

1                                   A bill to be entitled  
2           An act relating to the Department of Transportation;  
3           amending s. 206.46, F.S.; increasing the maximum  
4           amount of debt service coverage that may be  
5           transferred from the State Transportation Trust Fund  
6           to the Right-of-Way Acquisition and Bridge  
7           Construction Trust Fund; amending s. 215.616, F.S.,  
8           increasing the maximum term of state bonds for federal  
9           aid highway construction; amending s. 288.9606, F.S.;  
10          authorizing Florida Development Finance Corporation  
11          revenue bonds to finance acquisition or construction  
12          of certain transportation facilities; amending s.  
13          311.101, F.S.; authorizing the department to provide  
14          up to 100 percent of project costs for certain  
15          eligible projects in rural areas of opportunity;  
16          amending s. 316.0777, F.S.; defining the term "law  
17          enforcement agency"; authorizing installation of an  
18          automated license plate recognition system within the  
19          right-of-way of a road on the State Highway System for  
20          a specified purpose; prohibiting use of such system  
21          for certain purposes; requiring such installation to  
22          be in accordance with placement and installation  
23          guidelines developed by the department; requiring  
24          removal of such system within a specified timeframe  
25          upon notification by the department; exempting the

26 | department from liability for damages resulting from  
27 | operation of such system; providing for a maximum  
28 | period of retention of certain records generated  
29 | through the use of such system; amending s. 330.27,  
30 | F.S.; revising the definition of the term "temporary  
31 | airport"; amending s. 330.30, F.S.; requiring certain  
32 | documentation to be submitted to the Department of  
33 | Transportation for temporary airport site approval and  
34 | temporary airport registration; requiring a temporary  
35 | airport to obtain registration before operation of  
36 | aircraft to or from the airport; prohibiting the  
37 | department from requiring that an applicant for  
38 | airport site approval provide a written memorandum of  
39 | understanding or letter of agreement with other  
40 | airport sites except under specified circumstances;  
41 | requiring the department to publish certain notice of  
42 | receipt of a temporary airport registration  
43 | application; specifying the period during which such  
44 | application may be approved or denied; requiring the  
45 | department to issue registration concurrent with site  
46 | approval; providing that certain registrations are  
47 | considered approved under specified conditions;  
48 | requiring written notice to the department's agency  
49 | clerk before an applicant takes action based on such  
50 | default registration; removing a condition for

51 licensure or registration as a temporary airport;  
52 prohibiting approval of subsequent registration  
53 applications under certain circumstances; revising an  
54 exemption from certain provisions for an airport used  
55 for aerial application or spraying of crops; amending  
56 s. 332.007, F.S.; authorizing the department, subject  
57 to the availability of appropriated funds, to fund up  
58 to 100 percent of eligible project costs of certain  
59 projects at specified publicly owned, publicly  
60 operated airports with no scheduled commercial  
61 service; providing prioritization criteria; providing  
62 for allocation of any remaining funds; amending s.  
63 334.044, F.S.; authorizing the department to purchase  
64 certain promotional items; authorizing the department  
65 to expend funds for certain training, testing, and  
66 licensing; amending s. 337.025, F.S.; revising the  
67 annual cap for contracts awarded for specified  
68 purposes; deleting the exemption from such cap for  
69 low-bid design-build milling and resurfacing  
70 contracts; amending s. 337.11, F.S.; revising the  
71 amount of construction and maintenance contracts the  
72 department may enter into without advertising and  
73 receiving competitive bids; revising requirements for  
74 design-build contracts; authorizing the department to  
75 enter into phased design-build contracts under certain

76 | circumstances; providing requirements for phased  
77 | design-build contracts; requiring the department to  
78 | adopt rules for administering phased design-build  
79 | contracts; amending s. 339.175, F.S.; abolishing the  
80 | Chairs Coordinating Committee; requiring metropolitan  
81 | planning organizations serving specified counties to  
82 | submit a certain feasibility report by a specified  
83 | date, with certain goals; amending s. 341.052, F.S.;  
84 | requiring public transit block grant program providers  
85 | to establish plans consistent with certain long-range  
86 | transportation plans; amending s. 341.071, F.S.;  
87 | revising requirements for public transit provider  
88 | reports and publication thereof; transferring control  
89 | of the Santa Rosa Bay Bridge Authority to the  
90 | department; transferring all remaining assets, rights,  
91 | powers, and duties of the authority to the department;  
92 | authorizing the department to transfer all or a  
93 | portion of the bridge system to the turnpike system;  
94 | repealing part IV of ch. 348, F.S., relating to the  
95 | creation and operation of the Santa Rosa Bay Bridge  
96 | Authority; reestablishing the Greater Miami Expressway  
97 | Agency; amending s. 348.0301, F.S.; revising a short  
98 | title; repealing s. 348.0302, F.S., relating to  
99 | applicability; amending s. 348.0303, F.S.; deleting  
100 | the term "county"; revising the definition of the term

101 "expressway system"; defining the term "Miami-Dade  
 102 County Expressway Authority"; creating s. 348.03031,  
 103 F.S.; providing legislative findings and intent;  
 104 amending s. 348.0304, F.S.; revising the area served  
 105 by the agency to include specified portions of Monroe  
 106 County; revising requirements for membership of the  
 107 agency's governing body; revising requirements for  
 108 initial appointments; amending s. 348.0306, F.S.;  
 109 authorizing, rather than requiring, the agency to  
 110 construct expressways; conforming provisions to  
 111 changes made by the act; amending s. 348.0309, F.S.;  
 112 conforming a provision to changes made by the act;  
 113 amending s. 348.0315, F.S.; revising the date by  
 114 which, and the entities to which, the agency must  
 115 begin submitting certain annual reports relating to  
 116 tolls; amending s. 348.0318, F.S.; conforming a  
 117 provision to changes made by the act; amending s.  
 118 189.072, F.S.; providing applicability; providing a  
 119 directive to the Division of Law Revision; providing  
 120 an effective date.

