

THE FLORIDA SENATE
2024 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

HB 91 — Transportation Facility Designations

by Reps. Clemons, Mooney, and others (CS/SB 84 by Transportation Committee and Senators Book and Stewart)

The bill designates the entire length S.R. A1A, from the Georgia state line to Key West, as the “Jimmy Buffett Memorial Highway.” The bill also directs the Florida Department of Transportation to erect suitable markers for the designation by August 30, 2024.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect upon becoming a law.

Vote: Senate 40-0; House 119-0

Committee on Transportation

CS/CS/HB 179 — Towing and Storage

by Infrastructure Strategies Committee; Transportation & Modals Subcommittee; and Reps. Bell, Andrade, and others (CS/CS/SB 774 by Rules Committee; Community Affairs Committee; and Senator Perry)

The bill makes numerous changes related to wrecker operator systems and towing-storage operator practices. Specifically, the bill:

- Requires counties, cities, and the Florida Highway Patrol (FHP) to set maximum rates for towing and related fees.
- Prohibits the FHP from excluding a wrecker operator from its wrecker operator system based solely on a prior felony conviction, unless such conviction is for a specified felony offense.
- Provides that a person who disputes the appropriateness of the tow or the fees charged can post a bond to retrieve the vehicle back without having to file a lawsuit.
- Requires an investigating agency to take possession of a stored vehicle after 30 days.
- Requires towing-storage operators accept specified forms of payment and expressly preempts a county or municipal charter, ordinance, resolution, regulation, or rule that conflicts with the provision specifying the forms of payment that a towing-storage operator must accept.
- Requires a county or city with established maximum towing and storage rates to post them on its website and develop a process for investigating and resolving complaints regarding fees charged for more than maximum rates.
- Requires towing-storage operators to maintain a rate sheet listing posted in the place of business, of all fees for the recovery, removal, or storage of a vehicle or vessel.
- Reduces the timeframe in which a towing-storage operator must send the notice of lien, from seven to five business days, and reduces storage charges that may be charged if a lienor fails to provide this notice, also from seven to five days.
- Increases the timeframe an unclaimed vehicle or vessel three years of age or newer may be sold by a lienor, from 50 days to 57 days from the storage date, and requires the notice of lien must not be sent less than 52 days before the sale.
- Provides the timeframe in which an unclaimed vehicle or vessel three years of age or older may be sold by a lienor is 35 days from the storage date, and requires the notice of lien must not be sent less than 30 days before the sale.
- Increases the timeframe for the public notice requirement related to sale on an unclaimed vehicle by a towing-storage operator, from ten days to 20 days before the sale and replaces the requirement for public notice to be made in a newspaper of general circulation with a requirement to be made on a publicly available website maintained by an approved third-party service.
- Specifies the process for for the third-party service to receive information from a towing-storage operator on a towed vehicle or vessel, provide to the Department of Highway Safety and Motor Vehicles, and process other notifications.
- Prohibits a towing-storage operator from releasing a towed rental vehicle or vessel to a renter unless the rental company appoints the renter as an agent of the company.

- Requires a towing-storage operator to make a towed vehicle available for inspection during normal business hours within one hour after arrival at a storage facility.
- Authorizes a towing-storage operator to enter a vehicle or vessel for purposes of towing or storing it, but the operator is liable for damage if the entry is not per the standard of reasonable care.
- Establishes the types of documents the towing-storage operator must accept as documentation of a person's interest in a vehicle or vessel.
- Requires a towing-storage operator retain certain records for at least three years.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 33-0; House 115-0

Committee on Transportation

CS/CS/CS/HB 287 — Transportation

by Infrastructure Strategies Committee; Infrastructure & Tourism Appropriations Subcommittee; Transportation & Modals Subcommittee; and Rep. Esposito and others (CS/CS/CS/SB 266 by Appropriations Committee; Appropriations Committee on Transportation, Tourism, and Economic Development; Transportation Committee; and Senators Hooper and Gruters)

The bill addresses various transportation-related provisions. Specifically, the bill:

