

1                                   A bill to be entitled  
2           An act relating to the Department of Transportation;  
3           amending s. 288.9606, F.S.; authorizing Florida  
4           Development Finance Corporation revenue bonds to  
5           finance acquisition or construction of certain  
6           transportation facilities; amending s. 316.0777, F.S.;  
7           defining the term "law enforcement agency";  
8           authorizing installation of an automated license plate  
9           recognition system within the right-of-way of a road  
10          on the State Highway System for a specified purpose;  
11          requiring such installation to be in accordance with  
12          placement and installation guidelines developed by the  
13          department; requiring removal of such system within a  
14          specified timeframe upon notification by the  
15          department; exempting the department from liability  
16          for damages resulting from operation of such system;  
17          providing for a maximum period of retention of certain  
18          records generated through the use of such system;  
19          amending s. 330.30, F.S.; prohibiting the department  
20          from requiring that an applicant for airport site  
21          approval provide a written memorandum of understanding  
22          or letter of agreement with other airport sites except  
23          under specified circumstances; amending s. 334.044,  
24          F.S.; authorizing the department to purchase certain  
25          promotional items; authorizing the department to

26 | expend funds for certain training, testing, and  
 27 | licensing; amending s. 337.11, F.S.; revising the  
 28 | amount of construction and maintenance contracts the  
 29 | department may enter into without advertising and  
 30 | receiving competitive bids; amending s. 341.052, F.S.;  
 31 | requiring public transit block grant program providers  
 32 | to establish plans consistent with certain long-range  
 33 | transportation plans; amending s. 341.071, F.S.;  
 34 | revising requirements for public transit provider  
 35 | reports and publication thereof; transferring control  
 36 | of the Santa Rosa Bay Bridge Authority to the  
 37 | department; transferring all remaining assets, rights,  
 38 | powers, and duties of the authority to the department;  
 39 | authorizing the department to transfer all or a  
 40 | portion of the bridge system to the turnpike system;  
 41 | repealing part IV of ch. 348, F.S., relating to the  
 42 | creation and operation of the Santa Rosa Bay Bridge  
 43 | Authority; providing effective dates.

44 |  
 45 | Be It Enacted by the Legislature of the State of Florida:

46 |  
 47 | Section 1. Subsection (6) of section 288.9606, Florida  
 48 | Statutes, is amended, and paragraph (d) is added to subsection  
 49 | (7) of that section, to read:

50 | 288.9606 Issue of revenue bonds.—

51 (6) The proceeds of any bonds of the corporation may not  
 52 be used, in any manner, to acquire any building or facility that  
 53 will be, during the pendency of the financing, used by, occupied  
 54 by, leased to, or paid for by any state, county, or municipal  
 55 agency or entity. This subsection does not prohibit the use of  
 56 proceeds of bonds of the corporation for the purpose of  
 57 financing the acquisition or construction of a transportation  
 58 facility under a public-private partnership agreement authorized  
 59 by s. 334.30.

60 (7) Notwithstanding any provision of this section, the  
 61 corporation in its corporate capacity may, without authorization  
 62 from a public agency under s. 163.01(7), issue revenue bonds or  
 63 other evidence of indebtedness under this section to:

64 (d) Finance the costs of acquisition or construction of a  
 65 transportation facility by a private entity or consortium of  
 66 private entities under a public-private partnership agreement  
 67 authorized by s. 334.30.

68 Section 2. Subsections (2), (3), and (4) of section  
 69 316.0777, Florida Statutes, are renumbered as subsections (3),  
 70 (4), and (5), respectively, and a new subsection (2) is added to  
 71 that section to read:

72 316.0777 Automated license plate recognition systems;  
 73 installation within rights-of-way of State Highway System;  
 74 public records exemption.—

75 (2) (a) As used in this subsection, the term "law

76 enforcement agency" means an agency that has a primary mission  
 77 of preventing and detecting crime and enforcing state penal,  
 78 criminal, traffic, and motor vehicle laws and, in furtherance of  
 79 that mission, employs law enforcement officers as defined in s.  
 80 943.10(1).

