

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Infrastructure Strategies
 2 Committee

3 Representative Esposito offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 360-367 and insert:

7 Section 10. Paragraph (b) of subsection (1) of section
 8 316.126, Florida Statutes, is amended and subsection (6) of that
 9 section is republished, to read:

10 316.126 Operation of vehicles and actions of pedestrians;
 11 on approach of ~~an~~ authorized emergency, sanitation, or utility
 12 service vehicle, wrecker, or road and bridge maintenance or
 13 construction vehicle; presence of disabled motor vehicle.-

14 (1)

15 (b) If an authorized emergency vehicle displaying any
 16 visual signals is parked on the roadside, a sanitation vehicle

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17 is performing a task related to the provision of sanitation
18 services on the roadside, a utility service vehicle is
19 performing a task related to the provision of utility services
20 on the roadside, a wrecker displaying amber rotating or flashing
21 lights is performing a recovery or loading on the roadside, ~~or~~ a
22 road and bridge maintenance or construction vehicle displaying
23 warning lights is on the roadside without advance signs and
24 channelizing devices, or a disabled motor vehicle is stopped and
25 is displaying warning lights or hazard lights or is using
26 emergency flares or posting emergency signage, the driver of
27 every other vehicle, as soon as it is safe:

28 1. Shall vacate the lane closest to the emergency vehicle,
29 sanitation vehicle, utility service vehicle, wrecker, ~~or~~ road
30 and bridge maintenance or construction vehicle, or disabled
31 motor vehicle when driving on an interstate highway or other
32 highway with two or more lanes traveling in the direction of the
33 emergency vehicle, sanitation vehicle, utility service vehicle,
34 wrecker, ~~or~~ road and bridge maintenance or construction vehicle,
35 or disabled motor vehicle except when otherwise directed by a
36 law enforcement officer. If such movement cannot be safely
37 accomplished, the driver shall reduce speed as provided in
38 subparagraph 2.

39 2. Shall slow to a speed that is 20 miles per hour less
40 than the posted speed limit when the posted speed limit is 25
41 miles per hour or greater; or travel at 5 miles per hour when

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42 the posted speed limit is 20 miles per hour or less, when
43 driving on a two-lane road, except when otherwise directed by a
44 law enforcement officer.

45 (6) A violation of this section is a noncriminal traffic
46 infraction, punishable pursuant to chapter 318 as either a
47 moving violation for infractions of subsection (1) or subsection
48 (3), or as a pedestrian violation for infractions of subsection
49 (2).

50 Section 11. Subsection (6) is added to section 333.03,
51 Florida Statutes, to read:

52 333.03 Requirement to adopt airport zoning regulations.—

53 (6) The provisions of paragraphs (2)(c) and (2)(d) do not
54 apply to airports that are not part of the National Plan of
55 Integrated Airport Systems.

56 Section 12. Subsection (35) of section 334.044, Florida
57 Statutes, is amended to read:

58 334.044 Powers and duties of the department.—The
59 department shall have the following general powers and duties:

60 (35) To provide a ~~road and bridge~~ construction workforce
61 development program, in consultation with affected stakeholders,
62 for delivery ~~construction~~ of projects designated in the
63 department's work program.

64 Section 13. Subsection (3) of section 337.408, Florida
65 Statutes, is amended to read:

66 337.408 Regulation of bus stops, benches, transit

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67 shelters, street light poles, waste disposal receptacles, and
68 modular news racks within rights-of-way.-

69 (3) Modular news racks or specific information panels,
70 including advertising thereon, may be located within the right-
71 of-way limits of any municipal, county, or state road, except a
72 limited access highway, provided the municipal government within
73 whose incorporated limits such racks or panels are installed or
74 the county government within whose unincorporated limits such
75 racks or panels are installed has passed an ordinance regulating
76 the placement of modular news racks or specific information
77 panels within the right-of-way and has authorized a qualified
78 private supplier of modular news racks or specific information
79 panels to provide such service. The modular news rack, specific
80 information panel, or advertising thereon shall not exceed a
81 height of 105 ~~56~~ inches or a total advertising space of 56
82 square feet. No later than 45 days prior to installation of
83 modular news racks or specific information panels, the private
84 supplier shall provide a map of proposed locations and typical
85 installation plans to the department for approval. If the
86 department does not respond within 45 days after receipt of the
87 submitted plans, installation may proceed.