- Prohibits the Florida Department of Transportation (FDOT) from annually committing more than 20 percent of the revenues derived from state motor fuel taxes and motor vehicle license-related fees to public transit projects and specifies exceptions to this limit.
- Increases from five to eight the number of basic driver improvement courses an individual may take during his or her lifetime.
- Requires the Department of Highway Safety and Motor Vehicles to annually review changes made to traffic laws and requires course content for specified driving courses to be modified to reflect such changes.
- Amends provisions relating to FDOT’s authority regarding public-private partnerships to:
 - Replace the term “public-private partnership agreement” with the term “comprehensive agreement.”
 - Require an “independent,” instead of an “investment grade,” traffic and revenue study prepared by a traffic and revenue expert, which must be accepted by national bond rating agencies for the financing that supports the comprehensive agreement for the project.
 - Revise the timeframe, to between 30 and 120 days, based on the project’s complexity, during which FDOT will accept other proposals for the same project after it receives an unsolicited public-private partnership proposal.
 - Authorize FDOT to enter into an interim agreement with a private entity proposing the development or operation of a qualifying project and provides provisions that may be included in the interim agreement.
 - Limits FDOT secretary’s ability to authorize a comprehensive agreement term of up to 75 years to projects partially or completely funded from project user fees.
 - Require FDOT to notify the Division of Bond Finance prior to entering into an interim or comprehensive agreement.
- Provides that a local governmental entity may not deem reclaimed asphalt pavement as solid waste.
- Clarifies that FDOT must receive at least three letters of interest in order to proceed with requests for proposals for both design-build and phased design-build projects.
- Revises provisions requiring a motor vehicle used in the performance of road or bridge construction or maintenance work for an FDOT project must be registered in compliance with Florida law.
- Authorizes FDOT to allow the issuance of multiple contract performance and payment bonds for phased design-build contracts.

- Provides that a claimant must institute an action against a contractor or surety within 365 days after the performance of the labor or completion of delivery of the materials or supplies, instead of after completion of the contract work.
- Revises a presumption of sole proximate cause on the part of a driver of a vehicle involved in a crash within a construction zone to exclude low-THC cannabis.
- Defines the terms “contract documents,” “contractor,” “design engineer” and “traffic control plans” as those terms relate to limitations on liability for FDOT’s contractors and design engineers.
- Expands contractor limits of liability for personal injury, property damage, or death arising from specified performance of work on a transportation facility or from specified acts or omissions of a third party.
- Revises the application of immunity when the proximate cause of the injury, damage, or death is a latent condition, defect, error, or omission created by the contractor and in the contract documents, or when the proximate cause was the contractor’s failure to perform, update, or comply with the maintenance of traffic control plans, instead of with the traffic safety plan.
- Revises provisions regarding when FDOT, a contractor, or design engineer may not be named on a jury verdict form or be found at fault for the injury, death, or damage.
- Provides that, if within 10 years after FDOT acquires a property, the previous property owner wishes to reacquire the property, he or she must notify the appropriate FDOT district secretary of his or her interest to receive right of first refusal if FDOT wishes to dispose of the property.
- Provides requirements for an interlocal agreement regarding a fire station located on Alligator Alley.
- Requires the local governmental entity operating the fire station on Alligator Alley to provide specified information to FDOT and that this information be reviewed and adopted as part of the interlocal agreement.
- Requires funding for the fire station on Alligator Alley to be included in FDOT’s work program and the local governmental entity’s budget and capital comprehensive plan.
- Codifies FDOT’s existing local agency program into law and provides statutory requirements for the program.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2024.

Vote: Senate 38-2; House 95-11

THE FLORIDA SENATE
2024 SUMMARY OF LEGISLATION PASSED

Committee on Transportation

HB 317 — Interstate Safety

by Reps. Persons-Mulicka, Bell, and others (SB 258 by Senator Perry)

The bill prohibits a driver from operating a motor vehicle in the furthestmost left-hand lane on a road, street, or highway having two or more lanes allowing movement in the same direction with a posted speed limit of at least 65 miles per hour. A driver may drive in the furthestmost left-hand lane when overtaking and passing another vehicle, when preparing to exit the road, street, or highway, or when otherwise directed by an official traffic control device. This provision does not apply to authorized emergency vehicles and vehicles engaged in highway maintenance or construction operations.

A violation is a noncriminal traffic infraction punishable as a moving violation. The statutory base fine is \$60, but with additional fees and charges, the total penalty may be up to \$158.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect January 1, 2025.

Vote: Senate 37-0; House 113-3

Committee on Transportation

CS/CS/HB 341 — Designation of Certain Diagnosis on Motor Vehicle Registrations

by Infrastructure Strategies Committee; Transportation & Modals Subcommittee; and Reps. Salzman, Tant, and others (CS/CS/SB 288 by Appropriations Committee on Transportation Tourism, and Economic Development; Transportation Committee; and Senators Rodriguez, Hooper, Wright, DiCeglie, Broxson, Collins, Torres, and Mayfield)

The bill is cited as the “Safeguarding American Families Everywhere (SAFE) Act.”

The bill provides that the application form for motor vehicle registrations must include language allowing an applicant to voluntarily indicate that the applicant has been diagnosed with, or is the parent or legal guardian of a child or ward who has been diagnosed with, certain disabilities or disorders by a physician.

