of the  
210 ports of Jacksonville, Port Canaveral, Port Citrus, Fort Pierce,  
211 Palm Beach, Port Everglades, Miami, Port Manatee, St.  
212 Petersburg, Putnam County, Tampa, Port St. Joe, Panama City,  
213 Pensacola, Key West, and Fernandina; the secretary of the



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214 Department of Transportation or his or her designee; and the  
215 secretary of the Department of Commerce or his or her designee.

216 (2) The council shall adopt bylaws governing the manner in  
217 which the business of the council will be conducted. The bylaws  
218 shall specify the procedure by which the chairperson of the  
219 council is elected. The Department of Transportation shall  
220 provide administrative support to the council on matters  
221 relating to the Florida Seaport Transportation and Economic  
222 Development Program and the council.

223 (3) The council shall prepare a 5-year Florida Seaport  
224 Mission Plan defining the goals and objectives of the council  
225 concerning the development of port facilities and an intermodal  
226 transportation system consistent with the goals of the Florida  
227 Transportation Plan developed pursuant to s. 339.155. The  
228 Florida Seaport Mission Plan shall include specific  
229 recommendations for the construction of transportation  
230 facilities connecting any port to another transportation mode,  
231 the construction of transportation facilities connecting any  
232 port to the space and aerospace industries, and for the  
233 efficient, cost-effective development of transportation  
234 facilities or port facilities for the purpose of enhancing  
235 trade, promoting cargo flow, increasing cruise passenger  
236 movements, increasing port revenues, and providing economic  
237 benefits to the state. The council shall develop a priority list  
238 of projects based on these recommendations annually and submit  
239 the list to the Department of Transportation. The council shall  
240 update the 5-year Florida Seaport Mission Plan annually and  
241 shall submit the plan no later than February 1 of each year to  
242 the President of the Senate, the Speaker of the House of



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243 Representatives, the Department of Commerce, and the Department  
244 of Transportation. The council shall develop programs, based on  
245 an examination of existing programs in Florida and other states,  
246 for the training of ~~minorities~~ and secondary school students in  
247 job skills associated with employment opportunities in the  
248 maritime industry, and report on progress and recommendations  
249 for further action to the President of the Senate and the  
250 Speaker of the House of Representatives annually. Each port  
251 member of the council shall submit a semiannual report related  
252 to his or her port's operations and support of the state's  
253 economic competitiveness and supply chain. Reports must be  
254 submitted to the Department of Transportation and include any  
255 information required by the Department of Transportation in  
256 consultation with the Department of Commerce. Such reports must  
257 include, but are not limited to, all of the following  
258 information:

- 259 (a) Bulk break capacity.
- 260 (b) Liquid storage and capacity.
- 261 (c) Fuel storage and capacity.
- 262 (d) Container capacity.
- 263 (e) A description of any supply chain disruption.

264 (11) Members of the council shall serve without  
265 compensation but are entitled to receive reimbursement for per  
266 diem and travel expenses as provided in s. 112.061. ~~The council~~  
267 ~~may elect to provide an administrative staff to provide services~~  
268 ~~to the council on matters relating to the Florida Seaport~~  
269 ~~Transportation and Economic Development Program and the council.~~  
270 ~~The cost for such administrative services shall be paid by all~~  
271 ~~ports that receive funding from the Florida Seaport~~



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272 ~~Transportation and Economic Development Program, based upon a~~  
273 ~~pro rata formula measured by each recipient's share of the funds~~  
274 ~~as compared to the total funds disbursed to all recipients~~  
275 ~~during the year. The share of costs for administrative services~~  
276 ~~shall be paid in its total amount by the recipient port upon~~  
277 ~~execution by the port and the Department of Transportation of a~~  
278 ~~joint participation agreement for each council-approved project,~~  
279 ~~and such payment is in addition to the matching funds required~~  
280 ~~to be paid by the recipient port. Except as otherwise exempted~~  
281 ~~by law, all moneys derived from the Florida Seaport~~  
282 ~~Transportation and Economic Development Program shall be~~  
283 ~~expended in accordance with the provisions of s. 287.057.~~  
284 ~~Seaports subject to competitive negotiation requirements of a~~  
285 ~~local governing body shall abide by the provisions of s.~~  
286 ~~287.055.~~

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

289 311.10 Strategic Port Investment Initiative.—

290 (4) As a condition of receiving a project grant under any  
291 program established in this chapter and as a condition of  
292 receiving state funds as described in s. 215.31, a seaport  
293 located in any county identified in s. 331.304(1) and (5) must  
294 include in any agreement with the Department of Transportation  
295 that the seaport may not convert any planned or existing land,  
296 facility, or infrastructure designated for cargo purposes to any  
297 alternative purpose unless express approval is obtained by the  
298 Secretary of Transportation and the Secretary of Commerce. As  
299 used in this subsection, the term "cargo purposes" includes, but  
300 is not limited to, any facility, activity, property, energy





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301 source, or infrastructure asset that supports spaceport  
302 activities.

303 Section 5. Section 316.0741, Florida Statutes, is repealed.

304 Section 6. Subsection (7) of section 316.0745, Florida  
305 Statutes, is amended to read:

306 316.0745 Uniform signals and devices.—

307 (7) The Department of Transportation may, upon receipt and  
308 investigation of reported noncompliance and after hearing  
309 pursuant to 14 days' notice, direct the removal of any purported  
310 traffic control device that fails to meet the requirements of  
311 this section, wherever the device is located and without regard  
312 to assigned responsibility under s. 316.1895. The public agency  
313 erecting or installing the same shall immediately bring it into  
314 compliance with the requirements of this section or remove said  
315 device or signal upon the direction of the Department of  
316 Transportation and may not, for a period of 5 years, install any  
317 replacement or new traffic control devices paid for in part or  
318 in full with revenues raised by the state unless written prior  
319 approval is received from the Department of Transportation. Any  
320 additional violation by a public body or official shall be cause  
321 for the withholding of state funds deposited in the State  
322 Transportation Trust Fund ~~for traffic control purposes~~ until  
323 such public body or official demonstrates to the Department of  
324 Transportation that it is complying with this section.

325 Section 7. Section 330.27, Florida Statutes, is amended to  
326 read:

327 330.27 Definitions, when used in ss. 330.29-330.39.—

328 (1) "Air ambulance operation" means a flight with a patient  
329 or medical personnel on board for the purpose of medical



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330 transportation.

331 (2) "Aircraft" means a powered or unpowered machine or  
332 device capable of atmospheric flight, including, but not limited  
333 to, an airplane, an autogyro, a glider, a gyrodyne, a  
334 helicopter, a lift and cruise, a multicopter, paramotors, a  
335 powered lift, a seaplane, a tiltrotor, an ultralight, and a  
336 vectored thrust. The term does not include ~~except~~ a parachute or  
337 other such device used primarily as safety equipment.

338 (3)~~(2)~~ "Airport" means a specific ~~an~~ area of land or water  
339 or a structure used for, or intended to be used for, aircraft  
340 operations, which may include ~~landing and takeoff of aircraft,~~  
341 ~~including~~ appurtenant areas, buildings, facilities, or rights-  
342 of-way necessary to facilitate such use or intended use. The  
343 term includes, but is not limited to, airparks, airports,  
344 gliderports, heliports, helistops, seaplane bases, ultralight  
345 flightparks, vertiports, and vertistops.

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

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

354 (6)~~(3)~~ "Department" means the Department of Transportation.

355 (7)~~(4)~~ "Limited airport" means any airport limited  
356 exclusively to the specific conditions stated on the site  
357 approval order or license.

358 (8) "On-demand operation" means any scheduled passenger-



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359 carrying operation for compensation or hire conducted by a  
360 person operating an aircraft with a frequency of operations of  
361 fewer than five round trips per week on at least one route  
362 between two or more points according to the published flight  
363 schedule.

364 (9)~~(5)~~ "Private airport" means an airport, publicly or  
365 privately owned, which is not open or available for use by the  
366 public, but may be made available to others by invitation of the  
367 owner or manager.

368 (10) "Private airport of public interest" means a private  
369 airport engaged in air ambulance operations, commercial air tour  
370 operations, commuter operations, on-demand operations, public  
371 charter operations, scheduled operations, or supplemental  
372 operations.

373 (11)~~(6)~~ "Public airport" means an airport, publicly or  
374 privately owned, which is open for use by the public.

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

378 (13) "Scheduled operation" means any common carriage  
379 passenger-carrying operation for compensation or hire conducted  
380 by an air carrier or commercial operator for which the  
381 certificateholder or its representative offers in advance the  
382 departure location, departure time, and arrival location.

383 (14) "Supplemental operation" means any common carriage  
384 operation for compensation or hire conducted with an aircraft  
385 for which the departure time, departure location, and arrival  
386 location are specifically negotiated with the customer or  
387 customer's representative.



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388        ~~(15)-(7)~~ "Temporary airport" means an airport at which  
389 flight operations are conducted under visual flight rules  
390 established by the Federal Aviation Administration and which is  
391 used for less than 30 consecutive days with no more than 10  
392 operations per day.

393        ~~(8) "Ultralight aircraft" means any aircraft meeting the~~  
394 ~~criteria established by part 103 of the Federal Aviation~~  
395 ~~Regulations.~~

396        Section 8. Subsections (2) and (4) of section 330.30,  
397 Florida Statutes, are amended to read:

398        330.30 Approval of airport sites; registration,  
399 certification, and licensure of airports.-

400        (2) LICENSES, CERTIFICATIONS, AND REGISTRATIONS;  
401 REQUIREMENTS, RENEWAL, REVOCATION.-

402        (a) Except as provided in subsection (3), the owner or  
403 lessee of an airport in this state shall have a public airport  
404 license, private airport registration, or temporary airport  
405 registration before the operation of aircraft to or from the  
406 airport. Application for a license or registration shall be made  
407 in a form and manner prescribed by the department.

408        1. For a public airport, upon granting site approval, the  
409 department shall issue a license after a final airport  
410 inspection finds the airport to be in compliance with all  
411 requirements for the license. The license may be subject to any  
412 reasonable conditions the department deems necessary to protect  
413 the public health, safety, or welfare.

414        2. For a private airport, upon granting site approval, the  
415 department shall provide controlled electronic access to the  
416 state aviation facility data system to permit the applicant to



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417 complete the registration process. Registration shall be  
418 completed upon self-certification by the registrant of  
419 operational and configuration data deemed necessary by the  
420 department.

421         3. For a temporary airport, the department must publish  
422 notice of receipt of a completed registration application in the  
423 next available publication of the Florida Administrative  
424 Register and may not approve a registration application less  
425 than 14 days after the date of publication of the notice. The  
426 department must approve or deny a registration application  
427 within 30 days after receipt of a completed application and must  
428 issue the temporary airport registration concurrent with the  
429 airport site approval. A completed registration application that  
430 is not approved or denied within 30 days after the department  
431 receives the completed application is considered approved and  
432 shall be issued, subject to such reasonable conditions as are  
433 authorized by law. An applicant seeking to claim registration by  
434 default under this subparagraph must notify the agency clerk of  
435 the department, in writing, of the intent to rely upon the  
436 default registration provision of this subparagraph and may not  
437 take any action based upon the default registration until after  
438 receipt of such notice by the agency clerk.

439         4. A private airport of public interest must obtain a  
440 certificate from the department before allowing aircraft  
441 operations. The department shall issue a certificate after a  
442 final inspection finds the airport to be in compliance with all  
443 certificate requirements. The certificate is subject to any  
444 reasonable conditions the department deems necessary to protect  
445 the public. A private airport that was engaged in operations



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446 associated with a private airport of public interest on or  
447 before July 1, 2025, must obtain a certificate from the  
448 department by July 1, 2030.

449 (b) The department may license a public airport that does  
450 not meet standards only if it determines that such exception is  
451 justified by unusual circumstances or is in the interest of  
452 public convenience and does not endanger the public health,  
453 safety, or welfare. Such a license shall bear the designation  
454 "special" and shall state the conditions subject to which the  
455 license is granted.

456 (c) A temporary airport license or registration shall be  
457 valid for less than 30 days and is not renewable. The department  
458 may not approve a subsequent temporary airport registration  
459 application for the same general location if the purpose or  
460 effect is to evade otherwise applicable airport permitting or  
461 licensure requirements.

462 (d)1. Each public airport license shall expire no later  
463 than 1 year after the effective date of the license, except that  
464 the expiration date of a license may be adjusted to provide a  
465 maximum license period of 18 months to facilitate airport  
466 inspections, recognize seasonal airport operations, or improve  
467 administrative efficiency.

468 2. Registration for private airports shall remain valid  
469 provided specific elements of airport data, established by the  
470 department, are periodically recertified by the airport  
471 registrant. The ability to recertify private airport  
472 registration data shall be available at all times by electronic  
473 submittal. A private airport registration that has not been  
474 recertified in the 24-month period following the last



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475 certification shall expire, unless the registration period has  
476 been adjusted by the department for purposes of informing  
477 private airport owners of their registration responsibilities or  
478 promoting administrative efficiency. The expiration date of the  
479 current registration period will be clearly identifiable from  
480 the state aviation facility data system.

481 3. The effective date and expiration date shall be shown on  
482 public airport licenses. Upon receiving an application for  
483 renewal of an airport license in a form and manner prescribed by  
484 the department and receiving a favorable inspection report  
485 indicating compliance with all applicable requirements and  
486 conditions, the department shall renew the license, subject to  
487 any conditions deemed necessary to protect the public health,  
488 safety, or welfare.

489 4. The department may require a new site approval for any  
490 airport if the license or registration has expired.

491 5. If the renewal application for a public airport license  
492 has not been received by the department or no private airport  
493 registration recertification has been accomplished within 15  
494 days after the date of expiration, the department may revoke the  
495 airport license or registration.

496 6. After initial registration, the department may issue a  
497 certificate to a private airport of public interest if the  
498 airport is found, after a physical inspection, to be in  
499 compliance with all certificate requirements. The certificate is  
500 subject to any reasonable condition that the department deems  
501 necessary to protect the public health, safety, or welfare. A  
502 private airport of public interest certificate expires 5 years  
503 after the effective date of the certificate.



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504 (e) The department may revoke, or refuse to allow or issue,  
505 any airport registration or recertification, or any license or  
506 license renewal, if it determines:

- 507 1. That the site has been abandoned as an airport;  
508 2. That the airport does not comply with the conditions of  
509 the license, license renewal, or site approval;  
510 3. That the airport has become either unsafe or unusable  
511 for flight operation due to physical or legal changes in  
512 conditions that were the subject of approval; or  
513 4. That an airport required to file or update a security  
514 plan pursuant to paragraph (f) has failed to do so.

515 (f)1. After initial licensure, a license of a publicly or  
516 privately owned general aviation airport that is open to the  
517 public, that has at least one runway greater than 4,999 feet in  
518 length, and that does not host scheduled passenger-carrying  
519 commercial service operations regulated under 14 C.F.R. part 139  
520 shall not be renewed or reissued unless an approved security  
521 plan has been filed with the department, except when the  
522 department determines that the airport is working in good faith  
523 toward completion and filing of the plan.

524 2. Security plans required by this paragraph must be  
525 developed in accordance with the 2004 Security Planning for  
526 General Aviation Airports guidelines published by the Florida  
527 Airports Council. Certain administrative data from the approved  
528 security plan shall be submitted to the Department of Law  
529 Enforcement, in a format prescribed by the Department of Law  
530 Enforcement, for use in protecting critical infrastructure of  
531 the state.

532 3. The department shall not approve a security plan for





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533 filing unless it is consistent with Florida Airports Council  
534 guidelines.

535 4. An airport required to file a security plan pursuant to  
536 this paragraph shall update its plan at least once every 2 years  
537 after the initial filing date and file the updated plan with the  
538 department. The department shall review the updated plan prior  
539 to approving it for filing to determine whether it is consistent  
540 with Florida Airports Council guidelines. No renewal license  
541 shall be issued to the airport unless the department approves  
542 the updated security plan or determines that the airport is  
543 working in good faith to update it.

544 (4) EXCEPTIONS.—Private airports with 10 or more based  
545 aircraft may request to be inspected and licensed by the  
546 department. Private airports licensed according to this  
547 subsection shall be considered private airports as defined in s.  
548 330.27 ~~s. 330.27(5)~~ in all other respects.

549 Section 9. Section 331.371, Florida Statutes, is amended to  
550 read:

551 331.371 Strategic space infrastructure investment.—

552 (1) In consultation with Space Florida, the Department of  
553 Transportation may fund spaceport discretionary capacity  
554 improvement projects, as defined in s. 331.303, at up to 100  
555 percent of the project's cost if:

556 (a) ~~(1)~~ Important access and on-spaceport-territory space  
557 transportation capacity improvements are provided;

558 (b) ~~(2)~~ Capital improvements that strategically position the  
559 state to maximize opportunities in international trade are  
560 achieved;

561 (c) ~~(3)~~ Goals of an integrated intermodal transportation



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562 system for the state are achieved; and

563 (d)~~(4)~~ Feasibility and availability of matching funds  
564 through federal, local, or private partners are demonstrated.

565 (2) (a) In consultation with the Department of Commerce and  
566 the Department of Environmental Protection, the Department of  
567 Transportation may fund infrastructure projects, and projects  
568 associated with critical infrastructure facilities as defined in  
569 s. 692.201, within or outside of a spaceport territory as long  
570 as the project supports aerospace or launch support facilities  
571 within an adjacent spaceport territory boundary.

572 (b) The Department of Transportation, the Department of  
573 Commerce, and the Department of Environmental Protection shall  
574 coordinate in funding projects under this subsection to optimize  
575 the use of available funds.

576 Section 10. Section 332.003, Florida Statutes, is amended  
577 to read:

578 332.003 Florida Airport Development and Accountability  
579 ~~Assistance~~ Act; short title.—Sections 332.003–332.007 may be  
580 cited as the “Florida Airport Development and Accountability  
581 ~~Assistance~~ Act.”

582 Section 11. Section 332.005, Florida Statutes, is amended  
583 to read:

584 332.005 Restrictions on authority of Department of  
585 Transportation.—

586 (1) This act specifically prohibits the Department of  
587 Transportation from regulating commercial air carriers operating  
588 within the state pursuant to federal authority and regulations;  
589 from participating in or exercising control in the management  
590 and operation of a sponsor’s airport, except when officially



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591 requested by the sponsor; or from expanding the design or  
592 operational capability of the department in the area of airport  
593 and aviation consultants' contract work, other than to provide  
594 technical assistance as requested.

595 (2) (a) Notwithstanding subsection (1), upon the declaration  
596 of a state of emergency issued by the Governor in preparation  
597 for or in response to a natural disaster, airports shall, at no  
598 cost to the state, provide the Department of Transportation with  
599 the opportunity to use any property that is not within the air  
600 navigation facility as defined in s. 332.01(4) for the staging  
601 of equipment and personnel to support emergency preparedness and  
602 response operations.

603 (b) After 60 days of use under paragraph (a), any further  
604 use of airport property by the Department of Transportation must  
605 be conducted pursuant to a written agreement between the airport  
606 and the department.

607 Section 12. Section 332.006, Florida Statutes, to read:

608 332.006 Duties and responsibilities of the Department of  
609 Transportation.—The Department of Transportation shall, within  
610 the resources provided to the department ~~pursuant to chapter~~  
611 ~~216:~~

612 (1) Provide coordination and assistance for the development  
613 of a viable aviation system in this state. To support the  
614 system, a statewide aviation system plan shall be developed and  
615 periodically updated which summarizes 5-year, 10-year, and 20-  
616 year airport and aviation needs within the state. The statewide  
617 aviation system plan shall be consistent with the goals of the  
618 Florida Transportation Plan developed pursuant to s. 339.155.  
619 The statewide aviation system plan shall not preempt local



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620 airport master plans adopted in compliance with federal and  
621 state requirements.

622 (2) Advise and assist the Governor in all aviation matters.

623 (3) Upon request, assist airport sponsors, both financially  
624 and technically, in airport master planning.

625 (4) Upon request, provide financial and technical  
626 assistance to public agencies which operate public-use airports  
627 by making department personnel and department-owned facilities  
628 and equipment available on a cost-reimbursement basis to such  
629 agencies for special needs of limited duration. The requirement  
630 relating to reimbursement of personnel costs may be waived by  
631 the department in those cases in which the assistance provided  
632 by its personnel was of a limited nature or duration.

633 (5) Participate in research and development programs  
634 relating to airports.

635 (6) Administer department participation in the program of  
636 aviation and airport grants as provided for in ss. 332.003-  
637 332.007.

638 (7) Develop, promote, and distribute supporting information  
639 and educational services, including, but not limited to,  
640 educational services with a focus on retention and growth of the  
641 aviation industry workforce.

642 (8) Encourage the maximum allocation of federal funds to  
643 local airport projects in this state.

644 (9) Support the development of land located within the  
645 boundaries of airports for the purpose of industrial or other  
646 uses compatible with airport operations with the objective of  
647 assisting airports in this state to become fiscally self-  
648 supporting. Such assistance may include providing state moneys



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649 on a matching basis to airport sponsors for capital  
650 improvements, including, but not limited to, fixed-base  
651 operation facilities, parking areas, industrial park utility  
652 systems, and road and rail transportation systems which are on  
653 airport property.

654 (10) When deemed appropriate by the department, conduct  
655 inspections of commercial airport facilities that have received  
656 state funding, including, but not limited to, the inspection of  
657 terminal facilities, baggage systems, and fixed guideway  
658 transportation systems in accordance with s. 341.061. The  
659 department may enter into agreements with other state regulatory  
660 agencies, including, but not limited to, the Department of  
661 Business and Professional Regulation and the Department of  
662 Health, for the purpose of conducting such inspections.

663 Section 13. Subsection (5), paragraph (a) of subsection  
664 (7), and subsections (8) and (9) of section 332.007, Florida  
665 Statutes, are amended, and paragraph (c) is added to subsection  
666 (2) of that section, to read:

667 332.007 Administration and financing of aviation and  
668 airport programs and projects; state plan.—

669 (2)

670 (c) The department shall require each airport sponsor to  
671 submit an annual comprehensive maintenance program report that  
672 provides details relating to maintenance and inspections of  
673 airport infrastructure. The report must include a schedule of  
674 inspections, locations at which inspections and maintenance are  
675 performed, a list of required maintenance needs, any remedial  
676 action required or taken after an inspection, and details of  
677 follow-up inspections. For purposes of this paragraph, the term



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678 "maintenance" means any preventive or routine work necessary to  
679 maintain airport infrastructure in good condition, which is  
680 essential for the safe operation of airport infrastructure. If  
681 the comprehensive maintenance program report includes evidence  
682 of failure to perform routine maintenance, the department may  
683 withhold state funds intended for use for capital expansion  
684 projects until the airport sponsor takes corrective action to  
685 address the failure. Records of materials and equipment used for  
686 maintenance and repair work must be maintained by the airport  
687 sponsor as required by the department.

688 (5) Only those projects or programs provided for in this  
689 act that will contribute to the implementation of the state  
690 aviation system plan, that are consistent with the energy policy  
691 of the state as defined in s. 339.08(6)(a), that are consistent  
692 with and will contribute to the implementation of any airport  
693 master plan or layout plan, and that are consistent, to the  
694 maximum extent feasible, with the approved local government  
695 comprehensive plans of the units of government in which the  
696 airport is located are eligible for the expenditure of state  
697 funds in accordance with fund participation rates and priorities  
698 established herein.

699 (7) Subject to the availability of appropriated funds in  
700 addition to aviation fuel tax revenues, the department may  
701 participate in the capital cost of eligible public airport and  
702 aviation discretionary capacity improvement projects. The annual  
703 legislative budget request shall be based on the funding  
704 required for discretionary capacity improvement projects in the  
705 aviation and airport work program.

706 (a) The department shall provide priority funding in



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707 support of:

708 1. Terminal and parking expansion projects that increase  
709 capacity at airports providing commercial service in counties  
710 with a population of 500,000 or less.

711 2. Land acquisition which provides additional capacity at  
712 the qualifying international airport or at that airport's  
713 supplemental air carrier airport.

714 ~~3.2.~~ Runway and taxiway projects that add capacity or are  
715 necessary to accommodate technological changes in the aviation  
716 industry.

717 ~~4.3.~~ Airport access transportation projects that improve  
718 direct airport access and are approved by the airport sponsor.

719 ~~5.4.~~ International terminal projects that increase  
720 international gate capacity.

721 6. Projects that improve safety and efficiency of airport  
722 operations.

723 7. Emerging technology projects, workforce development  
724 projects, and projects that benefit the strategic intermodal  
725 system through intermodal connectivity.

726 (8) The department may also fund eligible projects  
727 performed by not-for-profit organizations and postsecondary  
728 education institutions as defined in s. 1008.47 which support  
729 the training of pilots, air traffic control personnel, or  
730 aircraft maintenance technical personnel ~~that represent a~~  
731 ~~majority of public airports in this state.~~ Eligible projects may  
732 include activities associated with aviation master planning,  
733 professional education, safety and security planning, enhancing  
734 economic development and efficiency at airports in this state,  
735 or other planning efforts to improve the viability and safety of



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736 airports in this state. Programs that support the transition of  
737 honorably discharged military personnel to the aviation industry  
738 are also eligible projects under this subsection. The department  
739 may provide matching funds for eligible projects funded by the  
740 Department of Commerce.

741 (9) The department may fund strategic airport investment  
742 projects at up to 100 percent of the project's cost if:

743 (a) Important access and on-airport capacity improvements  
744 are provided;

745 (b) Capital improvements that strategically position the  
746 state to maximize opportunities in tourism, international trade,  
747 logistics, and the aviation industry are provided;

748 (c) Goals of an integrated intermodal transportation system  
749 for the state are achieved; and

750 (d) Feasibility and availability of matching funds through  
751 federal, local, or private partners are demonstrated.

752 Section 14. Paragraphs (a), (b), and (d) of subsection (1),  
753 subsection (2), and paragraph (a) of subsection (5) of section  
754 332.0075, Florida Statutes, are amended, and paragraph (c) is  
755 added to subsection (5) of that section, to read:

756 332.0075 Commercial service airports; transparency and  
757 accountability; penalty.—

758 (1) As used in this section, the term:

759 (a) "Commercial service airport" means an airport providing  
760 commercial service, including large, medium, small, and nonhub  
761 airports as classified ~~a primary airport as defined in 49 U.S.C.~~  
762 ~~s. 47102 which is classified as a large, medium, or small hub~~  
763 ~~airport~~ by the Federal Aviation Administration.

764 (b) "Consent agenda" means an agenda which consists of





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765 items voted on collectively or as a group and which does not  
766 provide the opportunity for public comment on each such item  
767 before approval or disapproval by the governing body.

768 (d) "Governing body" means the governing body of the  
769 county, municipality, or special district that operates a  
770 commercial service airport. The term also includes an appointed  
771 board or oversight entity serving as the governing body for  
772 purposes of a commercial service airport on behalf of a county,  
773 municipality, or special district.

774 (2) Each governing body shall establish and maintain a  
775 website to post information relating to the operation of a  
776 commercial service airport. The information must remain posted  
777 on the website for 5 years or for the entirety of the period  
778 during which the document is actively in use, whichever is  
779 longer, and must include all of the following, including:

780 (a) All published notices of meetings and published meeting  
781 agendas of the governing body.

782 (b) The official minutes of each meeting of the governing  
783 body, which must ~~shall~~ be posted within 7 business days after  
784 the date of the meeting in which the minutes were approved.

785 (c) The approved budget for the commercial service airport  
786 for the current fiscal year, which shall be posted within 7  
787 business days after the date of adoption. Budgets must remain on  
788 the website for 5 ~~2~~ years after the conclusion of the fiscal  
789 year for which they were adopted.

790 (d) Copies of the current airport master plan and the  
791 immediately preceding airport master plan for the commercial  
792 service airport and a link to the current airport master plan  
793 ~~for the commercial service airport~~ on the commercial service



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794 airport's website.

795 (e) A link to all financial and statistical reports for the  
796 commercial service airport on the Federal Aviation  
797 Administration's website.

798 (f) Any contract or contract amendment for the purchase of  
799 commodities or contractual services executed by or on behalf of  
800 the commercial service airport in excess of the threshold amount  
801 provided in s. 287.017 for CATEGORY FIVE, which must ~~shall~~ be  
802 posted no later than 7 business days after the commercial  
803 service airport executes the contract or contract amendment.  
804 However, a contract or contract amendment may not reveal  
805 information made confidential or exempt by law. Each commercial  
806 service airport must redact confidential or exempt information  
807 from each contract or contract amendment before posting a copy  
808 on its website.

809 (g) Position and rate information for each employee of the  
810 commercial service airport, including, at a minimum, the  
811 employee's position title, position description, and annual or  
812 hourly salary. This information must ~~shall~~ be updated quarterly  
813 ~~annually~~.

814 (5)(a) Each November 1, the governing body of each  
815 commercial service airport shall submit the following  
816 information to the department:

- 817 1. Its approved budget for the current fiscal year.
- 818 2. Any financial reports submitted to the Federal Aviation  
819 Administration during the previous calendar year.
- 820 3. A link to its website.
- 821 4. A statement, verified as provided in s. 92.525, that it  
822 has complied with part III of chapter 112, chapter 287, and this



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823 section.

824 5. The most recent copies of its strategic plans.

825 6. Contracts related to any financial awards received  
826 through federally funded grant programs for the preceding year.

827 (c) A commercial service airport shall:

828 1. Notify the department within 48 hours after receiving a  
829 communication or directive from a federal agency relating to  
830 public health testing or the transfer of unauthorized aliens  
831 into this state.

832 2. Notify the department as soon as is reasonably possible,  
833 but no later than 48 hours, after the discovery of a potential  
834 cybersecurity breach or other occurrence impacting the traveling  
835 public, a disruption in state aviation operations directly  
836 impacting multiple airports within this state, or an incident  
837 occurring on airport property which requires coordination with  
838 multiple local, state, or federal agencies.

839 Section 15. Section 332.15, Florida Statutes, is created to  
840 read:

841 332.15 Advanced air mobility.—The Department of  
842 Transportation shall:

843 (1) Address the need for vertiports, advanced air mobility,  
844 and other advances in aviation technology in the statewide  
845 aviation system plan required under s. 332.006(1) and, as  
846 appropriate, in the department's work program.

847 (2) Designate a subject matter expert on advanced air  
848 mobility within the department to serve as a resource for local  
849 jurisdictions navigating advances in aviation technology.

850 (3) Conduct a review of airport hazard zone regulations.

851 (4) In coordination with the Department of Commerce,



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852 provide coordination and assistance for the development of a  
853 viable advanced air mobility system plan in this state. The  
854 department shall incorporate the plan into the statewide  
855 aviation system plan required under s. 332.006(1) to identify  
856 and develop statewide corridors of need and opportunities for  
857 industry growth.

