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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/20/2023	.	
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The Committee on Transportation (DiCeglie) recommended the following:

Senate Amendment (with title amendment)

Between lines 140 and 141

insert:

Section 1. Subsection (6) of section 311.101, Florida Statutes, is amended to read:

311.101 Intermodal Logistics Center Infrastructure Support Program.—

(6) The department shall provide up to 50 percent of project costs for eligible projects. For eligible projects in



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11 rural areas of opportunity designated in accordance with s.
12 288.0656(7) (a), the department may provide up to 100 percent of
13 project costs.

14 Section 2. Section 316.0777, Florida Statutes, is amended
15 to read:

16 316.0777 Automated license plate recognition systems;
17 installation within the rights-of-way of the State Highway
18 System; public records exemption.—

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

20 (a) "Active," "criminal intelligence information," and
21 "criminal investigative information" have the same meanings as
22 provided in s. 119.011(3).

23 (b) "Agency" has the same meaning as provided in s.
24 119.011.

25 (c) "Automated license plate recognition system" means a
26 system of one or more mobile or fixed high-speed cameras
27 combined with computer algorithms to convert images of license
28 plates into computer-readable data.

29 (d) "Criminal justice agency" has the same meaning as
30 provided in s. 119.011.

31 (2) (a) For purposes of this subsection, the term "law
32 enforcement agency" means an agency that has a primary mission
33 of preventing and detecting crime and enforcing state penal,
34 criminal, traffic, and motor vehicle laws and in furtherance of
35 that mission employs law enforcement officers as defined in s.
36 943.10(1).

37 (b) At the discretion of the Department of Transportation,
38 an automated license plate recognition system may be installed
39 within the rights-of-way, as defined in s. 334.03(21), of any



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40 road on the State Highway System when installed at the request
41 of a law enforcement agency for the purpose of collecting active
42 criminal intelligence information or active criminal
43 investigative information as those terms are described in s.
44 119.011(3). Such installations must be in accordance with
45 placement and installation guidelines developed by the
46 Department of Transportation. An automated license plate
47 recognition system must be removed within 30 days after the
48 Department of Transportation notifies the requesting law
49 enforcement agency that such removal must occur.

50 (c) Installation and removal of an automated license plate
51 recognition system is at the sole expense of the requesting law
52 enforcement agency. The Department of Transportation is not
53 liable for any damages caused to any person by the requesting
54 law enforcement agency's operation of such a system.

55 (d) Records containing images and data generated through
56 use of an automated license plate recognition system may not be
57 retained longer than the maximum period provided in the
58 retention schedule established pursuant to s. 316.0778.

59 (3)~~(2)~~ The following information held by an agency is
60 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
61 of the State Constitution:

62 (a) Images and data containing or providing personal
63 identifying information obtained through the use of an automated
64 license plate recognition system.

65 (b) Personal identifying information of an individual in
66 data generated or resulting from images obtained through the use
67 of an automated license plate recognition system.

68 (4)~~(3)~~ Such information may be disclosed as follows:



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69 (a) Any such information may be disclosed by or to a
70 criminal justice agency in the performance of the criminal
71 justice agency's official duties.

72 (b) Any such information relating to a license plate
73 registered to an individual may be disclosed to the individual,
74 unless such information constitutes active criminal intelligence
75 information or active criminal investigative information.

76 (5)~~(4)~~ This exemption applies to such information held by
77 an agency before, on, or after the effective date of this
78 exemption.

79 Section 3. Subsection (10) is added to section 332.007,
80 Florida Statutes, to read:

81 332.007 Administration and financing of aviation and
82 airport programs and projects; state plan.-

83 (10) Subject to the availability of appropriated funds, and
84 unless otherwise provided in the General Appropriations Act or
85 the substantive bill implementing the General Appropriations
86 Act, the department may fund all of the following at a publicly
87 owned, publicly operated airport located in a rural community as
88 defined in s. 288.0656 which does not have any scheduled
89 commercial service:

90 (a) The capital cost of runway and taxiway projects that
91 add capacity. Such projects must be prioritized based on the
92 amount of available nonstate matching funds.

93 (b) Economic development transportation projects pursuant
94 to s. 339.2821.

95
96 Any remaining funds must be allocated for projects specified in
97 subsection (6).



98 Section 4. Subsection (4) of section 330.29, Florida
99 Statutes, is amended to read:

100 330.29 Administration and enforcement; rules; requirements
101 for airport sites and airports.—It is the duty of the department
102 to:

103 (4) Adopt rules pursuant to ss. 120.536(1) and 120.54 to
104 implement the provisions of this chapter. The department rules
105 governing public airport site approval must include a
106 requirement that an applicant provide a copy of a written
107 memorandum of understanding or letter of agreement regarding air
108 traffic pattern separation procedures between the parties
109 representing a proposed airport and any existing airport or any
110 approved airport site located within 3 miles of the proposed
111 site, which must be signed by each of the respective parties.
112 The requirement applies only if such memorandum or letter is
113 required by the final Federal Aviation Administration airspace
114 determination letter or is deemed necessary by the department.

115
116 ===== T I T L E A M E N D M E N T =====

117 And the title is amended as follows:

118 Between lines 11 and 12
119 insert:

120 311.101, F.S.; authorizing the department to provide
121 up to 100 percent of project costs for certain
122 eligible projects in rural areas of opportunity;
123 amending s. 316.0777, F.S.; defining the term “law
124 enforcement agency”; authorizing installation of an
125 automated license plate recognition system within the
126 right-of-way of any road on the State Highway System



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127 for a specified purpose; providing that such
128 installations are solely within the department's
129 discretion and must be in accordance with placement
130 and installation guidelines developed by the
131 department; requiring removal of such a system within
132 a specified timeframe at the expense of the requesting
133 law enforcement agency upon notification by the
134 department; providing that the department is not
135 liable for any damages resulting from the requesting
136 law enforcement agency's operation of such a system;
137 providing for a maximum period of retention of certain
138 records generated through the use of an automated
139 license plate recognition system; amending s. 332.007,
140 F.S.; authorizing the department, subject to the
141 availability of appropriated funds, to fund certain
142 projects at specified publicly owned, publicly
143 operated airports with no scheduled commercial
144 service; providing prioritization criteria; providing
145 for allocation of any remaining funds; amending s.
146 330.29, F.S.; requiring that department rules
147 governing public airport site approval include a
148 specified requirement relating to a memorandum of
149 understanding or letter of agreement regarding air
150 traffic pattern separation procedures between
151 specified parties; providing applicability; amending
152 s.