121

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

123

124 Section 1. Subsection (2) of section 206.46, Florida  
 125 Statutes, is amended to read:

126 206.46 State Transportation Trust Fund.—

127 (2) Notwithstanding any other law, from the revenues  
 128 deposited into the State Transportation Trust Fund a maximum of  
 129 7 percent in each fiscal year shall be transferred into the  
 130 Right-of-Way Acquisition and Bridge Construction Trust Fund  
 131 created in s. 215.605, as needed to meet the requirements of the  
 132 documents authorizing the bonds issued or proposed to be issued  
 133 under ss. 215.605 and 337.276 or at a minimum amount sufficient  
 134 to pay for the debt service coverage requirements of outstanding  
 135 bonds. Notwithstanding the 7 percent annual transfer authorized  
 136 in this subsection, the annual amount transferred under this  
 137 subsection may not exceed an amount necessary to provide the  
 138 required debt service coverage levels for a maximum debt service  
 139 not to exceed \$425 ~~\$350~~ million. Such transfer shall be payable  
 140 primarily from the motor and diesel fuel taxes transferred to  
 141 the State Transportation Trust Fund from the Fuel Tax Collection  
 142 Trust Fund.

143 Section 2. Subsection (3) of section 215.616, Florida  
 144 Statutes, is amended to read:

145 215.616 State bonds for federal aid highway construction.—

146 (3) The term of the bonds may ~~shall~~ not exceed a term of  
 147 18 ~~12~~ years. Before ~~Prior to~~ the issuance of bonds, the  
 148 Department of Transportation must ~~shall~~ determine that annual  
 149 debt service on all bonds issued pursuant to this section does  
 150 not exceed 10 percent of annual apportionments to the department

151 for federal highway aid in accordance with the provisions of  
 152 Title 23 of the United States Code.

153 Section 3. Subsection (6) of section 288.9606, Florida  
 154 Statutes, is amended, and paragraph (d) is added to subsection  
 155 (7) of that section, to read:

156 288.9606 Issue of revenue bonds.—

157 (6) The proceeds of any bonds of the corporation may not  
 158 be used, in any manner, to acquire any building or facility that  
 159 will be, during the pendency of the financing, used by, occupied  
 160 by, leased to, or paid for by any state, county, or municipal  
 161 agency or entity. This subsection does not prohibit the use of  
 162 proceeds of bonds of the corporation for the purpose of  
 163 financing the acquisition or construction of a transportation  
 164 facility under a public-private partnership agreement authorized  
 165 by s. 334.30.

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

170 (d) Finance the costs of acquisition or construction of a  
 171 transportation facility by a private entity or consortium of  
 172 private entities under a public-private partnership agreement  
 173 authorized by s. 334.30.

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

176 311.101 Intermodal Logistics Center Infrastructure Support  
 177 Program.—

178 (6) The department shall provide up to 50 percent of  
 179 project costs for eligible projects. For eligible projects in  
 180 rural areas of opportunity designated in accordance with s.  
 181 288.0656(7)(a), the department may provide up to 100 percent of  
 182 project costs.

183 Section 5. Subsections (2), (3), and (4) of section  
 184 316.0777, Florida Statutes, are renumbered as subsections (3),  
 185 (4), and (5), respectively, and a new subsection (2) is added to  
 186 that section to read:

187 316.0777 Automated license plate recognition systems;  
 188 installation within rights-of-way of State Highway System;  
 189 public records exemption.—

190 (2)(a) As used in this subsection, the term "law  
 191 enforcement agency" means an agency that has a primary mission  
 192 of preventing and detecting crime and enforcing state penal,  
 193 criminal, traffic, and motor vehicle laws and, in furtherance of  
 194 that mission, employs law enforcement officers as defined in s.  
 195 943.10(1).

196 (b) At the discretion of the Department of Transportation,  
 197 an automated license plate recognition system may be installed  
 198 within the right-of-way, as defined in s. 334.03(21), of a road  
 199 on the State Highway System when installed at the request of a  
 200 law enforcement agency for the purpose of collecting active



201 criminal intelligence information or active criminal  
202 investigative information as defined in s. 119.011(3). An  
203 automated license plate recognition system may not be used to  
204 issue a notice of violation for a traffic infraction or a  
205 uniform traffic citation. Such installation must be in  
206 accordance with placement and installation guidelines developed  
207 by the Department of Transportation. An automated license plate  
208 recognition system must be removed within 30 days after the  
209 Department of Transportation notifies the requesting law  
210 enforcement agency that such removal must occur.

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

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

220 Section 6. Subsection (7) of section 330.27, Florida  
221 Statutes, is amended to read:

222 330.27 Definitions, when used in ss. 330.29-330.39.—

223 (7) "Temporary airport" means an ~~any~~ airport at which  
224 flight operations are conducted under visual flight rules  
225 established by the Federal Aviation Administration and which is

226 ~~that will be~~ used for a ~~period of~~ less than 30 consecutive days  
227 with no more than 10 operations per day.