858 Section 16. Subsection (5) of section 334.044, Florida  
859 Statutes, is amended, and subsections (37), (38), and (39) are  
860 added to that section, to read:

861 334.044 Powers and duties of the department.—The department  
862 shall have the following general powers and duties:

863 (5) To purchase, lease, or otherwise acquire property and  
864 materials, including the purchase of promotional items as part  
865 of public information and education campaigns for the promotion  
866 of environmental management, scenic highways, traffic and train  
867 safety awareness, ~~alternatives to single-occupant vehicle~~  
868 ~~travel~~, commercial motor vehicle safety, workforce development,  
869 electric vehicle use and charging stations, autonomous vehicles,  
870 and context classification design for electric vehicles and  
871 autonomous vehicles; to purchase, lease, or otherwise acquire  
872 equipment and supplies; and to sell, exchange, or otherwise  
873 dispose of any property that is no longer needed by the  
874 department.

875 (37) Notwithstanding s. 287.022 or s. 287.025, to directly  
876 enter into insurance contracts with local, national, or  
877 international insurance companies for the purchase of insurance  
878 coverage that the department is contractually and legally  
879 required to provide.

880 (38) Notwithstanding s. 287.14, to purchase or acquire



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881 heavy equipment and motor vehicles for roadway operations and  
882 emergency response purposes regardless of whether the department  
883 exchanges or ceases to operate any department-owned heavy  
884 equipment or motor vehicles.

885 (39) To adopt rules for the purpose of compliance with 49  
886 C.F.R. part 26 and any other applicable federal law.

887 Section 17. Subsection (1) of section 334.045, Florida  
888 Statutes, is amended to read:

889 334.045 Transportation performance and productivity  
890 standards; development; measurement; application.—

891 (1) The Florida Transportation Commission shall develop and  
892 adopt measures for evaluating the performance and productivity  
893 of the department. The measures may be both quantitative and  
894 qualitative and must, to the maximum extent practical, assess  
895 those factors that are within the department's control. The  
896 measures must, at a minimum, assess performance in the following  
897 areas:

898 (a) Production;

899 (b) Finance and administration;

900 (c) Preservation of the current state system;

901 (d) Safety of the current state system;

902 (e) Capacity improvements: highways and all public  
903 transportation modes; and

904 (f) The business development program established under s.  
905 337.027 ~~Disadvantaged business enterprise and minority business~~  
906 programs.

907 Section 18. Section 334.62, Florida Statutes, is created to  
908 read:

909 334.62 Florida Transportation Academy.—The Legislature



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910 finds that the growth and sustainability of the transportation  
911 industry workforce is vital to the continued success and  
912 efficiency of the state's supply chain and economic  
913 competitiveness. In order to prioritize the continued need for  
914 transportation industry workforce development programs, the  
915 Florida Transportation Academy is established within the  
916 department. In order to support, promote, and sustain workforce  
917 development efforts in the transportation sector, the department  
918 may do all of the following:

919 (1) Coordinate with the Department of Corrections to  
920 identify and create certification and training opportunities for  
921 nonviolent, scheduled-release inmates and create a notification  
922 process between the Department of Corrections and the department  
923 for nonviolent inmates with imminent scheduled-release dates who  
924 are expected to seek employment upon release.

925 (2) Coordinate with the Department of Juvenile Justice and  
926 its educational partners to create certification and training  
927 opportunities for eligible youth.

928 (3) Coordinate with veterans' organizations to encourage  
929 veterans with honorable military discharge to pursue employment  
930 opportunities within the transportation industry, including, but  
931 not limited to, employment as pilots, mechanics, and air traffic  
932 controllers.

933 (4) Coordinate with the Department of Commerce,  
934 CareerSource Florida, Inc., and regional business organizations,  
935 within and outside of the transportation industry, to further  
936 understand recruitment and retention needs and job-seeker  
937 pipelines.

938 (5) Coordinate with the American Council of Engineering



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939 Companies and the Florida Transportation Builders Association to  
940 optimize workforce recruitment and retention and assess future  
941 needs across the transportation industry in this state.

942 Section 19. Present paragraph (b) of subsection (3) of  
943 section 335.182, Florida Statutes, is redesignated as paragraph  
944 (c) and amended, and a new paragraph (b) is added to that  
945 subsection, to read:

946 335.182 Regulation of connections to roads on State Highway  
947 System; definitions.—

948 (3) As used in this act, the term:

949 (b) "Modification of an existing connection" means the  
950 relocation, alteration, or closure of the connection.

951 (c) ~~(b)~~ "Significant change" means:

952 1. A change in the use of the property, including the  
953 development of land, structures, or facilities; or

954 2. An expansion of the size of the property, structures, or  
955 facilities causing an increase in the trip generation of the  
956 property exceeding 25 percent more trip generation, ~~(either peak~~  
957 hour or daily), and exceeding 100 vehicles per day more than the  
958 existing use.

959 Section 20. Subsections (3) and (4) of section 335.187,  
960 Florida Statutes, are amended to read:

961 335.187 Unpermitted connections; existing access permits;  
962 nonconforming permits; modification and revocation of permits.—

963 (3) The department may issue a nonconforming access permit  
964 if denying ~~after finding that to deny~~ an access permit would  
965 leave the property without a reasonable means of access to the  
966 State Highway System. The department may specify limits on the  
967 maximum vehicular use of the connection and may condition ~~be~~



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968 ~~conditioned on~~ the availability of future alternative means of  
969 access for which access permits can be obtained.

970 (4) After written notice and the opportunity for a hearing,  
971 as provided for in s. 120.60, the department may modify or  
972 revoke an access permit issued after July 1, 1988, by requiring  
973 modification ~~Relocation, alteration, or closure~~ of an existing  
974 connection if:

975 (a) A significant change occurs in the use, design, or  
976 traffic flow of the connection; or

977 (b) It would jeopardize the safety of the public or have a  
978 negative impact upon the operational characteristics of the  
979 highway.

980 Section 21. Subsection (2) of section 337.027, Florida  
981 Statutes, is amended to read:

982 337.027 Authority to implement a business development  
983 program.—

984 (2) For purposes of this section, the term "small business"  
985 means a business with yearly average gross receipts of less than  
986 \$25 ~~\$15~~ million for road and bridge contracts and less than \$10  
987 ~~\$6.5~~ million for professional and nonprofessional services  
988 contracts. A business' average gross receipts is determined by  
989 averaging its annual gross receipts over the last 3 years,  
990 including the receipts of any affiliate as defined in s.  
991 337.165.

992 Section 22. Subsection (6) of section 337.11, Florida  
993 Statutes, is amended to read:

994 337.11 Contracting authority of department; bids; emergency  
995 repairs, supplemental agreements, and change orders; combined  
996 design and construction contracts; progress payments; records;





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997 requirements of vehicle registration.-

998       (6) (a) If the secretary determines that an emergency in  
999 regard to the restoration or repair of any state transportation  
1000 facility exists such that the delay incident to giving  
1001 opportunity for competitive bidding would be detrimental to the  
1002 interests of the state, the provisions for competitive bidding  
1003 do not apply; and the department may enter into contracts for  
1004 restoration or repair without giving opportunity for competitive  
1005 bidding on such contracts. Within 30 days after such  
1006 determination and contract execution, the head of the department  
1007 shall file with the Executive Office of the Governor a written  
1008 statement of the conditions and circumstances constituting such  
1009 emergency.

1010       (b) If the secretary determines that delays on a contract  
1011 for maintenance exist due to administrative challenges, bid  
1012 protests, defaults or terminations and the further delay would  
1013 reduce safety on the transportation facility or seriously hinder  
1014 the department's ability to preserve the state's investment in  
1015 that facility, competitive bidding provisions may be waived and  
1016 the department may enter into a contract for maintenance on the  
1017 facility. However, contracts for maintenance executed under the  
1018 provisions of this paragraph shall be interim in nature and  
1019 shall be limited in duration to a period of time not to exceed  
1020 the length of the delay necessary to complete the competitive  
1021 bidding process and have the contract in place.

1022       (c) When the department determines that it is in the best  
1023 interest of the public for reasons of public concern, economy,  
1024 improved operations, or safety, and only when circumstances  
1025 dictate rapid completion of the work, the department may, up to



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1026 the amount of \$500,000, enter into contracts for construction  
1027 and maintenance without advertising and receiving competitive  
1028 bids. The department may enter into such contracts only upon a  
1029 determination that the work is necessary for one of the  
1030 following reasons:

1031 1. To ensure timely completion of projects or avoidance of  
1032 undue delay for other projects;

1033 2. To accomplish minor repairs or construction and  
1034 maintenance activities for which time is of the essence and for  
1035 which significant cost savings would occur; or

1036 3. To accomplish nonemergency work necessary to ensure  
1037 avoidance of adverse conditions that affect the safe and  
1038 efficient flow of traffic.

1039

1040 The department shall make a good faith effort to obtain two or  
1041 more quotes, if available, from qualified contractors before  
1042 entering into any contract. The department shall give  
1043 consideration to small disadvantaged business enterprise  
1044 participation. However, when the work exists within the limits  
1045 of an existing contract, the department shall make a good faith  
1046 effort to negotiate and enter into a contract with the prime  
1047 contractor on the existing contract.

1048 Section 23. Section 337.125, Florida Statutes, is repealed.

1049 Section 24. Section 337.135, Florida Statutes, is repealed.

1050 Section 25. Section 337.139, Florida Statutes, is repealed.

1051 Section 26. Paragraph (a) of subsection (1) of section  
1052 337.18, Florida Statutes, is amended to read:

1053 337.18 Surety bonds for construction or maintenance  
1054 contracts; requirement with respect to contract award; bond



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1055 requirements; defaults; damage assessments.-

1056 (1) (a) A surety bond shall be required of the successful  
1057 bidder in an amount equal to the awarded contract price.  
1058 However, the department may choose, in its discretion and  
1059 applicable only to multiyear maintenance contracts, to allow for  
1060 incremental annual contract bonds that cumulatively total the  
1061 full, awarded, multiyear contract price; ~~The department may~~  
1062 ~~also choose,~~ in its discretion and applicable only to phased  
1063 design-build contracts under s. 337.11(7) (b), to allow the  
1064 issuance of multiple contract performance and payment bonds in  
1065 succession to align with each phase of the contract to meet the  
1066 bonding requirement in this subsection; and, at the discretion  
1067 of the Secretary of Transportation and notwithstanding any  
1068 bonding requirement under s. 337.18, to require a surety bond in  
1069 an amount that is less than the awarded contract price.

1070 1. The department may waive the requirement for all or a  
1071 portion of a surety bond if:

1072 a. The contract price is \$250,000 or less and the  
1073 department determines that the project is of a noncritical  
1074 nature and that nonperformance will not endanger public health,  
1075 safety, or property;

1076 b. The prime contractor is a qualified nonprofit agency for  
1077 the blind or for the other severely handicapped under s.  
1078 413.036(2); or

1079 c. The prime contractor is using a subcontractor that is a  
1080 qualified nonprofit agency for the blind or for the other  
1081 severely handicapped under s. 413.036(2). However, the  
1082 department may not waive more than the amount of the  
1083 subcontract.



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1084           2. If the department determines that it is in the best  
1085 interests of the department to reduce the bonding requirement  
1086 for a project and that to do so will not endanger public health,  
1087 safety, or property, the department may waive the requirement of  
1088 a surety bond in an amount equal to the awarded contract price  
1089 for a project having a contract price of \$250 million or more  
1090 and, in its place, may set a surety bond amount that is a  
1091 portion of the total contract price and provide an alternate  
1092 means of security for the balance of the contract amount that is  
1093 not covered by the surety bond or provide for incremental surety  
1094 bonding and provide an alternate means of security for the  
1095 balance of the contract amount that is not covered by the surety  
1096 bond. Such alternative means of security may include letters of  
1097 credit, United States bonds and notes, parent company  
1098 guarantees, and cash collateral. The department may require  
1099 alternate means of security if a surety bond is waived. The  
1100 surety on such bond shall be a surety company authorized to do  
1101 business in the state. All bonds shall be payable to the  
1102 department and conditioned for the prompt, faithful, and  
1103 efficient performance of the contract according to plans and  
1104 specifications and within the time period specified, and for the  
1105 prompt payment of all persons defined in s. 713.01 furnishing  
1106 labor, material, equipment, and supplies for work provided in  
1107 the contract; however, whenever an improvement, demolition, or  
1108 removal contract price is \$25,000 or less, the security may, in  
1109 the discretion of the bidder, be in the form of a cashier's  
1110 check, bank money order of any state or national bank, certified  
1111 check, or postal money order. The department shall adopt rules  
1112 to implement this subsection. Such rules shall include



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1113 provisions under which the department shall refuse to accept  
1114 bonds on contracts when a surety wrongfully fails or refuses to  
1115 settle or provide a defense for claims or actions arising under  
1116 a contract for which the surety previously furnished a bond.

1117 Section 27. Subsection (3) of section 337.251, Florida  
1118 Statutes, is amended to read:

1119 337.251 Lease of property for joint public-private  
1120 development and areas above or below department property.—

1121 (3) A proposal must be selected by the department based on  
1122 competitive bidding, except that the department may consider  
1123 other relevant factors specified in the request for proposals.  
1124 The department may consider such factors as the value of  
1125 property exchanges, the cost of construction, and other  
1126 recurring costs for the benefit of the department by the lessee  
1127 in lieu of direct revenue to the department if such other  
1128 factors are of equal value including innovative proposals to  
1129 involve small ~~minority~~ businesses. The department may name a  
1130 board of advisers which may be composed of accountants, real  
1131 estate appraisers, design engineers, or other experts  
1132 experienced in the type of development proposed. The board of  
1133 advisers shall review the feasibility of the proposals,  
1134 recommend acceptance or rejection of each proposal, and rank  
1135 each feasible proposal in the order of technical feasibility and  
1136 benefit provided to the department. The board of advisers shall  
1137 be reasonably compensated for the services provided and all  
1138 department costs for evaluating the proposals shall be  
1139 reimbursed from a proposal application fee to be set by the  
1140 department and paid by the applicants. The board of advisers  
1141 shall not be subject to selection under the provisions of



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1142 chapter 287.

1143 Section 28. Section (2) of section 337.401, Florida  
1144 Statutes, is amended to read:

1145 337.401 Use of right-of-way for utilities subject to  
1146 regulation; permit; fees.—

1147 (2) (a) The authority may grant to any person who is a  
1148 resident of this state, or to any corporation which is organized  
1149 under the laws of this state or licensed to do business within  
1150 this state, the use of a right-of-way for the utility in  
1151 accordance with such rules or regulations as the authority may  
1152 adopt. A utility may not be installed, located, or relocated  
1153 unless authorized by a written permit issued by the authority.  
1154 However, for public roads or publicly owned rail corridors under  
1155 the jurisdiction of the department, a utility relocation  
1156 schedule and relocation agreement may be executed in lieu of a  
1157 written permit. The permit must require the permitholder to be  
1158 responsible for any damage resulting from the issuance of such  
1159 permit. The authority may initiate injunctive proceedings as  
1160 provided in s. 120.69 to enforce provisions of this subsection  
1161 or any rule or order issued or entered into pursuant thereto. A  
1162 permit application required under this subsection by a county or  
1163 municipality having jurisdiction and control of the right-of-way  
1164 of any public road must be processed and acted upon in  
1165 accordance with the timeframes provided in subparagraphs  
1166 (7) (d) 7., 8., and 9.

1167 (b) Notwithstanding paragraph (a), a municipality may not  
1168 prohibit, or require a permit for, the installation of a public  
1169 sewer transmission line placed and maintained within and under  
1170 publicly dedicated rights-of-way as part of a septic-to-sewer



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1171 conversion where the work is being performed under permits  
1172 issued by the Department of Transportation pursuant to this  
1173 chapter and the Department of Environmental Protection, or its  
1174 delegate, pursuant to chapter 403.

1175 Section 29. Subsection (4) of section 337.406, Florida  
1176 Statutes, is amended to read:

1177 337.406 Unlawful use of state transportation facility  
1178 right-of-way; penalties.—

1179 (4) (a) Camping is prohibited on any portion of the right-  
1180 of-way of the State Highway System ~~that is within 100 feet of a~~  
1181 ~~bridge, causeway, overpass, or ramp.~~

1182 (b) This subsection does not apply to a person who has  
1183 acquired the appropriate permits and is actively navigating the  
1184 federally designated Florida National Scenic Trail recognized by  
1185 the state in s. 260.012(6).

1186 Section 30. Subsection (4) of section 338.227, Florida  
1187 Statutes, is amended to read:

1188 338.227 Turnpike revenue bonds.—

1189 (4) The Department of Transportation and the Department of  
1190 Management Services shall create and implement an outreach  
1191 program designed to enhance the participation of small ~~minority~~  
1192 ~~persons and minority~~ business enterprises in all contracts  
1193 entered into by their respective departments for services  
1194 related to the financing of department projects for the  
1195 Strategic Intermodal System Plan developed pursuant to s.  
1196 339.64. These services ~~shall~~ include, but are not limited to,  
1197 bond counsel and bond underwriters.

1198 Section 31. Subsection (6) is added to section 339.08,  
1199 Florida Statutes, to read:



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1200 339.08 Use of moneys in State Transportation Trust Fund.—  
1201 (6) (a) As used in this subsection, the term “energy policy  
1202 of the state” means the energy policy described in s. 377.601  
1203 and includes any intended or actual measure, obligation, target,  
1204 or timeframe related to a reduction in carbon dioxide emissions.  
1205 (b) The department may not expend any state funds as  
1206 described in s. 215.31 to support a project or program of any of  
1207 the following entities if such entities adopt or promote energy  
1208 policy goals inconsistent with the energy policy of the state:  
1209 1. A public transit provider as defined in s. 341.031(1).  
1210 2. An authority created pursuant to chapter 343, chapter  
1211 348, or chapter 349.  
1212 3. A public-use airport as defined in s. 332.004.  
1213 4. A port listed in s. 311.09(1).  
1214 Section 32. Section 339.0805, Florida Statutes, is  
1215 repealed.  
1216 Section 33. Paragraph (c) of subsection (6) and paragraph  
1217 (h) of subsection (7) of section 339.135, Florida Statutes, are  
1218 amended to read:  
1219 339.135 Work program; legislative budget request;  
1220 definitions; preparation, adoption, execution, and amendment.—  
1221 (6) EXECUTION OF THE BUDGET.—  
1222 (c) Notwithstanding ~~the provisions of~~ ss. 216.301(2) and  
1223 216.351, any unexpended balance remaining at the end of the  
1224 fiscal year in the appropriations to the department for special  
1225 categories; aid to local governments; lump sums for project  
1226 phases which are part of the adopted work program, and for which  
1227 contracts have been executed or bids have been let; and for  
1228 right-of-way land acquisition and relocation assistance for





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1229 parcels from project phases in the adopted work program for  
1230 which appraisals have been completed and approved, may be  
1231 certified forward as fixed capital outlay at the end of each  
1232 fiscal year, to be certified by the head of the state agency on  
1233 or before August 1 of each year to the Executive Office of the  
1234 Governor, showing in detail the commitment or to whom obligated  
1235 and the amount of such commitment or obligation. On or before  
1236 September 1 of each year, the Executive Office of the Governor  
1237 shall review and approve or disapprove, consistent with  
1238 legislative policy and intent, any ~~or all~~ of the items and  
1239 amounts certified by the head of the state agency and shall  
1240 furnish the Chief Financial Officer, the legislative  
1241 appropriations committees, and the Auditor General a detailed  
1242 listing of the items and amounts approved as legal encumbrances  
1243 against the undisbursed balances of such appropriations. In the  
1244 event such certification is not made and the balance of the  
1245 appropriation has reverted and the obligation is proven to be  
1246 legal, due, and unpaid, then the same must ~~shall~~ be presented to  
1247 the Legislature for its consideration. Such certification as  
1248 herein required must ~~shall~~ be in the form and on the date  
1249 approved by the Executive Office of the Governor. Any project  
1250 phases in the adopted work program not certified forward are  
1251 ~~shall be~~ available for roll forward for the next fiscal year of  
1252 the adopted work program. Spending authority associated with  
1253 such project phases may be rolled forward to the next fiscal  
1254 year upon approval by the procedures set forth in s. 216.177.  
1255 Upon approval, the Executive Office of the Governor shall modify  
1256 the original approved operating budget for fixed capital outlay  
1257 expenditures ~~Legislative Budget Commission~~. Increases in



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1258 spending authority are ~~shall be~~ limited to amounts of unexpended  
1259 balances by appropriation category. Any project phase certified  
1260 forward for which bids have been let but subsequently rejected  
1261 is ~~shall be~~ available for roll forward in the adopted work  
1262 program for the next fiscal year. Spending authority associated  
1263 with such project phases may be rolled forward into the current  
1264 year from funds certified forward. The amount certified forward  
1265 may include contingency allowances for right-of-way acquisition  
1266 and relocation, asphalt and petroleum product escalation  
1267 clauses, and contract overages, which allowances must ~~shall~~ be  
1268 separately identified in the certification detail. Right-of-way  
1269 acquisition and relocation and contract overages contingency  
1270 allowances must ~~shall~~ be based on documented historical  
1271 patterns. These contingency amounts must ~~shall~~ be incorporated  
1272 in the certification for each specific category, but when a  
1273 category has an excess and another category has a deficiency,  
1274 the Executive Office of the Governor is authorized to transfer  
1275 the excess to the deficient account.

1276 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

1277 (h)1. Any work program amendment that also adds a new  
1278 project, or phase thereof, to the adopted work program in excess  
1279 of \$3 million is subject to approval by the Legislative Budget  
1280 Commission. Any work program amendment submitted under this  
1281 paragraph must include, as supplemental information, a list of  
1282 projects, or phases thereof, in the current 5-year adopted work  
1283 program which are eligible for the funds within the  
1284 appropriation category being used for the proposed amendment.  
1285 The department shall provide a narrative with the rationale for  
1286 not advancing an existing project, or phase thereof, in lieu of



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1287 the proposed amendment.

1288         2. If the department submits an amendment to the  
1289 Legislative Budget Commission and the commission does not meet  
1290 or consider the amendment within 30 days after its submittal,  
1291 the chair and vice chair of the commission may authorize the  
1292 amendment to be approved pursuant to s. 216.177. ~~This~~  
1293 ~~subparagraph expires July 1, 2025.~~

1294         Section 34. Paragraph (b) of subsection (3) and paragraph  
1295 (c) of subsection (4) of section 339.2821, Florida Statutes, are  
1296 amended to read:

1297         339.2821 Economic development transportation projects.-

1298         (3)

1299         (b) The department must ensure that it is supportive of  
1300 small businesses as defined in s. 337.027(2) ~~small and minority~~  
1301 ~~businesses have equal access to participate in transportation~~  
1302 ~~projects funded pursuant to this section.~~

1303         (4) A contract between the department and a governmental  
1304 body for a transportation project must:

1305         (c) Require that the governmental body provide the  
1306 department with progress reports. Each progress report must  
1307 contain:

1308             1. A narrative description of the work completed and  
1309 whether the work is proceeding according to the transportation  
1310 project schedule;

1311             2. A description of each change order executed by the  
1312 governmental body;

1313             3. A budget summary detailing planned expenditures compared  
1314 to actual expenditures; and

1315             4. The identity of each small ~~or minority~~ business used as



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1316 a contractor or subcontractor.

1317 Section 35. Section 339.287, Florida Statutes, is repealed.

1318 Section 36. Paragraph (c) of subsection (2) of section  
1319 339.55, Florida Statutes, is amended to read:

1320 339.55 State-funded infrastructure bank.—

1321 (2) The bank may lend capital costs or provide credit  
1322 enhancements for:

1323 (c)1. Emergency loans for damages incurred to public-use  
1324 commercial deepwater seaports, public-use airports, and other  
1325 public-use transit and intermodal facilities that are within an  
1326 area that is part of an official state declaration of emergency  
1327 pursuant to chapter 252 and all other applicable laws. Such  
1328 loans:

1329 a. May not exceed 24 months in duration except in extreme  
1330 circumstances, for which the Secretary of Transportation may  
1331 grant up to 36 months upon making written findings specifying  
1332 the conditions requiring a 36-month term.

1333 b. Require application from the recipient to the department  
1334 that includes documentation of damage claims filed with the  
1335 Federal Emergency Management Agency or an applicable insurance  
1336 carrier and documentation of the recipient's overall financial  
1337 condition.

1338 c. Are subject to approval by the Secretary of  
1339 Transportation ~~and the Legislative Budget Commission.~~

1340 2. Loans provided under this paragraph must be repaid upon  
1341 receipt by the recipient of eligible program funding for damages  
1342 in accordance with the claims filed with the Federal Emergency  
1343 Management Agency or an applicable insurance carrier, but no  
1344 later than the duration of the loan.



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1345 Section 37. Subsections (3) and (7) of section 339.651,  
1346 Florida Statutes, are amended to read:

1347 339.651 Strategic Intermodal System supply chain demands.—

1348 (3) The department may ~~shall~~ make up to \$20 million  
1349 available each year ~~for fiscal years 2023-2024 through 2027-~~  
1350 ~~2028,~~ from the existing work program ~~revenues,~~ to fund projects  
1351 that meet the public purpose of providing increased capacity and  
1352 enhanced capabilities to move and store construction aggregate.  
1353 Applicants eligible for project funding under this section are  
1354 seaports listed in s. 311.09 and rail lines and rail facilities.

1355 ~~(7) This section shall stand repealed on July 1, 2028.~~

1356 Section 38. Paragraph (b) of subsection (6) of section  
1357 341.051, Florida Statutes, is amended to read:

1358 341.051 Administration and financing of public transit and  
1359 intercity bus service programs and projects.—

1360 (6) ANNUAL APPROPRIATION.—

1361 (b) If funds are allocated to projects that qualify for the  
1362 New Starts Transit Program in the current fiscal year and a  
1363 project will not be ready for production by June 30, those funds  
1364 must ~~The remaining unallocated New Starts Transit Program funds~~  
1365 ~~as of June 30, 2024,~~ shall be reallocated for the purpose of the  
1366 Strategic Intermodal System within the State Transportation  
1367 Trust Fund for the next fiscal year. ~~This paragraph expires June~~  
1368 ~~30, 2026.~~

1369  
1370 For purposes of this section, the term "net operating costs"  
1371 means all operating costs of a project less any federal funds,  
1372 fares, or other sources of income to the project.

1373 Section 39. Subsection (5) of section 348.754, Florida



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1374 Statutes, is amended to read:

1375 348.754 Purposes and powers.—

1376 (5) The authority shall encourage the inclusion of local  
1377 and small ~~local, small, minority, and women-owned~~ businesses  
1378 in its procurement and contracting opportunities.

1379 Section 40. Subsection (2) of section 349.03, Florida  
1380 Statutes, is amended, and subsections (4) and (5) are added to  
1381 that section, to read:

1382 349.03 Jacksonville Transportation Authority.—

1383 (2) The governing body of the authority shall be composed  
1384 ~~consist~~ of seven members. Four ~~Three~~ members shall be appointed  
1385 by the Governor and confirmed by the Senate. Of the four members  
1386 appointed by the Governor, one must be a resident of Duval  
1387 County and three must be residents of Clay County, St. Johns  
1388 County, or Nassau County.