88 Section 14. Paragraph (a) of subsection (2), subsection
89 (6), paragraphs (a) and (b) of subsection (7), paragraphs (a)
90 and (c) of subsection (8), and paragraph (c) of subsection (11)

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91 of section 339.175, Florida Statutes, are amended, and paragraph
92 (d) is added to subsection (11) of that section, to read:

93 339.175 Metropolitan planning organization.—

94 (2) DESIGNATION.—

95 (a)1. An M.P.O. shall be designated for each urbanized
96 area of the state; ~~however, this does not require that an~~
97 ~~individual M.P.O. be designated for each such area.~~ Such
98 designation shall be accomplished by agreement between the
99 Governor and units of general-purpose local government
100 representing at least 75 percent of the population of the
101 urbanized area; however, the unit of general-purpose local
102 government that represents the central city or cities within the
103 M.P.O. jurisdiction, as defined by the United States Bureau of
104 the Census, must be a party to such agreement.

105 2. ~~To the extent possible,~~ Only one M.P.O. shall be
106 designated for each urbanized area or group of contiguous
107 urbanized areas. More than one M.P.O. may be designated within
108 an existing urbanized area only if the Governor and the existing
109 M.P.O. determine that the size and complexity of the existing
110 urbanized area makes the designation of more than one M.P.O. for
111 the area appropriate, in which case each M.P.O. designated for
112 the area must:

113 a. Consult with every other M.P.O. designated for the area
114 and the state to coordinate plans and transportation improvement
115 programs.

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116 b. Ensure, to the maximum extent practicable, the
117 consistency of data used in the planning process, including data
118 used in forecasting travel demand within the area.

119
120 Each M.P.O. required under this section must be fully operative
121 no later than 6 months following its designation.

122 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,
123 privileges, and authority of an M.P.O. are those specified in
124 this section or incorporated in an interlocal agreement
125 authorized under s. 163.01. Each M.P.O. shall perform all acts
126 required by federal or state laws or rules, now and subsequently
127 applicable, which are necessary to qualify for federal aid. It
128 is the intent of this section that each M.P.O. shall be involved
129 in the planning ~~and programming~~ of transportation facilities,
130 including, but not limited to, airports, intercity and high-
131 speed rail lines, seaports, and intermodal facilities, to the
132 extent permitted by state or federal law. An M.P.O. may not
133 perform project production or delivery for capital improvement
134 projects.

135 (a) Each M.P.O. shall, in cooperation with the department,
136 develop:

137 1. A long-range transportation plan pursuant to the
138 requirements of subsection (7) ~~.†~~

139 2. An annually updated transportation improvement program
140 pursuant to the requirements of subsection (8) ~~.†~~ ~~and~~

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141 3. An annual unified planning work program pursuant to the
142 requirements of subsection (9).

143 (b) In developing the long-range transportation plan and
144 the transportation improvement program required under paragraph
145 (a), each M.P.O. shall provide for consideration of projects and
146 strategies that will:

147 1. Support the economic vitality of the contiguous
148 urbanized metropolitan area, especially by enabling global
149 competitiveness, productivity, and efficiency.†

150 2. Increase the safety and security of the transportation
151 system for motorized and nonmotorized users.†

152 3. Increase the accessibility and mobility options
153 available to people and for freight.†

154 4. Protect and enhance the environment, promote energy
155 conservation, and improve quality of life.†

156 5. Enhance the integration and connectivity of the
157 transportation system, across and between modes and contiguous
158 urbanized metropolitan areas, for people and freight.†

159 6. Promote efficient system management and operation.† ~~and~~

160 7. Emphasize the preservation of the existing
161 transportation system.

162 8. Improve the resilience of transportation
163 infrastructure.

164 (c) In order to provide recommendations to the department
165 and local governmental entities regarding transportation plans

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166 and programs, each M.P.O. shall:

167 1. Prepare a congestion management system for the
168 contiguous urbanized metropolitan area and cooperate with the
169 department in the development of all other transportation
170 management systems required by state or federal law.~~†~~

171 2. Assist the department in mapping transportation
172 planning boundaries required by state or federal law.~~†~~

173 3. Assist the department in performing its duties relating
174 to access management, functional classification of roads, and
175 data collection.~~†~~

176 4. Execute all agreements or certifications necessary to
177 comply with applicable state or federal law.~~†~~

178 5. Represent all the jurisdictional areas within the
179 metropolitan area in the formulation of transportation plans and
180 programs required by this section.~~†~~~~and~~

181 6. Perform all other duties required by state or federal
182 law.