228 Section 7. Subsection (1), paragraphs (a) and (c) of  
229 subsection (2), and paragraph (e) of subsection (3) of section  
230 330.30, Florida Statutes, are amended to read:

231 330.30 Approval of airport sites; registration and  
232 licensure of airports.—

233 (1) SITE APPROVALS; REQUIREMENTS, EFFECTIVE PERIOD,  
234 REVOCATION.—

235 (a) Except as provided in subsection (3), the owner or  
236 lessee of a ~~any~~ proposed airport shall, before ~~prior to~~ site  
237 acquisition or construction or establishment of the proposed  
238 airport, obtain approval of the airport site from the  
239 department. Applications for approval of a site shall be made in  
240 a form and manner prescribed by the department. The department  
241 shall grant the site approval if it is satisfied:

242 1. That the site has adequate area allocated for the  
243 airport as proposed.

244 2. That the proposed airport will conform to licensing or  
245 registration requirements and will comply with the applicable  
246 local government land development regulations or zoning  
247 requirements.

248 3. That all affected airports, local governments, and  
249 property owners have been notified and any comments submitted by  
250 them have been given adequate consideration.

251 4. That safe air-traffic patterns can be established for  
 252 the proposed airport with all existing airports and approved  
 253 airport sites in its vicinity.

254 (b) Site approval shall be granted for a public airport  
 255 ~~airports~~ only after a favorable department inspection of the  
 256 proposed site.

257 (c) Site approval shall be granted for a private airport  
 258 ~~airports~~ only after receipt of documentation in a form and  
 259 manner the department deems necessary to satisfy the conditions  
 260 in paragraph (a).

261 (d) Site approval shall be granted for a temporary airport  
 262 only after receipt of documentation in a form and manner the  
 263 department deems necessary to satisfy the conditions in  
 264 paragraph (a). Such documentation must be included with the  
 265 application for a temporary airport registration.

266 (e) For the purpose of granting site approval, the  
 267 department may not require an applicant to provide a written  
 268 memorandum of understanding or letter of agreement with other  
 269 airport sites regarding air traffic pattern separation  
 270 procedures unless such memorandum or letter is required by the  
 271 Federal Aviation Administration or is deemed necessary by the  
 272 department.

273 (f) ~~(d)~~ Site approval may be granted subject to any  
 274 reasonable conditions the department deems necessary to protect  
 275 the public health, safety, or welfare.

276        ~~(g)(e)~~ Approval as a public airport or a private airport  
 277 shall remain valid for 2 years after the date of issue, unless  
 278 revoked by the department or unless a public airport license is  
 279 issued or a private airport registration is completed pursuant  
 280 to subsection (2) before ~~prior to~~ the expiration date.

281        ~~(h)(f)~~ The department may extend a public airport or  
 282 private airport site approval for subsequent periods of 2 years  
 283 per extension for good cause.

284        ~~(i)(g)~~ The department may revoke an airport a site  
 285 approval if it determines:

- 286            1. That the site has been abandoned as an airport site;
- 287            2. That the site has not been developed as an airport  
 288 within a reasonable time period or development does not comply  
 289 with the conditions of the site approval;
- 290            3. That, except as required for in-flight emergencies,  
 291 aircraft have operated on the site; or
- 292            4. That the site is no longer usable for aviation purposes  
 293 due to physical or legal changes in conditions that were the  
 294 subject of the approval granted.

295        (2) LICENSES AND REGISTRATIONS; REQUIREMENTS, RENEWAL,  
 296 REVOCATION.—

297        (a) Except as provided in subsection (3), the owner or  
 298 lessee of an any airport in this state shall have ~~either~~ a  
 299 public airport license, ~~or~~ private airport registration, or  
 300 temporary airport registration before ~~prior to~~ the operation of

301 aircraft to or from the airport facility. Application for a  
302 license or registration shall be made in a form and manner  
303 prescribed by the department. ~~Upon granting site approval:~~

304 1. For a public airport, upon granting site approval, the  
305 department shall issue a license after a final airport  
306 inspection finds the airport facility to be in compliance with  
307 all requirements for the license. The license may be subject to  
308 any reasonable conditions ~~that~~ the department deems ~~may deem~~  
309 necessary to protect the public health, safety, or welfare.

310 2. For a private airport, upon granting site approval, the  
311 department shall provide controlled electronic access to the  
312 state aviation facility data system to permit the applicant to  
313 complete the registration process. Registration shall be  
314 completed upon self-certification by the registrant of  
315 operational and configuration data deemed necessary by the  
316 department.

317 3. For a temporary airport, the department must publish  
318 notice of receipt of a completed registration application in the  
319 next available publication of the Florida Administrative  
320 Register and may not approve a registration application less  
321 than 14 days after the date of publication of the notice. The  
322 department must approve or deny a registration application  
323 within 30 days after receipt of a completed application and must  
324 issue the temporary airport registration concurrent with the  
325 airport site approval. A completed registration application that

326 is not approved or denied within 30 days after the department  
327 receives the completed application is considered approved and  
328 shall be issued, subject to such reasonable conditions as are  
329 authorized by law. An applicant seeking to claim registration by  
330 default under this subparagraph must notify the agency clerk of  
331 the department, in writing, of the intent to rely upon the  
332 default registration provision of this subparagraph and may not  
333 take any action based upon the default registration until after  
334 receipt of such notice by the agency clerk.

335 ~~(c) The department may license a public airport or a~~  
336 ~~private airport may register as a temporary airport provided~~  
337 ~~that the airport will not endanger the public health, safety, or~~  
338 ~~welfare and the airport meets the temporary airport requirements~~  
339 ~~established by the department. A temporary airport license or~~  
340 registration shall be valid for less than 30 days and is not  
341 renewable. The department may not approve a subsequent temporary  
342 airport registration application for the same general location  
343 if the purpose or effect is to evade otherwise applicable  
344 airport permitting or licensure requirements.

