

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. 341.061, F.S.;
87 | requiring the department to adopt by rule minimum
88 | safety standards for certain fixed-guideway
89 | transportation systems; requiring the department to
90 | conduct certain structural inspections and follow
91 | certain safety protocols during such inspections;
92 | amending s. 341.071, F.S.; revising requirements for
93 | public transit provider reports and publication
94 | thereof; transferring control of the Santa Rosa Bay
95 | Bridge Authority to the department; transferring all
96 | remaining assets, rights, powers, and duties of the
97 | authority to the department; authorizing the
98 | department to transfer all or a portion of the bridge
99 | system to the turnpike system; repealing part IV of
100 | ch. 348, F.S., relating to the creation and operation

101 of the Santa Rosa Bay Bridge Authority; reestablishing
102 the Greater Miami Expressway Agency; amending s.
103 348.0301, F.S.; revising a short title; repealing s.
104 348.0302, F.S., relating to applicability; amending s.
105 348.0303, F.S.; deleting the term "county"; revising
106 the definition of the term "expressway system";
107 defining the term "Miami-Dade County Expressway
108 Authority"; creating s. 348.03031, F.S.; providing
109 legislative findings and intent; amending s. 348.0304,
110 F.S.; providing legislative intent; revising the area
111 served by the agency to include specified portions of
112 Monroe County; revising requirements for membership of
113 the agency's governing body; revising requirements for
114 initial appointments; amending s. 348.0306, F.S.;
115 authorizing, rather than requiring, the agency to
116 construct expressways; conforming provisions to
117 changes made by the act; amending s. 348.0309, F.S.;
118 conforming a provision to changes made by the act;
119 amending s. 348.0315, F.S.; revising the date by
120 which, and the entities to which, the agency must
121 begin submitting certain annual reports relating to
122 tolls; amending s. 348.0318, F.S.; conforming a
123 provision to changes made by the act; amending s.
124 189.072, F.S.; providing applicability; providing a
125 directive to the Division of Law Revision; providing

126 an effective date.

127

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

129

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

132 206.46 State Transportation Trust Fund.—

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

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

151 215.616 State bonds for federal aid highway construction.—

152 (3) The term of the bonds may ~~shall~~ not exceed a term of
 153 18 ~~12~~ years. Before ~~Prior to~~ the issuance of bonds, the
 154 Department of Transportation must ~~shall~~ determine that annual
 155 debt service on all bonds issued pursuant to this section does
 156 not exceed 10 percent of annual apportionments to the department
 157 for federal highway aid in accordance with the provisions of
 158 Title 23 of the United States Code.

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

162 288.9606 Issue of revenue bonds.—

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

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

176 (d) Finance the costs of acquisition or construction of a
 177 transportation facility by a private entity or consortium of
 178 private entities under a public-private partnership agreement
 179 authorized by s. 334.30.

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

182 311.101 Intermodal Logistics Center Infrastructure Support
 183 Program.—

184 (6) The department shall provide up to 50 percent of
 185 project costs for eligible projects. For eligible projects in
 186 rural areas of opportunity designated in accordance with s.
 187 288.0656(7)(a), the department may provide up to 100 percent of
 188 project costs.

189 Section 5. Subsections (2), (3), and (4) of section
 190 316.0777, Florida Statutes, are renumbered as subsections (3),
 191 (4), and (5), respectively, and a new subsection (2) is added to
 192 that section to read:

193 316.0777 Automated license plate recognition systems;
 194 installation within rights-of-way of State Highway System;
 195 public records exemption.—

196 (2)(a) As used in this subsection, the term "law
 197 enforcement agency" means an agency that has a primary mission
 198 of preventing and detecting crime and enforcing state penal,
 199 criminal, traffic, and motor vehicle laws and, in furtherance of
 200 that mission, employs law enforcement officers as defined in s.

201 943.10(1).