If the applicant indicates a certain diagnosis on the application, the Department of Highway Safety and Motor Vehicles must include the designation “SAFE” in the motor vehicle record. The department may not include in the motor vehicle record personal identifying information of, or any diagnosis of, a person for whom a diagnosis is indicated. The “SAFE” designation may be included or removed at any time upon request of the owner or co-owner.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect October 1, 2024.

Vote: Senate 33-0; House 114-0

Committee on Transportation

HB 377 — License or Permit to Operate a Vehicle for Hire

by Rep. Borrero and others (SB 648 by Senator DiCeglie)

The bill relates to the licensing or permitting of a vehicle for hire. Specifically, the bill:

- Prohibits a county or municipality from requiring a person to obtain an additional license from such county or municipality when that person holds a valid, active license or permit to operate a vehicle for hire in any other county or municipality if the person:
 - Holds a valid, active license or permit to operate a vehicle for hire in the county or municipality in which the person permanently resides; and
 - Has not had a license or permit to operate a vehicle for hire suspended or revoked within the preceding five years.
- Exempts seaports and public-use airports from the requirements of the bill.
- Provides that certain persons who hold a valid, active license or permit to operate a vehicle for hire are exempted from the bill when such person provides transportation of persons while on stretchers or wheelchairs, or whose handicap, illness, other incapacitation makes it impractical to be transported by a regular common carrier such as a bus, taxi, non-taxi, limousine, or other vehicle for hire.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 38-0; House 110-0

THE FLORIDA SENATE
2024 SUMMARY OF LEGISLATION PASSED

Committee on Transportation

CS/HB 379 — Public Records/Financial Information Regarding Competitive Bidding

by Transportation & Modals Subcommittee and Rep. Truenow and others (CS/SB 320 by Transportation Committee and Senator Wright)

The bill expands on an existing public records exemption for financial statements required when responding to a solicitation for a road or any other public works project. The bill exempts from public disclosure any other financial information necessary which an agency requires a prospective bidder to submit to verify its financial adequacy.

The bill makes findings, as required by the Florida Constitution, that the new exemption from public records disclosure is a public necessity.

The bill is subject to the Open Government Sunset Review Act and stands repealed on October 2, 2029, unless reviewed and reenacted by the Legislature.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 38-2; House 118-0

Committee on Transportation

CS/CS/HB 389 — Transportation Facility Designations

by Infrastructure Strategies Committee; Transportation & Modals Subcommittee; and Rep. Roach and others (CS/CS/CS/SB 868 by Fiscal Policy Committee; Appropriations Committee on Transportation, Tourism, and Economic Development; Transportation Committee; and Senators Boyd and Rouson)

The bill creates a number of honorary designations of transportation facilities around the state and directs the Florida Department of Transportation to erect suitable markers for each of the following designations:

- Deputy Sheriff Christopher Taylor Memorial Highway in Charlotte County.
- Army Specialist Nicholas Panipinto Memorial Highway in Manatee County.
- Dylan Roberts Memorial Crosswalk in Alachua County.
- AWF3 Mohammed “Mo” Haitham Memorial Way in Hillsborough and Pinellas Counties.
- Deputy Sheriff George Pfeil Memorial Highway in Seminole County.
- Deputy Sheriff Robert Moore Memorial Highway in Seminole County.
- Deputy Sheriff James Cleveland Jacobs Memorial Highway in Seminole County.
- Abe Resnick Drive in Miami-Dade County.
- Pastor Rick Blackwood Street in Miami-Dade County.
- Gus Kopelousos Memorial Highway in Clay County.
- MICCO WAY in Miami-Dade County.
- Major John Leroy Haynes Memorial Highway in Leon and Jefferson Counties.
- Tuskegee Airmen Memorial Highway in 14 North Florida counties.
- Randy Roberts Memorial Highway in Polk County.
- Carol Jenkins Barnett Memorial Highway in Polk County.
- Trooper Zachary Fink Memorial Highway in St. Lucie County.

The bill also redesignates a bridge in St. Lucie County as the E.C. Summerlin Family Bridge.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2024.

Vote: Senate 34-0; House 115-0

Committee on Transportation

CS/CS/HB 403 — Specialty License Plates

by Infrastructure Strategies Committee; Transportation & Modals Subcommittee; and Rep. Chaney and others (CS/CS/SB 434 by Fiscal Policy Committee; Transportation Committee; and Senator Harrell)

The bill authorizes the Department of Highway Safety and Motor Vehicles (DHSMV) to create the following new specialty license plates:

- Margaritaville;
- General Aviation;
- Clearwater Marine Aquarium;
- United Service Organizations (USO);
- Recycle Florida;
- Boating Capital of the World;
- Cure Diabetes;
- Project Addiction: Reversing the Stigma;
- The Villages: May All Your Dreams Come True

The bill exempts a collegiate license plate from being discontinued based on having the fewest number of plates in circulation and to exempt such plates from presale voucher requirements. The bill also allows a previously discontinued collegiate plate to be reauthorized by DHSMV if the university resubmits the collegiate license plate for authorization.