345 (3) EXEMPTIONS.—The provisions of this section do not  
346 apply to:

347 (e) An airport ~~which meets the criteria of s. 330.27(7)~~  
348 used exclusively for aerial application or spraying of crops on  
349 a seasonal basis, not to include any licensed airport where  
350 permanent crop aerial application or spraying facilities are

351 installed, if the period of operation does not exceed 30 days  
352 per calendar year and the frequency of operations does not  
353 exceed 10 operations per day. Such proposed airports, which will  
354 be located within 3 miles of existing airports or approved  
355 airport sites, shall establish safe air-traffic patterns with  
356 such existing airports or approved airport sites, by memorandums  
357 of understanding, or by letters of agreement between the parties  
358 representing the airports or sites.

359 Section 8. Subsection (10) is added to section 332.007,  
360 Florida Statutes, to read:

361 332.007 Administration and financing of aviation and  
362 airport programs and projects; state plan.—

363 (10) Subject to the availability of appropriated funds,  
364 and unless otherwise provided in the General Appropriations Act  
365 or the substantive bill implementing the General Appropriations  
366 Act, the department may fund up to 100 percent of eligible  
367 project costs of all of the following at a publicly owned,  
368 publicly operated airport located in a rural community as  
369 defined in s. 288.0656 which does not have any scheduled  
370 commercial service:

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

374 (b) Economic development transportation projects pursuant  
375 to s. 339.2821.

376  
 377 Any remaining funds must be allocated for projects specified in  
 378 subsection (6).

379 Section 9. Subsection (5) of section 334.044, Florida  
 380 Statutes, is amended, and subsection (36) is added to that  
 381 section, to read:

382 334.044 Powers and duties of the department.—The  
 383 department shall have the following general powers and duties:

384 (5) To purchase, lease, or otherwise acquire property and  
 385 materials, including the purchase of promotional items as part  
 386 of public information and education campaigns for the promotion  
 387 of scenic highways, traffic and train safety awareness,  
 388 alternatives to single-occupant vehicle travel, ~~and~~ commercial  
 389 motor vehicle safety, electric vehicle use and charging  
 390 stations, autonomous vehicles, and context design for electric  
 391 vehicles and autonomous vehicles; to purchase, lease, or  
 392 otherwise acquire equipment and supplies; and to sell, exchange,  
 393 or otherwise dispose of any property that is no longer needed by  
 394 the department.

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

399 Section 10. Section 337.025, Florida Statutes, is amended  
 400 to read:



401           337.025 Innovative transportation projects; department to  
402 establish program.—

403           (1) The department may establish a program for  
404 transportation projects demonstrating innovative techniques of  
405 highway and bridge design, construction, maintenance, and  
406 finance which have the intended effect of measuring resiliency  
407 and structural integrity and controlling time and cost increases  
408 on construction projects. Such techniques may include, but are  
409 not limited to, state-of-the-art technology for pavement,  
410 safety, and other aspects of highway and bridge design,  
411 construction, and maintenance; innovative bidding and financing  
412 techniques; accelerated construction procedures; and those  
413 techniques that have the potential to reduce project life cycle  
414 costs. To the maximum extent practical, the department must use  
415 the existing process to award and administer construction and  
416 maintenance contracts. When specific innovative techniques are  
417 to be used, the department is not required to adhere to those  
418 provisions of law that would prevent, preclude, or in any way  
419 prohibit the department from using the innovative technique.  
420 However, before using an innovative technique that is  
421 inconsistent with another provision of law, the department must  
422 document in writing the need for the exception and identify what  
423 benefits the traveling public and the affected community are  
424 anticipated to receive. The department may enter into no more  
425 than \$200 ~~\$120~~ million in contracts awarded annually for the

426 purposes authorized by this section.

427 (2) The annual cap on contracts provided in subsection (1)  
 428 does not apply to:

429 ~~(a) turnpike enterprise projects.~~

430 ~~(b) Low-bid design-build milling and resurfacing~~  
 431 ~~contracts.~~

432 Section 11. Paragraph (c) of subsection (6) and subsection  
 433 (7) of section 337.11, Florida Statutes, are amended to read:

434 337.11 Contracting authority of department; bids;  
 435 emergency repairs, supplemental agreements, and change orders;  
 436 combined design and construction contracts; progress payments;  
 437 records; requirements of vehicle registration.—

438 (6)

439 (c) When the department determines that it is in the best  
 440 interest of the public for reasons of public concern, economy,  
 441 improved operations, or safety, and only when circumstances  
 442 dictate rapid completion of the work, the department may, up to  
 443 the amount of \$500,000 ~~\$250,000~~, enter into contracts for  
 444 construction and maintenance without advertising and receiving  
 445 competitive bids. The department may enter into such contracts  
 446 only upon a determination that the work is necessary for one of  
 447 the following reasons:

448 1. To ensure timely completion of projects or avoidance of  
 449 undue delay for other projects;

450 2. To accomplish minor repairs or construction and

451 maintenance activities for which time is of the essence and for  
452 which significant cost savings would occur; or

453 3. To accomplish nonemergency work necessary to ensure  
454 avoidance of adverse conditions that affect the safe and  
455 efficient flow of traffic.

456

457 The department shall make a good faith effort to obtain two or  
458 more quotes, if available, from qualified contractors before  
459 entering into any contract. The department shall give  
460 consideration to disadvantaged business enterprise  
461 participation. However, when the work exists within the limits  
462 of an existing contract, the department shall make a good faith  
463 effort to negotiate and enter into a contract with the prime  
464 contractor on the existing contract.