202 (b) At the discretion of the Department of Transportation,
203 an automated license plate recognition system may be installed
204 within the right-of-way, as defined in s. 334.03(21), of a road
205 on the State Highway System when installed at the request of a
206 law enforcement agency for the purpose of collecting active
207 criminal intelligence information or active criminal
208 investigative information as defined in s. 119.011(3). An
209 automated license plate recognition system may not be used to
210 issue a notice of violation for a traffic infraction or a
211 uniform traffic citation. Such installation must be in
212 accordance with placement and installation guidelines developed
213 by the Department of Transportation. An automated license plate
214 recognition system must be removed within 30 days after the
215 Department of Transportation notifies the requesting law
216 enforcement agency that such removal must occur.

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

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

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

228 330.27 Definitions, when used in ss. 330.29-330.39.—

229 (7) "Temporary airport" means an ~~any~~ airport at which
 230 flight operations are conducted under visual flight rules
 231 established by the Federal Aviation Administration and which is
 232 ~~that will be used for a period of~~ less than 30 consecutive days
 233 with no more than 10 operations per day.

234 Section 7. Subsection (1), paragraphs (a) and (c) of
 235 subsection (2), and paragraph (e) of subsection (3) of section
 236 330.30, Florida Statutes, are amended to read:

237 330.30 Approval of airport sites; registration and
 238 licensure of airports.—

239 (1) SITE APPROVALS; REQUIREMENTS, EFFECTIVE PERIOD,
 240 REVOCATION.—

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

248 1. That the site has adequate area allocated for the
 249 airport as proposed.

250 2. That the proposed airport will conform to licensing or

251 registration requirements and will comply with the applicable
252 local government land development regulations or zoning
253 requirements.

254 3. That all affected airports, local governments, and
255 property owners have been notified and any comments submitted by
256 them have been given adequate consideration.

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

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

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

267 (d) Site approval shall be granted for a temporary airport
268 only after receipt of documentation in a form and manner the
269 department deems necessary to satisfy the conditions in
270 paragraph (a). Such documentation must be included with the
271 application for a temporary airport registration.

272 (e) For the purpose of granting site approval, the
273 department may not require an applicant to provide a written
274 memorandum of understanding or letter of agreement with other
275 airport sites regarding air traffic pattern separation

276 procedures unless such memorandum or letter is required by the
277 Federal Aviation Administration or is deemed necessary by the
278 department.

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

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

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

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

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

301 (2) LICENSES AND REGISTRATIONS; REQUIREMENTS, RENEWAL,
 302 REVOCATION.—

303 (a) Except as provided in subsection (3), the owner or
 304 lessee of an ~~any~~ airport in this state shall have ~~either~~ a
 305 public airport license, ~~or~~ private airport registration, or
 306 temporary airport registration before ~~prior to~~ the operation of
 307 aircraft to or from the airport facility. Application for a
 308 license or registration shall be made in a form and manner
 309 prescribed by the department. ~~Upon granting site approval:~~

310 1. For a public airport, upon granting site approval, the
 311 department shall issue a license after a final airport
 312 inspection finds the airport facility to be in compliance with
 313 all requirements for the license. The license may be subject to
 314 any reasonable conditions ~~that~~ the department deems ~~may deem~~
 315 necessary to protect the public health, safety, or welfare.

316 2. For a private airport, upon granting site approval, the
 317 department shall provide controlled electronic access to the
 318 state aviation facility data system to permit the applicant to
 319 complete the registration process. Registration shall be
 320 completed upon self-certification by the registrant of
 321 operational and configuration data deemed necessary by the
 322 department.

323 3. For a temporary airport, the department must publish
 324 notice of receipt of a completed registration application in the
 325 next available publication of the Florida Administrative

326 Register and may not approve a registration application less
327 than 14 days after the date of publication of the notice. The
328 department must approve or deny a registration application
329 within 30 days after receipt of a completed application and must
330 issue the temporary airport registration concurrent with the
331 airport site approval. A completed registration application that
332 is not approved or denied within 30 days after the department
333 receives the completed application is considered approved and
334 shall be issued, subject to such reasonable conditions as are
335 authorized by law. An applicant seeking to claim registration by
336 default under this subparagraph must notify the agency clerk of
337 the department, in writing, of the intent to rely upon the
338 default registration provision of this subparagraph and may not
339 take any action based upon the default registration until after
340 receipt of such notice by the agency clerk.