183 (d) Each M.P.O. shall appoint a technical advisory
184 committee, the members of which shall serve at the pleasure of
185 the M.P.O. The membership of the technical advisory committee
186 must consider the proportional representation of the area's
187 population and include, whenever possible, planners; engineers;
188 representatives of local aviation authorities, intermodal
189 logistics centers, port authorities, and public transit
190 authorities or representatives of aviation departments, seaport

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191 departments, and public transit departments of municipal or
192 county governments, as applicable; the school superintendent of
193 each county within the jurisdiction of the M.P.O. or the
194 superintendent's designee; and other appropriate representatives
195 of affected local governments. In addition to any other duties
196 assigned to it by the M.P.O. or by state or federal law, the
197 technical advisory committee is responsible for considering safe
198 access to schools in its review of transportation project
199 priorities, long-range transportation plans, and transportation
200 improvement programs, and shall advise the M.P.O. on such
201 matters. In addition, the technical advisory committee shall
202 coordinate its actions with local school boards and other local
203 programs and organizations within the metropolitan area which
204 participate in school safety activities, such as locally
205 established community traffic safety teams. Local school boards
206 must provide the appropriate M.P.O. with information concerning
207 future school sites and in the coordination of transportation
208 service.

209 (e)1. Each M.P.O. shall appoint a citizens' advisory
210 committee, the members of which serve at the pleasure of the
211 M.P.O. The membership on the citizens' advisory committee must
212 reflect a broad cross-section of local residents with an
213 interest in the development of an efficient, safe, and cost-
214 effective transportation system. Minorities, the elderly, and
215 the handicapped must be adequately represented.

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216 2. Notwithstanding ~~the provisions of~~ subparagraph 1., an
217 M.P.O. may, with the approval of the department and the
218 applicable federal governmental agency, adopt an alternative
219 program or mechanism to ensure citizen involvement in the
220 transportation planning process.

221 (f) The department shall allocate to each M.P.O., for the
222 purpose of accomplishing its transportation planning and
223 programming duties, an appropriate amount of federal
224 transportation planning funds.

225 (g) Each M.P.O. shall have an executive or staff director
226 who reports directly to the M.P.O. governing board for all
227 matters regarding the administration and operation of the M.P.O.
228 and any additional personnel as deemed necessary. The executive
229 director and any additional personnel may be employed either by
230 an M.P.O. or by another governmental entity, such as a county,
231 city, or regional planning council, that has a staff services
232 agreement signed and in effect with the M.P.O. Each M.P.O. may
233 enter into contracts with local or state agencies, private
234 planning firms, private engineering firms, or other public or
235 private entities to accomplish its transportation planning and
236 programming duties and administrative functions.

237 (h) In order to enhance their knowledge, effectiveness,
238 and participation in the urbanized area transportation planning
239 process, each M.P.O. shall provide training opportunities and
240 training funds specifically for local elected officials and

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241 others who serve on an M.P.O. The training opportunities may be
242 conducted by an individual M.P.O. or through statewide and
243 federal training programs and initiatives that are specifically
244 designed to meet the needs of M.P.O. board members.

245 (i) ~~By December 31, 2023, There is created the Chairs~~
246 ~~Coordinating Committee, composed of the M.P.O.'s serving Citrus,~~
247 ~~Hernando, Hillsborough, Manatee, Pasco, and Pinellas, Polk, and~~
248 ~~Sarasota Counties must present a feasibility report to the~~
249 ~~Governor, the President of the Senate, and the Speaker of the~~
250 ~~House of Representatives exploring the benefits, costs, and~~
251 ~~process of consolidation into a single M.P.O. serving the~~
252 ~~contiguous urbanized area, the goal of which would be to. The~~
253 ~~committee must, at a minimum:~~

254 1. Coordinate transportation projects deemed to be
255 regionally significant ~~by the committee.~~

256 2. Review the impact of regionally significant land use
257 decisions on the region.