The bill revises the distribution of proceeds for the Live The Dream specialty license plate from the inactive Live the Dream Foundation, Inc., to the Operating Trust Fund within the Department of State and stipulates these funds must be used to support the Historic Cemeteries Program. Specifically, the funds must be used to research, identify, and record abandoned African-American cemeteries and provide grants to eligible entities.

The bill expands eligibility for issuance of the Divine Nine specialty license plates. The bill extends eligibility for such plates to an organization member's immediate relative and to motor vehicle lessees (currently limited to vehicle owners).

The bill renames the existing "Give Kids The World" specialty license plate as the "Universal Orlando Resort" specialty license plate.

The bill also replaces "In God We Trust" on the bottom of the existing American Eagle specialty license plate with "Protect the Eagle."

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.

Vote: Senate 40-0; House 108-6

THE FLORIDA SENATE
2024 SUMMARY OF LEGISLATION PASSED

Committee on Transportation

CS/HB 405 — Regulation of Commercial Motor Vehicles

by Transportation & Modals Subcommittee and Rep. Melo (CS/SB 754 by Transportation Committee and Senator DiCeglie)

The bill provides that all owners and drivers of commercial motor vehicles engaged in *intrastate* commerce are subject to commercial motor vehicle rules and regulations, unless otherwise specified, as they existed on December 31, 2023.

The bill requires the Department of Highway Safety and Motor Vehicles (DHSMV) to check the Federal Alcohol and Drug Clearinghouse to ensure a driver is not prohibited from operating a motor vehicle any time a person applies for or seeks to renew, transfer, or make any other change to a Commercial Driver License (CDL) or Commercial Instruction Permit (CIP). Additionally, the DHSMV may not issue, renew, transfer, or revise the types of authorized vehicles that may be operated or the endorsements applicable to a CDL or CIP for any person for whom DHSMV receives notification that the person is removed from the function of operating a commercial motor vehicle because of conduct related to federal drug and alcohol prohibitions.

The bill exempts the DHSMV from liability resulting from the discharge of its duties related to the clearinghouse.

The bill also clarifies that the downgrade of a driver's CDL or CIP does not preclude the suspension of the driver license or disqualification from operating a commercial motor vehicle for driving under the influence and drug and alcohol testing refusal offenses under Florida law.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 32-0; House 110-0

THE FLORIDA SENATE
2024 SUMMARY OF LEGISLATION PASSED

Committee on Transportation

CS/HB 463 — Lights Displayed on Fire Department Vehicles

by Transportation & Modals Subcommittee and Reps. Bartleman, Melo, and others (SB 1158 by Senators Bradley, Trumbull, and Perry)

The bill allows government-owned fire department vehicles, excluding vehicles of a fire patrol or volunteer fire departments, to display blue lights, in addition to red or red and white lights, as long as the vehicles meet the following criteria:

- Have a gross weight of 24,000 pounds or more;
- Are authorized in writing by the fire chief of the governmental agency; and
- Show or display the blue lights only on the rear of the government-owned fire department vehicle.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 40-0; House 118-0

Committee on Transportation

CS/CS/SB 736 — Services Provided by the Department of Highway Safety and Motor Vehicles or Its Agents

by Fiscal Policy Committee; Appropriations Committee on Transportation, Tourism, and Economic Development; and Senator Trumbull

The bill makes changes to various services and programs administered by the Department of Highway Safety and Motor Vehicles (DHSMV) and its agents. Specifically, the bill:

- Revises a requirement for a rightful heir to transfer ownership of a motor vehicle or mobile home if the previous owner died testate.
- Clarifies that no additional fee can be charged by the DHSMV or a tax collector for the reissuance of a certificate of title that is lost in transit and is not delivered.
- Allows permanent motor vehicle registration decals for rental trucks that weigh under 15,000 pounds.
- Authorizes the DHSMV to issue reduced dimension license plates for trailers.
- Provides that a disabled veteran who qualifies for a free “DV” license plate may choose a military or specialty license plate he or she qualifies for in lieu of the “DV” license plate.
- Adds the following two cases wherein DHSMV may design, issue, and regulate the use of temporary tags:
 - The existing owner of a vehicle has submitted an application to transfer a valid out-of-state title that is subject to a lien. A temporary tag is issued and valid for 60 days; and
 - An active-duty military service member who has a valid Florida driver license and provides evidence satisfactory to the department that he or she is deployed outside this state.
- Removes the requirement to provide a written, notarized request for the purchase of a temporary tag.
- Provides that in political subdivisions with a population of 1.9 million or greater (currently Broward and Miami-Dade Counties), upon petition by the agent in charge of a qualifying general lines agency, the tax collector must appoint such agency as an agent for the tax collector for limited purposes of motor vehicle and mobile home registration transactions.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2024, except where otherwise provided.