465 (7) (a) If the department determines that it is in the best  
466 interests of the public, the department may combine the design  
467 and construction phases of a ~~building, a major bridge, a limited~~  
468 ~~access facility, or a rail corridor~~ project into a single  
469 contract. Such contract is referred to as a design-build  
470 contract.

471 (b) If the department determines that it is in the best  
472 interests of the public, the department may combine the design  
473 and construction phases of a project fully funded in the work  
474 program into a single contract and select the design-build firm  
475 in the early stages of a project to ensure that the design-build

476 firm is part of the collaboration and development of the design  
477 as part of a step-by-step progression through construction. Such  
478 a contract is referred to as a phased design-build contract. For  
479 phased design-build contracts, selection and award must include  
480 a two-phase process. For phase one, the department shall  
481 competitively award the contract to a design-build firm based  
482 upon qualifications. For phase two, the design-build firm shall  
483 competitively bid construction trade subcontractor packages and,  
484 based upon these bids, negotiate with the department a fixed  
485 firm price or guaranteed maximum price that meets the project  
486 budget and scope as advertised in the request for  
487 qualifications.

488 (c) Design-build contracts and phased design-build  
489 contracts may be advertised and awarded notwithstanding the  
490 requirements of paragraph (3)(c). However, construction  
491 activities may not begin on any portion of such projects for  
492 which the department has not yet obtained title to the necessary  
493 rights-of-way and easements for the construction of that portion  
494 of the project has vested in the state or a local governmental  
495 entity and all railroad crossing and utility agreements have  
496 been executed. Title to rights-of-way shall be deemed to have  
497 vested in the state when the title has been dedicated to the  
498 public or acquired by prescription.

499 (d) ~~(b)~~ The department shall adopt by rule procedures for  
500 administering design-build and phased design-build contracts.

501 Such procedures shall include, but not be limited to:

- 502 1. Prequalification requirements.
- 503 2. Public announcement procedures.
- 504 3. Scope of service requirements.
- 505 4. Letters of interest requirements.
- 506 5. Short-listing criteria and procedures.
- 507 6. Bid proposal requirements.
- 508 7. Technical review committee.
- 509 8. Selection and award processes.
- 510 9. Stipend requirements.

511 (e)~~(e)~~ The department must receive at least three letters  
 512 of interest in order to proceed with a request for proposals.  
 513 The department shall request proposals from no fewer than three  
 514 of the design-build firms submitting letters of interest. If a  
 515 design-build firm withdraws from consideration after the  
 516 department requests proposals, the department may continue if at  
 517 least two proposals are received.

518 Section 12. Paragraph (i) of subsection (6) of section  
 519 339.175, Florida Statutes, is amended to read:

520 339.175 Metropolitan planning organization.—

521 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,  
 522 privileges, and authority of an M.P.O. are those specified in  
 523 this section or incorporated in an interlocal agreement  
 524 authorized under s. 163.01. Each M.P.O. shall perform all acts  
 525 required by federal or state laws or rules, now and subsequently

526 applicable, which are necessary to qualify for federal aid. It  
 527 is the intent of this section that each M.P.O. shall be involved  
 528 in the planning and programming of transportation facilities,  
 529 including, but not limited to, airports, intercity and high-  
 530 speed rail lines, seaports, and intermodal facilities, to the  
 531 extent permitted by state or federal law.

532 (i) By December 31, 2023, ~~There is created the Chairs~~  
 533 ~~Coordinating Committee, composed of the M.P.O.'s serving Citrus,~~  
 534 ~~Hernando, Hillsborough, Manatee, Pasco, and Pinellas, Polk, and~~  
 535 ~~Sarasota Counties~~ must submit to the Governor, the President of  
 536 the Senate, and the Speaker of the House of Representatives a  
 537 feasibility report exploring the benefits, costs, and process of  
 538 consolidation into a single M.P.O. serving the contiguous  
 539 urbanized area, the goal of which is to. ~~The committee must, at~~  
 540 ~~a minimum:~~

- 541 1. Coordinate transportation projects deemed to be
- 542 regionally significant ~~by the committee.~~
- 543 2. Review the impact of regionally significant land use
- 544 decisions on the region.
- 545 3. Review all proposed regionally significant
- 546 transportation projects in the ~~respective~~ transportation
- 547 improvement programs ~~which affect more than one of the M.P.O.'s~~
- 548 ~~represented on the committee.~~
- 549 4. ~~Institute a conflict resolution process to address any~~
- 550 ~~conflict that may arise in the planning and programming of such~~

551 ~~regionally significant projects.~~

552 Section 13. Subsection (1) of section 341.052, Florida  
 553 Statutes, is amended to read:

554 341.052 Public transit block grant program;  
 555 administration; eligible projects; limitation.—

556 (1) There is created a public transit block grant program  
 557 which shall be administered by the department. Block grant funds  
 558 shall only be provided to "Section 9" providers and "Section 18"  
 559 providers designated by the United States Department of  
 560 Transportation and community transportation coordinators as  
 561 defined in chapter 427. Eligible providers must establish public  
 562 transportation development plans consistent, to the maximum  
 563 extent feasible, with approved local government comprehensive  
 564 plans of the units of local government in which the provider is  
 565 located and the long-range transportation plans of the  
 566 metropolitan planning organization in which the provider is  
 567 located. In developing public transportation development plans,  
 568 eligible providers must solicit comments from local workforce  
 569 development boards established under chapter 445. The  
 570 development plans must address how the public transit provider  
 571 will work with the appropriate local workforce development board  
 572 to provide services to participants in the welfare transition  
 573 program. Eligible providers must provide information to the  
 574 local workforce development board serving the county in which  
 575 the provider is located regarding the availability of

576 transportation services to assist program participants.