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

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

353 (e) An airport ~~which meets the criteria of s. 330.27(7)~~
 354 used exclusively for aerial application or spraying of crops on
 355 a seasonal basis, not to include any licensed airport where
 356 permanent crop aerial application or spraying facilities are
 357 installed, if the period of operation does not exceed 30 days
 358 per calendar year and the frequency of operations does not
 359 exceed 10 operations per day. Such proposed airports, which will
 360 be located within 3 miles of existing airports or approved
 361 airport sites, shall establish safe air-traffic patterns with
 362 such existing airports or approved airport sites, by memorandums
 363 of understanding, or by letters of agreement between the parties
 364 representing the airports or sites.

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

367 332.007 Administration and financing of aviation and
 368 airport programs and projects; state plan.—

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

376 commercial service:

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

380 (b) Economic development transportation projects pursuant
 381 to s. 339.2821.

382
 383 Any remaining funds must be allocated for projects specified in
 384 subsection (6).

385 Section 9. Subsection (5) of section 334.044, Florida
 386 Statutes, is amended, and subsection (36) is added to that
 387 section, to read:

388 334.044 Powers and duties of the department.—The
 389 department shall have the following general powers and duties:

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

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

405 Section 10. Section 337.025, Florida Statutes, is amended
 406 to read:

407 337.025 Innovative transportation projects; department to
 408 establish program.—

409 (1) The department may establish a program for
 410 transportation projects demonstrating innovative techniques of
 411 highway and bridge design, construction, maintenance, and
 412 finance which have the intended effect of measuring resiliency
 413 and structural integrity and controlling time and cost increases
 414 on construction projects. Such techniques may include, but are
 415 not limited to, state-of-the-art technology for pavement,
 416 safety, and other aspects of highway and bridge design,
 417 construction, and maintenance; innovative bidding and financing
 418 techniques; accelerated construction procedures; and those
 419 techniques that have the potential to reduce project life cycle
 420 costs. To the maximum extent practical, the department must use
 421 the existing process to award and administer construction and
 422 maintenance contracts. When specific innovative techniques are
 423 to be used, the department is not required to adhere to those
 424 provisions of law that would prevent, preclude, or in any way
 425 prohibit the department from using the innovative technique.

426 However, before using an innovative technique that is
 427 inconsistent with another provision of law, the department must
 428 document in writing the need for the exception and identify what
 429 benefits the traveling public and the affected community are
 430 anticipated to receive. The department may enter into no more
 431 than \$200 ~~\$120~~ million in contracts awarded annually for the
 432 purposes authorized by this section.

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

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

436 ~~(b) Low-bid design-build milling and resurfacing~~
 437 ~~contracts.~~

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

440 337.11 Contracting authority of department; bids;
 441 emergency repairs, supplemental agreements, and change orders;
 442 combined design and construction contracts; progress payments;
 443 records; requirements of vehicle registration.-

444 (6)

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

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

- 454 1. To ensure timely completion of projects or avoidance of
- 455 undue delay for other projects;
- 456 2. To accomplish minor repairs or construction and
- 457 maintenance activities for which time is of the essence and for
- 458 which significant cost savings would occur; or
- 459 3. To accomplish nonemergency work necessary to ensure
- 460 avoidance of adverse conditions that affect the safe and
- 461 efficient flow of traffic.

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

471 (7)(a) 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 ~~building, a major bridge, a limited~~
 474 ~~access facility, or a rail corridor~~ project into a single
 475 contract. Such contract is referred to as a design-build

476 contract.

477 (b) If the department determines that it is in the best
478 interests of the public, the department may combine the design
479 and construction phases of a project fully funded in the work
480 program into a single contract and select the design-build firm
481 in the early stages of a project to ensure that the design-build
482 firm is part of the collaboration and development of the design
483 as part of a step-by-step progression through construction. Such
484 a contract is referred to as a phased design-build contract. For
485 phased design-build contracts, selection and award must include
486 a two-phase process. For phase one, the department shall
487 competitively award the contract to a design-build firm based
488 upon qualifications. For phase two, the design-build firm shall
489 competitively bid construction trade subcontractor packages and,
490 based upon these bids, negotiate with the department a fixed
491 firm price or guaranteed maximum price that meets the project
492 budget and scope as advertised in the request for
493 qualifications.

