

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Abbott offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 113-305 and insert:

5 Section 4. Subsection (6) of section 311.101, Florida
6 Statutes, is amended to read:

7 311.101 Intermodal Logistics Center Infrastructure Support
8 Program.—

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

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14 Section 5. Subsections (2), (3), and (4) of section
15 316.0777, Florida Statutes, are renumbered as subsections (3),
16 (4), and (5), respectively, and a new subsection (2) is added to
17 that section to read:

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

21 (2) (a) As used in this subsection, the term "law
22 enforcement agency" means an agency that has a primary mission
23 of preventing and detecting crime and enforcing state penal,
24 criminal, traffic, and motor vehicle laws and, in furtherance of
25 that mission, employs law enforcement officers as defined in s.
26 943.10(1).

27 (b) At the discretion of the Department of Transportation,
28 an automated license plate recognition system may be installed
29 within the right-of-way, as defined in s. 334.03(21), of a road
30 on the State Highway System when installed at the request of a
31 law enforcement agency for the purpose of collecting active
32 criminal intelligence information or active criminal
33 investigative information as defined in s. 119.011(3). An
34 automated license plate recognition system may not be used to
35 issue a notice of violation for a traffic infraction or a
36 uniform traffic citation. Such installation must be in
37 accordance with placement and installation guidelines developed
38 by the Department of Transportation. An automated license plate

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39 recognition system must be removed within 30 days after the
40 Department of Transportation notifies the requesting law
41 enforcement agency that such removal must occur.

42 (c) Installation and removal of an automated license plate
43 recognition system are at the sole expense of the requesting law
44 enforcement agency. The Department of Transportation is not
45 liable for any damages caused to any person by the requesting
46 law enforcement agency's operation of such system.

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

51 Section 6. Effective upon this act becoming a law,
52 paragraphs (d) through (g) of subsection (1) of section 330.30,
53 Florida Statutes, are redesignated as paragraphs (e) through
54 (h), respectively, and a new paragraph (d) is added to that
55 subsection to read:

56 330.30 Approval of airport sites; registration and
57 licensure of airports.—

58 (1) SITE APPROVALS; REQUIREMENTS, EFFECTIVE PERIOD,
59 REVOCATION.—

60 (d) For the purpose of granting site approval, the
61 department may not require an applicant to provide a written
62 memorandum of understanding or letter of agreement with other
63 airport sites regarding air traffic pattern separation

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64 procedures unless such memorandum or letter is required by the
65 Federal Aviation Administration or is deemed necessary by the
66 department.

67 Section 7. Subsection (10) is added to section 332.007,
68 Florida Statutes, to read:

69 332.007 Administration and financing of aviation and
70 airport programs and projects; state plan.—

71 (10) Subject to the availability of appropriated funds,
72 and unless otherwise provided in the General Appropriations Act
73 or the substantive bill implementing the General Appropriations
74 Act, the department may fund up to 100 percent of eligible
75 project costs of all of the following at a publicly owned,
76 publicly operated airport located in a rural community as
77 defined in s. 288.0656 which does not have any scheduled
78 commercial service:

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

82 (b) Economic development transportation projects pursuant
83 to s. 339.2821.

84
85 Any remaining funds must be allocated for projects specified in
86 subsection (6).

87 Section 8. Subsection (5) of section 334.044, Florida
88 Statutes, is amended, and subsection (36) is added to that

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89 section, to read:

90 334.044 Powers and duties of the department.—The
91 department shall have the following general powers and duties:

92 (5) To purchase, lease, or otherwise acquire property and
93 materials, including the purchase of promotional items as part
94 of public information and education campaigns for the promotion
95 of scenic highways, traffic and train safety awareness,
96 alternatives to single-occupant vehicle travel, ~~and~~ commercial
97 motor vehicle safety, electric vehicle use and charging
98 stations, autonomous vehicles, and context design for electric
99 vehicles and autonomous vehicles; to purchase, lease, or
100 otherwise acquire equipment and supplies; and to sell, exchange,
101 or otherwise dispose of any property that is no longer needed by
102 the department.

103 (36) To expend funds, within its discretion, for training,
104 testing, and licensing for full-time employees of the department
105 who are required to have a valid Class A or Class B commercial
106 driver license as a condition of employment with the department.