258 3. Review all proposed regionally significant
259 transportation projects in the ~~respective~~ transportation
260 improvement programs ~~which affect more than one of the M.P.O.'s~~
261 ~~represented on the committee.~~

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

265 (j)1. ~~The Legislature finds that the state's rapid growth~~

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266 ~~in recent decades has caused many urbanized areas subject to~~
267 ~~M.P.O. jurisdiction to become contiguous to each other. As a~~
268 ~~result, various transportation projects may cross from the~~
269 ~~jurisdiction of one M.P.O. into the jurisdiction of another~~
270 ~~M.P.O.~~ To more fully accomplish the purposes for which M.P.O.'s
271 have been mandated, M.P.O.'s shall develop coordination
272 mechanisms with one another to expand and improve transportation
273 within the state. The appropriate method of coordination between
274 M.P.O.'s shall vary depending upon the project involved and
275 given local and regional needs. Consequently, it is appropriate
276 to set forth a flexible methodology that can be used by M.P.O.'s
277 to coordinate with other M.P.O.'s and appropriate political
278 subdivisions as circumstances demand.

279 2. Any M.P.O. may join with any other M.P.O. or any
280 individual political subdivision to coordinate activities or to
281 achieve any federal or state transportation planning or
282 development goals or purposes consistent with federal or state
283 law. When an M.P.O. determines that it is appropriate to join
284 with another M.P.O. or any political subdivision to coordinate
285 activities, the M.P.O. or political subdivision shall enter into
286 an interlocal agreement pursuant to s. 163.01, which, at a
287 minimum, creates a separate legal or administrative entity to
288 coordinate the transportation planning or development activities
289 required to achieve the goal or purpose; provides the purpose
290 for which the entity is created; provides the duration of the

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291 agreement and the entity and specifies how the agreement may be
292 terminated, modified, or rescinded; describes the precise
293 organization of the entity, including who has voting rights on
294 the governing board, whether alternative voting members are
295 provided for, how voting members are appointed, and what the
296 relative voting strength is for each constituent M.P.O. or
297 political subdivision; provides the manner in which the parties
298 to the agreement will provide for the financial support of the
299 entity and payment of costs and expenses of the entity; provides
300 the manner in which funds may be paid to and disbursed from the
301 entity; and provides how members of the entity will resolve
302 disagreements regarding interpretation of the interlocal
303 agreement or disputes relating to the operation of the entity.
304 Such interlocal agreement shall become effective upon its
305 recordation in the official public records of each county in
306 which a member of the entity created by the interlocal agreement
307 has a voting member. Multiple ~~This paragraph does not require~~
308 ~~any~~ M.P.O.'s may ~~to~~ merge, combine, or otherwise join together
309 as a single M.P.O.

310 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must
311 develop a long-range transportation plan that addresses at least
312 a 20-year planning horizon. The plan must include both long-
313 range and short-range strategies and must comply with all other
314 state and federal requirements. The prevailing principles to be
315 considered in the long-range transportation plan are: preserving

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316 the existing transportation infrastructure; enhancing Florida's
317 economic competitiveness; and improving travel choices to ensure
318 mobility. The long-range transportation plan must be consistent,
319 to the maximum extent feasible, with future land use elements
320 and the goals, objectives, and policies of the approved local
321 government comprehensive plans of the units of local government
322 located within the jurisdiction of the M.P.O. Each M.P.O. is
323 encouraged to consider strategies that integrate transportation
324 and land use planning to provide for sustainable development and
325 reduce greenhouse gas emissions. The approved long-range
326 transportation plan must be considered by local governments in
327 the development of the transportation elements in local
328 government comprehensive plans and any amendments thereto. The
329 long-range transportation plan must, at a minimum:

330 (a) Identify transportation facilities, including, but not
331 limited to, major roadways, airports, seaports, spaceports,
332 commuter rail systems, transit systems, and intermodal or
333 multimodal terminals that will function as an integrated
334 metropolitan transportation system. The long-range
335 transportation plan must give emphasis to those transportation
336 facilities that serve national, statewide, or regional
337 functions, and must consider the goals and objectives identified
338 in the Florida Transportation Plan as provided in s. 339.155. If
339 a project is located within the boundaries of more than one
340 M.P.O., the M.P.O.'s must coordinate plans regarding the project

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341 in the long-range transportation plan. Multiple M.P.O.'s within
342 a contiguous urbanized area must coordinate the development of
343 long-range transportation plans to be reviewed by the M.P.O
344 Advisory Council.