1389  
1390 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

1391 And the directory clause is amended as follows:

1392 Delete lines 228 - 229

1393 and insert:

1394 (b), and (g) of subsection (2), and paragraph (b) of present  
1395 subsection (3) of that section is amended, to read:

1396  
1397 ===== T I T L E A M E N D M E N T =====

1398 And the title is amended as follows:

1399 Delete lines 12 - 201

1400 and insert:

1401 Transportation Commission; requiring the commission to  
1402 monitor transit entities that receive certain funding;



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1403 requiring members of the commission to follow certain  
1404 standards of conduct; providing legislative findings  
1405 and intent; creating the Florida Transportation  
1406 Research Institute; specifying the purpose of the  
1407 institute; requiring the institute to report to the  
1408 department; providing for membership of the institute;  
1409 requiring the department to select a member to serve  
1410 as the administrative lead of the institute; requiring  
1411 the Secretary of Transportation to appoint a  
1412 representative of the department to serve as the  
1413 executive director of the institute; requiring the  
1414 department to coordinate with the members of the  
1415 institute to adopt certain policies; authorizing the  
1416 institute to award certain grants; authorizing the  
1417 department to allocate funds to the institute from the  
1418 State Transportation Trust Fund; authorizing the  
1419 institute to expend funds for certain operations and  
1420 programs; requiring the institute to submit an annual  
1421 report to the Secretary of Transportation and the  
1422 commission; revising the department's areas of program  
1423 responsibility; amending s. 311.07, F.S.; providing  
1424 that certain spaceport and space industry-related  
1425 facility projects and commercial shipbuilding and  
1426 manufacturing facility projects are eligible for grant  
1427 funding under the Florida Seaport Transportation and  
1428 Economic Development Program; amending s. 311.09,  
1429 F.S.; revising the purpose of the Florida Seaport  
1430 Transportation and Economic Development Council;  
1431 requiring the department to provide administrative



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1432 support to the council on certain matters; requiring  
1433 that the Florida Seaport Mission Plan include certain  
1434 recommendations; requiring each port member of the  
1435 council to submit a certain semiannual report to the  
1436 department; amending s. 311.10, F.S.; requiring  
1437 seaports located in a specified county to include  
1438 certain statements in any agreement with the  
1439 department as a condition of receiving certain grants;  
1440 defining the term "cargo purposes"; repealing s.  
1441 316.0741, F.S., relating to high-occupancy-vehicle  
1442 lanes; amending s. 316.0745, F.S.; deleting language  
1443 limiting the state funds that may be withheld due to  
1444 certain violations by a public body or official to  
1445 state funds for traffic control purposes; providing  
1446 that such violations are cause for the withholding of  
1447 state funds deposited in the State Transportation  
1448 Trust Fund; amending s. 330.27, F.S.; revising  
1449 definitions and defining terms; amending s. 330.30,  
1450 F.S.; requiring that a private airport of public  
1451 interest obtain a certain certificate from the  
1452 department before allowing aircraft operations;  
1453 requiring that certain private airports obtain a  
1454 certain certificate from the department by a specified  
1455 date; amending s. 331.371, F.S.; authorizing the  
1456 department, in consultation with the Department of  
1457 Commerce and the Department of Environmental  
1458 Protection, to fund certain infrastructure projects  
1459 and projects associated with certain critical  
1460 infrastructure projects; requiring that such





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1461 departments coordinate in funding certain projects for  
1462 a specified purpose; amending s. 332.003, F.S.;  
1463 revising a short title; amending s. 332.005, F.S.;  
1464 requiring airports to provide the Department of  
1465 Transportation with the opportunity to use certain  
1466 airport property for a specified purpose during a  
1467 declared state of emergency; requiring that such use  
1468 be conducted pursuant to a written agreement after a  
1469 certain period of use; amending s. 332.006, F.S.;  
1470 deleting a requirement that the department meet  
1471 certain duties and responsibilities within the  
1472 resources provided pursuant to a specified chapter;  
1473 providing duties and responsibilities of the  
1474 department relating to certain educational services,  
1475 inspections of certain commercial airport facilities,  
1476 and agreements with other state regulatory agencies;  
1477 amending s. 332.007, F.S.; requiring the department to  
1478 require annual comprehensive maintenance program  
1479 reports from airport sponsors; providing requirements  
1480 for such reports; defining the term "maintenance";  
1481 authorizing the department to withhold certain state  
1482 funds under certain circumstances; revising the list  
1483 of projects for which the department must provide  
1484 priority funding; authorizing the department to fund  
1485 eligible projects performed by certain organizations  
1486 and postsecondary education institutions; providing  
1487 that certain programs are eligible projects;  
1488 authorizing the department to provide certain matching  
1489 funds; revising the circumstances in which the



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1490 department may fund strategic airport investment  
1491 projects; amending s. 332.0075, F.S.; revising  
1492 definitions; requiring that certain information remain  
1493 posted on a governing body's website for a certain  
1494 period; revising the information that must be included  
1495 on such website; requiring the quarterly, rather than  
1496 annual, update of certain information; revising  
1497 information that the governing body of a commercial  
1498 service airport must submit to the department  
1499 annually; requiring a commercial service airport to  
1500 provide certain notifications to the department;  
1501 creating s. 332.15, F.S.; requiring the department to  
1502 address certain needs in the statewide aviation system  
1503 plan and the department's work program, designate a  
1504 certain subject matter expert, conduct a specified  
1505 review, and, in coordination with the Department of  
1506 Commerce, provide certain coordination and assistance  
1507 for the development of a viable advanced air mobility  
1508 system plan; amending s. 334.044, F.S.; revising the  
1509 powers and duties of the department; amending s.  
1510 334.045, F.S.; requiring certain measures developed  
1511 and adopted by the Florida Transportation Commission  
1512 to assess performance in a specified business  
1513 development program, instead of disadvantaged business  
1514 enterprise and minority business programs; creating s.  
1515 334.62, F.S.; providing legislative findings;  
1516 establishing the Florida Transportation Academy within  
1517 the department; authorizing the department to  
1518 coordinate with certain entities for specified



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1519 purposes; amending s. 335.182, F.S.; defining the term  
1520 "modification of an existing connection"; revising the  
1521 definition of the term "significant change"; amending  
1522 s. 335.187, F.S.; authorizing the department to modify  
1523 or revoke certain access permits by requiring  
1524 modification of an existing connection in certain  
1525 circumstances; amending s. 337.027, F.S.; revising the  
1526 definition of the term "small business"; amending s.  
1527 337.11, F.S.; requiring the department to give  
1528 consideration to small business participation, instead  
1529 of disadvantaged business enterprise participation;  
1530 repealing s. 337.125, F.S., relating to socially and  
1531 economically disadvantaged business enterprises and  
1532 notice requirements; repealing s. 337.135, F.S.,  
1533 relating to socially and economically disadvantaged  
1534 business enterprises and punishment for false  
1535 representation; repealing s. 337.139, F.S., relating  
1536 to efforts to encourage awarding contracts to  
1537 disadvantaged business enterprises; amending s.  
1538 337.18, F.S.; authorizing the Secretary of  
1539 Transportation to require a surety bond in an amount  
1540 that is less than the awarded contract price; amending  
1541 s. 337.251, F.S.; revising factors that may be  
1542 considered by the department when selecting certain  
1543 proposals; amending s. 337.401, F.S.; prohibiting a  
1544 municipality from prohibiting, or requiring a permit  
1545 for, the installation of certain public sewer  
1546 transmission lines; amending s. 337.406, F.S.;  
1547 prohibiting camping on any portion of the right-of-way



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1548 of the State Highway System; providing applicability;  
1549 amending s. 338.227, F.S.; revising the purpose for  
1550 which the department and the Department of Management  
1551 Services shall create and implement a certain outreach  
1552 program; amending s. 339.08, F.S.; defining the term  
1553 "energy policy of the state"; prohibiting the  
1554 department from expending state funds to support  
1555 projects or programs of certain entities in certain  
1556 circumstances; repealing s. 339.0805, F.S., relating  
1557 to funds to be expended with certified disadvantaged  
1558 business enterprises, a construction management  
1559 development program, and a bond guarantee program;  
1560 amending s. 339.135, F.S.; revising the method of  
1561 approval upon which certain spending authority may be  
1562 rolled forward to the next fiscal year; requiring the  
1563 Executive Office of the Governor to make a certain  
1564 budget modification upon such approval; deleting the  
1565 scheduled repeal of a provision authorizing the chair  
1566 or vice chair of the Legislative Budget Commission to  
1567 authorize an amendment of the adopted work program in  
1568 certain circumstances; amending s. 339.2821, F.S.;  
1569 requiring the department to ensure that it is  
1570 supportive of small businesses, rather than ensuring  
1571 that small and minority businesses have equal access  
1572 to participation in certain transportation projects;  
1573 repealing s. 339.287, F.S., relating to electric  
1574 vehicle charging stations and infrastructure plan  
1575 development; amending s. 339.55, F.S.; deleting  
1576 language providing that certain emergency loans from



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1577 the state-funded infrastructure bank are subject to  
1578 approval by the Legislative Budget Commission;  
1579 amending s. 339.651, F.S.; authorizing, rather than  
1580 requiring, the department to make a certain amount  
1581 available from the existing work program to fund

By Senator Collins

14-01009C-25

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1 A bill to be entitled  
 2 An act relating to transportation; amending s. 20.23,  
 3 F.S.; authorizing the Secretary of Transportation to  
 4 appoint a specified number of assistant secretaries;  
 5 specifying titles for such assistant secretaries;  
 6 authorizing the secretary to appoint an Executive  
 7 Director of Transportation Technology; specifying that  
 8 such assistant secretaries and executive director  
 9 positions are exempt from career service and are  
 10 included in the Senior Management Service; revising  
 11 qualifications for members of the Florida  
 12 Transportation Commission; deleting a provision  
 13 related to the independence of the commission;  
 14 requiring the commission to monitor transit entities  
 15 that receive certain funding; requiring members of the  
 16 commission to follow certain standards of conduct;  
 17 deleting a provision relating to the budget of the  
 18 commission; providing legislative findings and intent;  
 19 creating the Florida Transportation Research  
 20 Institute; specifying the purpose of the institute;  
 21 requiring the institute to report to the department;  
 22 providing for membership of the institute; requiring  
 23 the department to select a member to serve as the  
 24 administrative lead of the institute; requiring the  
 25 Secretary of Transportation to appoint a  
 26 representative of the department to serve as the  
 27 executive director of the institute; requiring the  
 28 department to coordinate with the members of the  
 29 institute to adopt certain policies; authorizing the

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

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30 institute to award certain grants; authorizing the  
 31 department to allocate funds to the institute from the  
 32 State Transportation Trust Fund; authorizing the  
 33 institute to expend funds for certain operations and  
 34 programs; requiring the institute to submit an annual  
 35 report to the Secretary of Transportation and the  
 36 commission; deleting a requirement that major  
 37 transportation policy initiatives and revisions be  
 38 submitted to the commission for review; revising the  
 39 department's areas of program responsibility; amending  
 40 s. 212.20, F.S.; requiring the department to  
 41 distribute a certain amount from the proceeds of a  
 42 specified tax to the State Transportation Trust Fund  
 43 for a specified purpose; amending s. 311.07, F.S.;  
 44 providing that certain spaceport and space industry-  
 45 related facility projects and commercial shipbuilding  
 46 and manufacturing facility projects are eligible for  
 47 grant funding under the Florida Seaport Transportation  
 48 and Economic Development Program; amending s. 311.09,  
 49 F.S.; revising the purpose of the Florida Seaport  
 50 Transportation and Economic Development Council;  
 51 requiring the department to provide administrative  
 52 support to the council on certain matters; requiring  
 53 that the Florida Seaport Mission Plan include certain  
 54 recommendations; requiring each port member of the  
 55 council to submit a certain semiannual report to the  
 56 department; amending s. 311.10, F.S.; requiring  
 57 seaports located in a specified county to include  
 58 certain statements in any agreement with the

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59 department as a condition of receiving certain grants;  
 60 defining the term "cargo purposes"; repealing s.  
 61 316.0741, F.S., relating to high-occupancy-vehicle  
 62 lanes; amending s. 316.0745, F.S.; deleting language  
 63 limiting the state funds that may be withheld due to  
 64 certain violations by a public body or official to  
 65 state funds for traffic control purposes; amending s.  
 66 330.27, F.S.; revising definitions and defining terms;  
 67 amending s. 330.30, F.S.; requiring that a private  
 68 airport of public interest obtain a certain  
 69 certificate from the department before allowing  
 70 aircraft operations; requiring that certain private  
 71 airports obtain a certain certificate from the  
 72 department by a specified date; amending s. 331.371,  
 73 F.S.; authorizing the department, in consultation with  
 74 the Department of Commerce and the Department of  
 75 Environmental Protection, to fund certain projects  
 76 associated with certain critical infrastructure  
 77 projects; requiring that such departments coordinate  
 78 in funding certain projects for a specified purpose;  
 79 amending s. 332.003, F.S.; revising a short title;  
 80 amending s. 332.005, F.S.; requiring airports to  
 81 provide the Department of Transportation with the  
 82 opportunity to use certain airport property for a  
 83 specified purpose during a declared state of  
 84 emergency; amending s. 332.006, F.S.; providing duties  
 85 and responsibilities of the department relating to  
 86 certain educational services, inspections of certain  
 87 commercial airport facilities, and agreements with

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88 other state regulatory agencies; amending s. 332.007,  
 89 F.S.; requiring the department to require annual  
 90 comprehensive maintenance program reports from airport  
 91 sponsors; providing requirements for such reports;  
 92 defining the term "maintenance"; authorizing the  
 93 department to withhold certain state funds under  
 94 certain circumstances; revising the list of projects  
 95 for which the department must provide priority  
 96 funding; authorizing the department to fund eligible  
 97 projects performed by certain organizations and  
 98 postsecondary education institutions; providing that  
 99 certain programs are eligible projects; authorizing  
 100 the department to provide certain matching funds;  
 101 revising the circumstances in which the department may  
 102 fund strategic airport investment projects; amending  
 103 s. 332.0075, F.S.; revising definitions; requiring  
 104 that certain information remain posted on a governing  
 105 body's website for a certain period; revising the  
 106 information that must be included on such website;  
 107 requiring the quarterly, rather than annual, update of  
 108 certain information; revising information that the  
 109 governing body of a commercial service airport must  
 110 submit to the department annually; requiring a  
 111 commercial service airport to provide certain  
 112 notifications to the department; creating s. 332.15,  
 113 F.S.; requiring the department to address certain  
 114 needs in the statewide aviation system plan and the  
 115 department's work program, designate a certain subject  
 116 matter expert, conduct a specified review, and, in

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117 coordination with the Department of Commerce, provide  
 118 certain coordination and assistance for the  
 119 development of a viable advanced air mobility system  
 120 plan; amending s. 334.044, F.S.; revising the powers  
 121 and duties of the department; amending s. 334.045,  
 122 F.S.; requiring certain measures developed and adopted  
 123 by the Florida Transportation Commission to assess  
 124 performance in a specified business development  
 125 program, instead of disadvantaged business enterprise  
 126 and minority business programs; creating s. 334.62,  
 127 F.S.; providing legislative findings; establishing the  
 128 Florida Transportation Academy within the department;  
 129 authorizing the department to coordinate with certain  
 130 entities for specified purposes; amending s. 335.182,  
 131 F.S.; defining the term "modification of an existing  
 132 connection"; revising the definition of the term  
 133 "significant change"; amending s. 335.187, F.S.;  
 134 authorizing the department to modify or revoke certain  
 135 access permits by requiring modification of an  
 136 existing connection in certain circumstances; amending  
 137 s. 337.027, F.S.; revising the definition of the term  
 138 "small business"; amending s. 337.11, F.S.; requiring  
 139 the department to give consideration to small business  
 140 participation, instead of disadvantaged business  
 141 enterprise participation; repealing s. 337.125, F.S.,  
 142 relating to socially and economically disadvantaged  
 143 business enterprises and notice requirements;  
 144 repealing s. 337.135, F.S., relating to socially and  
 145 economically disadvantaged business enterprises and

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146 punishment for false representation; repealing s.  
 147 337.139, F.S., relating to efforts to encourage  
 148 awarding contracts to disadvantaged business  
 149 enterprises; amending s. 337.18, F.S.; authorizing the  
 150 Secretary of Transportation to require a surety bond  
 151 in an amount that is less than the awarded contract  
 152 price; amending s. 337.251, F.S.; revising factors  
 153 that may be considered by the department when  
 154 selecting certain proposals; amending s. 337.406,  
 155 F.S.; prohibiting camping on any portion of the right-  
 156 of-way of the State Highway System; providing  
 157 applicability; amending s. 338.227, F.S.; revising the  
 158 purpose for which the department and the Department of  
 159 Management Services shall create and implement a  
 160 certain outreach program; amending s. 339.08, F.S.;  
 161 defining the term "energy policy of the state";  
 162 prohibiting the department from expending state funds  
 163 to support projects or programs of certain entities in  
 164 certain circumstances; repealing s. 339.0805, F.S.,  
 165 relating to funds to be expended with certified  
 166 disadvantaged business enterprises, a construction  
 167 management development program, and a bond guarantee  
 168 program; amending s. 339.135, F.S.; revising the  
 169 method of approval upon which certain spending  
 170 authority may be rolled forward to the next fiscal  
 171 year; requiring the Executive Office of the Governor  
 172 to make a certain budget modification upon such  
 173 approval; deleting the scheduled repeal of a provision  
 174 authorizing the chair or vice chair of the Legislative

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175 Budget Commission to authorize an amendment of the  
 176 adopted work program in certain circumstances;  
 177 amending s. 339.2816, F.S.; revising the amount from  
 178 the State Transportation Trust Fund which may be used  
 179 annually to fund the Small County Road Assistance  
 180 Program, beginning with a specified fiscal year;  
 181 amending s. 339.2818, F.S.; revising the definition of  
 182 the term "small county"; authorizing the annual use of  
 183 a certain amount from the State Transportation Trust  
 184 Fund for the purposes of funding the Small County  
 185 Outreach Program, beginning with a specified fiscal  
 186 year; deleting provisions authorizing certain  
 187 municipalities and local governments to compete for  
 188 additional project funding, subject to specific  
 189 appropriations; amending s. 339.2821, F.S.; requiring  
 190 the department to ensure that it is supportive of  
 191 small businesses, rather than ensuring that small and  
 192 minority businesses have equal access to participation  
 193 in certain transportation projects; repealing s.  
 194 339.287, F.S., relating to electric vehicle charging  
 195 stations and infrastructure plan development; amending  
 196 s. 339.55, F.S.; deleting language providing that  
 197 certain emergency loans from the state-funded  
 198 infrastructure bank are subject to approval by the  
 199 Legislative Budget Commission; amending s. 339.651,  
 200 F.S.; authorizing, rather than requiring, the  
 201 department to make a certain amount available to fund  
 202 certain projects annually; deleting the scheduled  
 203 repeal of provisions relating to Strategic Intermodal

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204 System supply chain demands; amending s. 341.051,  
 205 F.S.; providing for the reallocation of certain funds;  
 206 deleting the scheduled repeal of provisions providing  
 207 for the reallocation of certain funds; amending s.  
 208 348.754, F.S.; revising the types of businesses the  
 209 Central Florida Expressway Authority is required to  
 210 encourage the inclusion of in certain opportunities;  
 211 amending s. 349.03, F.S.; revising membership  
 212 requirements for the governing body of the  
 213 Jacksonville Transportation Authority; requiring the  
 214 authority to follow a certain business development  
 215 program; requiring the authority to establish certain  
 216 protocols and systems and post certain information on  
 217 a specified website; amending ss. 110.205, 322.27,  
 218 365.172, 379.2293, 493.6101, and 493.6403, F.S.;  
 219 conforming cross-references and provisions to changes  
 220 made by the act; providing an effective date.

221  
 222 Be It Enacted by the Legislature of the State of Florida:

223  
 224 Section 1. Present subsections (3) through (6) of section  
 225 20.23, Florida Statutes, are redesignated as subsections (4)  
 226 through (7), respectively, a new subsection (3) is added to that  
 227 section, and paragraph (d) of subsection (1), paragraphs (a),  
 228 (b), (g), and (i) of subsection (2), and paragraphs (a) and (b)  
 229 of present subsection (3) of that section are amended, to read:

230 20.23 Department of Transportation.—There is created a  
 231 Department of Transportation which shall be a decentralized  
 232 agency.

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233 (1)

234 (d) The secretary may appoint ~~up to~~ three assistant

235 secretaries, who shall serve as the Chief Operations Officer,

236 Chief Finance and Administration Officer, and Chief Strategic

237 Development Officer, respectively; be directly responsible to

238 the secretary; and ~~who shall~~ perform such duties as are assigned

239 by the secretary. The secretary may also appoint an Executive

240 Director of Transportation Technology. Such assistant secretary

241 and executive director positions are exempt from career service

242 pursuant to s. 110.205(2)(j) and are included in the Senior

243 Management Service. The secretary shall designate to an

244 assistant secretary the duties related to enhancing economic

245 prosperity, including, but not limited to, the responsibility of

246 liaison with the head of economic development in the Executive

247 Office of the Governor. Such assistant secretary shall be

248 directly responsible for providing the Executive Office of the

249 Governor with investment opportunities and transportation

250 projects that expand the state's role as a global hub for trade

251 and investment and enhance the supply chain system in the state

252 to process, assemble, and ship goods to markets throughout the

253 eastern United States, Canada, the Caribbean, and Latin America.

254 The secretary may delegate to any assistant secretary the

255 authority to act in the absence of the secretary.

256 (2)(a)1. The Florida Transportation Commission is hereby

257 created and shall be composed ~~consist~~ of nine members appointed

258 by the Governor subject to confirmation by the Senate. Members

259 of the commission shall serve terms of 4 years each.

260 2. Members shall be appointed in such a manner as to

261 equitably represent all geographic areas of the state. Each

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262 member must be a registered voter and a citizen of the state. At

263 least three members of the commission must be representatives of

264 or possess expertise in the higher education, transportation, or

265 workforce development industries ~~Each member of the commission~~

266 ~~must also possess business managerial experience in the private~~

267 ~~sector.~~

268 3. A member of the commission shall represent the

269 transportation needs of the state as a whole and may not

270 subordinate the needs of the state to those of any particular

271 area of the state.

272 4. The commission is assigned to the Office of the

273 Secretary of the Department of Transportation for administrative

274 and fiscal accountability purposes, ~~but it shall otherwise~~

275 ~~function independently of the control and direction of the~~

276 ~~department.~~

277 (b) The commission shall:

278 1. Recommend major transportation policies for the

279 Governor's approval and assure that approved policies and any

280 revisions are properly executed.

281 2. Periodically review the status of the state

282 transportation system, including highway, transit, rail,

283 seaport, intermodal development, and aviation components of the

284 system, and recommend improvements to the Governor and the

285 Legislature.

286 3. Perform an in-depth evaluation of the annual department

287 budget request, the Florida Transportation Plan, and the

288 tentative work program for compliance with all applicable laws

289 and established departmental policies. Except as specifically

290 provided in s. 339.135(4)(c)2., (d), and (f), the commission may

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291 not consider individual construction projects but shall consider  
 292 methods of accomplishing the goals of the department in the most  
 293 effective, efficient, and businesslike manner.

294 4. Monitor the financial status of the department on a  
 295 regular basis to assure that the department is managing revenue  
 296 and bond proceeds responsibly and in accordance with law and  
 297 established policy.

298 5. Monitor on at least a quarterly basis the efficiency,  
 299 productivity, and management of the department using performance  
 300 and production standards developed by the commission pursuant to  
 301 s. 334.045.

302 6. Perform an in-depth evaluation of the factors causing  
 303 disruption of project schedules in the adopted work program and  
 304 recommend to the Governor and the Legislature methods to  
 305 eliminate or reduce the disruptive effects of these factors.

306 7. Recommend to the Governor and the Legislature  
 307 improvements to the department's organization in order to  
 308 streamline and optimize the efficiency of the department. In  
 309 reviewing the department's organization, the commission shall  
 310 determine if the current district organizational structure is  
 311 responsive to this state's changing economic and demographic  
 312 development patterns. The report by the commission must be  
 313 delivered to the Governor and the Legislature by December 15  
 314 each year, as appropriate. The commission may retain experts as  
 315 necessary to carry out this subparagraph, and the department  
 316 shall pay the expenses of the experts.

317 8. Monitor the efficiency, productivity, and management of  
 318 the agencies and authorities created under chapters 348 and 349;  
 319 the Mid-Bay Bridge Authority re-created pursuant to chapter

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320 2000-411, Laws of Florida; ~~and~~ any authority formed under  
 321 chapter 343; and any transit entity that receives funding under  
 322 the public transit block grant program pursuant to s. 341.052.  
 323 The commission shall also conduct periodic reviews of each  
 324 agency's and authority's operations and budget, acquisition of  
 325 property, management of revenue and bond proceeds, and  
 326 compliance with applicable laws and generally accepted  
 327 accounting principles.

328 (g) A member of the commission shall follow the standards  
 329 of conduct for public officers provided in s. 112.313 ~~may not~~  
 330 ~~have any interest, direct or indirect, in any contract,~~  
 331 ~~franchise, privilege, or other benefit granted or awarded by the~~  
 332 ~~department~~ during the term of his or her appointment and for 2  
 333 years after the termination of such appointment.

334 (i) The commission shall develop a budget pursuant to  
 335 chapter 216. ~~The budget is not subject to change by the~~  
 336 ~~department, but such budget shall be submitted to the Governor~~  
 337 ~~along with the budget of the department.~~

338 (3) The Legislature finds that the transportation industry  
 339 is critical to the economic future of this state and that the  
 340 competitiveness of the industry in this state depends upon the  
 341 development and maintenance of a qualified workforce and  
 342 cutting-edge research and innovation. The Legislature further  
 343 finds that the transportation industry in this state has varied  
 344 and complex workforce needs ranging from technical and  
 345 mechanical training to continuing education opportunities for  
 346 workers with advanced degrees and certifications. The timely  
 347 need also exists for coordinated research and innovation efforts  
 348 to promote emerging technologies and innovative construction

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349 methods and tools and to address alternative funding mechanisms.  
 350 It is the intent of the Legislature to support programs designed  
 351 to address the workforce development needs of the state's  
 352 transportation industry.

353 (a) The Florida Transportation Research Institute is  
 354 created as a consortium of higher education professionals. The  
 355 purpose of the institute is to drive cutting-edge research,  
 356 innovation, transformational technologies, and breakthrough  
 357 solutions and to support workforce development efforts that  
 358 contribute to this state's transportation industry.

359 (b) The institute shall report to the department and shall  
 360 be composed of members from the University of Florida, Indian  
 361 River State College, the University of Central Florida, and  
 362 Florida International University. The department shall select a  
 363 member to serve as the administrative lead of the institute. The  
 364 department shall assess the performance of the administrative  
 365 lead periodically to ensure accountability and assess the  
 366 attainment of performance goals.

367 (c) The Secretary of Transportation shall appoint a  
 368 representative of the department to serve as the executive  
 369 director of the institute. The department shall coordinate with  
 370 the members of the institute to adopt policies establishing the  
 371 institute's executive committee and mission statement.

372 (d) The institute may award grants in alignment with its  
 373 purpose. Such grants may be directed to member and nonmember  
 374 institutions that have a proven expertise relevant to the grant,  
 375 including not-for-profit organizations and institutions of  
 376 higher education.

377 (e) The department may allocate funds to the institute from

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378 the State Transportation Trust Fund. The institute may expend  
 379 such funds for the institute's operations and programs to  
 380 support research and innovation projects that provide solutions  
 381 for this state's transportation needs.

382 (f) The institute shall submit an annual report of  
 383 performance metrics to the Secretary of Transportation and the  
 384 commission. The report must include, but is not limited to,  
 385 expenditures of funds allocated to the institute by the  
 386 department, ongoing and proposed research efforts, and the  
 387 application and success of past research efforts.

388 (4) (a) ~~(3) (a)~~ The central office shall establish  
 389 departmental policies, rules, procedures, and standards and  
 390 shall monitor the implementation of such policies, rules,  
 391 procedures, and standards in order to ensure uniform compliance  
 392 and quality performance by the districts and central office  
 393 units that implement transportation programs. ~~Major~~  
 394 transportation policy initiatives or revisions shall be  
 395 submitted to the commission for review.

396 (b) The secretary may appoint positions at the level of  
 397 deputy assistant secretary or director which the secretary deems  
 398 necessary to accomplish the mission and goals of the department,  
 399 including, but not limited to, the areas of program  
 400 responsibility provided in this paragraph, each of whom shall be  
 401 appointed by and serve at the pleasure of the secretary. The  
 402 secretary may combine, separate, or delete offices as needed in  
 403 consultation with the Executive Office of the Governor. The  
 404 department's areas of program responsibility include, but are  
 405 not limited to, all of the following:

406 1. Administration.

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- 407 2. Planning.
- 408 3. Supply chain and modal development.
- 409 4. Design.
- 410 5. Highway operations.
- 411 6. Right-of-way.
- 412 7. Toll operations.
- 413 8. Transportation technology.
- 414 9. Information technology ~~systems~~.
- 415 10. Motor carrier weight inspection.
- 416 11. Work program and budget.
- 417 12. Comptroller.
- 418 13. Construction.
- 419 14. Statewide corridors.
- 420 15. Maintenance.
- 421 16. Forecasting and performance.
- 422 17. Emergency management.
- 423 18. Safety.
- 424 19. Materials.
- 425 20. Infrastructure and innovation.
- 426 21. Permitting.
- 427 22. Traffic operations.
- 428 23. Operational technology.

429 Section 2. Paragraph (d) of subsection (6) of section  
430 212.20, Florida Statutes, is amended to read:

431 212.20 Funds collected, disposition; additional powers of  
432 department; operational expense; refund of taxes adjudicated  
433 unconstitutionally collected.—

434 (6) Distribution of all proceeds under this chapter and ss.  
435 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

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436 (d) The proceeds of all other taxes and fees imposed  
437 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)  
438 and (2)(b) shall be distributed as follows:

439 1. In any fiscal year, the greater of \$500 million, minus  
440 an amount equal to 4.6 percent of the proceeds of the taxes  
441 collected pursuant to chapter 201, or 5.2 percent of all other  
442 taxes and fees imposed pursuant to this chapter or remitted  
443 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in  
444 monthly installments into the General Revenue Fund.

445 2. After the distribution under subparagraph 1., 8.9744  
446 percent of the amount remitted by a sales tax dealer located  
447 within a participating county pursuant to s. 218.61 shall be  
448 transferred into the Local Government Half-cent Sales Tax  
449 Clearing Trust Fund. Beginning July 1, 2003, the amount to be  
450 transferred shall be reduced by 0.1 percent, and the department  
451 shall distribute this amount to the Public Employees Relations  
452 Commission Trust Fund less \$5,000 each month, which shall be  
453 added to the amount calculated in subparagraph 3. and  
454 distributed accordingly.

455 3. After the distribution under subparagraphs 1. and 2.,  
456 0.0966 percent shall be transferred to the Local Government  
457 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant  
458 to s. 218.65.

459 4. After the distributions under subparagraphs 1., 2., and  
460 3., 2.0810 percent of the available proceeds shall be  
461 transferred monthly to the Revenue Sharing Trust Fund for  
462 Counties pursuant to s. 218.215.

463 5. After the distributions under subparagraphs 1., 2., and  
464 3., 1.3653 percent of the available proceeds shall be

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465 transferred monthly to the Revenue Sharing Trust Fund for  
 466 Municipalities pursuant to s. 218.215. If the total revenue to  
 467 be distributed pursuant to this subparagraph is at least as  
 468 great as the amount due from the Revenue Sharing Trust Fund for  
 469 Municipalities and the former Municipal Financial Assistance  
 470 Trust Fund in state fiscal year 1999-2000, no municipality shall  
 471 receive less than the amount due from the Revenue Sharing Trust  
 472 Fund for Municipalities and the former Municipal Financial  
 473 Assistance Trust Fund in state fiscal year 1999-2000. If the  
 474 total proceeds to be distributed are less than the amount  
 475 received in combination from the Revenue Sharing Trust Fund for  
 476 Municipalities and the former Municipal Financial Assistance  
 477 Trust Fund in state fiscal year 1999-2000, each municipality  
 478 shall receive an amount proportionate to the amount it was due  
 479 in state fiscal year 1999-2000.

480 6. Of the remaining proceeds:

481 a. In each fiscal year, the sum of \$29,915,500 shall be  
 482 divided into as many equal parts as there are counties in the  
 483 state, and one part shall be distributed to each county. The  
 484 distribution among the several counties must begin each fiscal  
 485 year on or before January 5th and continue monthly for a total  
 486 of 4 months. If a local or special law required that any moneys  
 487 accruing to a county in fiscal year 1999-2000 under the then-  
 488 existing provisions of s. 550.135 be paid directly to the  
 489 district school board, special district, or a municipal  
 490 government, such payment must continue until the local or  
 491 special law is amended or repealed. The state covenants with  
 492 holders of bonds or other instruments of indebtedness issued by  
 493 local governments, special districts, or district school boards

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494 before July 1, 2000, that it is not the intent of this  
 495 subparagraph to adversely affect the rights of those holders or  
 496 relieve local governments, special districts, or district school  
 497 boards of the duty to meet their obligations as a result of  
 498 previous pledges or assignments or trusts entered into which  
 499 obligated funds received from the distribution to county  
 500 governments under then-existing s. 550.135. This distribution  
 501 specifically is in lieu of funds distributed under s. 550.135  
 502 before July 1, 2000.

503 b. The department shall distribute \$166,667 monthly to each  
 504 applicant certified as a facility for a new or retained  
 505 professional sports franchise pursuant to s. 288.1162. Up to  
 506 \$41,667 shall be distributed monthly by the department to each  
 507 certified applicant as defined in s. 288.11621 for a facility  
 508 for a spring training franchise. However, not more than \$416,670  
 509 may be distributed monthly in the aggregate to all certified  
 510 applicants for facilities for spring training franchises.  
 511 Distributions begin 60 days after such certification and  
 512 continue for not more than 30 years, except as otherwise  
 513 provided in s. 288.11621. A certified applicant identified in  
 514 this sub-subparagraph may not receive more in distributions than  
 515 expended by the applicant for the public purposes provided in s.  
 516 288.1162(5) or s. 288.11621(3).