81 (b) At the discretion of the Department of Transportation,  
 82 an automated license plate recognition system may be installed  
 83 within the right-of-way, as defined in s. 334.03(21), of a road  
 84 on the State Highway System when installed at the request of a  
 85 law enforcement agency for the purpose of collecting active  
 86 criminal intelligence information or active criminal  
 87 investigative information as defined in s. 119.011(3). Such  
 88 installation must be in accordance with placement and  
 89 installation guidelines developed by the Department of  
 90 Transportation. An automated license plate recognition system  
 91 must be removed within 30 days after the Department of  
 92 Transportation notifies the requesting law enforcement agency  
 93 that such removal must occur.

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

99 (d) Records containing images and data generated through  
 100 the use of an automated license plate recognition system may not

101 be retained longer than the maximum period provided in the  
 102 retention schedule established pursuant to s. 316.0778.

103 Section 3. Paragraphs (d) through (g) of subsection (1) of  
 104 section 330.30, Florida Statutes, are redesignated as paragraphs  
 105 (e) through (h), respectively, and a new paragraph (d) is added  
 106 to that subsection to read:

107 330.30 Approval of airport sites; registration and  
 108 licensure of airports.—

109 (1) SITE APPROVALS; REQUIREMENTS, EFFECTIVE PERIOD,  
 110 REVOCATION.—

111 (d) For the purpose of granting site approval, the  
 112 department may not require an applicant to provide a written  
 113 memorandum of understanding or letter of agreement with other  
 114 airport sites regarding air traffic pattern separation  
 115 procedures unless such memorandum or letter is required by the  
 116 Federal Aviation Administration or is deemed necessary by the  
 117 department.

118 Section 4. Subsection (5) of section 334.044, Florida  
 119 Statutes, is amended, and subsection (36) is added to that  
 120 section, to read:

121 334.044 Powers and duties of the department.—The  
 122 department shall have the following general powers and duties:

123 (5) To purchase, lease, or otherwise acquire property and  
 124 materials, including the purchase of promotional items as part  
 125 of public information and education campaigns for the promotion

126 of scenic highways, traffic and train safety awareness,  
 127 alternatives to single-occupant vehicle travel, ~~and~~ commercial  
 128 motor vehicle safety, electric vehicle use and charging  
 129 stations, autonomous vehicles, and context design for electric  
 130 vehicles and autonomous vehicles; to purchase, lease, or  
 131 otherwise acquire equipment and supplies; and to sell, exchange,  
 132 or otherwise dispose of any property that is no longer needed by  
 133 the department.

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

138 Section 5. Paragraph (c) of subsection (6) of section  
 139 337.11, Florida Statutes, is amended to read:

140 337.11 Contracting authority of department; bids;  
 141 emergency repairs, supplemental agreements, and change orders;  
 142 combined design and construction contracts; progress payments;  
 143 records; requirements of vehicle registration.-

144 (6)

145 (c) When the department determines that it is in the best  
 146 interest of the public for reasons of public concern, economy,  
 147 improved operations, or safety, and only when circumstances  
 148 dictate rapid completion of the work, the department may, up to  
 149 the amount of \$500,000 ~~\$250,000~~, enter into contracts for  
 150 construction and maintenance without advertising and receiving

151 competitive bids. The department may enter into such contracts  
152 only upon a determination that the work is necessary for one of  
153 the following reasons:

154 1. To ensure timely completion of projects or avoidance of  
155 undue delay for other projects;

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

159 3. To accomplish nonemergency work necessary to ensure  
160 avoidance of adverse conditions that affect the safe and  
161 efficient flow of traffic.