494 (c) Design-build contracts and phased design-build
495 contracts may be advertised and awarded notwithstanding the
496 requirements of paragraph (3)(c). However, construction
497 activities may not begin on any portion of such projects for
498 which the department has not yet obtained title to the necessary
499 rights-of-way and easements for the construction of that portion
500 of the project has vested in the state or a local governmental

501 entity and all railroad crossing and utility agreements have
502 been executed. Title to rights-of-way shall be deemed to have
503 vested in the state when the title has been dedicated to the
504 public or acquired by prescription.

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

- 508 1. Prequalification requirements.
- 509 2. Public announcement procedures.
- 510 3. Scope of service requirements.
- 511 4. Letters of interest requirements.
- 512 5. Short-listing criteria and procedures.
- 513 6. Bid proposal requirements.
- 514 7. Technical review committee.
- 515 8. Selection and award processes.
- 516 9. Stipend requirements.

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

524 Section 12. Paragraph (i) of subsection (6) of section
525 339.175, Florida Statutes, is amended to read:

526 339.175 Metropolitan planning organization.—

527 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,
 528 privileges, and authority of an M.P.O. are those specified in
 529 this section or incorporated in an interlocal agreement
 530 authorized under s. 163.01. Each M.P.O. shall perform all acts
 531 required by federal or state laws or rules, now and subsequently
 532 applicable, which are necessary to qualify for federal aid. It
 533 is the intent of this section that each M.P.O. shall be involved
 534 in the planning and programming of transportation facilities,
 535 including, but not limited to, airports, intercity and high-
 536 speed rail lines, seaports, and intermodal facilities, to the
 537 extent permitted by state or federal law.

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

547 1. Coordinate transportation projects deemed to be
 548 regionally significant ~~by the committee.~~

549 2. Review the impact of regionally significant land use
 550 decisions on the region.

551 3. Review all proposed regionally significant
 552 transportation projects in the ~~respective~~ transportation
 553 improvement programs ~~which affect more than one of the M.P.O.'s~~
 554 ~~represented on the committee.~~

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

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

560 341.052 Public transit block grant program;
 561 administration; eligible projects; limitation.-

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

576 development plans must address how the public transit provider
 577 will work with the appropriate local workforce development board
 578 to provide services to participants in the welfare transition
 579 program. Eligible providers must provide information to the
 580 local workforce development board serving the county in which
 581 the provider is located regarding the availability of
 582 transportation services to assist program participants.

583 Section 14. Paragraph (a) of subsection (1) of section
 584 341.061, Florida Statutes, is amended to read:

585 341.061 Transit safety standards; inspections and system
 586 safety reviews.—

587 (1)(a) The department shall adopt by rule minimum safety
 588 standards for governmentally owned fixed-guideway transportation
 589 systems, ~~and~~ privately owned or operated fixed-guideway
 590 transportation systems operating in this state which are
 591 financed wholly or partly by state funds, and any governmentally
 592 or privately owned fixed-guideway transportation systems
 593 operating in this state which are located within an independent
 594 special district created by local act which have boundaries
 595 within two contiguous counties. Standards must be site-specific
 596 for fixed-guideway transportation systems and shall be developed
 597 jointly by the department and representatives of the affected
 598 systems, giving full consideration to nationwide industry safety
 599 norms relating to the development and operation of fixed-
 600 guideway transportation systems. The department shall conduct

601 structural safety inspections in adherence with s. 335.074 for
602 any fixed-guideway transportation systems that are raised or
603 have bridges, as appropriate. Inspectors shall follow
604 departmental safety protocols during safety inspections,
605 including requiring the suspension of system service to ensure
606 the safety and welfare of inspectors and the traveling public
607 during such inspections.