517 c. The department shall distribute up to \$83,333 monthly to  
 518 each certified applicant as defined in s. 288.11631 for a  
 519 facility used by a single spring training franchise, or up to  
 520 \$166,667 monthly to each certified applicant as defined in s.  
 521 288.11631 for a facility used by more than one spring training  
 522 franchise. Monthly distributions begin 60 days after such

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523 certification or July 1, 2016, whichever is later, and continue  
 524 for not more than 20 years to each certified applicant as  
 525 defined in s. 288.11631 for a facility used by a single spring  
 526 training franchise or not more than 25 years to each certified  
 527 applicant as defined in s. 288.11631 for a facility used by more  
 528 than one spring training franchise. A certified applicant  
 529 identified in this sub-subparagraph may not receive more in  
 530 distributions than expended by the applicant for the public  
 531 purposes provided in s. 288.11631(3).

532 d. The department shall distribute \$15,333 monthly to the  
 533 State Transportation Trust Fund.

534 e.(I) On or before July 25, 2021, August 25, 2021, and  
 535 September 25, 2021, the department shall distribute \$324,533,334  
 536 in each of those months to the Unemployment Compensation Trust  
 537 Fund, less an adjustment for refunds issued from the General  
 538 Revenue Fund pursuant to s. 443.131(3)(e)3. before making the  
 539 distribution. The adjustments made by the department to the  
 540 total distributions shall be equal to the total refunds made  
 541 pursuant to s. 443.131(3)(e)3. If the amount of refunds to be  
 542 subtracted from any single distribution exceeds the  
 543 distribution, the department may not make that distribution and  
 544 must subtract the remaining balance from the next distribution.

545 (II) Beginning July 2022, and on or before the 25th day of  
 546 each month, the department shall distribute \$90 million monthly  
 547 to the Unemployment Compensation Trust Fund.

548 (III) If the ending balance of the Unemployment  
 549 Compensation Trust Fund exceeds \$4,071,519,600 on the last day  
 550 of any month, as determined from United States Department of the  
 551 Treasury data, the Office of Economic and Demographic Research

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552 shall certify to the department that the ending balance of the  
 553 trust fund exceeds such amount.

554 (IV) This sub-subparagraph is repealed, and the department  
 555 shall end monthly distributions under sub-sub-subparagraph (II),  
 556 on the date the department receives certification under sub-sub-  
 557 subparagraph (III).

558 f. Beginning July 1, 2023, in each fiscal year, the  
 559 department shall distribute \$27.5 million to the Florida  
 560 Agricultural Promotional Campaign Trust Fund under s. 571.26,  
 561 for further distribution in accordance with s. 571.265.

562 g. Beginning July 2025, and on or before the 25th day of  
 563 each month, from the portion of the proceeds of the tax imposed  
 564 under s. 212.05(1)(e)1.c., the department shall distribute \$6.25  
 565 million to the State Transportation Trust Fund to account for a  
 566 portion of the impact of electric and hybrid vehicles on the  
 567 State Highway System.

568 7. All other proceeds must remain in the General Revenue  
 569 Fund.

570 Section 3. Paragraph (b) of subsection (3) of section  
 571 311.07, Florida Statutes, is amended to read:

572 311.07 Florida seaport transportation and economic  
 573 development funding.—

574 (3)

575 (b) Projects eligible for funding by grants under the  
 576 program are limited to the following port facilities or port  
 577 transportation projects:

578 1. Transportation facilities within the jurisdiction of the  
 579 port.

580 2. The dredging or deepening of channels, turning basins,

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581 or harbors.

582 3. The construction or rehabilitation of wharves, docks,  
583 structures, jetties, piers, storage facilities, cruise  
584 terminals, automated people mover systems, or any facilities  
585 necessary or useful in connection with any of the foregoing.

586 4. The acquisition of vessel tracking systems, container  
587 cranes, or other mechanized equipment used in the movement of  
588 cargo or passengers in international commerce.

589 5. The acquisition of land to be used for port purposes.

590 6. The acquisition, improvement, enlargement, or extension  
591 of existing port facilities.

592 7. Environmental protection projects which are necessary  
593 because of requirements imposed by a state agency as a condition  
594 of a permit or other form of state approval; which are necessary  
595 for environmental mitigation required as a condition of a state,  
596 federal, or local environmental permit; which are necessary for  
597 the acquisition of spoil disposal sites and improvements to  
598 existing and future spoil sites; or which result from the  
599 funding of eligible projects listed in this paragraph.

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

603 9. Intermodal access projects.

604 10. Construction or rehabilitation of port facilities as  
605 defined in s. 315.02, excluding any park or recreational  
606 facilities, in ports listed in s. 311.09(1) with operating  
607 revenues of \$5 million or less, provided that such projects  
608 create economic development opportunities, capital improvements,  
609 and positive financial returns to such ports.

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

612 12. Spaceport or space industry-related planning or  
613 construction of facilities on seaport property which are  
614 necessary or useful for advancing the space industry in this  
615 state and provide an economic benefit to this state.

616 13. Commercial shipbuilding and manufacturing facilities,  
617 when such projects provide an economic benefit to this state.

618 Section 4. Subsections (1), (2), (3), and (11) of section  
619 311.09, Florida Statutes, are amended to read:

620 311.09 Florida Seaport Transportation and Economic  
621 Development Council.—

622 (1) The Florida Seaport Transportation and Economic  
623 Development Council is created within the Department of  
624 Transportation. The purpose of the council is to support the  
625 growth of seaports in this state through review, development,  
626 and financing of port transportation and port facilities. The  
627 council is composed ~~consists~~ of the following 18 members: the  
628 port director, or the port director's designee, of each of the  
629 ports of Jacksonville, Port Canaveral, Port Citrus, Fort Pierce,  
630 Palm Beach, Port Everglades, Miami, Port Manatee, St.  
631 Petersburg, Putnam County, Tampa, Port St. Joe, Panama City,  
632 Pensacola, Key West, and Fernandina; the secretary of the  
633 Department of Transportation or his or her designee; and the  
634 secretary of the Department of Commerce or his or her designee.

635 (2) The council shall adopt bylaws governing the manner in  
636 which the business of the council will be conducted. The bylaws  
637 shall specify the procedure by which the chairperson of the  
638 council is elected. The Department of Transportation shall

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639 provide administrative support to the council on matters  
 640 relating to the Florida Seaport Transportation and Economic  
 641 Development Program and the council.

642 (3) The council shall prepare a 5-year Florida Seaport  
 643 Mission Plan defining the goals and objectives of the council  
 644 concerning the development of port facilities and an intermodal  
 645 transportation system consistent with the goals of the Florida  
 646 Transportation Plan developed pursuant to s. 339.155. The  
 647 Florida Seaport Mission Plan shall include specific  
 648 recommendations for the construction of transportation  
 649 facilities connecting any port to another transportation mode,  
 650 the construction of transportation facilities connecting any  
 651 port to the space and aerospace industries, and for the  
 652 efficient, cost-effective development of transportation  
 653 facilities or port facilities for the purpose of enhancing  
 654 trade, promoting cargo flow, increasing cruise passenger  
 655 movements, increasing port revenues, and providing economic  
 656 benefits to the state. The council shall develop a priority list  
 657 of projects based on these recommendations annually and submit  
 658 the list to the Department of Transportation. The council shall  
 659 update the 5-year Florida Seaport Mission Plan annually and  
 660 shall submit the plan no later than February 1 of each year to  
 661 the President of the Senate, the Speaker of the House of  
 662 Representatives, the Department of Commerce, and the Department  
 663 of Transportation. The council shall develop programs, based on  
 664 an examination of existing programs in Florida and other states,  
 665 for the training of ~~minorities~~ and secondary school students in  
 666 job skills associated with employment opportunities in the  
 667 maritime industry, and report on progress and recommendations

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668 for further action to the President of the Senate and the  
 669 Speaker of the House of Representatives annually. Each port  
 670 member of the council shall submit a semiannual report related  
 671 to his or her port's operations and support of the state's  
 672 economic competitiveness and supply chain. Reports must be  
 673 submitted to the Department of Transportation and include any  
 674 information required by the Department of Transportation in  
 675 consultation with the Department of Commerce. Such reports must  
 676 include, but are not limited to, all of the following  
 677 information:

678 (a) Bulk break capacity.

679 (b) Liquid storage and capacity.

680 (c) Fuel storage and capacity.

681 (d) Container capacity.

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

683 (11) Members of the council shall serve without  
 684 compensation but are entitled to receive reimbursement for per  
 685 diem and travel expenses as provided in s. 112.061. ~~The council~~  
 686 ~~may elect to provide an administrative staff to provide services~~  
 687 ~~to the council on matters relating to the Florida Seaport~~  
 688 ~~Transportation and Economic Development Program and the council.~~  
 689 ~~The cost for such administrative services shall be paid by all~~  
 690 ~~ports that receive funding from the Florida Seaport~~  
 691 ~~Transportation and Economic Development Program, based upon a~~  
 692 ~~pro rata formula measured by each recipient's share of the funds~~  
 693 ~~as compared to the total funds disbursed to all recipients~~  
 694 ~~during the year. The share of costs for administrative services~~  
 695 ~~shall be paid in its total amount by the recipient port upon~~  
 696 ~~execution by the port and the Department of Transportation of a~~

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 697 ~~joint participation agreement for each council-approved project,~~  
 698 ~~and such payment is in addition to the matching funds required~~  
 699 ~~to be paid by the recipient port.~~ Except as otherwise exempted  
 700 by law, all moneys derived from the Florida Seaport  
 701 Transportation and Economic Development Program shall be  
 702 expended in accordance with the provisions of s. 287.057.  
 703 Seaports subject to competitive negotiation requirements of a  
 704 local governing body shall abide by the provisions of s.  
 705 287.055.

Section 5. Subsection (4) is added to section 311.10,  
 Florida Statutes, to read:

311.10 Strategic Port Investment Initiative.—

(4) As a condition of receiving a project grant under any  
 710 program established in this chapter and as a condition of  
 711 receiving state funds as described in s. 215.31, a seaport  
 712 located in any county identified in s. 331.304(1) and (5) must  
 713 include in any agreement with the Department of Transportation  
 714 that the seaport may not convert any planned or existing land,  
 715 facility, or infrastructure designated for cargo purposes to any  
 716 alternative purpose unless express approval is obtained by the  
 717 Secretary of Transportation and the Secretary of Commerce. As  
 718 used in this subsection, the term "cargo purposes" includes, but  
 719 is not limited to, any facility, activity, property, energy  
 720 source, or infrastructure asset that supports spaceport  
 721 activities.

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

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

316.0745 Uniform signals and devices.—

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 726 (7) The Department of Transportation may, upon receipt and  
 727 investigation of reported noncompliance and after hearing  
 728 pursuant to 14 days' notice, direct the removal of any purported  
 729 traffic control device that fails to meet the requirements of  
 730 this section, wherever the device is located and without regard  
 731 to assigned responsibility under s. 316.1895. The public agency  
 732 erecting or installing the same shall immediately bring it into  
 733 compliance with the requirements of this section or remove said  
 734 device or signal upon the direction of the Department of  
 735 Transportation and may not, for a period of 5 years, install any  
 736 replacement or new traffic control devices paid for in part or  
 737 in full with revenues raised by the state unless written prior  
 738 approval is received from the Department of Transportation. Any  
 739 additional violation by a public body or official shall be cause  
 740 for the withholding of state funds ~~for traffic control purposes~~  
 741 until such public body or official demonstrates to the  
 742 Department of Transportation that it is complying with this  
 743 section.

Section 8. Section 330.27, Florida Statutes, is amended to  
 read:

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

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

(2) "Aircraft" means a powered or unpowered machine or  
 751 device capable of atmospheric flight, including, but not limited  
 752 to, an airplane, an autogyro, a glider, a gyrodyne, a  
 753 helicopter, a lift and cruise, a multicopter, paramotors, a  
 754 powered lift, a seaplane, a tiltrotor, an ultralight, and a

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755 vectored thrust. The term does not include ~~except~~ a parachute or  
756 other such device used primarily as safety equipment.

757 ~~(3)(2)~~ "Airport" means a specific an area of land or water  
758 or a structure used for, or intended to be used for, aircraft  
759 operations, which may include landing and takeoff of aircraft,  
760 ~~including~~ appurtenant areas, buildings, facilities, or rights-  
761 of-way necessary to facilitate such use or intended use. The  
762 term includes, but is not limited to, airparks, airports,  
763 gliderports, heliports, helistops, seaplane bases, ultralight  
764 flightparks, vertiports, and vertistops.

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

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

773 ~~(6)(3)~~ "Department" means the Department of Transportation.

774 ~~(7)(4)~~ "Limited airport" means any airport limited  
775 exclusively to the specific conditions stated on the site  
776 approval order or license.

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

783 ~~(9)(5)~~ "Private airport" means an airport, publicly or

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784 privately owned, which is not open or available for use by the  
785 public, but may be made available to others by invitation of the  
786 owner or manager.

787 (10) "Private airport of public interest" means a private  
788 airport engaged in air ambulance operations, commercial air tour  
789 operations, commuter operations, on-demand operations, public  
790 charter operations, scheduled operations, or supplemental  
791 operations.

792 ~~(11)(6)~~ "Public airport" means an airport, publicly or  
793 privately owned, which is open for use by the public.

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

797 (13) "Scheduled operation" means any common carriage  
798 passenger-carrying operation for compensation or hire conducted  
799 by an air carrier or commercial operator for which the  
800 certificateholder or its representative offers in advance the  
801 departure location, departure time, and arrival location.

802 (14) "Supplemental operation" means any common carriage  
803 operation for compensation or hire conducted with an aircraft  
804 for which the departure time, departure location, and arrival  
805 location are specifically negotiated with the customer or  
806 customer's representative.

807 ~~(15)(7)~~ "Temporary airport" means an airport at which  
808 flight operations are conducted under visual flight rules  
809 established by the Federal Aviation Administration and which is  
810 used for less than 30 consecutive days with no more than 10  
811 operations per day.

812 ~~(8) "Ultralight aircraft" means any aircraft meeting the~~

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813 ~~criteria established by part 103 of the Federal Aviation~~  
814 ~~Regulations.~~

815 Section 9. Subsections (2) and (4) of section 330.30,  
816 Florida Statutes, are amended to read:

817 330.30 Approval of airport sites; registration,  
818 certification, and licensure of airports.—

819 (2) LICENSES, CERTIFICATIONS, AND REGISTRATIONS;  
820 REQUIREMENTS, RENEWAL, REVOCATION.—

821 (a) Except as provided in subsection (3), the owner or  
822 lessee of an airport in this state shall have a public airport  
823 license, private airport registration, or temporary airport  
824 registration before the operation of aircraft to or from the  
825 airport. Application for a license or registration shall be made  
826 in a form and manner prescribed by the department.

827 1. For a public airport, upon granting site approval, the  
828 department shall issue a license after a final airport  
829 inspection finds the airport to be in compliance with all  
830 requirements for the license. The license may be subject to any  
831 reasonable conditions the department deems necessary to protect  
832 the public health, safety, or welfare.

833 2. For a private airport, upon granting site approval, the  
834 department shall provide controlled electronic access to the  
835 state aviation facility data system to permit the applicant to  
836 complete the registration process. Registration shall be  
837 completed upon self-certification by the registrant of  
838 operational and configuration data deemed necessary by the  
839 department.

840 3. For a temporary airport, the department must publish  
841 notice of receipt of a completed registration application in the

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842 next available publication of the Florida Administrative  
843 Register and may not approve a registration application less  
844 than 14 days after the date of publication of the notice. The  
845 department must approve or deny a registration application  
846 within 30 days after receipt of a completed application and must  
847 issue the temporary airport registration concurrent with the  
848 airport site approval. A completed registration application that  
849 is not approved or denied within 30 days after the department  
850 receives the completed application is considered approved and  
851 shall be issued, subject to such reasonable conditions as are  
852 authorized by law. An applicant seeking to claim registration by  
853 default under this subparagraph must notify the agency clerk of  
854 the department, in writing, of the intent to rely upon the  
855 default registration provision of this subparagraph and may not  
856 take any action based upon the default registration until after  
857 receipt of such notice by the agency clerk.

858 4. A private airport of public interest must obtain a  
859 certificate from the department before allowing aircraft  
860 operations. The department shall issue a certificate after a  
861 final inspection finds the airport to be in compliance with all  
862 certificate requirements. The certificate is subject to any  
863 reasonable conditions the department deems necessary to protect  
864 the public. A private airport that was engaged in operations  
865 associated with a private airport of public interest on or  
866 before July 1, 2025, must obtain a certificate from the  
867 department by July 1, 2030.

868 (b) The department may license a public airport that does  
869 not meet standards only if it determines that such exception is  
870 justified by unusual circumstances or is in the interest of

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871 public convenience and does not endanger the public health,  
872 safety, or welfare. Such a license shall bear the designation  
873 "special" and shall state the conditions subject to which the  
874 license is granted.

875 (c) A temporary airport license or registration shall be  
876 valid for less than 30 days and is not renewable. The department  
877 may not approve a subsequent temporary airport registration  
878 application for the same general location if the purpose or  
879 effect is to evade otherwise applicable airport permitting or  
880 licensure requirements.

881 (d)1. Each public airport license shall expire no later  
882 than 1 year after the effective date of the license, except that  
883 the expiration date of a license may be adjusted to provide a  
884 maximum license period of 18 months to facilitate airport  
885 inspections, recognize seasonal airport operations, or improve  
886 administrative efficiency.

887 2. Registration for private airports shall remain valid  
888 provided specific elements of airport data, established by the  
889 department, are periodically recertified by the airport  
890 registrant. The ability to recertify private airport  
891 registration data shall be available at all times by electronic  
892 submittal. A private airport registration that has not been  
893 recertified in the 24-month period following the last  
894 certification shall expire, unless the registration period has  
895 been adjusted by the department for purposes of informing  
896 private airport owners of their registration responsibilities or  
897 promoting administrative efficiency. The expiration date of the  
898 current registration period will be clearly identifiable from  
899 the state aviation facility data system.

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900 3. The effective date and expiration date shall be shown on  
901 public airport licenses. Upon receiving an application for  
902 renewal of an airport license in a form and manner prescribed by  
903 the department and receiving a favorable inspection report  
904 indicating compliance with all applicable requirements and  
905 conditions, the department shall renew the license, subject to  
906 any conditions deemed necessary to protect the public health,  
907 safety, or welfare.

908 4. The department may require a new site approval for any  
909 airport if the license or registration has expired.

910 5. If the renewal application for a public airport license  
911 has not been received by the department or no private airport  
912 registration recertification has been accomplished within 15  
913 days after the date of expiration, the department may revoke the  
914 airport license or registration.

915 6. After initial registration, the department may issue a  
916 certificate to a private airport of public interest if the  
917 airport is found, after a physical inspection, to be in  
918 compliance with all certificate requirements. The certificate is  
919 subject to any reasonable condition that the department deems  
920 necessary to protect the public health, safety, or welfare. A  
921 private airport of public interest certificate expires 5 years  
922 after the effective date of the certificate.

923 (e) The department may revoke, or refuse to allow or issue,  
924 any airport registration or recertification, or any license or  
925 license renewal, if it determines:

- 926 1. That the site has been abandoned as an airport;  
927 2. That the airport does not comply with the conditions of  
928 the license, license renewal, or site approval;

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929 3. That the airport has become either unsafe or unusable  
 930 for flight operation due to physical or legal changes in  
 931 conditions that were the subject of approval; or  
 932 4. That an airport required to file or update a security  
 933 plan pursuant to paragraph (f) has failed to do so.  
 934 (f)1. After initial licensure, a license of a publicly or  
 935 privately owned general aviation airport that is open to the  
 936 public, that has at least one runway greater than 4,999 feet in  
 937 length, and that does not host scheduled passenger-carrying  
 938 commercial service operations regulated under 14 C.F.R. part 139  
 939 shall not be renewed or reissued unless an approved security  
 940 plan has been filed with the department, except when the  
 941 department determines that the airport is working in good faith  
 942 toward completion and filing of the plan.  
 943 2. Security plans required by this paragraph must be  
 944 developed in accordance with the 2004 Security Planning for  
 945 General Aviation Airports guidelines published by the Florida  
 946 Airports Council. Certain administrative data from the approved  
 947 security plan shall be submitted to the Department of Law  
 948 Enforcement, in a format prescribed by the Department of Law  
 949 Enforcement, for use in protecting critical infrastructure of  
 950 the state.  
 951 3. The department shall not approve a security plan for  
 952 filing unless it is consistent with Florida Airports Council  
 953 guidelines.  
 954 4. An airport required to file a security plan pursuant to  
 955 this paragraph shall update its plan at least once every 2 years  
 956 after the initial filing date and file the updated plan with the  
 957 department. The department shall review the updated plan prior

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958 to approving it for filing to determine whether it is consistent  
 959 with Florida Airports Council guidelines. No renewal license  
 960 shall be issued to the airport unless the department approves  
 961 the updated security plan or determines that the airport is  
 962 working in good faith to update it.  
 963 (4) EXCEPTIONS.—Private airports with 10 or more based  
 964 aircraft may request to be inspected and licensed by the  
 965 department. Private airports licensed according to this  
 966 subsection shall be considered private airports as defined in s.  
 967 330.27 ~~s. 330.27(5)~~ in all other respects.  
 968 Section 10. Section 331.371, Florida Statutes, is amended  
 969 to read:  
 970 331.371 Strategic space infrastructure investment.—  
 971 (1) In consultation with Space Florida, the Department of  
 972 Transportation may fund spaceport discretionary capacity  
 973 improvement projects, as defined in s. 331.303, at up to 100  
 974 percent of the project's cost if:  
 975 (a) ~~(1)~~ Important access and on-spaceport-territory space  
 976 transportation capacity improvements are provided;  
 977 (b) ~~(2)~~ Capital improvements that strategically position the  
 978 state to maximize opportunities in international trade are  
 979 achieved;  
 980 (c) ~~(3)~~ Goals of an integrated intermodal transportation  
 981 system for the state are achieved; and  
 982 (d) ~~(4)~~ Feasibility and availability of matching funds  
 983 through federal, local, or private partners are demonstrated.  
 984 (2) (a) In consultation with the Department of Commerce and  
 985 the Department of Environmental Protection, the Department of  
 986 Transportation may fund wastewater projects, stormwater

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 987 projects, water capacity projects, and projects associated with  
 988 critical infrastructure facilities as defined in s. 692.201  
 989 within or outside of a spaceport territory as long as the  
 990 project supports aerospace or launch support facilities within  
 991 an adjacent spaceport territory boundary.

992 (b) The Department of Transportation, the Department of  
 993 Commerce, and the Department of Environmental Protection shall  
 994 coordinate in funding projects under this subsection to optimize  
 995 the use of available funds.

996 Section 11. Section 332.003, Florida Statutes, is amended  
 997 to read:

998 332.003 Florida Airport Development and Accountability  
 999 Assistance Act; short title.—Sections 332.003-332.007 may be  
 1000 cited as the “Florida Airport Development and Accountability  
 1001 Assistance Act.”

1002 Section 12. Section 332.005, Florida Statutes, is amended  
 1003 to read:

1004 332.005 Restrictions on authority of Department of  
 1005 Transportation.—

1006 (1) This act specifically prohibits the Department of  
 1007 Transportation from regulating commercial air carriers operating  
 1008 within the state pursuant to federal authority and regulations;  
 1009 from participating in or exercising control in the management  
 1010 and operation of a sponsor’s airport, except when officially  
 1011 requested by the sponsor; or from expanding the design or  
 1012 operational capability of the department in the area of airport  
 1013 and aviation consultants’ contract work, other than to provide  
 1014 technical assistance as requested.

1015 (2) Notwithstanding subsection (1), upon the declaration of

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 1016 a state of emergency issued by the Governor in preparation for  
 1017 or in response to a natural disaster, airports shall, at no cost  
 1018 to the state, provide the Department of Transportation with the  
 1019 opportunity to use any property that is not within the air  
 1020 navigation facility as defined in s. 332.01(4) for the staging  
 1021 of equipment and personnel to support emergency preparedness and  
 1022 response operations.

1023 Section 13. Subsection (7) of section 332.006, Florida  
 1024 Statutes, is amended, and subsection (10) is added to that  
 1025 section, to read:

1026 332.006 Duties and responsibilities of the Department of  
 1027 Transportation.—The Department of Transportation shall, within  
 1028 the resources provided pursuant to chapter 216:

1029 (7) Develop, promote, and distribute supporting information  
 1030 and educational services, including, but not limited to,  
 1031 educational services with a focus on retention and growth of the  
 1032 aviation industry workforce.

1033 (10) When deemed appropriate by the department, conduct  
 1034 inspections of commercial airport facilities that have received  
 1035 state funding, including, but not limited to, the inspection of  
 1036 terminal facilities, baggage systems, and fixed guideway  
 1037 transportation systems in accordance with s. 341.061. The  
 1038 department may enter into agreements with other state regulatory  
 1039 agencies, including, but not limited to, the Department of  
 1040 Business and Professional Regulation and the Department of  
 1041 Health, for the purpose of conducting such inspections.

1042 Section 14. Subsection (5), paragraph (a) of subsection  
 1043 (7), and subsections (8) and (9) of section 332.007, Florida  
 1044 Statutes, are amended, and paragraph (c) is added to subsection

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1045 (2) of that section, to read:

1046 332.007 Administration and financing of aviation and  
1047 airport programs and projects; state plan.—

1048 (2)

1049 (c) The department shall require each airport sponsor to  
1050 submit an annual comprehensive maintenance program report that  
1051 provides details relating to maintenance and inspections of  
1052 airport infrastructure. The report must include a schedule of  
1053 inspections, locations at which inspections and maintenance are  
1054 performed, a list of required maintenance needs, any remedial  
1055 action required or taken after an inspection, and details of  
1056 follow-up inspections. For purposes of this paragraph, the term  
1057 “maintenance” means any preventive or routine work necessary to  
1058 maintain airport infrastructure in good condition, which is  
1059 essential for the safe operation of airport infrastructure. If  
1060 the comprehensive maintenance program report includes evidence  
1061 of failure to perform routine maintenance, the department may  
1062 withhold state funds intended for use for capital expansion  
1063 projects until the airport sponsor takes corrective action to  
1064 address the failure. Records of materials and equipment used for  
1065 maintenance and repair work must be maintained by the airport  
1066 sponsor as required by the department.

1067 (5) Only those projects or programs provided for in this  
1068 act that will contribute to the implementation of the state  
1069 aviation system plan, that are consistent with the energy policy  
1070 of the state as defined in s. 339.08(6)(a), that are consistent  
1071 with and will contribute to the implementation of any airport  
1072 master plan or layout plan, and that are consistent, to the  
1073 maximum extent feasible, with the approved local government

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1074 comprehensive plans of the units of government in which the  
1075 airport is located are eligible for the expenditure of state  
1076 funds in accordance with fund participation rates and priorities  
1077 established herein.

1078 (7) Subject to the availability of appropriated funds in  
1079 addition to aviation fuel tax revenues, the department may  
1080 participate in the capital cost of eligible public airport and  
1081 aviation discretionary capacity improvement projects. The annual  
1082 legislative budget request shall be based on the funding  
1083 required for discretionary capacity improvement projects in the  
1084 aviation and airport work program.

1085 (a) The department shall provide priority funding in  
1086 support of:

1087 1. Terminal and parking expansion projects that increase  
1088 capacity at airports providing commercial service in counties  
1089 with a population of 500,000 or less.

1090 2. Land acquisition which provides additional capacity at  
1091 the qualifying international airport or at that airport's  
1092 supplemental air carrier airport.

1093 ~~3.2-~~ Runway and taxiway projects that add capacity or are  
1094 necessary to accommodate technological changes in the aviation  
1095 industry.

1096 ~~4.3-~~ Airport access transportation projects that improve  
1097 direct airport access and are approved by the airport sponsor.

1098 ~~5.4-~~ International terminal projects that increase  
1099 international gate capacity.

1100 6. Projects that improve safety and efficiency of airport  
1101 operations.

1102 7. Emerging technology projects, workforce development

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1103 projects, and projects that benefit the strategic intermodal  
 1104 system through intermodal connectivity.

1105 (8) The department may also fund eligible projects  
 1106 performed by not-for-profit organizations and postsecondary  
 1107 education institutions as defined in s. 1008.47 which support  
 1108 the training of pilots, air traffic control personnel, or  
 1109 aircraft maintenance technical personnel that represent a  
 1110 majority of public airports in this state. Eligible projects may  
 1111 include activities associated with aviation master planning,  
 1112 professional education, safety and security planning, enhancing  
 1113 economic development and efficiency at airports in this state,  
 1114 or other planning efforts to improve the viability and safety of  
 1115 airports in this state. Programs that support the transition of  
 1116 honorably discharged military personnel to the aviation industry  
 1117 are also eligible projects under this subsection. The department  
 1118 may provide matching funds for eligible projects funded by the  
 1119 Department of Commerce.

1120 (9) The department may fund strategic airport investment  
 1121 projects at up to 100 percent of the project's cost if:

1122 (a) Important access and on-airport capacity improvements  
 1123 are provided;

1124 (b) Capital improvements that strategically position the  
 1125 state to maximize opportunities in tourism, international trade,  
 1126 logistics, and the aviation industry are provided;

1127 (c) Goals of an integrated intermodal transportation system  
 1128 for the state are achieved; and

1129 (d) Feasibility and availability of matching funds through  
 1130 federal, local, or private partners are demonstrated.

1131 Section 15. Paragraphs (a), (b), and (d) of subsection (1),

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1132 subsection (2), and paragraph (a) of subsection (5) of section  
 1133 332.0075, Florida Statutes, are amended, and paragraph (c) is  
 1134 added to subsection (5) of that section, to read:

1135 332.0075 Commercial service airports; transparency and  
 1136 accountability; penalty.—

1137 (1) As used in this section, the term:

1138 (a) "Commercial service airport" means an airport providing  
 1139 commercial service, including large, medium, small, and nonhub  
 1140 airports as classified a primary airport as defined in 49 U.S.C.  
 1141 s. 47102 which is classified as a large, medium, or small hub  
 1142 airport by the Federal Aviation Administration.

1143 (b) "Consent agenda" means an agenda which consists of  
 1144 items voted on collectively or as a group and which does not  
 1145 provide the opportunity for public comment on each such item  
 1146 before approval or disapproval by the governing body.

1147 (d) "Governing body" means the governing body of the  
 1148 county, municipality, or special district that operates a  
 1149 commercial service airport. The term also includes an appointed  
 1150 board or oversight entity serving as the governing body for  
 1151 purposes of a commercial service airport on behalf of a county,  
 1152 municipality, or special district.