Vote: Senate 35-0; House 113-0

THE FLORIDA SENATE
2024 SUMMARY OF LEGISLATION PASSED

Committee on Transportation

HB 937 — Purple Alerts

by Reps. Casello, Keen, and others (CS/SB 640 by Transportation Committee and Senator Berman)

The bill amends the existing Purple Alert program to better align it with the AMBER Alert and Silver Alert programs. The bill provides that a statewide Purple Alert may only be issued when an identifiable vehicle is involved. In such cases, the Florida Department of Law Enforcement will issue statewide alerts, including the activation of highway dynamic messaging signs and lottery terminals, and notifications to subscribers.

If no identifiable vehicle is involved, dissemination of the Purple Alert is limited to local distribution in the area where the person may be reasonably located. Local law enforcement is responsible for entering the case into the Florida Crime Information Center, notifying local media, informing all on-duty law enforcement officers, and alerting all law enforcement agencies having jurisdiction.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 31-0; House 110-0

Committee on Transportation

CS/CS/SB 994 — Student Transportation Safety

by Appropriations Committee on Transportation, Tourism, and Economic Development; Transportation Committee; and Senator Burgess

The bill revises various provisions relating to the camera enforcement of traffic infractions related to passing of a stopped school bus. Specifically, the bill:

- Authorizes a private vendor or manufacturer of a school bus infraction detector system to receive a fixed amount of collected proceeds for services rendered regarding a school bus infraction detection system.
- Eliminates the requirement for the required signage on school buses with school bus infraction detection systems to be highly reflective.
- Provides that a court having jurisdiction over traffic violations must determine if a traffic violation occurred using a school bus infraction detection system and provides penalties if the court determines a violation has taken place.
- Allocates civil penalties from these systems to the appropriate school district to pay for the program's operation and school transportation safety initiatives, bus driver recruitment and retention stipends, or other student transportation safety enhancements.
- Provides that the collection of evidence from a school bus infraction detection system does not constitute remote surveillance.
- Limits the use of video and images from the system to traffic enforcement and for purposes of determining civil or criminal liability.
- Requires a \$25 administrative charge from a violation to be remitted to the participating school district and be used for the purposes listed above.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming a law.

Vote: Senate 25-9; House 111-4

Committee on Transportation

CS/CS/HB 1113 — Use of Lights and Sirens on Emergency Vehicles

by Infrastructure Strategies Committee; Transportation & Modals Subcommittee; and Rep. Killebrew and others (CS/SB 1164 by Transportation Committee and Senator Burton)

The bill revises the authorized use of lights and sirens on emergency vehicles. Specifically, the bill:

- Amends the definition of the term “authorized emergency vehicles” to include organ transport vehicles, emergency management vehicles, county ambulances and emergency vehicles, and authorized vehicles of the Department of Agriculture and Consumer Services.
- Defines the term “organ transport vehicle” to mean any dedicated and marked vehicle operated by an organ procurement organization, transplant center, or its contracted service provider to transport organs or surgical teams for organ recovery and transplant.
- Requires an operator of an organ transport vehicle to complete a 16-hour emergency vehicle operator course.
- Provides that an authorized emergency vehicle when transporting organs or surgical teams for organ donation or transplant while en route to a hospital, an airport, or other designated location may exercise the current law privileges available to authorized emergency vehicles to bypass certain uniform traffic safety laws, provided that the vehicle is driven with due regard for the safety of all persons.
- Provides that organ transport vehicles may show or display red lights or display and use red warning signals while transporting organs or surgical teams for organ donation or transplant while en route to a hospital, an airport, or other designated location.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2024.

Vote: Senate 40-0; House 117-0

THE FLORIDA SENATE
2024 SUMMARY OF LEGISLATION PASSED

Committee on Transportation

CS/CS/HB 1133 — Violations Against Vulnerable Road Users

by Judiciary Committee; Criminal Justice Subcommittee; and Reps. Redondo, Smith, and others
(CS/SB 1528 by Transportation Committee and Senator Collins)

The bill provides that a person who commits a moving violation that causes serious bodily injury to a vulnerable road user must pay a fine of not less than \$1,500, and attend a DHSMV-approved driver improvement course relating to the rights of vulnerable road users relative to vehicles on the roadway. The bill also requires a court to revoke the person's driver license for at least three months.