608 Section 15. Subsections (2) and (3) of section 341.071,
609 Florida Statutes, are amended to read:

610 341.071 Transit productivity and performance measures;
611 reports.—

612 (2) Each public transit provider shall establish
613 productivity and performance measures, which must be approved by
614 the department and which must be selected from measures
615 developed pursuant to s. 341.041(3). Each provider shall, by
616 January 31 of each year, report to the department relative to
617 these measures. In approving these measures, the department
618 shall give consideration to the goals and objectives of each
619 system, the needs of the local area, and the role for public
620 transit in the local area. The report shall include the ~~also~~
621 ~~specifically address potential enhancements to productivity and~~
622 ~~performance which would have the effect of increasing farebox~~
623 ~~recovery ratio.~~

624 (3) Each public transit provider shall publish on its
625 website ~~in the local newspaper of its area~~ the productivity and

626 performance measures established for the year and a report which
627 provides quantitative data relative to the attainment of
628 established productivity and performance measures.

629 Section 16. (1) Effective upon this act becoming a law,
630 the governance and control of the Santa Rosa Bay Bridge
631 Authority is transferred to the Department of Transportation.

632 (2) The authority's bridge system transferred to the
633 department under the terms of the lease-purchase agreement
634 between the department and the authority, effective as of the
635 close of business on June 30, 2022. Any remaining assets,
636 facilities, tangible and intangible property, and any rights in
637 such property, and any other legal rights of the authority, are
638 transferred to the department. The department succeeds to all
639 powers of the authority. The department may review other
640 contracts, financial obligations, and contractual obligations
641 and liabilities of the authority and may assume legal liability
642 for such obligations that are determined by the department to be
643 necessary for the continued operation of the bridge system.

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

647 Section 17. Effective upon this act becoming a law, part
648 IV of chapter 348, Florida Statutes, consisting of sections
649 348.965, 348.966, 348.967, 348.968, 348.969, 348.97, 348.971,
650 348.972, 348.973, 348.974, 348.9751, 348.9761, 348.9771, and

651 348.9781, is repealed.

652 Section 18. Effective upon this act becoming a law, the
 653 Greater Miami Expressway Agency created by chapter 2019-169,
 654 Laws of Florida, is reestablished subject to the revised powers
 655 and duties set forth herein.

656 Section 19. Effective upon this act becoming a law,
 657 section 348.0301, Florida Statutes, is amended to read:

658 348.0301 Short title.—This part may be cited as the
 659 "Greater Miami Expressway Agency Act of 2023."

660 Section 20. Effective upon this act becoming a law,
 661 section 348.0302, Florida Statutes, is repealed.

662 Section 21. Effective upon this act becoming a law,
 663 subsections (5) through (11) of section 348.0303, Florida
 664 Statutes, are renumbered as subsections (4) through (10),
 665 respectively, present subsections (4) and (9) are amended, and a
 666 new subsection (11) is added to that section, to read:

667 348.0303 Definitions.—As used in the this part, the term:
 668 ~~(4) "County" means a county as defined in s. 125.011(1).~~

669 ~~(8)(9)~~ "Expressway system" means any and all expressways
 670 ~~not owned by the department~~ which fall within the geographic
 671 boundaries of the agency established pursuant to this act and
 672 appurtenant facilities thereto, including but not limited to,
 673 all approaches, roads, bridges, and avenues of access for such
 674 expressway. The term includes a public transportation facility.

675 (11) "Miami-Dade County Expressway Authority" means the

676 state agency previously existing and originally established
677 under the Florida Expressway Authority Act and subsequently
678 dissolved by the Greater Miami Expressway Agency Act.

679 Section 22. Effective upon this act becoming a law,
680 section 348.03031, Florida Statutes, is created to read:

681 348.03031 Legislative findings, intent, and declaration.-

682 (1) The Legislature finds the need to clarify the legal
683 status, ownership, and control of the roads that constitute the
684 expressway system in Miami-Dade County and portions of northeast
685 Monroe County, following Miami-Dade County's attempt to abolish
686 the Greater Miami Expressway Agency in Miami-Dade Ordinance 21-
687 35 (May 4, 2021).