107 Section 9. Subsection (1) of section 337.025, Florida
108 Statutes, is amended to read:

109 337.025 Innovative transportation projects; department to
110 establish program.—

111 (1) The department may establish a program for
112 transportation projects demonstrating innovative techniques of
113 highway and bridge design, construction, maintenance, and

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114 finance which have the intended effect of measuring resiliency
115 and structural integrity and controlling time and cost increases
116 on construction projects. Such techniques may include, but are
117 not limited to, state-of-the-art technology for pavement,
118 safety, and other aspects of highway and bridge design,
119 construction, and maintenance; innovative bidding and financing
120 techniques; accelerated construction procedures; and those
121 techniques that have the potential to reduce project life cycle
122 costs. To the maximum extent practical, the department must use
123 the existing process to award and administer construction and
124 maintenance contracts. When specific innovative techniques are
125 to be used, the department is not required to adhere to those
126 provisions of law that would prevent, preclude, or in any way
127 prohibit the department from using the innovative technique.
128 However, before using an innovative technique that is
129 inconsistent with another provision of law, the department must
130 document in writing the need for the exception and identify what
131 benefits the traveling public and the affected community are
132 anticipated to receive. The department may enter into no more
133 than \$200 ~~\$120~~ million in contracts awarded annually for the
134 purposes authorized by this section.

135 Section 10. Paragraph (c) of subsection (6) and subsection
136 (7) of section 337.11, Florida Statutes, are amended to read:

137 337.11 Contracting authority of department; bids;
138 emergency repairs, supplemental agreements, and change orders;

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139 combined design and construction contracts; progress payments;
140 records; requirements of vehicle registration.—

141 (6)

142 (c) When the department determines that it is in the best
143 interest of the public for reasons of public concern, economy,
144 improved operations, or safety, and only when circumstances
145 dictate rapid completion of the work, the department may, up to
146 the amount of \$500,000 ~~\$250,000~~, enter into contracts for
147 construction and maintenance without advertising and receiving
148 competitive bids. The department may enter into such contracts
149 only upon a determination that the work is necessary for one of
150 the following reasons:

151 1. To ensure timely completion of projects or avoidance of
152 undue delay for other projects;

153 2. To accomplish minor repairs or construction and
154 maintenance activities for which time is of the essence and for
155 which significant cost savings would occur; or

156 3. To accomplish nonemergency work necessary to ensure
157 avoidance of adverse conditions that affect the safe and
158 efficient flow of traffic.

159

160 The department shall make a good faith effort to obtain two or
161 more quotes, if available, from qualified contractors before
162 entering into any contract. The department shall give
163 consideration to disadvantaged business enterprise

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164 participation. However, when the work exists within the limits
165 of an existing contract, the department shall make a good faith
166 effort to negotiate and enter into a contract with the prime
167 contractor on the existing contract.

168 (7)(a) If the department determines that it is in the best
169 interests of the public, the department may combine the design
170 and construction phases of a ~~building, a major bridge, a limited~~
171 ~~access facility, or a rail corridor~~ project into a single
172 contract. Such contract is referred to as a design-build
173 contract.

174 (b) If the department determines that it is in the best
175 interests of the public, the department may combine the design
176 and construction phases of a project fully funded in the work
177 program into a single contract and select the design-build firm
178 in the early stages of a project to ensure that the design-build
179 firm is part of the collaboration and development of the design
180 as part of a step-by-step progression through construction. Such
181 a contract is referred to as a phased design-build contract. For
182 phased design-build contracts, selection and award must include
183 a two-phase process. For phase one, the department shall
184 competitively award the contract to a design-build firm based
185 upon qualifications. For phase two, the design-build firm shall
186 competitively bid construction trade subcontractor packages and,
187 based upon these bids, negotiate with the department a fixed
188 firm price or guaranteed maximum price that meets the project

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189 budget and scope as advertised in the request for
190 qualifications.

191 (c) Design-build contracts and phased design-build
192 contracts may be advertised and awarded notwithstanding the
193 requirements of paragraph (3)(c). However, construction
194 activities may not begin on any portion of such projects for
195 which the department has not yet obtained title to the necessary
196 rights-of-way and easements for the construction of that portion
197 of the project has vested in the state or a local governmental
198 entity and all railroad crossing and utility agreements have
199 been executed. Title to rights-of-way shall be deemed to have
200 vested in the state when the title has been dedicated to the
201 public or acquired by prescription.

202 ~~(d)-(b)~~ The department shall adopt by rule procedures for
203 administering design-build and phased design-build contracts.
204 Such procedures shall include, but not be limited to:

- 205 1. Prequalification requirements.
- 206 2. Public announcement procedures.
- 207 3. Scope of service requirements.
- 208 4. Letters of interest requirements.
- 209 5. Short-listing criteria and procedures.
- 210 6. Bid proposal requirements.
- 211 7. Technical review committee.
- 212 8. Selection and award processes.
- 213 9. Stipend requirements.