1153 (2) Each governing body shall establish and maintain a  
 1154 website to post information relating to the operation of a  
 1155 commercial service airport. The information must remain posted  
 1156 on the website for 5 years or for the entirety of the period  
 1157 during which the document is actively in use, whichever is  
 1158 longer, and must include all of the following, including:

1159 (a) All published notices of meetings and published meeting  
 1160 agendas of the governing body.

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1161 (b) The official minutes of each meeting of the governing  
1162 body, which ~~must shall~~ be posted within 7 business days after  
1163 the date of the meeting in which the minutes were approved.

1164 (c) The approved budget for the commercial service airport  
1165 for the current fiscal year, which shall be posted within 7  
1166 business days after the date of adoption. Budgets must remain on  
1167 the website for 2 years after the conclusion of the fiscal  
1168 year for which they were adopted.

1169 (d) Copies of the current airport master plan and the  
1170 immediately preceding airport master plan for the commercial  
1171 service airport and a link to the current airport master plan  
1172 for the commercial service airport on the commercial service  
1173 airport's website.

1174 (e) A link to all financial and statistical reports for the  
1175 commercial service airport on the Federal Aviation  
1176 Administration's website.

1177 (f) Any contract or contract amendment for the purchase of  
1178 commodities or contractual services executed by or on behalf of  
1179 the commercial service airport in excess of the threshold amount  
1180 provided in s. 287.017 for CATEGORY FIVE, which ~~must shall~~ be  
1181 posted no later than 7 business days after the commercial  
1182 service airport executes the contract or contract amendment.  
1183 However, a contract or contract amendment may not reveal  
1184 information made confidential or exempt by law. Each commercial  
1185 service airport must redact confidential or exempt information  
1186 from each contract or contract amendment before posting a copy  
1187 on its website.

1188 (g) Position and rate information for each employee of the  
1189 commercial service airport, including, at a minimum, the

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1190 employee's position title, position description, and annual or  
1191 hourly salary. This information ~~must shall~~ be updated quarterly  
1192 ~~annually~~.

1193 (5) (a) Each November 1, the governing body of each  
1194 commercial service airport shall submit the following  
1195 information to the department:

- 1196 1. Its approved budget for the current fiscal year.
- 1197 2. Any financial reports submitted to the Federal Aviation  
1198 Administration during the previous calendar year.
- 1199 3. A link to its website.
- 1200 4. A statement, verified as provided in s. 92.525, that it  
1201 has complied with part III of chapter 112, chapter 287, and this  
1202 section.

- 1203 5. The most recent copies of its strategic plans.
- 1204 6. Contracts related to any financial awards received  
1205 through federally funded grant programs for the preceding year.

1206 (c) A commercial service airport shall:

- 1207 1. Notify the department within 48 hours after receiving a  
1208 communication or directive from a federal agency relating to  
1209 public health testing or the transfer of unauthorized aliens  
1210 into this state.
- 1211 2. Notify the department as soon as is reasonably possible,  
1212 but no later than 48 hours, after the discovery of an incident  
1213 or issue of statewide concern, including, but not limited to, an  
1214 incident or issue that puts the safety of the traveling public  
1215 at risk, a potential cybersecurity risk or breach, or as defined  
1216 by the department.

1217 Section 16. Section 332.15, Florida Statutes, is created to  
1218 read:

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1219 332.15 Advanced air mobility.—The Department of  
1220 Transportation shall, within the resources provided pursuant to  
1221 chapter 216:

1222 (1) Address the need for vertiports, advanced air mobility,  
1223 and other advances in aviation technology in the statewide  
1224 aviation system plan required under s. 332.006(1) and, as  
1225 appropriate, in the department’s work program.

1226 (2) Designate a subject matter expert on advanced air  
1227 mobility within the department to serve as a resource for local  
1228 jurisdictions navigating advances in aviation technology.

1229 (3) Conduct a review of airport hazard zone regulations.

1230 (4) In coordination with the Department of Commerce,  
1231 provide coordination and assistance for the development of a  
1232 viable advanced air mobility system plan in this state. The  
1233 department shall incorporate the plan into the statewide  
1234 aviation system plan required under s. 332.006(1) to identify  
1235 and develop statewide corridors of need and opportunities for  
1236 industry growth.

1237 Section 17. Subsections (5) and (26) of section 334.044,  
1238 Florida Statutes, are amended, and subsections (37), (38), and  
1239 (39) are added to that section, to read:

1240 334.044 Powers and duties of the department.—The department  
1241 shall have the following general powers and duties:

1242 (5) To purchase, lease, or otherwise acquire property and  
1243 materials, including the purchase of promotional items as part  
1244 of public information and education campaigns for the promotion  
1245 of environmental management, scenic highways, traffic and train  
1246 safety awareness, ~~alternatives to single occupant vehicle~~  
1247 ~~travel~~, commercial motor vehicle safety, workforce development,

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1248 electric vehicle use and charging stations, autonomous vehicles,  
1249 and context classification design for electric vehicles and  
1250 autonomous vehicles; to purchase, lease, or otherwise acquire  
1251 equipment and supplies; and to sell, exchange, or otherwise  
1252 dispose of any property that is no longer needed by the  
1253 department.

1254 (26) To provide for the enhancement of environmental  
1255 benefits, including air and water quality; to prevent roadside  
1256 erosion; to conserve the natural roadside growth and scenery;  
1257 and to provide for the implementation and maintenance of  
1258 roadside conservation, enhancement, and stabilization programs.

1259 (a) On an annual basis, an amount equal to at least 1.5  
1260 percent of the total amount contracted for construction projects  
1261 shall be allocated by the department on a statewide basis for  
1262 the purchase of plant materials, which may also be used in  
1263 maintenance projects to enhance State Highway System rights-of-  
1264 way and arterial facilities. Such funds must be allocated on a  
1265 statewide basis. Department districts may not expend funds for  
1266 landscaping in connection with any project that is limited to  
1267 resurfacing existing lanes unless the expenditure has been  
1268 approved by the department’s secretary or the secretary’s  
1269 designee.

1270 (b) To the greatest extent practical, at least 50 percent  
1271 of the funds allocated under paragraph (a) ~~this subsection~~ shall  
1272 be allocated for large plant materials and the remaining funds  
1273 for other plant materials.

1274 (c) Except as prohibited by applicable federal law or  
1275 regulation, all plant materials shall be purchased from Florida  
1276 commercial nursery stock in this state on a uniform competitive

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1277 bid basis. The department shall develop grades and standards for  
 1278 landscaping materials purchased through this process, which must  
 1279 include standards for landscaping materials native to specific  
 1280 regions of this state which are reflective of this state's  
 1281 heritage and natural landscapes. To accomplish these activities,  
 1282 the department may contract with nonprofit organizations having  
 1283 the primary purpose of developing youth employment  
 1284 opportunities.

1285 (d) To increase cost predictability and programming needs,  
 1286 for a project with a total contracted construction cost greater  
 1287 than \$500 million, 0.5 percent of the total construction cost  
 1288 shall be expended on the purchase of plant materials under  
 1289 paragraph (a) in the fiscal year in which construction begins  
 1290 and the remaining 1 percent may be expended incrementally over  
 1291 the next 5 fiscal years.

1292 (e) Projects authorized in s. 215 of chapter 2023-239, Laws  
 1293 of Florida, and in budget amendment EOG #2024-B0112 and  
 1294 subsequently adopted into the department's 5-year work program  
 1295 are exempt from this subsection. This paragraph expires upon the  
 1296 completion of the authorized projects.

1297 (37) Notwithstanding s. 287.022 or s. 287.025, to directly  
 1298 enter into insurance contracts with local, national, or  
 1299 international insurance companies for the purchase of insurance  
 1300 coverage that the department is contractually and legally  
 1301 required to provide.

1302 (38) Notwithstanding s. 287.14, to purchase or acquire  
 1303 heavy equipment and motor vehicles for roadway operations and  
 1304 emergency response purposes regardless of whether the department  
 1305 exchanges or ceases to operate any department-owned heavy

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1306 equipment or motor vehicles.

1307 (39) To adopt rules for the purpose of compliance with 49  
 1308 C.F.R. part 26 and any other applicable federal law.

1309 Section 18. Subsection (1) of section 334.045, Florida  
 1310 Statutes, is amended to read:

1311 334.045 Transportation performance and productivity  
 1312 standards; development; measurement; application.—

1313 (1) The Florida Transportation Commission shall develop and  
 1314 adopt measures for evaluating the performance and productivity  
 1315 of the department. The measures may be both quantitative and  
 1316 qualitative and must, to the maximum extent practical, assess  
 1317 those factors that are within the department's control. The  
 1318 measures must, at a minimum, assess performance in the following  
 1319 areas:

1320 (a) Production;

1321 (b) Finance and administration;

1322 (c) Preservation of the current state system;

1323 (d) Safety of the current state system;

1324 (e) Capacity improvements: highways and all public  
 1325 transportation modes; and

1326 (f) The business development program established under s.  
 1327 337.027 Disadvantaged business enterprise and minority business  
 1328 programs.

1329 Section 19. Section 334.62, Florida Statutes, is created to  
 1330 read:

1331 334.62 Florida Transportation Academy.—The Legislature  
 1332 finds that the growth and sustainability of the transportation  
 1333 industry workforce is vital to the continued success and  
 1334 efficiency of the state's supply chain and economic

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1335 competitiveness. In order to prioritize the continued need for  
 1336 transportation industry workforce development programs, the  
 1337 Florida Transportation Academy is established within the  
 1338 department. In order to support, promote, and sustain workforce  
 1339 development efforts in the transportation sector, the department  
 1340 may do all of the following:

1341 (1) Coordinate with the Department of Corrections to  
 1342 identify and create certification and training opportunities for  
 1343 nonviolent, scheduled-release inmates and create a notification  
 1344 process between the Department of Corrections and the department  
 1345 for nonviolent inmates with imminent scheduled-release dates who  
 1346 are expected to seek employment upon release.

1347 (2) Coordinate with the Department of Juvenile Justice and  
 1348 its educational partners to create certification and training  
 1349 opportunities for eligible youth.

1350 (3) Coordinate with veterans' organizations to encourage  
 1351 veterans with honorable military discharge to pursue employment  
 1352 opportunities within the transportation industry, including, but  
 1353 not limited to, employment as pilots, mechanics, and air traffic  
 1354 controllers.

1355 (4) Coordinate with the Department of Commerce,  
 1356 CareerSource Florida, Inc., and regional business organizations,  
 1357 within and outside of the transportation industry, to further  
 1358 understand recruitment and retention needs and job-seeker  
 1359 pipelines.

1360 (5) Coordinate with the American Council of Engineering  
 1361 Companies and the Florida Transportation Builders Association to  
 1362 optimize workforce recruitment and retention and assess future  
 1363 needs across the transportation industry in this state.

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1364 Section 20. Present paragraph (b) of subsection (3) of  
 1365 section 335.182, Florida Statutes, is redesignated as paragraph  
 1366 (c) and amended, and a new paragraph (b) is added to that  
 1367 subsection, to read:

1368 335.182 Regulation of connections to roads on State Highway  
 1369 System; definitions.—

1370 (3) As used in this act, the term:

1371 (b) "Modification of an existing connection" means the  
 1372 relocation, alteration, or closure of the connection.

1373 (c) ~~(b)~~ "Significant change" means:

1374 1. A change in the use of the property, including the  
 1375 development of land, structures, or facilities;~~7~~ or

1376 2. An expansion of the size of the property, structures, or  
 1377 facilities causing an increase in the trip generation of the  
 1378 property exceeding 25 percent more trip generation, ~~(either peak~~  
 1379 hour or daily, ~~)~~ and exceeding 100 vehicles per day more than the  
 1380 existing use.

1381 Section 21. Subsections (3) and (4) of section 335.187,  
 1382 Florida Statutes, are amended to read:

1383 335.187 Unpermitted connections; existing access permits;  
 1384 nonconforming permits; modification and revocation of permits.—

1385 (3) The department may issue a nonconforming access permit  
 1386 ~~if denying after finding that to deny~~ an access permit would  
 1387 leave the property without a reasonable means of access to the  
 1388 State Highway System. The department may specify limits on the  
 1389 maximum vehicular use of the connection and may condition ~~be~~  
 1390 ~~conditioned on~~ the availability of future alternative means of  
 1391 access for which access permits can be obtained.

1392 (4) After written notice and the opportunity for a hearing,

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1393 as provided for in s. 120.60, the department may modify or  
 1394 revoke an access permit issued after July 1, 1988, by requiring  
 1395 modification ~~Relocation, alteration, or closure~~ of an existing  
 1396 connection if:

1397 (a) A significant change occurs in the use, design, or  
 1398 traffic flow of the connection; or

1399 (b) It would jeopardize the safety of the public or have a  
 1400 negative impact upon the operational characteristics of the  
 1401 highway.

1402 Section 22. Subsection (2) of section 337.027, Florida  
 1403 Statutes, is amended to read:

1404 337.027 Authority to implement a business development  
 1405 program.—

1406 (2) For purposes of this section, the term “small business”  
 1407 means a business with yearly average gross receipts of less than  
 1408 \$25 ~~15~~ million for road and bridge contracts and less than \$10  
 1409 ~~6.5~~ million for professional and nonprofessional services  
 1410 contracts. A business’ average gross receipts is determined by  
 1411 averaging its annual gross receipts over the last 3 years,  
 1412 including the receipts of any affiliate as defined in s.  
 1413 337.165.

1414 Section 23. Subsection (6) of section 337.11, Florida  
 1415 Statutes, is amended to read:

1416 337.11 Contracting authority of department; bids; emergency  
 1417 repairs, supplemental agreements, and change orders; combined  
 1418 design and construction contracts; progress payments; records;  
 1419 requirements of vehicle registration.—

1420 (6) (a) If the secretary determines that an emergency in  
 1421 regard to the restoration or repair of any state transportation

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1422 facility exists such that the delay incident to giving  
 1423 opportunity for competitive bidding would be detrimental to the  
 1424 interests of the state, the provisions for competitive bidding  
 1425 do not apply; and the department may enter into contracts for  
 1426 restoration or repair without giving opportunity for competitive  
 1427 bidding on such contracts. Within 30 days after such  
 1428 determination and contract execution, the head of the department  
 1429 shall file with the Executive Office of the Governor a written  
 1430 statement of the conditions and circumstances constituting such  
 1431 emergency.

1432 (b) If the secretary determines that delays on a contract  
 1433 for maintenance exist due to administrative challenges, bid  
 1434 protests, defaults or terminations and the further delay would  
 1435 reduce safety on the transportation facility or seriously hinder  
 1436 the department’s ability to preserve the state’s investment in  
 1437 that facility, competitive bidding provisions may be waived and  
 1438 the department may enter into a contract for maintenance on the  
 1439 facility. However, contracts for maintenance executed under the  
 1440 provisions of this paragraph shall be interim in nature and  
 1441 shall be limited in duration to a period of time not to exceed  
 1442 the length of the delay necessary to complete the competitive  
 1443 bidding process and have the contract in place.

1444 (c) When the department determines that it is in the best  
 1445 interest of the public for reasons of public concern, economy,  
 1446 improved operations, or safety, and only when circumstances  
 1447 dictate rapid completion of the work, the department may, up to  
 1448 the amount of \$500,000, enter into contracts for construction  
 1449 and maintenance without advertising and receiving competitive  
 1450 bids. The department may enter into such contracts only upon a

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1451 determination that the work is necessary for one of the  
1452 following reasons:

- 1453 1. To ensure timely completion of projects or avoidance of  
1454 undue delay for other projects;
- 1455 2. To accomplish minor repairs or construction and  
1456 maintenance activities for which time is of the essence and for  
1457 which significant cost savings would occur; or
- 1458 3. To accomplish nonemergency work necessary to ensure  
1459 avoidance of adverse conditions that affect the safe and  
1460 efficient flow of traffic.

1461

1462 The department shall make a good faith effort to obtain two or  
1463 more quotes, if available, from qualified contractors before  
1464 entering into any contract. The department shall give  
1465 consideration to small disadvantaged business enterprise  
1466 participation. However, when the work exists within the limits  
1467 of an existing contract, the department shall make a good faith  
1468 effort to negotiate and enter into a contract with the prime  
1469 contractor on the existing contract.

1470 Section 24. Section 337.125, Florida Statutes, is repealed.

1471 Section 25. Section 337.135, Florida Statutes, is repealed.

1472 Section 26. Section 337.139, Florida Statutes, is repealed.

1473 Section 27. Paragraph (a) of subsection (1) of section  
1474 337.18, Florida Statutes, is amended to read:

1475 337.18 Surety bonds for construction or maintenance  
1476 contracts; requirement with respect to contract award; bond  
1477 requirements; defaults; damage assessments.—

1478 (1)(a) A surety bond shall be required of the successful  
1479 bidder in an amount equal to the awarded contract price.

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1480 However, the department may choose, in its discretion and  
1481 applicable only to multiyear maintenance contracts, to allow for  
1482 incremental annual contract bonds that cumulatively total the  
1483 full, awarded, multiyear contract price; ~~The department may~~  
1484 ~~also choose,~~ in its discretion and applicable only to phased  
1485 design-build contracts under s. 337.11(7)(b), to allow the  
1486 issuance of multiple contract performance and payment bonds in  
1487 succession to align with each phase of the contract to meet the  
1488 bonding requirement in this subsection; and, at the discretion  
1489 of the Secretary of Transportation and notwithstanding any  
1490 bonding requirement under s. 337.18, to require a surety bond in  
1491 an amount that is less than the awarded contract price.

1492 1. The department may waive the requirement for all or a  
1493 portion of a surety bond if:

1494 a. The contract price is \$250,000 or less and the  
1495 department determines that the project is of a noncritical  
1496 nature and that nonperformance will not endanger public health,  
1497 safety, or property;

1498 b. The prime contractor is a qualified nonprofit agency for  
1499 the blind or for the other severely handicapped under s.  
1500 413.036(2); or

1501 c. The prime contractor is using a subcontractor that is a  
1502 qualified nonprofit agency for the blind or for the other  
1503 severely handicapped under s. 413.036(2). However, the  
1504 department may not waive more than the amount of the  
1505 subcontract.

1506 2. If the department determines that it is in the best  
1507 interests of the department to reduce the bonding requirement  
1508 for a project and that to do so will not endanger public health,

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1509 safety, or property, the department may waive the requirement of  
 1510 a surety bond in an amount equal to the awarded contract price  
 1511 for a project having a contract price of \$250 million or more  
 1512 and, in its place, may set a surety bond amount that is a  
 1513 portion of the total contract price and provide an alternate  
 1514 means of security for the balance of the contract amount that is  
 1515 not covered by the surety bond or provide for incremental surety  
 1516 bonding and provide an alternate means of security for the  
 1517 balance of the contract amount that is not covered by the surety  
 1518 bond. Such alternative means of security may include letters of  
 1519 credit, United States bonds and notes, parent company  
 1520 guarantees, and cash collateral. The department may require  
 1521 alternate means of security if a surety bond is waived. The  
 1522 surety on such bond shall be a surety company authorized to do  
 1523 business in the state. All bonds shall be payable to the  
 1524 department and conditioned for the prompt, faithful, and  
 1525 efficient performance of the contract according to plans and  
 1526 specifications and within the time period specified, and for the  
 1527 prompt payment of all persons defined in s. 713.01 furnishing  
 1528 labor, material, equipment, and supplies for work provided in  
 1529 the contract; however, whenever an improvement, demolition, or  
 1530 removal contract price is \$25,000 or less, the security may, in  
 1531 the discretion of the bidder, be in the form of a cashier's  
 1532 check, bank money order of any state or national bank, certified  
 1533 check, or postal money order. The department shall adopt rules  
 1534 to implement this subsection. Such rules shall include  
 1535 provisions under which the department shall refuse to accept  
 1536 bonds on contracts when a surety wrongfully fails or refuses to  
 1537 settle or provide a defense for claims or actions arising under

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1538 a contract for which the surety previously furnished a bond.  
 1539 Section 28. Subsection (3) of section 337.251, Florida  
 1540 Statutes, is amended to read:  
 1541 337.251 Lease of property for joint public-private  
 1542 development and areas above or below department property.—  
 1543 (3) A proposal must be selected by the department based on  
 1544 competitive bidding, except that the department may consider  
 1545 other relevant factors specified in the request for proposals.  
 1546 The department may consider such factors as the value of  
 1547 property exchanges, the cost of construction, and other  
 1548 recurring costs for the benefit of the department by the lessee  
 1549 in lieu of direct revenue to the department if such other  
 1550 factors are of equal value including innovative proposals to  
 1551 involve small minority businesses. The department may name a  
 1552 board of advisers which may be composed of accountants, real  
 1553 estate appraisers, design engineers, or other experts  
 1554 experienced in the type of development proposed. The board of  
 1555 advisers shall review the feasibility of the proposals,  
 1556 recommend acceptance or rejection of each proposal, and rank  
 1557 each feasible proposal in the order of technical feasibility and  
 1558 benefit provided to the department. The board of advisers shall  
 1559 be reasonably compensated for the services provided and all  
 1560 department costs for evaluating the proposals shall be  
 1561 reimbursed from a proposal application fee to be set by the  
 1562 department and paid by the applicants. The board of advisers  
 1563 shall not be subject to selection under the provisions of  
 1564 chapter 287.  
 1565 Section 29. Subsection (4) of section 337.406, Florida  
 1566 Statutes, is amended to read:

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1567 337.406 Unlawful use of state transportation facility  
 1568 right-of-way; penalties.—

1569 (4) (a) Camping is prohibited on any portion of the right-  
 1570 of-way of the State Highway System ~~that is within 100 feet of a~~  
 1571 bridge, causeway, overpass, or ramp.

1572 (b) This subsection does not apply to a person who has  
 1573 acquired the appropriate permits and is actively navigating the  
 1574 federally designated Florida National Scenic Trail recognized by  
 1575 the state in s. 260.012(6).

1576 Section 30. Subsection (4) of section 338.227, Florida  
 1577 Statutes, is amended to read:

1578 338.227 Turnpike revenue bonds.—

1579 (4) The Department of Transportation and the Department of  
 1580 Management Services shall create and implement an outreach  
 1581 program designed to enhance the participation of small minority  
 1582 persons and minority business enterprises in all contracts  
 1583 entered into by their respective departments for services  
 1584 related to the financing of department projects for the  
 1585 Strategic Intermodal System Plan developed pursuant to s.  
 1586 339.64. These services ~~shall~~ include, but are not limited to,  
 1587 bond counsel and bond underwriters.

1588 Section 31. Subsection (6) is added to section 339.08,  
 1589 Florida Statutes, to read:

1590 339.08 Use of moneys in State Transportation Trust Fund.—

1591 (6) (a) As used in this subsection, the term "energy policy  
 1592 of the state" means the energy policy described in s. 377.601  
 1593 and includes any intended or actual measure, obligation, target,  
 1594 or timeframe related to a reduction in carbon dioxide emissions.

1595 (b) The department may not expend any state funds as

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1596 described in s. 215.31 to support a project or program of any of  
 1597 the following entities if such entities adopt or promote energy  
 1598 policy goals inconsistent with the energy policy of the state:

1599 1. A public transit provider as defined in s. 341.031(1).  
 1600 2. An authority created pursuant to chapter 343, chapter  
 1601 348, or chapter 349.

1602 3. A public-use airport as defined in s. 332.004.  
 1603 4. A port listed in s. 311.09(1).

1604 Section 32. Section 339.0805, Florida Statutes, is  
 1605 repealed.

1606 Section 33. Paragraph (c) of subsection (6) and paragraph  
 1607 (h) of subsection (7) of section 339.135, Florida Statutes, are  
 1608 amended to read:

1609 339.135 Work program; legislative budget request;  
 1610 definitions; preparation, adoption, execution, and amendment.—

1611 (6) EXECUTION OF THE BUDGET.—

1612 (c) ~~Notwithstanding the provisions of~~ ss. 216.301(2) and  
 1613 216.351, any unexpended balance remaining at the end of the  
 1614 fiscal year in the appropriations to the department for special  
 1615 categories; aid to local governments; lump sums for project  
 1616 phases which are part of the adopted work program, and for which  
 1617 contracts have been executed or bids have been let; and for  
 1618 right-of-way land acquisition and relocation assistance for  
 1619 parcels from project phases in the adopted work program for  
 1620 which appraisals have been completed and approved, may be  
 1621 certified forward as fixed capital outlay at the end of each  
 1622 fiscal year, to be certified by the head of the state agency on  
 1623 or before August 1 of each year to the Executive Office of the  
 1624 Governor, showing in detail the commitment or to whom obligated

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1625 and the amount of such commitment or obligation. On or before  
 1626 September 1 of each year, the Executive Office of the Governor  
 1627 shall review and approve or disapprove, consistent with  
 1628 legislative policy and intent, any ~~or all~~ of the items and  
 1629 amounts certified by the head of the state agency and shall  
 1630 furnish the Chief Financial Officer, the legislative  
 1631 appropriations committees, and the Auditor General a detailed  
 1632 listing of the items and amounts approved as legal encumbrances  
 1633 against the undisbursed balances of such appropriations. In the  
 1634 event such certification is not made and the balance of the  
 1635 appropriation has reverted and the obligation is proven to be  
 1636 legal, due, and unpaid, then the same must shall be presented to  
 1637 the Legislature for its consideration. Such certification as  
 1638 herein required must shall be in the form and on the date  
 1639 approved by the Executive Office of the Governor. Any project  
 1640 phases in the adopted work program not certified forward are  
 1641 ~~shall be~~ available for roll forward for the next fiscal year of  
 1642 the adopted work program. Spending authority associated with  
 1643 such project phases may be rolled forward to the next fiscal  
 1644 year upon approval by the procedures set forth in s. 216.177.  
 1645 Upon approval, the Executive Office of the Governor shall modify  
 1646 the original approved operating budget for fixed capital outlay  
 1647 expenditures Legislative Budget Commission. Increases in  
 1648 spending authority are shall be limited to amounts of unexpended  
 1649 balances by appropriation category. Any project phase certified  
 1650 forward for which bids have been let but subsequently rejected  
 1651 is shall be available for roll forward in the adopted work  
 1652 program for the next fiscal year. Spending authority associated  
 1653 with such project phases may be rolled forward into the current

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1654 year from funds certified forward. The amount certified forward  
 1655 may include contingency allowances for right-of-way acquisition  
 1656 and relocation, asphalt and petroleum product escalation  
 1657 clauses, and contract overages, which allowances must shall be  
 1658 separately identified in the certification detail. Right-of-way  
 1659 acquisition and relocation and contract overages contingency  
 1660 allowances must shall be based on documented historical  
 1661 patterns. These contingency amounts must shall be incorporated  
 1662 in the certification for each specific category, but when a  
 1663 category has an excess and another category has a deficiency,  
 1664 the Executive Office of the Governor is authorized to transfer  
 1665 the excess to the deficient account.

(7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

1666 (h)1. Any work program amendment that also adds a new  
 1667 project, or phase thereof, to the adopted work program in excess  
 1668 of \$3 million is subject to approval by the Legislative Budget  
 1669 Commission. Any work program amendment submitted under this  
 1670 paragraph must include, as supplemental information, a list of  
 1671 projects, or phases thereof, in the current 5-year adopted work  
 1672 program which are eligible for the funds within the  
 1673 appropriation category being used for the proposed amendment.  
 1674 The department shall provide a narrative with the rationale for  
 1675 not advancing an existing project, or phase thereof, in lieu of  
 1676 the proposed amendment.

1677 2. If the department submits an amendment to the  
 1678 Legislative Budget Commission and the commission does not meet  
 1679 or consider the amendment within 30 days after its submittal,  
 1680 the chair and vice chair of the commission may authorize the  
 1681 amendment to be approved pursuant to s. 216.177. ~~This~~  
 1682

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1683 ~~subparagraph expires July 1, 2025.~~  
 1684 Section 34. Subsection (3) of section 339.2816, Florida  
 1685 Statutes, is amended to read:  
 1686 339.2816 Small County Road Assistance Program.—  
 1687 (3) Beginning with fiscal year 2025-2026, up to \$50 ~~1999-~~  
 1688 ~~2000 until fiscal year 2009-2010, and beginning again with~~  
 1689 ~~fiscal year 2012-2013, up to \$25 million annually from the State~~  
 1690 Transportation Trust Fund may be used for the purposes of  
 1691 funding the Small County Road Assistance Program as described in  
 1692 this section.  
 1693 Section 35. Subsections (2), (7), and (8) of section  
 1694 339.2818, Florida Statutes, are amended to read:  
 1695 339.2818 Small County Outreach Program.—  
 1696 (2) For the purposes of this section, the term “small  
 1697 county” means any county that has a population of 200,000 or  
 1698 less as determined by the most recent official estimate pursuant  
 1699 to s. 186.901. The term also includes:  
 1700 (a) A municipality within a rural area of opportunity or a  
 1701 rural area of opportunity community designated under s.  
 1702 288.0656(7) (a), which may compete for funding using the criteria  
 1703 listed in paragraph (4) (c) at up to 100 percent of project  
 1704 costs, excluding capacity improvement projects; and  
 1705 (b) A local government either wholly or partially within  
 1706 the Everglades Agricultural Area as defined in s. 373.4592(15),  
 1707 the Peace River Basin, or the Suwannee River Basin, which may  
 1708 compete for funding using the criteria listed in paragraph  
 1709 (4) (c) at up to 100 percent of project costs on state or county  
 1710 roads used primarily as farm-to-market connections between rural  
 1711 agricultural areas and market distribution centers, excluding

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1712 capacity improvement projects.  
 1713 (7) Beginning with the 2025-2026 fiscal year, at least \$50  
 1714 million annually from the State Transportation Trust Fund may be  
 1715 used for the purposes of funding the Small County Outreach  
 1716 Program ~~Subject to a specific appropriation in addition to funds~~  
 1717 ~~annually appropriated for projects under this section, a~~  
 1718 ~~municipality within a rural area of opportunity or a rural area~~  
 1719 ~~of opportunity community designated under s. 288.0656(7) (a) may~~  
 1720 ~~compete for the additional project funding using the criteria~~  
 1721 ~~listed in subsection (4) at up to 100 percent of project costs,~~  
 1722 ~~excluding capacity improvement projects.~~  
 1723 ~~(8) Subject to a specific appropriation in addition to~~  
 1724 ~~funds appropriated for projects under this section, a local~~  
 1725 ~~government either wholly or partially within the Everglades~~  
 1726 ~~Agricultural Area as defined in s. 373.4592(15), the Peace River~~  
 1727 ~~Basin, or the Suwannee River Basin may compete for additional~~  
 1728 ~~funding using the criteria listed in paragraph (4) (c) at up to~~  
 1729 ~~100 percent of project costs on state or county roads used~~  
 1730 ~~primarily as farm-to-market connections between rural~~  
 1731 ~~agricultural areas and market distribution centers, excluding~~  
 1732 ~~capacity improvement projects.~~  
 1733 Section 36. Paragraph (b) of subsection (3) and paragraph  
 1734 (c) of subsection (4) of section 339.2821, Florida Statutes, are  
 1735 amended to read:  
 1736 339.2821 Economic development transportation projects.—  
 1737 (3)  
 1738 (b) The department must ensure that it is supportive of  
 1739 small businesses as defined in s. 337.027(2) ~~small and minority~~  
 1740 ~~businesses have equal access to participate in transportation~~

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1741 ~~projects funded pursuant to this section.~~

1742 (4) A contract between the department and a governmental  
1743 body for a transportation project must:

1744 (c) Require that the governmental body provide the  
1745 department with progress reports. Each progress report must  
1746 contain:

1747 1. A narrative description of the work completed and  
1748 whether the work is proceeding according to the transportation  
1749 project schedule;

1750 2. A description of each change order executed by the  
1751 governmental body;

1752 3. A budget summary detailing planned expenditures compared  
1753 to actual expenditures; and

1754 4. The identity of each small ~~or minority~~ business used as  
1755 a contractor or subcontractor.