688 (2) The Legislature recognizes that the original
689 expressway system previously operated by the former Miami-Dade
690 County Expressway Authority is owned by the department. The
691 transfer agreement dated December 10, 1996, entered into by the
692 department and the former Miami-Dade County Expressway
693 Authority, transferred only operational and financial control of
694 the expressways owned by the department.

695 (3) The Legislature recognizes the Miami-Dade County
696 Expressway Authority was dissolved by chapter 2019-169, Laws of
697 Florida, and all assets, employees, contracts, rights, and
698 liabilities were purportedly transferred to the Greater Miami
699 Expressway Agency. All assets, employees, contracts, rights, and
700 liabilities previously owned or controlled by the former Miami-

701 Dade County Expressway Authority, including, without limitation,
 702 those previously transferred to the Greater Miami Expressway
 703 Agency, are transferred back to the reestablished Greater Miami
 704 Expressway Agency created in s. 348.0304 on the effective date
 705 of this act.

706 (4) It is the intent of the Legislature to confirm that
 707 the Greater Miami Expressway Agency that was created by chapter
 708 2019-169, Laws of Florida, is hereby reestablished. The Greater
 709 Miami Expressway Agency is the state agency that shall govern
 710 the expressway system within the geographical boundaries of
 711 Miami-Dade County and the portion of northeast Monroe County
 712 which includes County Road 94 and the portion of Monroe County
 713 bounded on the north and east by the borders of Monroe County
 714 and on the south and west by County Road 94. It is further the
 715 express intent of the Legislature that the Greater Miami
 716 Expressway Agency created by this law is an agency of the state
 717 and not subject to any county's home rule powers.

718 Section 23. Effective upon this act becoming a law,
 719 subsections (1) through (5) of section 348.0304, Florida
 720 Statutes, are redesignated as subsections (2) through (6),
 721 respectively, a new subsection (1) is added to that section, and
 722 present subsections (1) and (2) of that section are amended, to
 723 read:

724 348.0304 Greater Miami Expressway Agency.—

725 (1) It is the intent of the Legislature that the Greater

726 Miami Expressway Agency prioritizes the best interests of the
727 toll payers of South Florida.

728 (2)-(1) There is hereby created and established a body
729 politic and corporate, an agency of the state, to be known as
730 the "Greater Miami Expressway Agency." The agency shall serve
731 the area within the geographical boundaries of Miami-Dade County
732 and the portion of northeast Monroe County including County Road
733 94 and the portion of Monroe County bounded on the north and
734 east by the borders of Monroe County and on the south and west
735 by County Road 94.

736 (3) (a)-(2) (a) The governing body of the agency shall
737 consist of nine voting members. Except for the district
738 secretary of the department, each member must be a permanent
739 resident of a the county served by the agency and may not hold,
740 or have held in the previous 2 years, elected or appointed
741 office in such the county, except that this paragraph does not
742 apply to any initial appointment under paragraph (b) or to any
743 member who previously served on the governing body of the former
744 Greater Miami Expressway Agency. Each member may only serve two
745 terms of 4 years each, except that there is no restriction on
746 the term of the department's district secretary. Four members,
747 each of whom must be a permanent resident of Miami-Dade County,
748 shall be appointed by the Governor, subject to confirmation by
749 the Senate at the next regular session of the Legislature.
750 Refusal or failure of the Senate to confirm an appointment shall

751 create a vacancy ~~one of whom must be a member of the~~
752 ~~metropolitan planning organization for the County.~~ Appointments
753 made by the Governor and board of county commissioners of Miami-
754 Dade County shall reflect the state's interests in the
755 transportation sector and represent the intent, duties, and
756 purpose of the Greater Miami Expressway Agency, and have at
757 least 3 years of professional experience in one or more of the
758 following areas: finance; land use planning; tolling industry;
759 or transportation engineering.