577 Section 14. Subsections (2) and (3) of section 341.071,  
578 Florida Statutes, are amended to read:

579 341.071 Transit productivity and performance measures;  
580 reports.—

581 (2) Each public transit provider shall establish  
582 productivity and performance measures, which must be approved by  
583 the department and which must be selected from measures  
584 developed pursuant to s. 341.041(3). Each provider shall, by  
585 January 31 of each year, report to the department relative to  
586 these measures. In approving these measures, the department  
587 shall give consideration to the goals and objectives of each  
588 system, the needs of the local area, and the role for public  
589 transit in the local area. The report shall include the ~~also~~  
590 ~~specifically address potential enhancements to productivity and~~  
591 ~~performance which would have the effect of increasing farebox~~  
592 recovery ratio.

593 (3) Each public transit provider shall publish on its  
594 ~~website in the local newspaper of its area~~ the productivity and  
595 performance measures established for the year and a report which  
596 provides quantitative data relative to the attainment of  
597 established productivity and performance measures.

598 Section 15. (1) Effective upon this act becoming a law,  
599 the governance and control of the Santa Rosa Bay Bridge  
600 Authority is transferred to the Department of Transportation.



601       (2) The authority's bridge system transferred to the  
602 department under the terms of the lease-purchase agreement  
603 between the department and the authority, effective as of the  
604 close of business on June 30, 2022. Any remaining assets,  
605 facilities, tangible and intangible property, and any rights in  
606 such property, and any other legal rights of the authority, are  
607 transferred to the department. The department succeeds to all  
608 powers of the authority. The department may review other  
609 contracts, financial obligations, and contractual obligations  
610 and liabilities of the authority and may assume legal liability  
611 for such obligations that are determined by the department to be  
612 necessary for the continued operation of the bridge system.

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

616       Section 16. Effective upon this act becoming a law, part  
617 IV of chapter 348, Florida Statutes, consisting of sections  
618 348.965, 348.966, 348.967, 348.968, 348.969, 348.97, 348.971,  
619 348.972, 348.973, 348.974, 348.9751, 348.9761, 348.9771, and  
620 348.9781, is repealed.

621       Section 17. Effective upon this act becoming a law, the  
622 Greater Miami Expressway Agency created by chapter 2019-169,  
623 Laws of Florida, is reestablished subject to the revised powers  
624 and duties set forth herein.

625       Section 18. Effective upon this act becoming a law,

626 section 348.0301, Florida Statutes, is amended to read:

627 348.0301 Short title.—This part may be cited as the  
 628 "Greater Miami Expressway Agency Act of 2023."

629 Section 19. Effective upon this act becoming a law,  
 630 section 348.0302, Florida Statutes, is repealed.

631 Section 20. Effective upon this act becoming a law,  
 632 subsections (5) through (11) of section 348.0303, Florida  
 633 Statutes, are renumbered as subsections (4) through (10),  
 634 respectively, present subsections (4) and (9) are amended, and a  
 635 new subsection (11) is added to that section, to read:

636 348.0303 Definitions.—As used in the this part, the term:

637 ~~(4) "County" means a county as defined in s. 125.011(1).~~

638 ~~(8)(9) "Expressway system" means any and all expressways~~  
 639 ~~not owned by the department~~ which fall within the geographic  
 640 boundaries of the agency established pursuant to this act and  
 641 appurtenant facilities thereto, including but not limited to,  
 642 all approaches, roads, bridges, and avenues of access for such  
 643 expressway. The term includes a public transportation facility.

644 (11) "Miami-Dade County Expressway Authority" means the  
 645 state agency previously existing and originally established  
 646 under the Florida Expressway Authority Act and subsequently  
 647 dissolved by the Greater Miami Expressway Agency Act.

648 Section 21. Effective upon this act becoming a law,  
 649 section 348.03031, Florida Statutes, is created to read:

650 348.03031 Legislative findings, intent, and declaration.—

651       (1) The Legislature finds the need to clarify the legal  
652 status, ownership, and control of the roads that constitute the  
653 expressway system in Miami-Dade County and portions of northeast  
654 Monroe County, following Miami-Dade County's attempt to abolish  
655 the Greater Miami Expressway Agency in Miami-Dade Ordinance 21-  
656 35 (May 4, 2021).

657       (2) The Legislature recognizes that the original  
658 expressway system previously operated by the former Miami-Dade  
659 County Expressway Authority is owned by the department. The  
660 transfer agreement dated December 10, 1996, entered into by the  
661 department and the former Miami-Dade County Expressway  
662 Authority, transferred only operational and financial control of  
663 the expressways owned by the department.

664       (3) The Legislature recognizes the Miami-Dade County  
665 Expressway Authority was dissolved by chapter 2019-169, Laws of  
666 Florida, and all assets, employees, contracts, rights, and  
667 liabilities were purportedly transferred to the Greater Miami  
668 Expressway Agency. All assets, employees, contracts, rights, and  
669 liabilities previously owned or controlled by the former Miami-  
670 Dade County Expressway Authority, including, without limitation,  
671 those previously transferred to the Greater Miami Expressway  
672 Agency, are transferred back to the reestablished Greater Miami  
673 Expressway Agency created in s. 348.0304 on the effective date  
674 of this act.