1756 Section 37. Section 339.287, Florida Statutes, is repealed.

1757 Section 38. Paragraph (c) of subsection (2) of section  
1758 339.55, Florida Statutes, is amended to read:

1759 339.55 State-funded infrastructure bank.—

1760 (2) The bank may lend capital costs or provide credit  
1761 enhancements for:

1762 (c)1. Emergency loans for damages incurred to public-use  
1763 commercial deepwater seaports, public-use airports, and other  
1764 public-use transit and intermodal facilities that are within an  
1765 area that is part of an official state declaration of emergency  
1766 pursuant to chapter 252 and all other applicable laws. Such  
1767 loans:

1768 a. May not exceed 24 months in duration except in extreme  
1769 circumstances, for which the Secretary of Transportation may

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1770 grant up to 36 months upon making written findings specifying  
1771 the conditions requiring a 36-month term.

1772 b. Require application from the recipient to the department  
1773 that includes documentation of damage claims filed with the  
1774 Federal Emergency Management Agency or an applicable insurance  
1775 carrier and documentation of the recipient's overall financial  
1776 condition.

1777 c. Are subject to approval by the Secretary of  
1778 Transportation ~~and the Legislative Budget Commission.~~

1779 2. Loans provided under this paragraph must be repaid upon  
1780 receipt by the recipient of eligible program funding for damages  
1781 in accordance with the claims filed with the Federal Emergency  
1782 Management Agency or an applicable insurance carrier, but no  
1783 later than the duration of the loan.

1784 Section 39. Subsections (3) and (7) of section 339.651,  
1785 Florida Statutes, are amended to read:

1786 339.651 Strategic Intermodal System supply chain demands.—

1787 (3) The department may ~~shall~~ make up to \$20 million  
1788 available each year ~~for fiscal years 2023-2024 through 2027-~~  
1789 ~~2028,~~ from existing work program revenues, to fund projects that  
1790 meet the public purpose of providing increased capacity and  
1791 enhanced capabilities to move and store construction aggregate  
1792 and transportation infrastructure-related materials. Applicants  
1793 eligible for project funding under this section are seaports  
1794 listed in s. 311.09 and rail lines and rail facilities.

1795 ~~(7) This section shall stand repealed on July 1, 2028.~~

1796 Section 40. Paragraph (b) of subsection (6) of section  
1797 341.051, Florida Statutes, is amended to read:

1798 341.051 Administration and financing of public transit and

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1799 intercity bus service programs and projects.-  
 1800 (6) ANNUAL APPROPRIATION.-  
 1801 (b) If funds are allocated to projects that qualify for the  
 1802 New Starts Transit Program in the current fiscal year and a  
 1803 project will not be ready for production by June 30, those funds  
 1804 must ~~The remaining unallocated New Starts Transit Program funds~~  
 1805 ~~as of June 30, 2024, shall~~ be reallocated for the purpose of the  
 1806 Strategic Intermodal System within the State Transportation  
 1807 Trust Fund for the next fiscal year. ~~This paragraph expires June~~  
 1808 ~~30, 2026.~~

1809  
 1810 For purposes of this section, the term "net operating costs"  
 1811 means all operating costs of a project less any federal funds,  
 1812 fares, or other sources of income to the project.

1813 Section 41. Subsection (5) of section 348.754, Florida  
 1814 Statutes, is amended to read:

1815 348.754 Purposes and powers.-

1816 (5) The authority shall encourage the inclusion of local  
 1817 and small local, ~~small~~, ~~minority~~, and ~~women-owned~~ businesses  
 1818 in its procurement and contracting opportunities.

1819 Section 42. Subsection (2) of section 349.03, Florida  
 1820 Statutes, is amended, and subsections (4) and (5) are added to  
 1821 that section, to read:

1822 349.03 Jacksonville Transportation Authority.-

1823 (2) The governing body of the authority shall be composed  
 1824 ~~consist~~ of seven members. Four Three members, one of whom is a  
 1825 resident of the City of Jacksonville and three of whom are  
 1826 residents of Clay County, Duval County, or St. Johns County,  
 1827 shall be appointed by the Governor and confirmed by the Senate.

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1828 Three members shall be appointed by the mayor of the City of  
 1829 Jacksonville subject to confirmation by the council of the City  
 1830 of Jacksonville. ~~The seventh member shall be the district~~  
 1831 ~~secretary of the Department of Transportation serving in the~~  
 1832 ~~district that contains the City of Jacksonville. Except for the~~  
 1833 ~~seventh member,~~ Members appointed by the mayor of the City of  
 1834 Jacksonville must ~~shall~~ be residents and qualified electors of  
 1835 Duval County.

1836 (4) The authority shall follow the business development  
 1837 program established by the department pursuant to s. 337.027.

1838 (5) The authority shall establish protocols and systems in  
 1839 accordance with the requirements of ss. 112.061(16) and  
 1840 215.985(6) and (14) and post all related information on the  
 1841 authority's publicly accessible website.

1842 Section 43. Paragraphs (j) and (m) of subsection (2) of  
 1843 section 110.205, Florida Statutes, are amended to read:

1844 110.205 Career service; exemptions.-

1845 (2) EXEMPT POSITIONS.-The exempt positions that are not  
 1846 covered by this part include the following:

1847 (j) The appointed secretaries and the State Surgeon  
 1848 General, assistant secretaries, deputy secretaries, and deputy  
 1849 assistant secretaries of all departments; the executive  
 1850 directors, assistant executive directors, deputy executive  
 1851 directors, and deputy assistant executive directors of all  
 1852 departments; the directors of all divisions and those positions  
 1853 determined by the department to have managerial responsibilities  
 1854 comparable to such positions, which positions include, but are  
 1855 not limited to, program directors, assistant program directors,  
 1856 district administrators, deputy district administrators, the

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1857 Director of Central Operations Services of the Department of  
 1858 Children and Families, the State Transportation Development  
 1859 Administrator, the State Public Transportation and Modal  
 1860 Administrator, district secretaries, district directors of  
 1861 transportation development, transportation operations,  
 1862 transportation support, and the managers of the offices of the  
 1863 Department of Transportation specified in s. 20.23(4)(b) ~~s-~~  
 1864 ~~20.23(3)(b)~~. Unless otherwise fixed by law, the department shall  
 1865 set the salary and benefits of these positions and the positions  
 1866 of county health department directors and county health  
 1867 department administrators of the Department of Health in  
 1868 accordance with the rules of the Senior Management Service.

1869 (m) All assistant division director, deputy division  
 1870 director, and bureau chief positions in any department, and  
 1871 those positions determined by the department to have managerial  
 1872 responsibilities comparable to such positions, which include,  
 1873 but are not limited to:

1874 1. Positions in the Department of Health and the Department  
 1875 of Children and Families which are assigned primary duties of  
 1876 serving as the superintendent or assistant superintendent of an  
 1877 institution.

1878 2. Positions in the Department of Corrections which are  
 1879 assigned primary duties of serving as the warden, assistant  
 1880 warden, colonel, or major of an institution or that are assigned  
 1881 primary duties of serving as the circuit administrator or deputy  
 1882 circuit administrator.

1883 3. Positions in the Department of Transportation which are  
 1884 assigned primary duties of serving as regional toll managers and  
 1885 managers of offices, as specified in s. 20.23(4)(b) and (5)(c).

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1886 ~~s. 20.23(3)(b) and (4)(e).~~

1887 4. Positions in the Department of Environmental Protection  
 1888 which are assigned the duty of an Environmental Administrator or  
 1889 program administrator.

1890 5. Positions in the Department of Health which are assigned  
 1891 the duties of Environmental Administrator, Assistant County  
 1892 Health Department Director, and County Health Department  
 1893 Financial Administrator.

1894 6. Positions in the Department of Highway Safety and Motor  
 1895 Vehicles which are assigned primary duties of serving as  
 1896 captains in the Florida Highway Patrol.

1897  
 1898 Unless otherwise fixed by law, the department shall set the  
 1899 salary and benefits of the positions listed in this paragraph in  
 1900 accordance with the rules established for the Selected Exempt  
 1901 Service.

1902 Section 44. Paragraph (d) of subsection (3) of section  
 1903 322.27, Florida Statutes, is amended to read:  
 1904 322.27 Authority of department to suspend or revoke driver  
 1905 license or identification card.—

1906 (3) There is established a point system for evaluation of  
 1907 convictions of violations of motor vehicle laws or ordinances,  
 1908 and violations of applicable provisions of s. 403.413(6)(b) when  
 1909 such violations involve the use of motor vehicles, for the  
 1910 determination of the continuing qualification of any person to  
 1911 operate a motor vehicle. The department is authorized to suspend  
 1912 the license of any person upon showing of its records or other  
 1913 good and sufficient evidence that the licensee has been  
 1914 convicted of violation of motor vehicle laws or ordinances, or

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1915 applicable provisions of s. 403.413(6)(b), amounting to 12 or  
 1916 more points as determined by the point system. The suspension  
 1917 shall be for a period of not more than 1 year.

1918 (d) The point system shall have as its basic element a  
 1919 graduated scale of points assigning relative values to  
 1920 convictions of the following violations:

1921 1. Reckless driving, willful and wanton—4 points.  
 1922 2. Leaving the scene of a crash resulting in property  
 1923 damage of more than \$50—6 points.

1924 3. Unlawful speed, or unlawful use of a wireless  
 1925 communications device, resulting in a crash—6 points.

1926 4. Passing a stopped school bus:

1927 a. Not causing or resulting in serious bodily injury to or  
 1928 death of another—4 points.

1929 b. Causing or resulting in serious bodily injury to or  
 1930 death of another—6 points.

1931 c. Points may not be imposed for a violation of passing a  
 1932 stopped school bus as provided in s. 316.172(1)(a) or (b) when  
 1933 enforced by a school bus infraction detection system pursuant to  
 1934 s. 316.173. In addition, a violation of s. 316.172(1)(a) or (b)  
 1935 when enforced by a school bus infraction detection system  
 1936 pursuant to s. 316.173 may not be used for purposes of setting  
 1937 motor vehicle insurance rates.

1938 5. Unlawful speed:

1939 a. Not in excess of 15 miles per hour of lawful or posted  
 1940 speed—3 points.

1941 b. In excess of 15 miles per hour of lawful or posted  
 1942 speed—4 points.

1943 c. Points may not be imposed for a violation of unlawful

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1944 speed as provided in s. 316.1895 or s. 316.183 when enforced by  
 1945 a traffic infraction enforcement officer pursuant to s.  
 1946 316.1896. In addition, a violation of s. 316.1895 or s. 316.183  
 1947 when enforced by a traffic infraction enforcement officer  
 1948 pursuant to s. 316.1896 may not be used for purposes of setting  
 1949 motor vehicle insurance rates.

1950 6. A violation of a traffic control signal device as  
 1951 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.  
 1952 However, points may not be imposed for a violation of s.  
 1953 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
 1954 stop at a traffic signal and when enforced by a traffic  
 1955 infraction enforcement officer. In addition, a violation of s.  
 1956 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
 1957 stop at a traffic signal and when enforced by a traffic  
 1958 infraction enforcement officer may not be used for purposes of  
 1959 setting motor vehicle insurance rates.

1960 7. Unlawfully driving a vehicle through a railroad-highway  
 1961 grade crossing—6 points.

1962 8. All other moving violations (including parking on a  
 1963 highway outside the limits of a municipality)—3 points. However,  
 1964 points may not be imposed for a violation of ~~s. 316.0741~~ or s.  
 1965 316.2065(11); and points may be imposed for a violation of s.  
 1966 316.1001 only when imposed by the court after a hearing pursuant  
 1967 to s. 318.14(5).

1968 9. Any moving violation covered in this paragraph,  
 1969 excluding unlawful speed and unlawful use of a wireless  
 1970 communications device, resulting in a crash—4 points.

1971 10. Any conviction under s. 403.413(6)(b)—3 points.  
 1972 11. Any conviction under s. 316.0775(2)—4 points.

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1973 12. A moving violation covered in this paragraph which is  
 1974 committed in conjunction with the unlawful use of a wireless  
 1975 communications device within a school safety zone—2 points, in  
 1976 addition to the points assigned for the moving violation.

1977 Section 45. Subsection (13) of section 365.172, Florida  
 1978 Statutes, is amended to read:

1979 365.172 Emergency communications.—

1980 (13) FACILITATING EMERGENCY COMMUNICATIONS SERVICE  
 1981 IMPLEMENTATION.—To balance the public need for reliable  
 1982 emergency communications services through reliable wireless  
 1983 systems and the public interest served by governmental zoning  
 1984 and land development regulations and notwithstanding any other  
 1985 law or local ordinance to the contrary, the following standards  
 1986 shall apply to a local government's actions, as a regulatory  
 1987 body, in the regulation of the placement, construction, or  
 1988 modification of a wireless communications facility. This  
 1989 subsection may not, however, be construed to waive or alter the  
 1990 provisions of s. 286.011 or s. 286.0115. For the purposes of  
 1991 this subsection only, "local government" shall mean any  
 1992 municipality or county and any agency of a municipality or  
 1993 county only. The term "local government" does not, however,  
 1994 include any airport, as defined in s. 330.27 ~~by s. 330.27(2)~~,  
 1995 even if it is owned or controlled by or through a municipality,  
 1996 county, or agency of a municipality or county. Further,  
 1997 notwithstanding anything in this section to the contrary, this  
 1998 subsection does not apply to or control a local government's  
 1999 actions as a property or structure owner in the use of any  
 2000 property or structure owned by such entity for the placement,  
 2001 construction, or modification of wireless communications

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2002 facilities. In the use of property or structures owned by the  
 2003 local government, however, a local government may not use its  
 2004 regulatory authority so as to avoid compliance with, or in a  
 2005 manner that does not advance, the provisions of this subsection.

2006 (a) Colocation among wireless providers is encouraged by  
 2007 the state.

2008 1.a. Colocations on towers, including nonconforming towers,  
 2009 that meet the requirements in sub-sub-subparagraphs (I), (II),  
 2010 and (III), are subject to only building permit review, which may  
 2011 include a review for compliance with this subparagraph. Such  
 2012 colocations are not subject to any design or placement  
 2013 requirements of the local government's land development  
 2014 regulations in effect at the time of the colocation that are  
 2015 more restrictive than those in effect at the time of the initial  
 2016 antennae placement approval, to any other portion of the land  
 2017 development regulations, or to public hearing review. This sub-  
 2018 subparagraph may not preclude a public hearing for any appeal of  
 2019 the decision on the colocation application.

2020 (I) The colocation does not increase the height of the  
 2021 tower to which the antennae are to be attached, measured to the  
 2022 highest point of any part of the tower or any existing antenna  
 2023 attached to the tower;

2024 (II) The colocation does not increase the ground space  
 2025 area, commonly known as the compound, approved in the site plan  
 2026 for equipment enclosures and ancillary facilities; and

2027 (III) The colocation consists of antennae, equipment  
 2028 enclosures, and ancillary facilities that are of a design and  
 2029 configuration consistent with all applicable regulations,  
 2030 restrictions, or conditions, if any, applied to the initial

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2031 antennae placed on the tower and to its accompanying equipment  
 2032 enclosures and ancillary facilities and, if applicable, applied  
 2033 to the tower supporting the antennae. Such regulations may  
 2034 include the design and aesthetic requirements, but not  
 2035 procedural requirements, other than those authorized by this  
 2036 section, of the local government's land development regulations  
 2037 in effect at the time the initial antennae placement was  
 2038 approved.

2039 b. Except for a historic building, structure, site, object,  
 2040 or district, or a tower included in sub-subparagraph a.,  
 2041 colocations on all other existing structures that meet the  
 2042 requirements in sub-sub-subparagraphs (I)-(IV) shall be subject  
 2043 to no more than building permit review, and an administrative  
 2044 review for compliance with this subparagraph. Such colocations  
 2045 are not subject to any portion of the local government's land  
 2046 development regulations not addressed herein, or to public  
 2047 hearing review. This sub-subparagraph may not preclude a public  
 2048 hearing for any appeal of the decision on the colocation  
 2049 application.

2050 (I) The colocation does not increase the height of the  
 2051 existing structure to which the antennae are to be attached,  
 2052 measured to the highest point of any part of the structure or  
 2053 any existing antenna attached to the structure;

2054 (II) The colocation does not increase the ground space  
 2055 area, otherwise known as the compound, if any, approved in the  
 2056 site plan for equipment enclosures and ancillary facilities;

2057 (III) The colocation consists of antennae, equipment  
 2058 enclosures, and ancillary facilities that are of a design and  
 2059 configuration consistent with any applicable structural or

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2060 aesthetic design requirements and any requirements for location  
 2061 on the structure, but not prohibitions or restrictions on the  
 2062 placement of additional colocations on the existing structure or  
 2063 procedural requirements, other than those authorized by this  
 2064 section, of the local government's land development regulations  
 2065 in effect at the time of the colocation application; and

2066 (IV) The colocation consists of antennae, equipment  
 2067 enclosures, and ancillary facilities that are of a design and  
 2068 configuration consistent with all applicable restrictions or  
 2069 conditions, if any, that do not conflict with sub-sub-  
 2070 subparagraph (III) and were applied to the initial antennae  
 2071 placed on the structure and to its accompanying equipment  
 2072 enclosures and ancillary facilities and, if applicable, applied  
 2073 to the structure supporting the antennae.

2074 c. Regulations, restrictions, conditions, or permits of the  
 2075 local government, acting in its regulatory capacity, that limit  
 2076 the number of colocations or require review processes  
 2077 inconsistent with this subsection do not apply to colocations  
 2078 addressed in this subparagraph.

2079 d. If only a portion of the colocation does not meet the  
 2080 requirements of this subparagraph, such as an increase in the  
 2081 height of the proposed antennae over the existing structure  
 2082 height or a proposal to expand the ground space approved in the  
 2083 site plan for the equipment enclosure, where all other portions  
 2084 of the colocation meet the requirements of this subparagraph,  
 2085 that portion of the colocation only may be reviewed under the  
 2086 local government's regulations applicable to an initial  
 2087 placement of that portion of the facility, including, but not  
 2088 limited to, its land development regulations, and within the

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2089 review timeframes of subparagraph (d)2., and the rest of the  
 2090 colocation shall be reviewed in accordance with this  
 2091 subparagraph. A colocation proposal under this subparagraph that  
 2092 increases the ground space area, otherwise known as the  
 2093 compound, approved in the original site plan for equipment  
 2094 enclosures and ancillary facilities by no more than a cumulative  
 2095 amount of 400 square feet or 50 percent of the original compound  
 2096 size, whichever is greater, shall, however, require no more than  
 2097 administrative review for compliance with the local government's  
 2098 regulations, including, but not limited to, land development  
 2099 regulations review, and building permit review, with no public  
 2100 hearing review. This sub-subparagraph does not preclude a public  
 2101 hearing for any appeal of the decision on the colocation  
 2102 application.

2103 2. If a colocation does not meet the requirements of  
 2104 subparagraph 1., the local government may review the application  
 2105 under the local government's regulations, including, but not  
 2106 limited to, land development regulations, applicable to the  
 2107 placement of initial antennae and their accompanying equipment  
 2108 enclosure and ancillary facilities.

2109 3. If a colocation meets the requirements of subparagraph  
 2110 1., the colocation may not be considered a modification to an  
 2111 existing structure or an impermissible modification of a  
 2112 nonconforming structure.

2113 4. The owner of the existing tower on which the proposed  
 2114 antennae are to be collocated shall remain responsible for  
 2115 compliance with any applicable condition or requirement of a  
 2116 permit or agreement, or any applicable condition or requirement  
 2117 of the land development regulations to which the existing tower

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2118 had to comply at the time the tower was permitted, including any  
 2119 aesthetic requirements, provided the condition or requirement is  
 2120 not inconsistent with this paragraph.

2121 5. An existing tower, including a nonconforming tower, may  
 2122 be structurally modified in order to permit colocation or may be  
 2123 replaced through no more than administrative review and building  
 2124 permit review, and is not subject to public hearing review, if  
 2125 the overall height of the tower is not increased and, if a  
 2126 replacement, the replacement tower is a monopole tower or, if  
 2127 the existing tower is a camouflaged tower, the replacement tower  
 2128 is a like-camouflaged tower. This subparagraph may not preclude  
 2129 a public hearing for any appeal of the decision on the  
 2130 application.

2131 (b)1. A local government's land development and  
 2132 construction regulations for wireless communications facilities  
 2133 and the local government's review of an application for the  
 2134 placement, construction, or modification of a wireless  
 2135 communications facility shall only address land development or  
 2136 zoning issues. In such local government regulations or review,  
 2137 the local government may not require information on or evaluate  
 2138 a wireless provider's business decisions about its service,  
 2139 customer demand for its service, or quality of its service to or  
 2140 from a particular area or site, unless the wireless provider  
 2141 voluntarily offers this information to the local government. In  
 2142 such local government regulations or review, a local government  
 2143 may not require information on or evaluate the wireless  
 2144 provider's designed service unless the information or materials  
 2145 are directly related to an identified land development or zoning  
 2146 issue or unless the wireless provider voluntarily offers the

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2147 information. Information or materials directly related to an  
 2148 identified land development or zoning issue may include, but are  
 2149 not limited to, evidence that no existing structure can  
 2150 reasonably be used for the antennae placement instead of the  
 2151 construction of a new tower, that residential areas cannot be  
 2152 served from outside the residential area, as addressed in  
 2153 subparagraph 3., or that the proposed height of a new tower or  
 2154 initial antennae placement or a proposed height increase of a  
 2155 modified tower, replacement tower, or colocation is necessary to  
 2156 provide the provider's designed service. Nothing in this  
 2157 paragraph shall limit the local government from reviewing any  
 2158 applicable land development or zoning issue addressed in its  
 2159 adopted regulations that does not conflict with this section,  
 2160 including, but not limited to, aesthetics, landscaping, land  
 2161 use-based location priorities, structural design, and setbacks.

2162 2. Any setback or distance separation required of a tower  
 2163 may not exceed the minimum distance necessary, as determined by  
 2164 the local government, to satisfy the structural safety or  
 2165 aesthetic concerns that are to be protected by the setback or  
 2166 distance separation.

2167 3. A local government may exclude the placement of wireless  
 2168 communications facilities in a residential area or residential  
 2169 zoning district but only in a manner that does not constitute an  
 2170 actual or effective prohibition of the provider's service in  
 2171 that residential area or zoning district. If a wireless provider  
 2172 demonstrates to the satisfaction of the local government that  
 2173 the provider cannot reasonably provide its service to the  
 2174 residential area or zone from outside the residential area or  
 2175 zone, the municipality or county and provider shall cooperate to

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2176 determine an appropriate location for a wireless communications  
 2177 facility of an appropriate design within the residential area or  
 2178 zone. The local government may require that the wireless  
 2179 provider reimburse the reasonable costs incurred by the local  
 2180 government for this cooperative determination. An application  
 2181 for such cooperative determination may not be considered an  
 2182 application under paragraph (d).

2183 4. A local government may impose a reasonable fee on  
 2184 applications to place, construct, or modify a wireless  
 2185 communications facility only if a similar fee is imposed on  
 2186 applicants seeking other similar types of zoning, land use, or  
 2187 building permit review. A local government may impose fees for  
 2188 the review of applications for wireless communications  
 2189 facilities by consultants or experts who conduct code compliance  
 2190 review for the local government but any fee is limited to  
 2191 specifically identified reasonable expenses incurred in the  
 2192 review. A local government may impose reasonable surety  
 2193 requirements to ensure the removal of wireless communications  
 2194 facilities that are no longer being used.

2195 5. A local government may impose design requirements, such  
 2196 as requirements for designing towers to support colocation or  
 2197 aesthetic requirements, except as otherwise limited in this  
 2198 section, but may not impose or require information on compliance  
 2199 with building code type standards for the construction or  
 2200 modification of wireless communications facilities beyond those  
 2201 adopted by the local government under chapter 553 and that apply  
 2202 to all similar types of construction.

2203 (c) Local governments may not require wireless providers to  
 2204 provide evidence of a wireless communications facility's

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2205 compliance with federal regulations, except evidence of  
 2206 compliance with applicable Federal Aviation Administration  
 2207 requirements under 14 C.F.R. part 77, as amended, and evidence  
 2208 of proper Federal Communications Commission licensure, or other  
 2209 evidence of Federal Communications Commission authorized  
 2210 spectrum use, but may request the Federal Communications  
 2211 Commission to provide information as to a wireless provider's  
 2212 compliance with federal regulations, as authorized by federal  
 2213 law.

2214 (d)1. A local government shall grant or deny each properly  
 2215 completed application for a colocation under subparagraph (a)1.  
 2216 based on the application's compliance with the local  
 2217 government's applicable regulations, as provided for in  
 2218 subparagraph (a)1. and consistent with this subsection, and  
 2219 within the normal timeframe for a similar building permit review  
 2220 but in no case later than 45 business days after the date the  
 2221 application is determined to be properly completed in accordance  
 2222 with this paragraph.

2223 2. A local government shall grant or deny each properly  
 2224 completed application for any other wireless communications  
 2225 facility based on the application's compliance with the local  
 2226 government's applicable regulations, including but not limited  
 2227 to land development regulations, consistent with this subsection  
 2228 and within the normal timeframe for a similar type review but in  
 2229 no case later than 90 business days after the date the  
 2230 application is determined to be properly completed in accordance  
 2231 with this paragraph.

2232 3.a. An application is deemed submitted or resubmitted on  
 2233 the date the application is received by the local government. If

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2234 the local government does not notify the applicant in writing  
 2235 that the application is not completed in compliance with the  
 2236 local government's regulations within 20 business days after the  
 2237 date the application is initially submitted or additional  
 2238 information resubmitted, the application is deemed, for  
 2239 administrative purposes only, to be properly completed and  
 2240 properly submitted. However, the determination may not be deemed  
 2241 as an approval of the application. If the application is not  
 2242 completed in compliance with the local government's regulations,  
 2243 the local government shall so notify the applicant in writing  
 2244 and the notification must indicate with specificity any  
 2245 deficiencies in the required documents or deficiencies in the  
 2246 content of the required documents which, if cured, make the  
 2247 application properly completed. Upon resubmission of information  
 2248 to cure the stated deficiencies, the local government shall  
 2249 notify the applicant, in writing, within the normal timeframes  
 2250 of review, but in no case longer than 20 business days after the  
 2251 additional information is submitted, of any remaining  
 2252 deficiencies that must be cured. Deficiencies in document type  
 2253 or content not specified by the local government do not make the  
 2254 application incomplete. Notwithstanding this sub-subparagraph,  
 2255 if a specified deficiency is not properly cured when the  
 2256 applicant resubmits its application to comply with the notice of  
 2257 deficiencies, the local government may continue to request the  
 2258 information until such time as the specified deficiency is  
 2259 cured. The local government may establish reasonable timeframes  
 2260 within which the required information to cure the application  
 2261 deficiency is to be provided or the application will be  
 2262 considered withdrawn or closed.

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2263 b. If the local government fails to grant or deny a  
 2264 properly completed application for a wireless communications  
 2265 facility within the timeframes set forth in this paragraph, the  
 2266 application shall be deemed automatically approved and the  
 2267 applicant may proceed with placement of the facilities without  
 2268 interference or penalty. The timeframes specified in  
 2269 subparagraph 2. may be extended only to the extent that the  
 2270 application has not been granted or denied because the local  
 2271 government's procedures generally applicable to all other  
 2272 similar types of applications require action by the governing  
 2273 body and such action has not taken place within the timeframes  
 2274 specified in subparagraph 2. Under such circumstances, the local  
 2275 government must act to either grant or deny the application at  
 2276 its next regularly scheduled meeting or, otherwise, the  
 2277 application is deemed to be automatically approved.

2278 c. To be effective, a waiver of the timeframes set forth in  
 2279 this paragraph must be voluntarily agreed to by the applicant  
 2280 and the local government. A local government may request, but  
 2281 not require, a waiver of the timeframes by the applicant, except  
 2282 that, with respect to a specific application, a one-time waiver  
 2283 may be required in the case of a declared local, state, or  
 2284 federal emergency that directly affects the administration of  
 2285 all permitting activities of the local government.

2286 (e) The replacement of or modification to a wireless  
 2287 communications facility, except a tower, that results in a  
 2288 wireless communications facility not readily discernibly  
 2289 different in size, type, and appearance when viewed from ground  
 2290 level from surrounding properties, and the replacement or  
 2291 modification of equipment that is not visible from surrounding

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2292 properties, all as reasonably determined by the local  
 2293 government, are subject to no more than applicable building  
 2294 permit review.

2295 (f) Any other law to the contrary notwithstanding, the  
 2296 Department of Management Services shall negotiate, in the name  
 2297 of the state, leases for wireless communications facilities that  
 2298 provide access to state government-owned property not acquired  
 2299 for transportation purposes, and the Department of  
 2300 Transportation shall negotiate, in the name of the state, leases  
 2301 for wireless communications facilities that provide access to  
 2302 property acquired for state rights-of-way. On property acquired  
 2303 for transportation purposes, leases shall be granted in  
 2304 accordance with s. 337.251. On other state government-owned  
 2305 property, leases shall be granted on a space available, first-  
 2306 come, first-served basis. Payments required by state government  
 2307 under a lease must be reasonable and must reflect the market  
 2308 rate for the use of the state government-owned property. The  
 2309 Department of Management Services and the Department of  
 2310 Transportation are authorized to adopt rules for the terms and  
 2311 conditions and granting of any such leases.