760 Two members, who must be residents of an unincorporated portion
761 of the geographic area described in subsection (1) and residing
762 within 15 miles of an area with the highest amount of agency
763 toll roads, shall be appointed by the board of county
764 commissioners of Miami-Dade County ~~residing within 15 miles of~~
765 ~~an area with the highest amount of agency toll roads, shall be~~
766 ~~appointed by the board of county commissioners of the county.~~

767 Two members, who must be residents of incorporated
768 municipalities within a county served by the agency, shall be
769 appointed by the metropolitan planning organization for a county
770 served by the agency ~~the county, shall be appointed by the~~
771 ~~metropolitan planning organization for the county.~~ The district
772 secretary of the department serving in the district that
773 contains Miami-Dade ~~the~~ County shall serve as an ex officio
774 voting member of the governing body.

775 (b) Initial appointments to the governing body of the

776 agency shall be made by July 31, 2019. For the initial
 777 appointments:

778 1. The Governor shall appoint one member for a term of 1
 779 year, one member for a term of 2 years, one member for a term of
 780 3 years, and one member for a term of 4 years.

781 2. The board of county commissioners of Miami-Dade County
 782 shall appoint one member for a term of 1 year and one member for
 783 a term of 3 years.

784 3. The metropolitan planning organization of Miami-Dade
 785 County shall appoint one member for a term of 2 years and one
 786 member for a term of 4 years.

787 Section 24. Effective upon this act becoming a law,
 788 paragraph (b) of subsection (1), paragraph (f) of subsection
 789 (2), and subsections (6) and (8) of section 348.0306, Florida
 790 Statutes, are amended to read:

791 348.0306 Purposes and powers.—

792 (1)

793 (b) The agency, in the construction of an expressway
 794 system, may ~~shall~~ construct expressways. Construction of an
 795 expressway system may be completed in segments, phases, or
 796 stages in a manner that will permit the expansion of these
 797 segments, phases, or stages to the desired expressway
 798 configuration. The agency, in the construction of an expressway
 799 system, may construct any extensions of, additions to, or
 800 improvements to the expressway system or appurtenant facilities,

801 including all necessary approaches, roads, bridges, and avenues
802 of access, with such changes, modifications, or revisions of the
803 project that are deemed desirable and proper. For new capacity
804 projects, the agency shall use the department's design standards
805 and, to the maximum extent practicable, design facilities such
806 as the department would for high-speed limited access
807 facilities. The agency may only add additional expressways to an
808 expressway system, under the terms and conditions set forth in
809 this act, with the prior express written consent of the board of
810 county commissioners of Miami-Dade ~~the County~~ or Monroe County,
811 as applicable, and only if such additional expressways lack
812 adequate committed funding for implementation, are financially
813 feasible, and are compatible with the existing plans, projects,
814 and programs of the agency.

815 (2) The agency may exercise all powers necessary,
816 appurtenant, convenient, or incidental to the carrying out of
817 its purposes, including, but not limited to, the following
818 rights and powers:

819 (f) To borrow money, make and issue negotiable notes,
820 bonds, refund bonds, and other evidence of indebtedness of the
821 agency, which bonds or other evidence of indebtedness may be
822 issued pursuant to the State Bond Act or, in the alternative,
823 pursuant to s. 348.0309(2) to finance or refinance additions,
824 extensions, or improvements to the expressway system within the
825 geographic boundaries of the agency, and to provide for the

826 security of the bonds or other evidence of indebtedness and the
827 rights and remedies of the holders of the bonds or other
828 evidence of indebtedness. Any bonds or other evidence of
829 indebtedness pledging the full faith and credit of the state may
830 only be issued pursuant to the State Bond Act.

831 1. The agency shall reimburse the counties ~~county~~ in which
832 it exists for any sums expended from any county gasoline tax
833 funds used for payment of such obligations. Any county gasoline
834 tax funds so disbursed shall be repaid in accordance with the
835 terms of any lease-purchase or interlocal agreement with any
836 county or the department together with interest, at the rate
837 agreed to in such agreement. In no event shall any county
838 gasoline tax funds be more than a secondary pledge of revenues
839 for repayment of any obligations issued pursuant to this part.