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214 ~~(e)-(e)~~ The department must receive at least three letters
215 of interest in order to proceed with a request for proposals.
216 The department shall request proposals from no fewer than three
217 of the design-build firms submitting letters of interest. If a
218 design-build firm withdraws from consideration after the
219 department requests proposals, the department may continue if at
220 least two proposals are received.

221 Section 11. Paragraph (i) of subsection (6) of section
222 339.175, Florida Statutes, is amended to read:

223 339.175 Metropolitan planning organization.—

224 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,
225 privileges, and authority of an M.P.O. are those specified in
226 this section or incorporated in an interlocal agreement
227 authorized under s. 163.01. Each M.P.O. shall perform all acts
228 required by federal or state laws or rules, now and subsequently
229 applicable, which are necessary to qualify for federal aid. It
230 is the intent of this section that each M.P.O. shall be involved
231 in the planning and programming of transportation facilities,
232 including, but not limited to, airports, intercity and high-
233 speed rail lines, seaports, and intermodal facilities, to the
234 extent permitted by state or federal law.

235 (i) By December 31, 2023, There is created the Chairs
236 Coordinating Committee, composed of the M.P.O.'s serving Citrus,
237 Hernando, Hillsborough, Manatee, Pasco, and Pinellas, Polk, and
238 Sarasota Counties must submit to the Governor, the President of

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239 the Senate, and the Speaker of the House of Representatives a
240 feasibility report exploring the benefits, costs, and process of
241 consolidation into a single M.P.O. serving the contiguous
242 urbanized area, the goal of which is to. ~~The committee must, at~~
243 ~~a minimum:~~

244 1. Coordinate transportation projects deemed to be
245 regionally significant ~~by the committee.~~

246 2. Review the impact of regionally significant land use
247 decisions on the region.

248 3. Review all proposed regionally significant
249 transportation projects in the ~~respective~~ transportation
250 improvement programs ~~which affect more than one of the M.P.O.'s~~
251 ~~represented on the committee.~~

252 4. ~~Institute a conflict resolution process to address any~~
253 ~~conflict that may arise in the planning and programming of such~~
254 ~~regionally significant projects.~~

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

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Remove lines 12-46 and insert:

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of certain transportation facilities; amending s.

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311.101, F.S.; authorizing the department to provide

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up to 100 percent of project costs for certain

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eligible projects in rural areas of opportunity;

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264 amending s. 316.0777, F.S.; defining the term "law
265 enforcement agency"; authorizing installation of an
266 automated license plate recognition system within the
267 right-of-way of a road on the State Highway System for
268 a specified purpose; prohibiting use of such system
269 for certain purposes; requiring such installation to
270 be in accordance with placement and installation
271 guidelines developed by the department; requiring
272 removal of such system within a specified timeframe
273 upon notification by the department; exempting the
274 department from liability for damages resulting from
275 operation of such system; providing for a maximum
276 period of retention of certain records generated
277 through the use of such system; amending s. 330.30,
278 F.S.; prohibiting the department from requiring that
279 an applicant for airport site approval provide a
280 written memorandum of understanding or letter of
281 agreement with other airport sites except under
282 specified circumstances; amending s. 332.007, F.S.;

283 authorizing the department, subject to the
284 availability of appropriated funds, to fund up to 100
285 percent of eligible project costs of certain projects
286 at specified publicly owned, publicly operated
287 airports with no scheduled commercial service;
288 providing prioritization criteria; providing for

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289 allocation of any remaining funds; amending s.
290 334.044, F.S.; authorizing the department to purchase
291 certain promotional items; authorizing the department
292 to expend funds for certain training, testing, and
293 licensing; amending s. 337.025, F.S.; revising the
294 annual cap for contracts awarded for specified
295 purposes; amending s. 337.11, F.S.; revising the
296 amount of construction and maintenance contracts the
297 department may enter into without advertising and
298 receiving competitive bids; revising requirements for
299 design-build contracts; authorizing the department to
300 enter into phased design-build contracts under certain
301 circumstances; providing requirements for phased
302 design-build contracts; requiring the department to
303 adopt rules for administering phased design-build
304 contracts; amending s. 339.175, F.S.; abolishing the
305 Chairs Coordinating Committee; requiring metropolitan
306 planning organizations serving specified counties to
307 submit a certain feasibility report by a specified
308 date, with certain goals; amending s. 341.052, F.S.;
309 requiring public

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