2312 (g) If any person adversely affected by any action, or  
 2313 failure to act, or regulation, or requirement of a local  
 2314 government in the review or regulation of the wireless  
 2315 communication facilities files an appeal or brings an  
 2316 appropriate action in a court or venue of competent  
 2317 jurisdiction, following the exhaustion of all administrative  
 2318 remedies, the matter shall be considered on an expedited basis.

2319 Section 46. Subsection (2) of section 379.2293, Florida  
 2320 Statutes, is amended to read:

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2321 379.2293 Airport activities within the scope of a federally  
 2322 approved wildlife hazard management plan or a federal or state  
 2323 permit or other authorization for depredation or harassment.-

2324 (2) An airport authority or other entity owning or  
 2325 operating an airport, as defined in s. 330.27 ~~s. 330.27(2)~~, is  
 2326 not subject to any administrative or civil penalty, restriction,  
 2327 or other sanction with respect to any authorized action taken in  
 2328 a non-negligent manner for the purpose of protecting human life  
 2329 or aircraft safety from wildlife hazards.

2330 Section 47. Subsection (22) of section 493.6101, Florida  
 2331 Statutes, is amended to read:

2332 493.6101 Definitions.-

2333 (22) "Repossession" means the recovery of a motor vehicle  
 2334 as defined under s. 320.01(1), a mobile home as defined in s.  
 2335 320.01(2), a motorboat as defined under s. 327.02, an aircraft  
 2336 as defined in s. 330.27 ~~s. 330.27(1)~~, a personal watercraft as  
 2337 defined in s. 327.02, an all-terrain vehicle as defined in s.  
 2338 316.2074, farm equipment as defined under s. 686.402, or  
 2339 industrial equipment, by an individual who is authorized by the  
 2340 legal owner, lienholder, or lessor to recover, or to collect  
 2341 money payment in lieu of recovery of, that which has been sold  
 2342 or leased under a security agreement that contains a  
 2343 repossession clause. As used in this subsection, the term  
 2344 "industrial equipment" includes, but is not limited to,  
 2345 tractors, road rollers, cranes, forklifts, backhoes, and  
 2346 bulldozers. The term "industrial equipment" also includes other  
 2347 vehicles that are propelled by power other than muscular power  
 2348 and that are used in the manufacture of goods or used in the  
 2349 provision of services. A repossession is complete when a

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2350 licensed recovery agent is in control, custody, and possession  
 2351 of such repossessed property. Property that is being repossessed  
 2352 shall be considered to be in the control, custody, and  
 2353 possession of a recovery agent if the property being repossessed  
 2354 is secured in preparation for transport from the site of the  
 2355 recovery by means of being attached to or placed on the towing  
 2356 or other transport vehicle or if the property being repossessed  
 2357 is being operated or about to be operated by an employee of the  
 2358 recovery agency.

2359 Section 48. Paragraph (c) of subsection (1) of section  
 2360 493.6403, Florida Statutes, is amended to read:

2361 493.6403 License requirements.-

2362 (1) In addition to the license requirements set forth in  
 2363 this chapter, each individual or agency shall comply with the  
 2364 following additional requirements:

2365 (c) An applicant for a Class "E" license shall have at  
 2366 least 1 year of lawfully gained, verifiable, full-time  
 2367 experience in one, or a combination of more than one, of the  
 2368 following:

2369 1. Repossession of motor vehicles as defined in s.  
 2370 320.01(1), mobile homes as defined in s. 320.01(2), motorboats  
 2371 as defined in s. 327.02, aircraft as defined in s. 330.27 ~~s.  
 2372 330.27(1)~~, personal watercraft as defined in s. 327.02, all-  
 2373 terrain vehicles as defined in s. 316.2074, farm equipment as  
 2374 defined under s. 686.402, or industrial equipment as defined in  
 2375 s. 493.6101(22).

2376 2. Work as a Class "EE" licensed intern.

2377 Section 49. This act shall take effect July 1, 2025.

The Florida Senate

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3/25/25 Meeting Date

1662 Bill Number or Topic

Transportation Committee

Amendment Barcode (if applicable)

Name JW Hunter Engineering Companies American Council of Phone 850 224 7121

Address 125 S Gadsden St Street Email

Tallahassee FL City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

- [x] I am appearing without compensation or sponsorship. [ ] I am a registered lobbyist, representing: [ ] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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

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

S-001 (08/10/2021)

The Florida Senate

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3/25/25

Meeting Date

1662

Bill Number or Topic

Transportation

Committee

Amendment Barcode (if applicable)

Name LISA BACOT

Phone 850-445-8309

Address PO Box 10148

Email Lisa@FloridaTransit.org

Street

Tully FL 32302

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:

FPTA

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

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

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S-001 (08/10/2021)



The Florida Senate  
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03-25-2025

Meeting Date

Transportation

Committee

1662

Bill Number or Topic

702262

Amendment Barcode (if applicable)

Name CASEY WELCH

Phone 941-932-3321

Address 8350 North Tamiami Trail

Email caseyweld@usf.edu

Street

Sarasota

City

FL

State

34212

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:

USF

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.)

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Prepared By: The Professional Staff of the Committee on Transportation

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BILL: SB 1696

INTRODUCER: Senator Calatayud

SUBJECT: Prearranged Transportation Services

DATE: March 25, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Johnson	Vickers	TR	<b>Favorable</b>
2.			CJ	
3.			RC	

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**I. Summary:**

SB 1696 prohibits a person from willfully impersonating a transportation network company (TNC) driver by engaging in specified conduct. Under the bill, a violation of the prohibition is a generally a second degree misdemeanor; however, a person commits a third degree felony if he or she impersonates a TNC driver during the commission of a separate felony offense.

Additionally, the bill clarifies that services purchased from a TNC do not qualify as privately owned or operated bus transit systems, and that a TNC is not a transportation service provider, and thus not subject to specified regulations relating to paratransit service contracts. The bill also modifies training requirements for paratransit drivers to authorize access to third-party training materials.

The bill may have a fiscal impact on both governmental entities and the private sector. See Section V., Fiscal Impact Statement for details.

The bill takes effect July 1, 2025.

**II. Present Situation:**

**Transportation Network Companies (TNCs)**

A Transportation Network Company (TNC), codified in s. 627.748, F.S., is defined to mean an entity operating pursuant to a. 627.748, F.S., using a digital network to connect a rider to a TNC driver, who provides prearranged rides. Specifically, a TNC:

- Does not own, control, operate, direct, or manage the TNC vehicles or TNC drivers that connect to its digital network, except where agreed to by written contract.
- Is not a taxicab association.

- Is not an individual, corporation, partnership, sole proprietorship, or other entity that arranges medical transportation for individuals qualifying for Medicaid or Medicare pursuant to a contract with the state or a managed care organization.<sup>1</sup>

A TNC driver receives connections to potential riders and related services from a TNC and in return for compensation, uses a TNC vehicle to offer or provide a prearranged ride to a rider after being connected through a digital network.<sup>2</sup> A TNC or TNC driver is not a common carrier, contract carrier, or motor carrier and does not provide taxicab service, and is not required to register a TNC vehicle as a commercial motor vehicle or a for-hire vehicle.<sup>3</sup> A TNC's digital network must display the TNC driver's photograph and the TNC vehicle's license plate number before the rider enters the TNC vehicle.<sup>4</sup>

### **Transit Safety Standards**

Section 341.061, F.S., requires the Florida Department of Transportation (FDOT) to adopt rules establishing minimum equipment and operational safety standards for the following entities:

- Governmentally owned bus transit systems and privately owned or operated bus transit systems operating in this state that are financed wholly or partly by state funds;
- Bus transit systems created pursuant to ch. 427, F.S., providing for the transportation disadvantaged system; and
- Privately owned or operated bus transit systems under contract with any of the above systems.

Such bus transit system standards must be developed jointly by FDOT and representatives of the transit systems. Accordingly, each bus transit system must:

- Develop a transit safety program plan that complies with established standards;
- Certify to FDOT that such plan complies with established standards; and
- Implement and comply with the plan during the operation of the transit system.<sup>5</sup>

Additionally, as part of its safety plan, each bus transit system must:

- Require all transit buses operated by the system to be inspected at least annually in accordance with established standards;
- Ensure that qualified personnel of the bus transit system, or public or private entities qualified by the bus transit system, perform safety inspections; and
- Annually certify in writing to the department that it has complied with the adopted safety program plan and safety inspections.<sup>6</sup>

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<sup>1</sup> However, a TNC may provide prearranged rides to individuals who qualify for Medicaid or Medicare if it meets specified requirements under s. 627.748, F.S.

<sup>2</sup> Section 627.748(1)(g), F.S.

<sup>3</sup> Section 627.748(2), F.S.

<sup>4</sup> Section 627.748(5), F.S.

<sup>5</sup> Section 341.061(2)(a), F.S.

<sup>6</sup> Section 341.061(2)(b), F.S.

## Transportation Service Provider Contracts

For purposes of transportation service contracts, the term “transportation service provider” is defined to mean an organization or entity that contracts with a local government to provide paratransit service to persons with disabilities.<sup>7</sup>

For contracts entered into or renewed on or after October 1, 2024, a transportation service provider must agree to provide training to each driver of a motor vehicle used to provide paratransit service to persons with disabilities which, at a minimum, meets requirements established by the Agency for Persons with Disabilities for training and professional development of staff providing direct services to clients of the agency.<sup>8</sup>

### III. Effect of Proposed Changes:

The bill creates a criminal offense related to the impersonation of a TNC driver. Under the bill, a person commits a second degree misdemeanor<sup>9</sup> if he or she impersonates a TNC driver by:

- Making a false statement;
- Displaying counterfeit signage or emblems of a trade dress, trademark, brand, or logo of a TNC; or
- Engaging in any other act that falsely represents that he or she represents a TNC or is responding to a passenger ride request for a TNC.

Additionally, a person who impersonates a TNC driver during the commission of a separate felony offense commits a third degree felony.<sup>10</sup>

The bill clarifies that services purchased from a TNC which otherwise comply with the TNC statute, are not considered privately owned or operated bus transit systems for purposes of FDOT’s transit safety standards. Therefore, TNCs are not subject to specified regulations related to transit safety standards, inspections, and system safety reviews.

The bill amends the definition of “transportation service provider” as it relates to paratransit service contracts, specifying that such service providers use a dedicated fleet of vehicles operated by its employees or directly contracted drivers who meet paratransit service standards. The bill provides that the term “transportation service provider” does not include a TNC.

The bill amends the current requirement that transportation service providers provide training to each driver providing paratransit service to persons with disabilities that meet requirements established by the Agency for Persons with Disabilities. The bill requires each transportation service provider to provide each driver with access to third-party training materials that meet such requirements.

The bill takes effect July 1, 2025.

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<sup>7</sup> Section 427.02(1), F.S.

<sup>8</sup> Section 427.02(2)(a), F.S.

<sup>9</sup> A second degree misdemeanor is punishable by up to 60 days in county jail and a \$500 fine. Ss. 775.082 and 775.083, F.S.

<sup>10</sup> A third degree felony is punishable by up to five years in prison and a \$5,000 fine. Ss. 775.082, F.S., 775.083, F.S., or 775.084, F.S.

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

None.

## D. State Tax or Fee Increases:

None.

## E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

The bill may have an indeterminate positive fiscal impact on the private sector by exempting TNCs from specified requirements related to safety inspections and driver training, which may reduce expenses incurred by TNCs that are currently complying with such requirements.

## C. Government Sector Impact:

The bill may create an increase in the need for state prison beds due to creating a felony offense related to impersonating a TNC driver, which may result in more offenders being sentenced to prison. However, the number of potential offenders under this new provision is not known. Therefore, the magnitude of the impact on the prison population cannot be determined.

The bill may create an increase in the need for county jail beds due to creating a misdemeanor offense related to impersonating a TNC driver, which may result in more offenders being sentenced to jail. However, the number of potential offenders under this new provision is not known. Therefore, the magnitude of the impact on the county jail population cannot be determined.

**VI. Technical Deficiencies:**

The term “willfully” may need to be added at the end of line 29.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 316.2021, 341.061, and 427.02.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

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

None.

**B. Amendments:**

None.

By Senator Calatayud

38-01618B-25

20251696\_\_

A bill to be entitled

An act relating to prearranged transportation services; creating s. 316.2021, F.S.; prohibiting the impersonation of a transportation network company driver; providing criminal penalties; amending s. 341.061, F.S.; providing that services purchased from a transportation network company are not considered privately owned or operated bus transit systems; amending s. 427.02, F.S.; revising the definition of the term "transportation service provider"; requiring transportation service providers to provide certain drivers with access to certain training materials; providing an effective date.

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

Section 1. Section 316.2021, Florida Statutes, is created to read:

316.2021 Unlawful impersonation of transportation network company driver.—A person may not impersonate a transportation network company driver, as defined in s. 627.748(1), by making a false statement; displaying counterfeit signage or emblems of a trade dress, trademark, brand, or logo of a transportation network company; or engaging in any other act that falsely represents that the person represents a transportation network company or is responding to a passenger ride request for a transportation network company. A person who willfully violates this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. A person who

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impersonates a transportation network company driver during the commission of a separate felony offense commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. Paragraph (d) is added to subsection (2) of section 341.061, Florida Statutes, to read:

341.061 Transit safety standards; inspections and system safety reviews.—

(2)

(d) Services purchased from a transportation network company as defined in s. 627.748(1) which otherwise comply with the provisions of s. 627.748 are not privately owned or operated bus transit systems.

Section 3. Subsection (1) and paragraph (a) of subsection (2) of section 427.02, Florida Statutes, are amended to read:

427.02 Paratransit service contracts for transportation service providers.—

(1) For purposes of this section, the term "transportation service provider" means an organization or entity that contracts with a local government to provide paratransit service to persons with disabilities using a dedicated fleet of vehicles operated by its employees or directly contracted drivers who meet paratransit service standards. The term does not include a transportation network company as defined in s. 627.748(1).

(2) For contracts entered into or renewed on or after October 1, 2024, a transportation service provider must agree to:

(a) Provide ~~training to~~ each driver of a motor vehicle used to provide paratransit service to persons with disabilities with

Page 2 of 3

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59 access to third-party training materials which, at a minimum,  
60 ~~meet meets~~ requirements established by the Agency for Persons  
61 with Disabilities for training and professional development of  
62 staff providing direct services to clients of the agency.

63 Section 4. This act shall take effect July 1, 2025.



The Florida Senate  
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3/25/25  
Meeting Date

1696  
Bill Number or Topic

Transportation  
Committee

Amendment Barcode (if applicable)

Name Lisa Bacot

Phone 850-445-8309

Address PO Box 10168

Email lisa.bacot@floridapost.org

Street

Tully  
City

FL  
State

32302  
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:

FPTA

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

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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

3/25/2025

Meeting Date

Transportation

Committee

1696

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Jorge Chamizo

Phone

(850) 681-0024

Address

108 South Monroe Street

Email

jorge@flapartners.com

Street

Tallahassee FL 32301

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Uber Technologies, Inc

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 Committee on Transportation

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BILL: SB 1738

INTRODUCER: Senator Ingoglia

SUBJECT: Transportation Concurrency

DATE: March 25, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Hackett</u>	<u>Fleming</u>	<u>CA</u>	<b>Favorable</b>
2.	<u>Shutes</u>	<u>Vickers</u>	<u>TR</u>	<b>Favorable</b>
3.	_____	_____	<u>RC</u>	_____

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**I. Summary:**

SB 1738 permits a local government to identify facilities necessary to maintain current levels of service in the capital improvements element of the comprehensive plan as an alternative to those necessary to meet an adopted level of service.

The bill takes effect July 1, 2025.

**II. Present Situation:**

**Transportation Impact Fees**

The Community Planning Act requires counties and municipalities to produce and maintain a comprehensive plan for future development and growth.<sup>1</sup> Each comprehensive plan must include a transportation element, the purpose of which is to plan for a multimodal transportation system emphasizing feasible public transportation, addressing mobility issues pertinent to the size and character of the local government, and designed to support all other elements of the comprehensive plan.<sup>2</sup> The transportation element must address traffic circulation, including the types, locations, and extent of existing and proposed major thoroughfares and transportation routes, including bicycle and pedestrian ways.<sup>3</sup>

In furtherance of comprehensive planning, local governments charge impact fees, generally as a condition for the issuance of a project's building permit, to maintain various civic services amid growth. The principle behind the imposition of impact fees is to transfer to new users of a government-owned system a fair share of the costs the new use of the system involves.<sup>4</sup> Impact

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<sup>1</sup> Part II, chapter 163, F.S.

<sup>2</sup> Section 163.3177(6)(b), F.S.

<sup>3</sup> Section 163.3177(6)(b)1., F.S.

<sup>4</sup> *Contractors & Builders Ass'n of Pinellas County v. City of Dunedin*, 329 So. 2d 314, 317-318 (Fla. 1976).

fees have become an accepted method of paying for public improvements that must be constructed to serve new growth.<sup>5</sup> In order for an impact fee to be a constitutional user fee and not an unconstitutional tax, the fee must meet a dual rational nexus test, through which the local government must demonstrate the impact fee is proportional and reasonably connected to, or has a rational nexus with:

- The need for additional capital facilities and the increased impact generated by the new residential or commercial construction; and
- The expenditures of the funds collected and the benefits accruing to the new residential or nonresidential construction.<sup>6</sup>

Impact fee calculations vary from jurisdiction to jurisdiction and from fee to fee. Impact fees also vary extensively depending on local costs, capacity needs, resources, and the local government's determination to charge the full cost or only part of the cost of the infrastructure improvement through utilization of the impact fee.

Local governments must credit against impact fee collections any contribution related to public facilities or infrastructure on a dollar-for-dollar basis at fair market value for the general category or class of public facilities or infrastructure for which the contribution was made. If no impact fee is collected for that category of public facility or infrastructure for which the contribution is made, no credit may be applied.<sup>7</sup> Credits for impact fees may be assigned or transferred at any time once established, from one development or parcel to another within the same impact fee zone or district or within an adjoining impact fee zone or district within the same local government jurisdiction.<sup>8</sup>

### **Concurrency and Proportionate Share**

“Concurrency” is a phrase referring to a set of land use regulations requiring local governments to ensure that new development does not outstrip a local government's ability to provide necessary services. Developments meet concurrency requirements when the local government has the infrastructure capacity to serve the new growth.

A concurrency requirement is a law stating that certain infrastructure must be in place and available to serve new development before the local government may allow new citizens to live in the new development.<sup>9</sup> For example, before a local government can approve a building permit to allow a new development, it must consult with its water suppliers to ensure adequate supplies to serve the new development will be available by the time citizens can move in.<sup>10</sup> Certain services are subject to concurrency statewide (sanitary sewer, solid waste, drainage, and potable

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<sup>5</sup> *St. Johns County v. Ne. Florida Builders Ass'n, Inc.*, 583 So. 2d 635, 638 (Fla. 1991); section 163.31801(2), F.S.

<sup>6</sup> *See St. Johns County* at 637. Codified as s. 163.31801(3)(f) and (g), F.S.

<sup>7</sup> Section 163.31801(5), F.S.

<sup>8</sup> Section 163.31801(10), F.S. In an action challenging an impact fee or a failure to provide proper credits, the local government has the burden of proof to establish the imposition of the fee or the credit complies with the statute, and the court may not defer to the decision or expertise of the government. S. 163.31801(9), F.S.

<sup>9</sup> Section 163.3180(2), F.S.

<sup>10</sup> *Id.*

water) while other services, such as public transportation or schools, may optionally be subjected to concurrency by a local government.<sup>11</sup>

Proportionate share is a tool local governments may use to require developers to help mitigate the impacts of their development notwithstanding a failure to achieve and maintain the adopted level of service standards.<sup>12</sup> Proportionate share generally requires developers to contribute to costs, or build facilities, necessary to offset a new development's impacts.<sup>13</sup>

### ***Transportation Concurrency***

Local governments utilizing transportation concurrency must use professionally accepted studies to evaluate levels of service and techniques to measure such levels of service when evaluating potential impacts of proposed developments.<sup>14</sup> While local governments implementing a transportation concurrency system are encouraged to develop and use certain tools and guidelines, such as addressing potential negative impacts on urban infill and redevelopment<sup>15</sup> and adopting long-term multimodal strategies,<sup>16</sup> such local governments must follow specific concurrency requirements including consulting with the Florida Department of Transportation if proposed amendments to the plan affect the Strategic Intermodal System, exempting public transit facilities from concurrency requirements, and allowing a developer to contribute a proportionate share to mitigate transportation impacts for a specific development.<sup>17</sup>

### **III. Effect of Proposed Changes:**

The bill amends s. 163.3180 (5)(d), F.S., to permit a local government to identify facilities necessary to maintain current levels of service, as opposed to facilities necessary to meet newly adopted levels of service, in the capital improvements element of the comprehensive plan. This amendment allows a local government to elaborate on capital improvements in its comprehensive plan, but does not replace the adoption of a level of service for the purpose of applying concurrency to future development as required by subsection (5)(a).

The bill takes effect July 1, 2025.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

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<sup>11</sup> Section 163.3180(1), F.S.

<sup>12</sup> Florida Department of Community Affairs (now Department of Economic Opportunity), *Transportation Concurrency: Best Practices Guide*, pg. 64 (2007), retrieved from [https://digitalcommons.usf.edu/cgi/viewcontent.cgi?article=1041&context=cutr\\_tpppfr](https://digitalcommons.usf.edu/cgi/viewcontent.cgi?article=1041&context=cutr_tpppfr) (last visited Mar. 11, 2025).

<sup>13</sup> *Id.*

<sup>14</sup> Section 163.3180(5)(b)-(c), F.S.

<sup>15</sup> Section 163.3180(5)(e), F.S.

<sup>16</sup> Section 163.3180(f), F.S.

<sup>17</sup> Section 163.3180(5)(h), F.S.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None.

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

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 163.3180 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.

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

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By Senator Ingoglia

11-01721-25

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A bill to be entitled

An act relating to transportation concurrency;  
amending s. 163.3180, F.S.; revising facilities  
required to be identified in the capital improvements  
element of a comprehensive plan that imposes  
transportation concurrency; providing an effective  
date.

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

Section 1. Paragraph (d) of subsection (5) of section  
163.3180, Florida Statutes, is amended to read:

163.3180 Concurrency.—

(5)

(d) The premise of concurrency is that the public  
facilities will be provided in order to achieve and maintain the  
adopted level of service standard. A comprehensive plan that  
imposes transportation concurrency shall contain appropriate  
amendments to the capital improvements element of the  
comprehensive plan, consistent with the requirements of s.  
163.3177(3). The capital improvements element shall identify  
facilities necessary to meet adopted levels of service during a  
5-year period or to maintain current levels of service.

Section 2. This act shall take effect July 1, 2025.



3.25.25

The Florida Senate  
**APPEARANCE RECORD**

1738

Meeting Date

Bill Number or Topic

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

Transportation  
Committee

Amendment Barcode (if applicable)

Name

Phone

Address

Email

Street

City

State

Zip

Speaking:

For

Against

Information

**OR**

Waive Speaking:

In Support

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

I am appearing without  
compensation or sponsorship.

I am a registered lobbyist,  
representing:

Citrus County

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 Committee on Transportation

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BILL: CS/SB 1820

INTRODUCER: Transportation Committee and Senator Leek

SUBJECT: Motor Vehicle Manufacturers and Dealers

DATE: March 25, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Shutes	Vickers	TR	<b>Fav/CS</b>
2.			CM	
3.			RC	

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 1820 amends provisions of the Florida Motor Vehicle Dealership Act (Act), which governs the licensure of and contractual relationship between motor vehicle dealers, manufacturers, distributors, and importers.

The bill prohibits an applicant or licensee (manufacturer, distributor, importer) or common entity from implementing or enforcing sales or service measuring criteria without first making available and readily accessible a written description to each franchised dealer which states how the performance measurement criteria was designed, calculated, established, and uniformly applied.

The bill prohibits manufacturers, distributors, importers, or a common entity from engaging in any action taken as retaliation against a motor vehicle dealer because the dealer invoked any statutory right created by the motor vehicle franchise law, asserted that the manufacturer, distributor, importer, or a common entity has acted in a manner that violates the motor vehicle franchise law, or participated in an investigation, proceeding, or hearing.

The bill revises provisions relating to the discontinuation, cancellation, nonrenewal, modification or replacement of a motor vehicle franchise agreement to provide that such action is considered unfair under certain conditions.

The bill may have an indeterminate positive fiscal impact on franchised motor vehicle dealers in the state.

The bill takes effect July 1, 2025.

## II. Present Situation:

### Florida Automobile Dealership Act

The Act,<sup>1</sup> governs the licensure of, and contractual relationship (franchise agreements<sup>2</sup>) between, motor vehicle manufacturers,<sup>3</sup> distributors,<sup>4</sup> and importers,<sup>5</sup> and provides substantial protections for motor vehicle dealers.<sup>6</sup> The Division of Motorist Services within The Department of Highway Safety and Motor Vehicles (DHSMV) administers and enforces the Act, which generally specifies:

- Motor vehicle manufacturers, distributors, and importers must be licensed under the Act to engage in business in Florida and the conditions and situations under which the DHSMV may deny, suspend, or revoke such licenses;
- The requirements for manufacturers, distributors, or importers wishing to discontinue, cancel, modify, or otherwise replace a franchise agreement with a dealer, and the conditions under which the DHSMV may deny such a request;
- The procedures manufacturers, distributors, or importers must follow to add a franchised dealership in an area already served by a franchised dealer, the protest process, and the DHSMV's role in such circumstances;

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<sup>1</sup> Ch. 70-424, Laws of Fla., codified in ch. 320, F.S.

<sup>2</sup> “Franchise agreement” means a contract, franchise, new motor vehicle franchise, sales and service agreement, ore dealer agreement or any other terminology used to describe the contractual relationship between a manufacturer, factory branch, distributor, or importer, and a motor vehicle dealer, pursuant to which the motor vehicle dealer is authorized to transact business pertaining to motor vehicles of a particular line-make. “Line-make vehicles”, in turn, means motor vehicles which are offered for sale, lease, or distribution under a common name, trademark, service mark, or brand name of the manufacturer of same (such as Ford, General Motors, or Honda). However, motor vehicles sold or leased under multiple brand names or marks constitute a single line-make when they are included in a single franchise agreement, and every motor vehicle dealer in this state authorized to sell or lease any such vehicles has been offered the right to sell or lease all of the multiple brand names or marks covered by the single franchise agreement. S. 320.60(1) and (14), F.S.

<sup>3</sup> Section 320.60(9), F.S. defines a “Motor vehicle manufacturer” to mean any person, whether a resident or non-resident of this state, who manufactures or assembles motor vehicles or who manufactures or installs on previously assembled truck chassis special bodies or equipment which, when installed, form an integral part of the motor vehicle and which constitute a major manufacturing alteration. This term includes a central or principal sales corporation or other entity through which, by contractual agreement or otherwise, it distributes its products.

<sup>4</sup> Section 320.60(9), F.S. defines a “Distributor” to mean a person, resident or nonresident, who, in whole or in part, sells or distributes motor vehicles to motor vehicle dealers or who maintains distributor representatives.

<sup>5</sup> Section 320.60(7), F.S. defines “Importers” to mean a person who imports vehicles from a foreign country into the United States or into this state for the purpose of sale or lease.

<sup>6</sup> “Motor vehicle dealer” means any person, firm, company, corporation, or entity who holds a license under s. 32.27, F.S., as a “franchised motor vehicle dealer” and, for commission, money, or other things of value, repairs or services motor vehicles pursuant to a franchise agreement; sells, exchanges, buys, leases or rents, or offers, or attempts to negotiate a sale or exchange of any interest in, motor vehicles,; or is engaged wholly or in part in the business of selling motor vehicles, whether or not such motor vehicles are owned by such person, firm, company, or corporation. Further, any person who repairs or services three or more motor vehicles; buys, sells, or deals in three or more motor vehicles in any 12-month period; or offers or displays for sale three or more motor vehicles is presumed to be a motor vehicle dealer, with exceptions. S. 32.60(11), F.S.

- The damages assessable against a manufacturer, distributor, or importer who violates the Act; and
- The DHSMV's authority to adopt rules to implement these sections of law.<sup>7</sup>

### **Common Entity**

When the Act refers to a "common entity" it is referring to a person or business that is directly or indirectly controlled by, or has more than 30 percent equity interest in, a manufacturer, importer, distributor, or licensee, or an affiliate thereof.<sup>8</sup>

### **Measuring Sales or Service Performance**

The Act prohibits manufacturers, distributors, or importers measuring the sales or service performance of any of their franchised motor vehicle dealers in this state which have a material or adverse effect on any motor vehicle dealer that are unfair, unreasonable, arbitrary, or inequitable, or do not include all relevant and material local and regional criteria, data, and facts.<sup>9</sup>

### **Discontinuing, Canceling, Nonrenewing, Modifying, or Replacing Franchise Agreements**

The Act authorizes motor vehicle dealers who receive a notice of intent to discontinue, cancel, not renew, modify, or replace a franchise agreement from a manufacturer to, within the 90-day notice period, file a petition or complaint for a determination of whether such action is unfair or prohibited. Such actions are considered unfair if they are not:<sup>10</sup>

- Clearly permitted by the franchise agreement;
- Undertaken in good faith;
- Undertaken for good cause;
- Based on a material and substantial breach of the franchise agreement; or
- Applied uniformly.

The Act provides new motor vehicle dealers with at least 180 days to correct an alleged failure before a manufacturer is authorized to send the notice of discontinuation, cancellation, or nonrenewal.<sup>11</sup>

A modification or replacement is unfair if it is not:<sup>12</sup>

- Clearly permitted by the franchise agreement;
- Undertaken in good faith; or
- Undertaken for good cause.

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<sup>7</sup> Section 320.011, F.S.; ss. 320.60-320.70, F.S.

<sup>8</sup> Section 320.60(2)(a), F.S.

<sup>9</sup> Section 320.64(42)(a), F.S.

<sup>10</sup> Section 320.641(3), F.S.

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

The manufacturer, distributor, or importer has the burden of proof that such action is fair and not prohibited.<sup>13</sup>

### **Complaints and Conduct of Inquiry**

The Act requires DHSMV to conduct an inquiry of a manufacturer relating to any written complaint alleging a violation of any provision of ss. 320.61-320.70, of the Act, made by the following entities:<sup>14</sup>

- A motor vehicle dealer with a current franchise agreement with the manufacturer, or
- A motor vehicle dealer association with at least one member with a current franchise agreement issued by the manufacturer.