345 (b) Include a financial plan that demonstrates how the
346 plan can be implemented, indicating resources from public and
347 private sources which are reasonably expected to be available to
348 carry out the plan, and recommends any additional financing
349 strategies for needed projects and programs. The financial plan
350 may include, for illustrative purposes, additional projects that
351 would be included in the adopted long-range transportation plan
352 if reasonable additional resources beyond those identified in
353 the financial plan were available. For the purpose of developing
354 the long-range transportation plan, the M.P.O. and the
355 department shall cooperatively develop estimates of funds that
356 will be available to support the plan implementation. Innovative
357 financing techniques may be used to fund needed projects and
358 programs. Such techniques may include the assessment of tolls,
359 the use of value capture financing, or the use of value pricing.
360 Multiple M.P.O.'s within a contiguous urbanized area must
361 ensure, to the maximum extent possible, the consistency of data
362 used in the planning process.

363
364 In the development of its long-range transportation plan, each
365 M.P.O. must provide the public, affected public agencies,

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366 representatives of transportation agency employees, freight
367 shippers, providers of freight transportation services, private
368 providers of transportation, representatives of users of public
369 transit, and other interested parties with a reasonable
370 opportunity to comment on the long-range transportation plan.
371 The long-range transportation plan must be approved by the
372 M.P.O.

373 (8) TRANSPORTATION IMPROVEMENT PROGRAM.—Each M.P.O. shall,
374 in cooperation with the state and affected public transportation
375 operators, develop a transportation improvement program for the
376 area within the jurisdiction of the M.P.O. In the development of
377 the transportation improvement program, each M.P.O. must provide
378 the public, affected public agencies, representatives of
379 transportation agency employees, freight shippers, providers of
380 freight transportation services, private providers of
381 transportation, representatives of users of public transit, and
382 other interested parties with a reasonable opportunity to
383 comment on the proposed transportation improvement program.

384 (a) Each M.P.O. is responsible for developing, annually, a
385 list of project priorities and a transportation improvement
386 program. The prevailing principles to be considered by each
387 M.P.O. when developing a list of project priorities and a
388 transportation improvement program are: preserving the existing
389 transportation infrastructure; enhancing Florida's economic
390 competitiveness; and improving travel choices to ensure safety

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391 and mobility. The transportation improvement program will be
392 used to initiate federally aided transportation facilities and
393 improvements as well as other transportation facilities and
394 improvements including transit, rail, aviation, spaceport, and
395 port facilities to be funded from the State Transportation Trust
396 Fund within its metropolitan area in accordance with existing
397 and subsequent federal and state laws and rules and regulations
398 related thereto. The transportation improvement program shall be
399 consistent, to the maximum extent feasible, with the approved
400 local government comprehensive plans of the units of local
401 government whose boundaries are within the metropolitan area of
402 the M.P.O. and include those projects programmed pursuant to s.
403 339.2819(4). Multiple M.P.O.'s within a contiguous urbanized
404 area must coordinate transportation improvement programs.

405 (c) The transportation improvement program must, at a
406 minimum:

407 1. Include projects and project phases to be funded with
408 state or federal funds within the time period of the
409 transportation improvement program and which are recommended for
410 advancement during the next fiscal year and 4 subsequent fiscal
411 years. Such projects and project phases must be consistent, to
412 the maximum extent feasible, with the approved local government
413 comprehensive plans of the units of local government located
414 within the jurisdiction of the M.P.O. For informational
415 purposes, the transportation improvement program shall also

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416 include a list of projects to be funded from local or private
417 revenues.

418 2. Include projects within the metropolitan area which are
419 proposed for funding under 23 U.S.C. s. 134 of the Federal
420 Transit Act and which are consistent with the long-range
421 transportation plan developed under subsection (7).