162

163 The department shall make a good faith effort to obtain two or  
164 more quotes, if available, from qualified contractors before  
165 entering into any contract. The department shall give  
166 consideration to disadvantaged business enterprise  
167 participation. However, when the work exists within the limits  
168 of an existing contract, the department shall make a good faith  
169 effort to negotiate and enter into a contract with the prime  
170 contractor on the existing contract.

171 Section 6. Subsection (1) of section 341.052, Florida  
172 Statutes, is amended to read:

173 341.052 Public transit block grant program;  
174 administration; eligible projects; limitation.—

175 (1) There is created a public transit block grant program

176 | which shall be administered by the department. Block grant funds  
177 | shall only be provided to "Section 9" providers and "Section 18"  
178 | providers designated by the United States Department of  
179 | Transportation and community transportation coordinators as  
180 | defined in chapter 427. Eligible providers must establish public  
181 | transportation development plans consistent, to the maximum  
182 | extent feasible, with approved local government comprehensive  
183 | plans of the units of local government in which the provider is  
184 | located and the long-range transportation plans of the  
185 | metropolitan planning organization in which the provider is  
186 | located. In developing public transportation development plans,  
187 | eligible providers must solicit comments from local workforce  
188 | development boards established under chapter 445. The  
189 | development plans must address how the public transit provider  
190 | will work with the appropriate local workforce development board  
191 | to provide services to participants in the welfare transition  
192 | program. Eligible providers must provide information to the  
193 | local workforce development board serving the county in which  
194 | the provider is located regarding the availability of  
195 | transportation services to assist program participants.

196 |       Section 7. Subsections (2) and (3) of section 341.071,  
197 | Florida Statutes, are amended to read:

198 |       341.071 Transit productivity and performance measures;  
199 | reports.—

200 |       (2) Each public transit provider shall establish



201 productivity and performance measures, which must be approved by  
 202 the department and which must be selected from measures  
 203 developed pursuant to s. 341.041(3). Each provider shall, by  
 204 January 31 of each year, report to the department relative to  
 205 these measures. In approving these measures, the department  
 206 shall give consideration to the goals and objectives of each  
 207 system, the needs of the local area, and the role for public  
 208 transit in the local area. The report shall include the ~~also~~  
 209 ~~specifically address potential enhancements to productivity and~~  
 210 ~~performance which would have the effect of increasing~~ farebox  
 211 recovery ratio.

212 (3) Each public transit provider shall publish on its  
 213 ~~website in the local newspaper of its area~~ the productivity and  
 214 performance measures established for the year and a report which  
 215 provides quantitative data relative to the attainment of  
 216 established productivity and performance measures.

217 Section 8. (1) Effective upon this act becoming a law,  
 218 the governance and control of the Santa Rosa Bay Bridge  
 219 Authority is transferred to the Department of Transportation.

220 (2) The authority's bridge system transferred to the  
 221 department under the terms of the lease-purchase agreement  
 222 between the department and the authority, effective as of the  
 223 close of business on June 30, 2022. Any remaining assets,  
 224 facilities, tangible and intangible property, and any rights in  
 225 such property, and any other legal rights of the authority, are

226 transferred to the department. The department succeeds to all  
227 powers of the authority. The department may review other  
228 contracts, financial obligations, and contractual obligations  
229 and liabilities of the authority and may assume legal liability  
230 for such obligations that are determined by the department to be  
231 necessary for the continued operation of the bridge system.

232 (3) The bridge system, or any portion thereof, may be  
233 transferred by the department and become part of the turnpike  
234 system under the Florida Turnpike Enterprise Law.

235 Section 9. Effective upon this act becoming a law, part IV  
236 of chapter 348, Florida Statutes, consisting of sections  
237 348.965, 348.966, 348.967, 348.968, 348.969, 348.97, 348.971,  
238 348.972, 348.973, 348.974, 348.9751, 348.9761, 348.9771, and  
239 348.9781, is repealed.

240 Section 10. Except as otherwise expressly provided in this  
241 act, this act shall take effect July 1, 2023.