The bill provides that a person who commits a moving violation that causes the death of a vulnerable road user must pay a fine of not less than \$5,000, and attend a DHSMV-approved driver improvement course relating to the rights of vulnerable road users relative to vehicles on the roadway. The bill also requires a court to revoke the person's driver license for at least one year.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 40-0; House 109-0

Committee on Transportation

CS/CS/CS/HB 1301 — Department of Transportation

by Infrastructure Strategies Committee; Infrastructure & Tourism Appropriations Subcommittee; Transportation & Modals Subcommittee; and Reps. Abbott, Berfield, and others (CS/CS/CS/SB 1226 by Fiscal Policy Committee; Appropriations Committee on Transportation, Tourism, and Economic Development; Transportation Committee; and Senator DiCeglie)

The bill revises provisions related to the Florida Department of Transportation (FDOT). Specifically, the bill:

- Provides for direct appointment by the Governor of the Secretary of Transportation.
- Updates FDOT’s program areas to reflect its current organizational structure.
- Repeals obsolete language regarding the appointment of FDOT’s inspector general.
- Provides \$15 million in recurring revenue from the State Transportation Trust Fund be made available for the next five fiscal years for the Intermodal Logistics Center Infrastructure Support Program.
- Requires airport land use compatibility zoning regulations to “address,” rather than “consider” issues specified in statute.
- Adds an exception to airport buffer zone requirements to allow residential property within the buffer zone of a public-use airport meeting specified requirements.
- Updates FDOT’s statutory mission, goals, and objectives.
- Requires public notice and input prior to a governmental entity repurposing one or more existing traffic lanes and requires the governmental entity to consider such input.
- Increases from three years to 10 years the length of time before an inactive prepaid toll account becomes unclaimed property.
- Provides requirements for an interlocal agreement regarding a fire station located on Alligator Alley, including up to \$2 million in funding for the next fiscal year from toll revenues and funding going forward based on needs adopted into a comprehensive plan.
- Requires funding for the fire station on Alligator Alley to be included in FDOT’s work program and the local governmental entity’s budget and capital comprehensive plan.
- Prohibits FDOT from spending state funds on transportation entities violating s. 381.00316, F.S., relating to discrimination based on health care choices.
- Provides that specified revenues deposited into the State Transportation Trust Fund must first be available for appropriation for payments under a service contract entered into with the Florida Department of Transportation Financing Corporation to fund arterial highway projects.
- Authorizes FDOT to enter into service contracts with the Florida Department of Transportation Financing Corporation for Moving Florida Forward projects.
- Authorizes FDOT to retain the interest earned from Moving Florida Forward-related appropriations, which interest must be used for such projects.
- Authorizes local governments in specified areas to compete for additional funding, subject to specific appropriation, using the criteria for the Small County Outreach Program to fund projects on roads primarily used for agricultural purposes.

- Requires lane repurposing for public transit purposes to be approved by a two-thirds vote of the transit authority's board.
- Requires any action of eminent domain for public transit facilities to be discussed at a public meeting of the transit provider's board.
- Provides that certain unallocated New Starts Transit funds must be reallocated to the Strategic Intermodal System. This provision expires June 30, 2026.
- Prohibits public transit providers from spending FDOT funds on certain marketing or advertising activities, including any wraps displayed on a transit bus.
- Prohibits window tinting on public transit buses from being any darker than what is legally allowed for motor vehicles.
- Requires each public transit provider to annually certify that its budgeted and actual general administrative costs are no greater than 20 percent above the state average administrative costs. This provision excludes rail transit providers.
- Requires public transit providers to disclose employee compensation and benefits, ridership and performance metrics, and any gifts accepted in exchange for a contract.
- Requires year-over-year increases in administrative costs by a public transit provider of five percent or more to be reviewed and approved by FDOT.
- Grants the Florida Rail Enterprise the power and duty to preserve and acquire future rail corridors and rights of way.
- Includes subsidiaries of an electric utility into the definition of "streetlight provider" as it relates to limitations on liability for providers of streetlights, security lights, and other similar lights.
- Revises numerous provisions relating to obedience to traffic control devices at railroad-highway grade crossings.
- Increases penalties, to \$500 for a first offense and \$1,000 for a second or subsequent offense and requires six points on a driver license, for violations associated with railroad-highway grade crossings.
- Incorporates the changes to the railroad-highway grade crossing provisions into the traffic infraction penalty and the driver license points statutes.
- Conforms numerous cross-references and makes other conforming changes.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 33-0; House 79-32

Committee on Transportation

CS/SB 1350 — Salvage

by Transportation Committee and Senator DiCeglie

The bill relates to salvage motor vehicles, mobile homes, and vessels. Specifically, the bill:

- Defines the term “major component parts” for electric, hybrid, and plug-in hybrid motor vehicles for the purpose of verifying the sources of these parts during the rebuilt inspection process.
- Requires, if the owner maintains possession of a total loss motor vehicle or mobile home that the owner or insurance company notify the Department of Highway Safety and Motor Vehicles (DHSMV), and DHSMV must issue a salvage certificate of title or a certificate of destruction directly to the owner of such motor vehicle or mobile home.
- Clarifies that a certificate of title may be paper or electronic.
- Provides that as an alternative for the insurance company having received a release of all liens, it may pay the amount due to the lienholder and obtain proof that the lienholder accepts payment as satisfying the amount due to the lienholder.
- Clarifies that attempts to contact the owner or lienholder must be to the owner or lienholder’s last known address.
- Adds that the request to the owner for the assignment of title, in lieu of the certificate of title, must include a complete description of the motor vehicle or mobile home and that a total loss claim has been paid on the motor vehicle or mobile home.
- Provides that DHSMV is not liable and may not be held liable to an owner, lienholder, or any other person as a result of the issuance of a salvage certificate of title or a certificate of destruction.
- Incorporates vessels into the definition of the term “independent entity” for purposes of incorporating vessels into the salvage certificate of title statute.
- Incorporates damaged or dismantled vessels to the salvage statute and provides procedures for the release and application for titling by an independent entity in possession of the vessel.
- Requires that an application for a certificate of title for a hull damaged vessel indicate that such vessel is hull damaged.
- Provides that the independent entity is not required to notify the National Motor Vehicle Title Information System before releasing any damaged or dismantled vessel to the owner or before applying for a certificate of title.
- Reenacts statutes relating to the sale of specified motor vehicles and the rebuilt motor vehicle inspection program to incorporate changes to the definition of “major component parts.”

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2024.

Vote: Senate 37-0; House 114-0

Committee on Transportation

CS/CS/HB 1363 — Traffic Enforcement

by Infrastructure Strategies Committee; Transportation & Modals Subcommittee; and Rep. Busatta Cabrera and others (CS/SB 1464 by Fiscal Policy Committee and Senator Calatayud)

The bill prohibits counties or municipalities from using a contract procured with a governmental entity outside this state for any camera system used to detect traffic infractions, entered into on or after July 1, 2025.

The bill prohibits a governmental entity from knowingly entering into or renewing a contract, on or after July 1, 2025, for a camera to enforce traffic infractions where the contracting vendor is owned by the government of a foreign country of concern or a foreign country of concern has a controlling interest in the contracting vendor.

The bill creates the following additional requirements regarding the installation and use of traffic infraction detectors, commonly known as red light cameras:

- Requires a county or municipality to enact an ordinance in order to authorize the placement or installation of, or to authorize contracting with a vendor for the placement or installation of, one or more traffic infraction detectors installed on or after July 1, 2025. Such ordinance must be enacted following a public meeting.
- Requires a county or municipality to determine that the intersection at which the traffic infraction detector is to be placed constitutes a heightened safety risk that warrants additional enforcement measures.
- Requires a county or municipality operating traffic infraction detectors to annually report, at a public meeting, the results of all traffic infraction detectors within the county's or municipality's jurisdiction and provides specific requirements for such report, including data on notices of violation and the collection and distribution of proceeds.
- Provides that compliance or sufficiency of compliance with the above reporting requirement may not be raised in a proceeding challenging specified traffic violations enforced by a traffic infraction detector.

Additionally, the bill provides that a county or municipality that does not comply with the specified reporting requirements is suspended from operating traffic infraction detectors until such noncompliance is corrected.

The bill requires municipalities and counties operating traffic infraction detectors to report specified information to the Department of Highway Safety and Motor Vehicles (DHSMV). The DHSMV must publish each of these reports on its website.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 40-0; House 109-0

Committee on Transportation

CS/CS/SB 1380 — Transportation Services for Persons with Disabilities and the Transportation Disadvantaged

by Appropriations Committee on Health and Human Services; Transportation Committee; and Senator Hutson

The bill revises numerous provisions relating to special transportation services for persons with disabilities and the transportation disadvantaged. Specifically, the bill:

- Requires the Florida Department of Transportation (FDOT), unless otherwise provided by state or federal law, to ensure that grants and agreements between it and paratransit providers contain:
 - Performance requirements for the delivery of services, including penalties for repeated or continuing violations;
 - Minimum liability insurance requirements for all transportation services purchased, provided, or coordinated for the transportation disadvantaged through a contracted vendor or its subcontractor;
 - Complaint and grievance processes for paratransit users, including a requirement that all reported complaints, grievances, and resolutions be reported to FDOT; and
 - A requirement that the above provisions be included in any agreement between the grant recipient and its contractors or subcontractors providing paratransit service.
- Increases the membership of the Commission for Transportation Disadvantaged (CTD), from seven to 11 members and revises the commission's membership.
- Repeals fingerprinting and background check requirements for CTD members.
- Repeals the CTD's technical working group.
- Provides requirements for contracts entered into or renewed after October 1, 2024, with providers of paratransit services. Providers must agree to:
 - Provide training to each driver which meets specified requirements established by the Agency for Persons with Disabilities.
 - Establish reasonable time periods between a request for service and the arrival of the provider, and in the event of a pattern of late arrivals, allow the local government to authorize another provider to provide such paratransit services.
 - Provide transparency regarding the quality of service provided by the transportation service provider, including data on the timeliness of service and the handling of complaints.
- Requires contracts entered into with providers after October 1, 2024, to be procured using competitive procurement and prohibits use of statutory provisions regarding exceptional purchases.
- Requires the CTD to establish a model system for reporting and investigating adverse incidents during the provision of paratransit service to persons with disabilities.
- Requires the investigation of a reported adverse incident to commence within 48 hours after receiving the report.
- Requires local governments or transportation service providers to submit quarterly reports of adverse incidents to the CTD.

- Requires the Center for Urban Transportation Research, by January 1, 2025, to deliver a report to FDOT on model policies and procedures or best practices for paratransit providers to complete trips within an acceptable time.
- Requires the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab, by January 1, 2025, to deliver a comprehensive report on technology and training improvements to better support persons with disabilities using paratransit services.
- Requires FDOT, by January 1, 2025, to issue a comprehensive report on transportation disadvantaged services and the CTD. The report must include:
 - A review of the services rendered by transportation coordinators or transportation operators, specifically addressing specified issues;
 - A review of transportation delivery models, and a review of alternative models;
 - The role of paratransit services as used by providers of services to the transportation disadvantaged and the differences between paratransit services and the services provided by the CTD;
 - The role of health care transportation services as used by the transportation disadvantaged;
 - A breakdown of funding provided by CTD on a contractual level;
 - A review of eligibility criteria, including relevant demographic information;
 - A review of challenges and opportunities to better support rural counties administering such programs;
 - Recommendations on efficiencies and challenges from adopting an alternative format of delivering services;
 - Best practices for limiting the duration of travel times for persons receiving paratransit service; and
 - A review of emerging and other technology opportunities for the provision of services.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming a law.

Vote: Senate 40-0; House 115-0

THE FLORIDA SENATE
2024 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

CS/HB 1589 — Driving Without a Valid Driver License

by Criminal Justice Subcommittee and Rep. Plakon (SB 1324 by Senator Ingoglia)

The bill establishes revised penalties related to the offense of driving without a valid driver license. Specifically, any person who drives any motor vehicle upon a highway in this state without a valid driver license commits:

- For a first offense, a misdemeanor of the second degree.
- For a second offense, a misdemeanor of the first degree.
- For a third or subsequent offense, a misdemeanor of the first degree and is subject to a minimum of 10 days in jail as ordered by the court.

This bill stipulates that the foregoing penalties do not apply to the operation of golf carts on roadways.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 36-2; House 83-31

Committee on Transportation

CS/SB 1764 — Car Racing Penalties

by Transportation Committee and Senators Pizzo and Garcia

The bill makes numerous changes to penalties related to racing on highways, street takeovers, and stunt driving. Specifically, the bill:

- Defines the term “coordinated street takeover” to mean 10 or more vehicles operated in an organized manner to effect a street takeover.
- Increases the fine for a first violation of prohibited racing activities from \$500 up to \$1,000, to \$500 up to \$2,000.
- Decreases the time period during which a second violation will result in an enhanced penalty, from within five years after the date of a prior violation that resulted in conviction, to within one year of such violation. It increases the penalty for such a violation from a first degree misdemeanor to a third degree felony. It also increases the fine for such a violation from \$1,000 up to \$3,000, to \$2,500 up to \$4,000.
- Creates a third degree felony for any person who, in the course of committing the offense, knowingly impedes, obstructs, or interferes with an authorized emergency vehicle which is on call and responding to an emergency other than the violation of prohibited racing activities. A second or subsequent violation of this provision is punishable as a second degree felony with a four year driver license revocation. Pursuant to the Florida Contraband Forfeiture Act, the arresting law enforcement agency may move to seize any vehicle used in violation of this provision.
- Increases the penalty for a third or subsequent violation within five years after the date of a prior violation that resulted in a conviction, from a first degree misdemeanor to a second degree felony and increases the fine from \$2,000 up to \$5,000, to \$3,500 up to \$7,500.
- The bill provides that any person who violates specified provisions while engaged in a coordinated street takeover commits a third degree felony, must pay a fine of \$2,500 up to \$4,000, and is subject to a two year license revocation.
- Increases the spectator fine from \$60 to \$400.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2024.

Vote: Senate 34-0; House 106-2