422 3. Provide a financial plan that demonstrates how the
423 transportation improvement program can be implemented; indicates
424 the resources, both public and private, that are reasonably
425 expected to be available to accomplish the program; identifies
426 any innovative financing techniques that may be used to fund
427 needed projects and programs; and may include, for illustrative
428 purposes, additional projects that would be included in the
429 approved transportation improvement program if reasonable
430 additional resources beyond those identified in the financial
431 plan were available. Innovative financing techniques may include
432 the assessment of tolls, the use of value capture financing, or
433 the use of value pricing. The transportation improvement program
434 may include a project or project phase only if full funding can
435 reasonably be anticipated to be available for the project or
436 project phase within the time period contemplated for completion
437 of the project or project phase.

438 4. Group projects and project phases of similar urgency
439 and anticipated staging into appropriate staging periods.

440 5. Indicate how the transportation improvement program

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441 relates to the long-range transportation plan developed under
442 subsection (7), including providing examples of specific
443 projects or project phases that further the goals and policies
444 of the long-range transportation plan.

445 6. Indicate whether any project or project phase is
446 inconsistent with an approved comprehensive plan of a unit of
447 local government located within the jurisdiction of the M.P.O.
448 If a project is inconsistent with an affected comprehensive
449 plan, the M.P.O. must provide justification for including the
450 project in the transportation improvement program.

451 7. Indicate how the improvements are consistent, to the
452 maximum extent feasible, with affected seaport, airport, and
453 spaceport master plans and with public transit development plans
454 of the units of local government located within the jurisdiction
455 of the M.P.O. If a project is located within the boundaries of
456 more than one M.P.O., the M.P.O.'s must coordinate plans
457 regarding the project in the transportation improvement program.

458 8. Indicate coordination or alignment with transportation
459 improvement plans of other M.P.O.'s within the contiguous
460 urbanized area.

461 (11) METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL.—

462 (c) The powers and duties of the Metropolitan Planning
463 Organization Advisory Council are to:

464 ~~1. Enter into contracts with individuals, private~~
465 ~~corporations, and public agencies.~~

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466 ~~2. Acquire, own, operate, maintain, sell, or lease~~
467 ~~personal property essential for the conduct of business.~~

468 ~~3. Accept funds, grants, assistance, gifts, or bequests~~
469 ~~from private, local, state, or federal sources.~~

470 1.4. Establish bylaws by action of its governing board
471 providing procedural rules to guide its proceedings and
472 consideration of matters before the council, or, alternatively,
473 adopt rules pursuant to ss. 120.536(1) and 120.54 to implement
474 provisions of law conferring powers or duties upon it.

475 ~~2.5.~~ Assist M.P.O.'s in carrying out the urbanized area
476 transportation planning process by serving as the principal
477 forum for collective policy discussion pursuant to law.

478 ~~3.6.~~ Serve as a clearinghouse for review and comment by
479 M.P.O.'s on the Florida Transportation Plan and on other issues
480 required to comply with federal or state law in carrying out the
481 urbanized area transportation and systematic planning processes
482 instituted pursuant to s. 339.155. The council shall also report
483 annually to the Florida Transportation Commission on the
484 alignment of M.P.O. long-range transportation plans with the
485 Florida Transportation Plan.

486 4.7. Employ an executive director and such other staff as
487 necessary to perform adequately the functions of the council,
488 within budgetary limitations. The executive director and staff
489 are exempt from part II of chapter 110 ~~and serve at the~~
490 ~~direction and control of the council.~~ The council is assigned to

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491 the Office of the Secretary of the Department of Transportation
492 ~~for fiscal and accountability purposes, but it shall otherwise~~
493 ~~function independently of the control and direction of the~~
494 ~~department.~~

495 5. Deliver training on federal and state program
496 requirements and procedures to M.P.O. board members and staff.

497 6.8. Adopt an agency strategic plan that prioritizes steps
498 the agency will take to carry out its mission within the context
499 of the state comprehensive plan and any other statutory mandates
500 and directives.

501 (d) The Metropolitan Planning Organization Advisory
502 Council may enter into contracts in accordance with chapter 287
503 to support the activities described in paragraph (c). Lobbying
504 and the acceptance of funds, grants, assistance, gifts, or
505 bequests from private, local, state, or federal sources is
506 prohibited.