840 2. The agency may refund any bonds previously issued, to
841 the extent allowable by federal tax laws, to finance or
842 refinance an expressway system located within the geographic
843 boundaries of the agency regardless of whether the bonds being
844 refunded were issued by such agency, an agency of the state, or
845 a county.

846 (6) Notwithstanding subsection (3) or any other provision
847 of law to the contrary, the agency may not undertake any
848 construction that is not consistent with both the metropolitan
849 planning organization's transportation improvement program and
850 the county's comprehensive plan in an area served by the agency.

851 (8) The governing body of a ~~the~~ county served by the
 852 agency may enter into an interlocal agreement with the agency
 853 pursuant to s. 163.01 for the joint performance or performance
 854 by either governmental entity of any corporate function of the
 855 county or agency necessary or appropriate to enable the agency
 856 to fulfill the powers and purposes of this part and promote the
 857 efficient and effective transportation of persons and goods in
 858 such county.

859 Section 25. Effective upon this act becoming a law,
 860 paragraph (c) of subsection (2) of section 348.0309, Florida
 861 Statutes, is amended to read:

862 348.0309 Bonds.—

863 (2)

864 (c) Such bonds shall be sold by the agency at public sale
 865 by competitive bid. However, if the agency, after receipt of a
 866 written recommendation from a financial adviser, determines by
 867 official action after public hearing by a two-thirds vote of all
 868 voting members of the agency that a negotiated sale of the bonds
 869 is in the best interest of the agency, the agency may negotiate
 870 for sale of the bonds with the underwriter or underwriters
 871 designated by the agency and the counties ~~county~~ in which the
 872 agency exists. The agency shall provide specific findings in a
 873 resolution as to the reasons requiring the negotiated sale,
 874 which resolution shall incorporate and have attached thereto the
 875 written recommendation of the financial adviser required by this

876 subsection.

877 Section 26. Effective upon this act becoming a law,
 878 subsection (2) of section 348.0315, Florida Statutes, is amended
 879 to read:

880 348.0315 Public accountability.—

881 (2) Beginning October 1, 2024 ~~2020~~, and annually
 882 thereafter, the agency shall submit to the metropolitan planning
 883 organization for each ~~the~~ county served by the agency a report
 884 providing information regarding the amount of tolls collected
 885 and how those tolls were used in the agency's previous fiscal
 886 year. The report shall be posted on the agency's website.

887 Section 27. Effective upon this act becoming a law,
 888 subsection (1) of section 348.0318, Florida Statutes, is amended
 889 to read:

890 348.0318 This part complete and additional authority.—

891 (1) The powers conferred by this part are in addition and
 892 supplemental to the existing powers of the department and the
 893 governing body of the agency, and this part may not be construed
 894 as repealing any of the provisions of any other law, general,
 895 special, or local, but to supersede such other laws in the
 896 exercise of the powers provided in this part and to provide a
 897 complete method for the exercise of the powers granted in this
 898 part. The extension and improvement of the expressway system,
 899 and the issuance of bonds pursuant to this part to finance all
 900 or part of the cost of the system, may be accomplished upon

901 compliance with the provisions of this part without regard to or
 902 necessity for compliance with the provisions, limitations, or
 903 restrictions contained in any other general, special, or local
 904 law, including, but not limited to, s. 215.821, and no approval
 905 of any bonds issued under this part by the qualified electors or
 906 qualified electors who are freeholders in the state or in Miami-
 907 Dade County, in Monroe County, or in any other political
 908 subdivision of the state, is required for the issuance of such
 909 bonds pursuant to this part, including, but not limited to, s.
 910 215.821.

911 Section 28. Effective upon this act becoming a law,
 912 subsection (5) is added to section 189.072, Florida Statutes, to
 913 read:

914 189.072 Dissolution of an independent special district.-

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

919 Section 29. The Division of Law Revision is directed to
 920 replace the phrase "the effective date of this act" wherever it
 921 occurs in this act with the date this act becomes a law.

922 Section 30. Except as otherwise expressly provided in this
 923 act and except for this section, which shall take effect upon
 924 this act becoming a law, this act shall take effect July 1,
 925 2023.