### **Motor Vehicle Dealer Association Standing**

On May 3, 2022, the First District Court of Appeal affirmed a decision by the DHSMV that the Florida Automobile Dealers Association (FADA) lacked standing to challenge a manufacturer, distributor, or importer based alleged violations of the Act.<sup>15</sup> Specifically, the court held that, even though FADA's members are motor vehicle dealers, FADA lacked standing because:

- It is not itself a motor vehicle dealer or other statutorily-authorized person or entity that may bring such a challenge; and
- Was not directly and negatively impacted by the manufacturers, distributors, or importers actions or conduct.<sup>16</sup>

## **III. Effect of Proposed Changes:**

The bill amends s. 320.64, F.S., relating to the denial, suspension or revocation of a license issued to a motor vehicle manufacturer, distributor, or importer. Specifically, the bill adds "common entity" to the prohibition of a manufacturer, distributor, or importer from measuring the sales or service performance of their franchised motor vehicle dealers.

The bill prohibits a manufacturer, distributor, importer, or common entity from implementing or enforcing sales or service measuring criteria without first making it available and readily accessible, before implementation and enforcement, a written description to each franchised dealer in this state which describes how the performance measurement criteria was designed, calculated, established, and uniformly applied.

The bill prohibits manufacturers, distributors, importers, or a common entity from engaging in any action, or implementing any policy, standard, rule, practice, or program, taken as retaliation against a motor vehicle dealer because the dealer invoked any statutory right created by the motor vehicle franchise law, asserted that the applicant, licensee or a common entity has acted in a manner that violates the motor vehicle franchise law, or testified, assisted, or participated in

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<sup>13</sup> *Id.*

<sup>14</sup> Section 320.67, F.S.

<sup>15</sup> *Fla. Auto. Dealers Ass'n v. Hyundai Motor Am. Corp.*, 337 So. 3d 893, 894 (Fla. 1st DCA 2022), *reh'g denied* (May 3, 2022).

<sup>16</sup> *Id.*

any manner in an investigation, proceeding, or hearing that may directly affect the manufacturer, distributor, importer, or common entity.

The bill amends s. 320.641, F.S., relating to the discontinuation, cancellation, or nonrenewal of a motor vehicle franchise agreement to clarify that such action is unfair if is not based on a material and substantial breach of the franchise agreement by the motor vehicle dealer.

The bill also revises the burden of proof requirement to specify that the manufacturer, distributor, or importer has the burden of proof that the discontinuation, cancellation, nonrenewal, modification, or replacement is fair and not prohibited.

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.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill may have an indeterminate positive fiscal impact on franchised motor vehicle dealers in the state.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends sections 320.64 and 320.641 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:

- Removes changes to certain definitions and their applicability.
- Revises the requirements governing when the discontinuation, cancellation, or a nonrenewal of a dealer franchise agreement is considered unfair.
- Restores the provision authorizing a motor vehicle dealer association to initiate a complaint against a manufacturer, distributor, or importer.

**B. Amendments:**

None.



800490

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/26/2025	.	
	.	
	.	
	.	

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The Committee on Transportation (Leek) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (42) of section 320.64, Florida Statutes, is amended, and subsection (43) is added to that section, to read:

320.64 Denial, suspension, or revocation of license;  
grounds.—A license of a licensee under s. 320.61 may be denied,  
suspended, or revoked within the entire state or at any specific





800490

11 location or locations within the state at which the applicant or  
12 licensee engages or proposes to engage in business, upon proof  
13 that the section was violated with sufficient frequency to  
14 establish a pattern of wrongdoing, and a licensee or applicant  
15 shall be liable for claims and remedies provided in ss. 320.695  
16 and 320.697 for any violation of any of the following  
17 provisions. A licensee is prohibited from committing the  
18 following acts:

19 (42) (a) The applicant or licensee, or a common entity  
20 thereof, has established, implemented, or enforced criteria for  
21 measuring the sales or service performance of any of its  
22 franchised motor vehicle dealers in this state which have a  
23 material or adverse effect on any motor vehicle dealer and  
24 which:

- 25 1. Are unfair, unreasonable, arbitrary, or inequitable; or  
26 2. Do not include all relevant and material local and  
27 regional criteria, data, and facts. Relevant and material  
28 criteria, data, or facts include, but are not limited to, those  
29 of motor vehicle dealerships of comparable size in comparable  
30 markets. If such performance measurement criteria are based, in  
31 whole or in part, on a survey, such survey must be based on a  
32 statistically significant and valid random sample.

33 (b) The ~~An~~ applicant ~~or~~, licensee, or a common entity  
34 thereof, has implemented or enforced criteria for measuring the  
35 sales or service performance of any of its franchised motor  
36 vehicle dealers in this state without first making available and  
37 readily accessible, before such implementation or enforcement, a  
38 written description to each such franchised, or an affiliate  
39 thereof, which enforces against any motor vehicle dealer any



800490

40 ~~such performance measurement criteria shall, upon the request of~~  
41 ~~the motor vehicle dealer, describe in writing to the motor~~  
42 ~~vehicle dealer in this state which describes,~~ in detail, how the  
43 performance measurement criteria were designed, calculated,  
44 established, and uniformly applied.

45 (43) The applicant or licensee, or a common entity thereof,  
46 has engaged in an action, or implemented a policy, standard,  
47 rule, practice, or program, taken as retaliation against a motor  
48 vehicle dealer because the dealer invoked a statutory right  
49 created by ss. 320.60-320.70, asserted that the applicant,  
50 licensee, or common entity has acted in a manner that violates a  
51 provision of ss. 320.60-320.70, or has testified, assisted, or  
52 participated in any manner in an investigation, a proceeding, or  
53 a hearing that may directly affect the applicant, licensee, or  
54 common entity.

55  
56 A motor vehicle dealer who can demonstrate that a violation of,  
57 or failure to comply with, any of the preceding provisions by an  
58 applicant or licensee will or may adversely and pecuniarily  
59 affect the complaining dealer, shall be entitled to pursue all  
60 of the remedies, procedures, and rights of recovery available  
61 under ss. 320.695 and 320.697.

62 Section 2. Subsection (3) of section 320.641, Florida  
63 Statutes, is amended to read:

64 320.641 Discontinuations, cancellations, nonrenewals,  
65 modifications, and replacement of franchise agreements.—

66 (3) Any motor vehicle dealer who receives a notice of  
67 intent to discontinue, cancel, not renew, modify, or replace  
68 may, within the 90-day notice period, file a petition or



800490

69 | complaint for a determination of whether such action is an  
70 | unfair or prohibited discontinuation, cancellation, nonrenewal,  
71 | modification, or replacement. Agreements and certificates of  
72 | appointment must ~~shall~~ continue in effect until final  
73 | determination of the issues raised in such petition or complaint  
74 | by the motor vehicle dealer. A discontinuation, cancellation, or  
75 | nonrenewal of a franchise agreement is unfair if it is not  
76 | clearly permitted by the franchise agreement; is not undertaken  
77 | in good faith; is not undertaken for good cause; or is not based  
78 | on a material and substantial ~~an alleged~~ breach of the franchise  
79 | agreement by the motor vehicle dealer ~~which is not in fact a~~  
80 | ~~material and substantial breach~~; or, if the grounds relied upon  
81 | for termination, cancellation, or nonrenewal have not been  
82 | applied in a uniform and consistent manner by the licensee. If  
83 | the notice of discontinuation, cancellation, or nonrenewal  
84 | relates to an alleged failure of the new motor vehicle dealer's  
85 | sales or service performance obligations under the franchise  
86 | agreement, the new motor vehicle dealer must first be provided  
87 | with at least 180 days to correct the alleged failure before a  
88 | licensee may send the notice of discontinuation, cancellation,  
89 | or nonrenewal. A modification or replacement is unfair if it is  
90 | not clearly permitted by the franchise agreement; is not  
91 | undertaken in good faith; or is not undertaken for good cause.  
92 | The applicant or licensee has ~~shall have~~ the burden of proof  
93 | that such discontinuation, cancellation, nonrenewal,  
94 | modification, or replacement ~~action~~ is fair and not prohibited.

95 |       Section 3. This act shall take effect July 1, 2025.

96 |  
97 | ===== T I T L E   A M E N D M E N T =====



800490

98 And the title is amended as follows:

99 Delete everything before the enacting clause

100 and insert:

101 A bill to be entitled

102 An act relating to motor vehicle manufacturers and  
103 franchised motor vehicle dealers; amending s. 320.64,  
104 F.S.; prohibiting an applicant or a licensee, or a  
105 common entity thereof, from establishing,  
106 implementing, or enforcing certain criteria for  
107 measuring the sales or service performance of its  
108 franchised motor vehicle dealers unless certain  
109 conditions are met; prohibiting an applicant or a  
110 licensee, or a common entity thereof, from engaging in  
111 an action that is taken as retaliation against a motor  
112 vehicle dealer under certain circumstances; amending  
113 s. 320.641, F.S.; revising the circumstances in which  
114 a discontinuation, cancellation, nonrenewal,  
115 modification, or replacement of a franchise agreement  
116 is deemed unfair; providing an effective date.

By Senator Leek

7-00486C-25

20251820\_\_

A bill to be entitled

An act relating to motor vehicle manufacturers and dealers; amending s. 320.60, F.S.; defining the term "reservation"; revising the definition of the term "sell"; amending s. 320.64, F.S.; prohibiting an applicant or a licensee, or a common entity thereof, from establishing, implementing, or enforcing certain criteria for measuring the sales or service performance of its franchised motor vehicle dealers unless certain conditions are met; prohibiting an applicant or a licensee, or a common entity thereof, from engaging in an action that is taken as retaliation against a motor vehicle dealer under certain circumstances; conforming a cross-reference; amending s. 320.641, F.S.; revising the circumstances in which a discontinuation, cancellation, nonrenewal, modification, or replacement of a franchise agreement is deemed unfair; amending s. 320.67, F.S.; deleting a provision requiring the Department of Highway Safety and Motor Vehicles to conduct inquiries of licensees relating to certain complaints made by certain motor vehicle dealer associations; reenacting s. 320.642(6), F.S., relating to dealer licenses in areas previously served, to incorporate the amendment made to s. 320.60, F.S., in references thereto; providing an effective date.

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

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

7-00486C-25

20251820\_\_

Section 1. Present subsections (16), (17), and (18) of section 320.60, Florida Statutes, are redesignated as subsections (17), (18), and (19), respectively, a new subsection (16) is added to that section, and present subsection (16) of that section is amended, to read:

320.60 Definitions for ss. 320.61-320.70.—Whenever used in ss. 320.61-320.70, unless the context otherwise requires, the following words and terms have the following meanings:

(16) "Reservation" means a process that is used to hold open the opportunity for a specified consumer to place an order for the purchase or lease of a new motor vehicle.

(17)(16) "Sell," "selling," "sold," "exchange," "retail sales," and "leases" include:

(a) Accepting a deposit or receiving a payment for the retail purchase, lease, or other use of a motor vehicle, but does not include facilitating a motor vehicle dealer's acceptance of a deposit or receipt of a payment from a consumer or receiving payment under a retail installment sale contract;

(b) Accepting a reservation from a retail consumer for a specific motor vehicle identified by a vehicle identification number or other product identifier, except that this paragraph does not apply to a manufacturer or distributor if the reservation is assigned to a franchised dealer that is authorized to sell the vehicle being reserved;

(c) Setting the retail price for the purchase, lease, or other use of a motor vehicle, but does not include setting a manufacturer's suggested retail price;

(d) Offering or negotiating with a retail consumer terms for the purchase, lease, or other use of a motor vehicle;

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59 (e) Offering or negotiating with a retail consumer a value  
60 for a motor vehicle being traded in as part of the purchase,  
61 lease, or other use of a motor vehicle, but does not include a  
62 website or other means of electronic communication that  
63 identifies to a consumer a conditional trade-in value and that  
64 contains language informing the consumer that the trade-in value  
65 is not binding on any motor vehicle dealer;

66 (f) Any transaction where the title of a motor vehicle or a  
67 used motor vehicle is transferred to a retail consumer; or

68 (g) Any retail lease transaction where a retail consumer  
69 leases a vehicle for a period of at least 12 months, but does  
70 not include administering lease agreements, taking assignments  
71 of leases, performing required actions pursuant to such leases,  
72 or receiving payments under a lease agreement ~~that was~~  
73 ~~originated by a motor vehicle dealer.~~

74  
75 This subsection does not apply to the replacement of a  
76 consumer's vehicle pursuant to chapter 681.

77 Section 2. Subsections (23) and (42) of section 320.64,  
78 Florida Statutes, are amended, and subsection (43) is added to  
79 that section, to read:

80 320.64 Denial, suspension, or revocation of license;  
81 grounds.—A license of a licensee under s. 320.61 may be denied,  
82 suspended, or revoked within the entire state or at any specific  
83 location or locations within the state at which the applicant or  
84 licensee engages or proposes to engage in business, upon proof  
85 that the section was violated with sufficient frequency to  
86 establish a pattern of wrongdoing, and a licensee or applicant  
87 shall be liable for claims and remedies provided in ss. 320.695

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88 and 320.697 for any violation of any of the following  
89 provisions. A licensee is prohibited from committing the  
90 following acts:

91 (23) The applicant or licensee has engaged in any of the  
92 activities of a motor vehicle dealer as defined in s.  
93 320.60(13) (a) or any of the activities described in s.  
94 320.60(17) ~~s. 320.60(16)~~ or has competed or is competing with  
95 respect to any activity covered by the franchise agreement with  
96 a motor vehicle dealer of the same line-make located in this  
97 state with whom the applicant or licensee has entered into a  
98 franchise agreement, except as permitted in s. 320.645 or in  
99 subsection (24) with respect to the remote electronic  
100 transmission of a permanent or temporary feature or improvement  
101 of a motor vehicle.

102 (42) (a) The applicant or licensee, or a common entity  
103 thereof, has established, implemented, or enforced criteria for  
104 measuring the sales or service performance of any of its  
105 franchised motor vehicle dealers in this state which have a  
106 material or adverse effect on any motor vehicle dealer and  
107 which:

108 1. Are unfair, unreasonable, arbitrary, or inequitable; or  
109 2. Do not include all relevant and material local and  
110 regional criteria, data, and facts. Relevant and material  
111 criteria, data, or facts include, but are not limited to, those  
112 of motor vehicle dealerships of comparable size in comparable  
113 markets. If such performance measurement criteria are based, in  
114 whole or in part, on a survey, such survey must be based on a  
115 statistically significant and valid random sample.

116 (b) The ~~an~~ applicant or, licensee, or a common entity

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117 ~~thereof, has implemented or enforced criteria for measuring the~~  
 118 ~~sales or service performance of any of its franchised motor~~  
 119 ~~vehicle dealers in this state without providing, before such~~  
 120 ~~implementation or enforcement, a written description to each~~  
 121 ~~such franchised, or an affiliate thereof, which enforces against~~  
 122 ~~any motor vehicle dealer any such performance measurement~~  
 123 ~~criteria shall, upon the request of the motor vehicle dealer,~~  
 124 ~~describe in writing to the motor vehicle dealer in this state~~  
 125 ~~which states, in detail, how the performance measurement~~  
 126 ~~criteria were designed, calculated, established, and uniformly~~  
 127 ~~applied.~~

128 (43) The applicant or licensee, or a common entity thereof,  
 129 has engaged in an action, or implemented a policy, standard,  
 130 rule, practice, or program, taken as retaliation against a motor  
 131 vehicle dealer because the dealer invoked a statutory right  
 132 created by ss. 320.60-320.70, asserted that the applicant,  
 133 licensee, or common entity has acted in a manner that violates a  
 134 provision of ss. 320.60-320.70, or has testified, assisted, or  
 135 participated in any manner in an investigation, a proceeding, or  
 136 a hearing that may directly affect the applicant, licensee, or  
 137 common entity.

138  
 139 A motor vehicle dealer who can demonstrate that a violation of,  
 140 or failure to comply with, any of the preceding provisions by an  
 141 applicant or licensee will or may adversely and pecuniarily  
 142 affect the complaining dealer, shall be entitled to pursue all  
 143 of the remedies, procedures, and rights of recovery available  
 144 under ss. 320.695 and 320.697.

145 Section 3. Subsection (3) of section 320.641, Florida

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146 Statutes, is amended to read:

147 320.641 Discontinuations, cancellations, nonrenewals,  
 148 modifications, and replacement of franchise agreements.-

149 (3) Any motor vehicle dealer who receives a notice of  
 150 intent to discontinue, cancel, not renew, modify, or replace  
 151 may, within the 90-day notice period, file a petition or  
 152 complaint for a determination of whether such action is an  
 153 unfair or prohibited discontinuation, cancellation, nonrenewal,  
 154 modification, or replacement. Agreements and certificates of  
 155 appointment must ~~shall~~ continue in effect until final  
 156 determination of the issues raised in such petition or complaint  
 157 by the motor vehicle dealer.

158 (a) A discontinuation, cancellation, or nonrenewal of a  
 159 franchise agreement is unfair if all of the following apply:

160 1. ~~if~~ It is not clearly permitted by the franchise  
 161 agreement.

162 2. It is not undertaken in good faith.

163 3. It is not undertaken for good cause.

164 4. It ~~is~~ is based on a claim that the dealer substantially  
 165 and materially breached an alleged breach of the franchise  
 166 agreement except where the discontinuation, cancellation, or  
 167 nonrenewal applies to all same line-make franchised motor  
 168 vehicle dealers and is otherwise permitted by ss. 320.60-320.70.  
 169 ~~which is not in fact a material and substantial breach; or, if~~

170 5. The grounds relied upon for discontinuation ~~termination,~~  
 171 cancellation, or nonrenewal have not been applied in a uniform  
 172 and consistent manner by the licensee.

173 (b) If the notice of discontinuation, cancellation, or  
 174 nonrenewal relates to an alleged failure of the new motor

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175 vehicle dealer's sales or service performance obligations under  
176 the franchise agreement, the new motor vehicle dealer must first  
177 be provided with at least 180 days to correct the alleged  
178 failure before a licensee may send the notice of  
179 discontinuation, cancellation, or nonrenewal.

180 (c) A modification or replacement is unfair if all of the  
181 following apply:

182 1. ~~if~~ It is not clearly permitted by the franchise  
183 agreement.

184 2. It is not undertaken in good faith. ~~or~~

185 3. It is not undertaken for good cause.

186 (d) The applicant or licensee has ~~shall have~~ the burden of  
187 proof that such discontinuation, cancellation, nonrenewal,  
188 modification, or replacement action is ~~fair and~~ not prohibited.

189 Section 4. Subsection (1) of section 320.67, Florida  
190 Statutes, is amended to read:

191 320.67 Violations by dealers; complaint; conduct of  
192 inquiry; inspection of records; penalties.—

193 (1) The department shall conduct an inquiry of a licensee  
194 relating to any written complaint alleging a violation of any  
195 provision of ss. 320.61-320.70 against such licensee made by a  
196 motor vehicle dealer with a current franchise agreement issued  
197 by the licensee, ~~or a motor vehicle dealer association with at~~  
198 ~~least one member with a current franchise agreement issued by~~  
199 ~~the licensee.~~

200 Section 5. For the purpose of incorporating the amendment  
201 made by this act to section 320.60, Florida Statutes, in a  
202 reference thereto, subsection (6) of section 320.642, Florida  
203 Statutes, is reenacted to read:

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204 320.642 Dealer licenses in areas previously served;  
205 procedure.—

206 (6) When a proposed addition or relocation concerns a  
207 dealership that performs or is to perform only service, as  
208 defined in s. 320.60, and will not or does not sell or lease, as  
209 defined in s. 320.60, new motor vehicles, the proposal shall be  
210 subject to notice and protest pursuant to the provisions of this  
211 section.

212 (a) Standing to protest the addition or relocation of a  
213 service-only dealership shall be limited to those instances in  
214 which the applicable mileage requirement established in  
215 subparagraphs (3) (a)2. and (3) (b)1. is met.

216 (b) The addition or relocation of a service-only dealership  
217 shall not be subject to protest if:

218 1. The applicant for the service-only dealership location  
219 is an existing motor vehicle dealer of the same line-make as the  
220 proposed additional or relocated service-only dealership;

221 2. There is no existing dealer of the same line-make closer  
222 than the applicant to the proposed location of the additional or  
223 relocated service-only dealership; and

224 3. The proposed location of the additional or relocated  
225 service-only dealership is at least 7 miles from all existing  
226 motor vehicle dealerships of the same line-make, other than  
227 motor vehicle dealerships owned by the applicant.

228 (c) In determining whether existing franchised motor  
229 vehicle dealers are providing adequate representations in the  
230 community or territory for the line-make in question in a  
231 protest of the proposed addition or relocation of a service-only  
232 dealership, the department may consider the elements set forth



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233 in paragraph (2) (b), provided:

- 234 1. With respect to subparagraph (2) (b)1., only the impact  
235 as it relates to service may be considered;
- 236 2. Subparagraph (2) (b)3. shall not be considered;
- 237 3. With respect to subparagraph (2) (b)9., only service  
238 facilities shall be considered; and
- 239 4. With respect to subparagraph (2) (b)11., only the volume  
240 of service business transacted shall be considered.

241 (d) If an application for a service-only dealership is  
242 granted, the department must issue a license which permits only  
243 service, as defined in s. 320.60, and does not permit the  
244 selling or leasing, as defined in s. 320.60, of new motor  
245 vehicles. If a service-only dealership subsequently seeks to  
246 sell new motor vehicles at its location, the notice and protest  
247 provisions of this section shall apply.

248 Section 6. This act shall take effect July 1, 2025.

The Florida Senate

# APPEARANCE RECORD

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

3/25/25  
Meeting Date

TRANSPORTATION  
Committee

1820

Bill Number or Topic

800490

Amendment Barcode (if applicable)

Name DAVID RAMBA

Phone 850 727 7087

Address 120 S. MONROE ST.  
Street

Email david@rambalaw.com

TALLAHASSEE FL 32301  
City State Zip



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

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

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

FLORIDA AUTOMOBILE DEALERS ASSOCIATION

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:

Appropriations Committee on Health and Human Services, *Vice Chair*  
Appropriations Committee on Higher Education  
Commerce and Tourism  
Education Pre-K - 12  
Fiscal Policy  
Health Policy  
Transportation

### JOINT COMMITTEE:

Joint Legislative Auditing Committee

### SENATOR TRACIE DAVIS

*Democratic Leader Pro Tempore*  
5th District

March 25, 2025

The Honorable Jay Collins  
Committee on Transportation, Chair  
410 Knott Building  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Dear Chair Collins,

I respectfully request an excused absence from March 25, 2025, Committee on Transportation committee meeting.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tracie Davis".

Tracie Davis  
State Senator  
District 05

# CourtSmart Tag Report

**Room:** SB 37  
**Caption:** Senate Committee on Transportation

**Case No.:**

**Type:**  
**Judge:**

**Started:** 3/25/2025 4:02:23 PM  
**Ends:** 3/25/2025 4:44:12 PM **Length:** 00:41:50

4:02:21 PM Chair calls meeting to order  
4:02:27 PM Roll call  
4:02:33 PM Quorum announced  
4:02:47 PM Pledge of Allegiance  
4:03:13 PM Chair with comments  
4:03:41 PM Tab 1, SB 532, Toll Payments introduced by Chair  
4:04:07 PM Explanation of Bill by Senator Ingoglia  
4:04:39 PM Chair with comments  
4:04:54 PM Closure waived  
4:04:56 PM Roll call  
4:04:58 PM SB 532 reported favorably  
4:05:15 PM Tab 8 SB 1738, Transportation Concurrency introduced by Chair  
4:05:30 PM Explanation of Bill by Senator Ingoglia  
4:05:42 PM Chair with comments  
4:05:52 PM Questions  
4:05:54 PM Senator Arrington  
4:05:58 PM Senator Ingoglia  
4:06:58 PM Senator Arrington  
4:07:03 PM Senator Ingoglia  
4:07:19 PM Chair with comments  
4:07:22 PM Appearance Form  
4:07:30 PM Sarah Suskey, Citrus County  
4:07:39 PM Chair with comments  
4:07:41 PM Debate  
4:07:42 PM Senator Arrington  
4:08:25 PM Chair with comments  
4:08:46 PM Closure by Senator Ingoglia  
4:08:55 PM Roll call  
4:09:18 PM SB 1738 reported favorably  
4:09:33 PM Tab 7 SB 1696, Prearranged Transportation Services introduced by Chair  
4:09:55 PM Explanation of Bill by Senator Calatayud  
4:10:31 PM Chair with comments  
4:10:46 PM Jorge Chamizo, Uber Technologies, Inc.  
4:10:50 PM Lisa Bacot, FPTA  
4:11:11 PM Chair with comments  
4:11:19 PM Closure waived  
4:11:28 PM Roll call  
4:11:31 PM SB 1696 reported favorably  
4:11:49 PM Tab 5 SB 1378, Leaving the Scene of a Crash Involving Only Damage to Vehicle or Property introduced by Chair  
4:12:05 PM Explanation of Bill by Senator Arrington  
4:12:56 PM Chair with comments

**4:13:17 PM** Amendment Barcode No. 662394 introduced by Chair  
**4:13:26 PM** Explanation of Amendment by Senator Arrington  
**4:13:53 PM** Chair with comments  
**4:14:14 PM** Closure waived  
**4:14:18 PM** Amendment adopted  
**4:14:23 PM** Chair with comments  
**4:14:39 PM** Appearance Form  
**4:14:42 PM** Barney Bishop III, Florida Smart Justice Alliance  
**4:14:53 PM** Chair with comments  
**4:15:05 PM** Closure by Senator Arrington  
**4:15:09 PM** Roll call  
**4:15:14 PM** CS/SB 1378 reported favorably  
**4:15:27 PM** Recording Paused  
**4:15:36 PM** Recording Resumed  
**4:15:49 PM** Tab 3 SB 1210, Traffic Infractions Resulting in a Crash with Another Vehicle introduced by Chair  
**4:16:48 PM** Explanation of Bill by Senator Martin  
**4:17:43 PM** Chair with comments  
**4:18:05 PM** Questions  
**4:18:08 PM** Senator Jones  
**4:18:10 PM** Senator Martin  
**4:18:50 PM** Senator Jones  
**4:18:54 PM** Senator Martin  
**4:19:43 PM** Senator Jones  
**4:19:46 PM** Senator Martin  
**4:19:58 PM** Chair with comments  
**4:20:05 PM** Appearance Forms  
**4:20:10 PM** Jim Guarnieri, Florida Justice Association  
**4:20:18 PM** Barney Bishop III, Florida Smart Justice Alliance  
**4:20:25 PM** Captain James Cunningham  
**4:20:29 PM** Chair with comments  
**4:20:44 PM** Debate  
**4:20:45 PM** Senator Wright  
**4:20:54 PM** Chair with comments  
**4:20:59 PM** Closure waived  
**4:21:01 PM** Roll call  
**4:21:05 PM** SB 1210 reported favorably  
**4:21:30 PM** Recording Paused  
**4:25:20 PM** Recording Resumed  
**4:25:31 PM** Tab 9 SB 1820 Motor Vehicle Manufacturers and Dealers introduced by Chair  
**4:26:35 PM** Explanation of Bill by Senator Leek  
**4:26:49 PM** Amendment Barcode No. 800490 introduced by Chair  
**4:27:00 PM** Explanation of Amendment by Senator Leek  
**4:27:55 PM** Chair with comments  
**4:28:10 PM** Appearance Form  
**4:28:13 PM** David Ramba, Florida Automobile Dealers Association  
**4:28:18 PM** Chair with comments  
**4:28:27 PM** Closure waived  
**4:28:30 PM** Amendment adopted  
**4:28:39 PM** Chair with comments  
**4:29:00 PM** Closure waived  
**4:29:04 PM** Roll call

**4:29:06 PM** CS/SB 1820 reported favorably  
**4:29:26 PM** Tab 4 SB 1246, Specialty License Plates/Save Coastal Wildlife introduced by Chair  
**4:29:33 PM** Explanation of Bill by Senator Rodriguez  
**4:29:56 PM** Chair with comments  
**4:30:22 PM**  
**4:30:31 PM** Amendment Barcode No. 151564 introduced by Chair  
**4:30:38 PM** Explanation of Amendment by Senator Rodriguez  
**4:31:06 PM** Chair with comments  
**4:31:25 PM** Closure waived  
**4:31:29 PM** Amendment adopted  
**4:31:33 PM** Chair with comments  
**4:31:54 PM** Closure waived  
**4:31:56 PM** Roll call  
**4:31:58 PM** CS/SB 1246 reported favorably  
**4:32:18 PM** Temporary recess  
**4:32:30 PM** Recording Paused  
**4:33:00 PM** Recording Resumed  
**4:33:03 PM** Tab 2 SB 574, Toll Exemptions for Purple Heart Medal Recipients by Chair  
**4:33:14 PM** Explanation of Bill by Senator Collins  
**4:33:31 PM** Chair with comments  
**4:34:11 PM** Amendment Barcode No. 787450 introduced by Chair  
**4:34:14 PM** Explanation of Amendment by Senator Collins  
**4:34:25 PM** Chair with comments  
**4:34:39 PM** closure waived  
**4:34:40 PM** Amendment adopted  
**4:34:44 PM** Chair with comments  
**4:35:05 PM** Closure waived  
**4:35:08 PM** Roll call  
**4:35:13 PM** CS/SB 574 reported favorably  
**4:35:28 PM** Tab 6 SB 1662, Transportation introduced by Chair  
**4:35:44 PM** Explanation of Bill by Senator Collins  
**4:36:03 PM** Amendment Barcode No. 702262 introduced by Chair  
**4:36:20 PM** Explanation of Amendment by Senator Collins  
**4:37:06 PM** Chair with comments  
**4:38:17 PM** Appearance Form  
**4:38:20 PM** Casey Welch, USF  
**4:38:27 PM** Chair with comments  
**4:38:39 PM** Closure waived  
**4:38:43 PM** Amendment adopted  
**4:38:46 PM** Chair with comments  
**4:39:09 PM** Appearance Forms  
**4:39:25 PM** Lisa Bacot, FPTA  
**4:40:26 PM** J W Hunter, American Council of Engineering Companies  
**4:41:30 PM** Chair with comments  
**4:41:47 PM** Closure waived  
**4:41:54 PM** Roll call  
**4:41:56 PM** CS/SB 1662 reported favorably  
**4:42:08 PM** Chair with comments  
**4:42:28 PM** Senator Collins voting in the affirmative on Tab 1 SB 532, Tab 8 SB 1738, Tab 7 SB 1696, Tab 5 CS/SB 1378, Tab 3 SB 1210, Tab 9 CS/SB 1820 and Tab 4 CS/SB 1246  
**4:43:05 PM** Senator Martin voting in the affirmative on Tab 1 SB 532, Tab 8 SB 1738, Tab 7 SB 1696 and Tab 5 CS/SB 1378

**4:43:17 PM** Senator Truenow voting in the affirmative on Tab 2 CS/SB 574

**4:43:26 PM** Chair with comments

**4:43:33 PM** Senator Collins with comments

**4:43:50 PM** Senator Arrington moves to adjourn

**4:44:02 PM** Meeting adjourned