507 Section 15. Section 339.84, Florida Statutes, is created
508 to read:

509 339.84 Workforce development.-Beginning in the 2023-2024
510 fiscal year and annually thereafter for 5 years, \$5 million
511 shall be allocated annually from State Transportation Trust Fund
512 to the workforce development program as provided in s.
513 334.044(35) and to promote career paths in Florida's road and
514 bridge industry.

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515 Section 16. Section 354.01, Florida Statutes, is amended
516 to read:

517 354.01 ~~Appointment of Special officers.—A railroad police~~
518 ~~officer~~ Upon the application of any railroad or other common
519 carrier doing business in this state, the Governor shall appoint
520 ~~one or more persons~~ who has ~~have~~ met the law enforcement officer
521 qualifications and training requirements of ss. 943.13 and
522 943.135(1) shall be recognized as a special officer ~~s. 943.13 as~~
523 ~~special officers~~ for the protection and safety of any railroad
524 or other common carrier doing business in this state ~~such~~
525 ~~carriers; its~~ their passengers and employees; and the property
526 of such carrier ~~carriers~~, passengers, and employees. A special
527 officer is not considered a "law enforcement officer" except for
528 purposes of ss. 943.085-943.255. ~~However, until the Governor~~
529 ~~either appoints or rejects the application for appointment of a~~
530 ~~person as a special officer, the railroad or common carrier may~~
531 ~~temporarily employ the person as a special officer if he or she~~
532 ~~complies with the qualifications for employment as a law~~
533 ~~enforcement officer in s. 943.13. Notwithstanding any other~~
534 ~~provision of law, a special officer must have the same training~~
535 ~~as a law enforcement officer in accordance with ss. 943.13 and~~
536 ~~943.135(1).~~ A Class I, Class II, or Class III railroad shall be
537 considered an employing agency for purposes of ss. 943.10,
538 943.13, and 943.135(1), and shall pay all costs associated with
539 the training and continuing education of employed special

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540 officers.

541 Section 17. Section 354.02, Florida Statutes, is amended
542 to read:

543 354.02 Powers. ~~Each special officer shall have and~~
544 ~~exercise~~ Throughout every county in which the common carrier for
545 which he or she is employed does business, operates, or owns
546 property, a special officer may arrest a person who has violated
547 ~~was appointed, shall do business, operate, or own property, the~~
548 ~~power to make arrests for violation of law on the property of~~
549 ~~such common carrier, and to arrest persons, whether on or off~~
550 ~~such carrier's property, violating any law on such carrier's~~
551 property, whether the arrest occurs on or off such carrier's
552 property, under the same conditions under which a deputy sheriff
553 ~~sheriffs~~ may by law make arrests, and may ~~shall have authority~~
554 ~~to~~ carry weapons for the reasonable purpose of his or her office
555 ~~their offices.~~

556 Section 18. Section 354.05, Florida Statutes, is amended
557 to read:

558 354.05 Term of office; removal.—The commission of a
559 special officer ~~special officers provided for herein shall be~~
560 ~~commissioned by the Governor, and their commissions shall~~
561 continue so long as he or she is ~~they are~~ employed in such
562 capacity by the railroad or other common carrier. However, a
563 special officer may; ~~but they shall be removed by the Governor~~
564 at any time, in the manner and for the causes provided by law.

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Amendment No.

565 Section 19. Paragraph (f) of subsection (1) of section
566 784.07, Florida Statutes, is amended to read:

567 784.07 Assault or battery of law enforcement officers,
568 firefighters, emergency medical care providers, public transit
569 employees or agents, or other specified officers;
570 reclassification of offenses; minimum sentences.—

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

572 (f) "Railroad special officer" means a person employed by
573 a Class I, Class II, or Class III railroad ~~and appointed or~~
574 ~~pending appointment by the Governor~~ pursuant to s. 354.01.