675       (4) It is the intent of the Legislature to confirm that

676 the Greater Miami Expressway Agency that was created by chapter  
 677 2019-169, Laws of Florida, is hereby reestablished. The Greater  
 678 Miami Expressway Agency is the state agency that shall govern  
 679 the expressway system within the geographical boundaries of  
 680 Miami-Dade County and the portion of northeast Monroe County  
 681 which includes County Road 94 and the portion of Monroe County  
 682 bounded on the north and east by the borders of Monroe County  
 683 and on the south and west by County Road 94. It is further the  
 684 express intent of the Legislature that the Greater Miami  
 685 Expressway Agency created by this law is an agency of the state  
 686 and not subject to any county's home rule powers.

687 Section 22. Effective upon this act becoming a law,  
 688 subsection (1) and paragraphs (a) and (b) of subsection (2) of  
 689 section 348.0304, Florida Statutes, are amended to read:

690 348.0304 Greater Miami Expressway Agency.—

691 (1) There is hereby created and established a body politic  
 692 and corporate, an agency of the state, to be known as the  
 693 "Greater Miami Expressway Agency." The agency shall serve the  
 694 area within the geographical boundaries of Miami-Dade County and  
 695 the portion of northeast Monroe County including County Road 94  
 696 and the portion of Monroe County bounded on the north and east  
 697 by the borders of Monroe County and on the south and west by  
 698 County Road 94.

699 (2) (a) The governing body of the agency shall consist of  
 700 nine voting members. Except for the district secretary of the

701 department, each member must be a permanent resident of a ~~the~~  
702 county served by the agency and may not hold, or have held in  
703 the previous 2 years, elected or appointed office in such ~~the~~  
704 county, except that this provision does not apply to any initial  
705 appointment under paragraph (b) or to any member who previously  
706 served on the governing body of the former Greater Miami  
707 Expressway Agency. Each member may only serve two terms of 4  
708 years each, except that there is no restriction on the term of  
709 the department's district secretary. Four members shall be  
710 appointed by the Governor, one of whom must be a member of the  
711 metropolitan planning organization for Miami-Dade ~~the~~ County.  
712 Two members, who must be residents of an unincorporated portion  
713 of the geographic area described in subsection (1) and residing  
714 within 15 miles of an area with the highest amount of agency  
715 toll roads, shall be appointed by the board of county  
716 commissioners of Miami-Dade County ~~residing within 15 miles of~~  
717 ~~an area with the highest amount of agency toll roads, shall be~~  
718 ~~appointed by the board of county commissioners of the county~~.  
719 Two members, who must be residents of incorporated  
720 municipalities within a county served by the agency, shall be  
721 appointed by the metropolitan planning organization for a county  
722 served by the agency ~~the county, shall be appointed by the~~  
723 ~~metropolitan planning organization for the county~~. The district  
724 secretary of the department serving in the district that  
725 contains Miami-Dade ~~the~~ County shall serve as an ex officio

726 voting member of the governing body.

727 (b) Initial appointments to the governing body of the  
 728 agency shall be made by July 31, 2019. For the initial  
 729 appointments:

730 1. The Governor shall appoint one member for a term of 1  
 731 year, one member for a term of 2 years, one member for a term of  
 732 3 years, and one member for a term of 4 years.

733 2. The board of county commissioners of Miami-Dade County  
 734 shall appoint one member for a term of 1 year and one member for  
 735 a term of 3 years.

736 3. The metropolitan planning organization of Miami-Dade  
 737 County shall appoint one member for a term of 2 years and one  
 738 member for a term of 4 years.

739 Section 23. Effective upon this act becoming a law,  
 740 paragraph (b) of subsection (1), paragraph (f) of subsection  
 741 (2), and subsections (6) and (8) of section 348.0306, Florida  
 742 Statutes, are amended to read:

743 348.0306 Purposes and powers.—

744 (1)

745 (b) The agency, in the construction of an expressway  
 746 system, may ~~shall~~ construct expressways. Construction of an  
 747 expressway system may be completed in segments, phases, or  
 748 stages in a manner that will permit the expansion of these  
 749 segments, phases, or stages to the desired expressway  
 750 configuration. The agency, in the construction of an expressway

751 system, may construct any extensions of, additions to, or  
 752 improvements to the expressway system or appurtenant facilities,  
 753 including all necessary approaches, roads, bridges, and avenues  
 754 of access, with such changes, modifications, or revisions of the  
 755 project that are deemed desirable and proper. For new capacity  
 756 projects, the agency shall use the department's design standards  
 757 and, to the maximum extent practicable, design facilities such  
 758 as the department would for high-speed limited access  
 759 facilities. The agency may only add additional expressways to an  
 760 expressway system, under the terms and conditions set forth in  
 761 this act, with the prior express written consent of the board of  
 762 county commissioners of Miami-Dade ~~the County~~ or Monroe County,  
 763 as applicable, and only if such additional expressways lack  
 764 adequate committed funding for implementation, are financially  
 765 feasible, and are compatible with the existing plans, projects,  
 766 and programs of the agency.

767 (2) The agency may exercise all powers necessary,  
 768 appurtenant, convenient, or incidental to the carrying out of  
 769 its purposes, including, but not limited to, the following  
 770 rights and powers:

771 (f) To borrow money, make and issue negotiable notes,  
 772 bonds, refund bonds, and other evidence of indebtedness of the  
 773 agency, which bonds or other evidence of indebtedness may be  
 774 issued pursuant to the State Bond Act or, in the alternative,  
 775 pursuant to s. 348.0309(2) to finance or refinance additions,

776 extensions, or improvements to the expressway system within the  
777 geographic boundaries of the agency, and to provide for the  
778 security of the bonds or other evidence of indebtedness and the  
779 rights and remedies of the holders of the bonds or other  
780 evidence of indebtedness. Any bonds or other evidence of  
781 indebtedness pledging the full faith and credit of the state may  
782 only be issued pursuant to the State Bond Act.