575 Section 20. Subsections (1) and (4) of section 943.10,
576 Florida Statutes, are amended to read:

577 943.10 Definitions; ss. 943.085-943.255.—The following
578 words and phrases as used in ss. 943.085-943.255 are defined as
579 follows:

580 (1) "Law enforcement officer" means any person who is
581 elected, appointed, or employed full time by any municipality or
582 the state or any political subdivision thereof; who is vested
583 with authority to bear arms and make arrests; and whose primary
584 responsibility is the prevention and detection of crime or the
585 enforcement of the penal, criminal, traffic, or highway laws of
586 the state. The term ~~This definition~~ includes all certified
587 supervisory and command personnel whose duties include, in whole
588 or in part, the supervision, training, guidance, and management
589 responsibilities of full-time law enforcement officers, part-

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590 time law enforcement officers, or auxiliary law enforcement
591 officers but does not include support personnel employed by the
592 employing agency. The term also includes a special officer
593 employed by a Class I, Class II, or Class III railroad pursuant
594 to s. 354.01.

595 (4) "Employing agency" means any agency or unit of
596 government or any municipality or the state or any political
597 subdivision thereof, or any agent thereof, which has
598 constitutional or statutory authority to employ or appoint
599 persons as officers. The term ~~also~~ includes any private entity
600 that which has contracted with the state or county for the
601 operation and maintenance of a nonjuvenile detention facility.
602 The term also includes a Class I, Class II, or Class III
603 railroad that employs special officers pursuant to s. 354.01.

604 Section 21. For the purpose of incorporating the amendment
605 made by this act to section 316.126, Florida Statutes, in a
606 reference thereto, paragraph (d) of subsection (2) of section
607 318.18, Florida Statutes, is reenacted to read:

608 318.18 Amount of penalties.—The penalties required for a
609 noncriminal disposition pursuant to s. 318.14 or a criminal
610 offense listed in s. 318.17 are as follows:

611 (2) Thirty dollars for all nonmoving traffic violations
612 and:

613 (d) For all violations of s. 316.126(1)(b), unless
614 otherwise specified.

Amendment No.

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

Remove lines 53-56 and insert:
completed; amending s. 316.126, F.S.; requiring the
driver of a vehicle to perform certain actions in the
presence of a motor vehicle displaying warning or
hazard lights or a person indicating distress;
amending s. 333.03, F.S.; providing that specified
noise requirements are not applicable to specified
airports; amending s. 334.044, F.S.; revising the
department's powers and duties regarding a workforce
development program; amending s. 337.408, F.S.;
authorizing specific information panels in specified
rights-of-way; increasing the maximum height of
advertising on modular news racks or specific
information panels; amending s. 339.175, F.S.;
requiring one M.P.O. to be designated for each
urbanized area or group of contiguous urbanized areas
in the state; providing requirements for multiple
M.P.O.'s designated for a single area; removing the
requirement that an M.P.O. be involved in the
programming of transportation facilities; prohibiting
an M.P.O. from performing project production or

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 425 (2023)

Amendment No.

640 delivery for certain projects; revising duties of an
641 M.P.O.; revising duties of an M.P.O.'s technical
642 advisory committee; requiring the M.P.O.'s serving
643 certain counties to submit a report to the Governor
644 and Legislature by a specified date for specified
645 purposes; removing obsolete provisions; authorizing
646 multiple M.P.O.'s to merge into a single M.P.O.;
647 requiring multiple M.P.O.'s within a contiguous
648 urbanized area to coordinate plans and transportation
649 improvement programs and ensure consistency of certain
650 data; requiring an M.P.O.'s transportation improvement
651 program to indicate coordination with transportation
652 improvement plans of other M.P.O.'s within a
653 contiguous urbanized area; revising powers and duties
654 of the Metropolitan Planning Organization Advisory
655 Council; authorizing the council to enter into certain
656 contracts; providing prohibitions; creating s. 339.84,
657 F.S.; requiring specified funds to be allocated to the
658 department's workforce development program for certain
659 purposes; amending s. 354.01, F.S.; requiring certain
660 railroad police officers to be recognized as special
661 officers; providing construction; removing provisions
662 requiring the Governor to appoint special officers;
663 amending ss. 354.02, 354.05, and 784.07, F.S.;

664 conforming provisions to changes made by the act;

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 425 (2023)

Amendment No.

665 | amending s. 943.10, F.S.; revising the definition of
666 | the term "law enforcement officer" to include special
667 | officers; revising the definition of the term
668 | "employing agency" to include certain railroads that
669 | employ special officers; reenacting s. 318.18(2)(d) ,
670 | F.S., relating to amount of certain penalties., to
671 | incorporate the amendment made to s. 316.126, F.S.;
672 | providing an effective date.