783 1. The agency shall reimburse the counties ~~county~~ in which  
784 it exists for any sums expended from any county gasoline tax  
785 funds used for payment of such obligations. Any county gasoline  
786 tax funds so disbursed shall be repaid in accordance with the  
787 terms of any lease-purchase or interlocal agreement with any  
788 county or the department together with interest, at the rate  
789 agreed to in such agreement. In no event shall any county  
790 gasoline tax funds be more than a secondary pledge of revenues  
791 for repayment of any obligations issued pursuant to this part.

792 2. The agency may refund any bonds previously issued, to  
793 the extent allowable by federal tax laws, to finance or  
794 refinance an expressway system located within the geographic  
795 boundaries of the agency regardless of whether the bonds being  
796 refunded were issued by such agency, an agency of the state, or  
797 a county.

798 (6) Notwithstanding subsection (3) or any other provision  
799 of law to the contrary, the agency may not undertake any  
800 construction that is not consistent with both the metropolitan



801 | planning organization's transportation improvement program and  
 802 | the county's comprehensive plan in an area served by the agency.

803 |         (8) The governing body of a ~~the~~ county served by the  
 804 | agency may enter into an interlocal agreement with the agency  
 805 | pursuant to s. 163.01 for the joint performance or performance  
 806 | by either governmental entity of any corporate function of the  
 807 | county or agency necessary or appropriate to enable the agency  
 808 | to fulfill the powers and purposes of this part and promote the  
 809 | efficient and effective transportation of persons and goods in  
 810 | such county.

811 |         Section 24. Effective upon this act becoming a law,  
 812 | paragraph (c) of subsection (2) of section 348.0309, Florida  
 813 | Statutes, is amended to read:

814 |             348.0309 Bonds.—

815 |             (2)

816 |             (c) Such bonds shall be sold by the agency at public sale  
 817 | by competitive bid. However, if the agency, after receipt of a  
 818 | written recommendation from a financial adviser, determines by  
 819 | official action after public hearing by a two-thirds vote of all  
 820 | voting members of the agency that a negotiated sale of the bonds  
 821 | is in the best interest of the agency, the agency may negotiate  
 822 | for sale of the bonds with the underwriter or underwriters  
 823 | designated by the agency and the counties ~~county~~ in which the  
 824 | agency exists. The agency shall provide specific findings in a  
 825 | resolution as to the reasons requiring the negotiated sale,

826 | which resolution shall incorporate and have attached thereto the  
 827 | written recommendation of the financial adviser required by this  
 828 | subsection.

829 |         Section 25. Effective upon this act becoming a law,  
 830 | subsection (2) of section 348.0315, Florida Statutes, is amended  
 831 | to read:

832 |             348.0315 Public accountability.—

833 |             (2) Beginning October 1, 2024 ~~2020~~, and annually  
 834 | thereafter, the agency shall submit to the metropolitan planning  
 835 | organization for each ~~the~~ county served by the agency a report  
 836 | providing information regarding the amount of tolls collected  
 837 | and how those tolls were used in the agency's previous fiscal  
 838 | year. The report shall be posted on the agency's website.

839 |         Section 26. Effective upon this act becoming a law,  
 840 | subsection (1) of section 348.0318, Florida Statutes, is amended  
 841 | to read:

842 |             348.0318 This part complete and additional authority.—

843 |             (1) The powers conferred by this part are in addition and  
 844 | supplemental to the existing powers of the department and the  
 845 | governing body of the agency, and this part may not be construed  
 846 | as repealing any of the provisions of any other law, general,  
 847 | special, or local, but to supersede such other laws in the  
 848 | exercise of the powers provided in this part and to provide a  
 849 | complete method for the exercise of the powers granted in this  
 850 | part. The extension and improvement of the expressway system,

851 and the issuance of bonds pursuant to this part to finance all  
 852 or part of the cost of the system, may be accomplished upon  
 853 compliance with the provisions of this part without regard to or  
 854 necessity for compliance with the provisions, limitations, or  
 855 restrictions contained in any other general, special, or local  
 856 law, including, but not limited to, s. 215.821, and no approval  
 857 of any bonds issued under this part by the qualified electors or  
 858 qualified electors who are freeholders in the state or in Miami-  
 859 Dade County, in Monroe County, or in any other political  
 860 subdivision of the state, is required for the issuance of such  
 861 bonds pursuant to this part, including, but not limited to, s.  
 862 215.821.

863 Section 27. Effective upon this act becoming a law,  
 864 subsection (5) is added to section 189.072, Florida Statutes, to  
 865 read:

866 189.072 Dissolution of an independent special district.—

867 (5) The provisions of this section do not apply to any  
 868 entity created pursuant to the Florida Expressway Authority Act,  
 869 derived from chapter 90-136, Laws of Florida, and subsequently  
 870 repealed by chapter 2019-169, Laws of Florida.

871 Section 28. The Division of Law Revision is directed to  
 872 replace the phrase "the effective date of this act" wherever it  
 873 occurs in this act with the date this act becomes a law.

874 Section 29. Except as otherwise expressly provided in this  
 875 act and except for this section, which shall take effect upon

876 | this act becoming a law, this act shall take effect July 1,  
877 | 2023.