

26 | the department's powers and duties regarding a
27 | workforce development program; creating s. 334.066,
28 | F.S.; establishing the Implementing Solutions from
29 | Transportation Research and Evaluating Emerging
30 | Technologies Living Lab (I-STREET) within the
31 | University of Florida; specifying the duties of I-
32 | STREET; requiring I-STREET to submit an annual report
33 | to the Governor and Legislature; requiring the
34 | creation of a certain advisory board; specifying the
35 | composition of the board; amending s. 334.179, F.S.;
36 | limiting certification of aggregate shipments to those
37 | in compliance with specified rules of the department;
38 | prohibiting a producer of aggregates from
39 | misrepresenting certification of aggregates; creating
40 | s. 334.181, F.S.; requiring a local governmental
41 | entity to accept an electronic proof of delivery as an
42 | official record for a material delivery on the local
43 | governmental entity's transportation project; amending
44 | s. 337.11, F.S.; requiring certain bridge construction
45 | or maintenance contracts to require certain marine
46 | general liability insurance; requiring the department
47 | to implement strategies to reduce certain costs and to
48 | make a record of such strategies and projected savings
49 | related thereto; authorizing the department to share a
50 | certain portion of construction cost savings with

51 certain consultants; amending s. 337.1101, F.S.;
52 revising procedures for resolving certain protests
53 through settlements requiring the payment of certain
54 amounts; amending s. 337.14, F.S.; revising a
55 limitation on the amount of a construction contract
56 for which a bidder may submit annual or interim
57 financial statements prepared by a certified public
58 accountant; revising the effect of submission and
59 approval of an application for a certificate of
60 qualification; authorizing submission of a written
61 request to maintain an existing certificate; amending
62 s. 337.168, F.S.; deleting an exemption from public
63 records requirements for identities of potential
64 transportation project bidders; amending s. 337.408,
65 F.S.; revising the maximum height of modular news
66 racks or advertising thereon; amending s. 338.223,
67 F.S.; deleting provisions prohibiting the department
68 from requesting legislative approval of a proposed
69 turnpike project until the design phase is partially
70 completed; amending s. 339.175, F.S.; providing
71 requirements for multiple M.P.O.'s designated for a
72 single urbanized area; prohibiting an M.P.O. from
73 performing project production or delivery for certain
74 projects; revising duties of an M.P.O.; revising
75 membership of an M.P.O.'s technical advisory

76 | committee; requiring the M.P.O.'s serving certain
77 | counties to submit a report to the Governor and
78 | Legislature by a specified date; removing obsolete
79 | provisions; authorizing multiple M.P.O.'s to merge
80 | into a single M.P.O.; requiring multiple M.P.O.'s
81 | within a contiguous urbanized area to coordinate plans
82 | and transportation improvement programs and ensure
83 | consistency of certain data; requiring an M.P.O.'s
84 | transportation improvement program to indicate
85 | coordination with transportation improvement plans of
86 | other M.P.O.'s within a contiguous urbanized area;
87 | revising powers and duties of the Metropolitan
88 | Planning Organization Advisory Council; authorizing
89 | the council to enter into certain contracts; providing
90 | prohibitions; creating s. 339.651, F.S.; providing
91 | legislative findings; requiring the department to
92 | specifically address movement and storage of
93 | construction aggregate in transportation plans;
94 | requiring specified funding for certain projects;
95 | providing considerations for funding; requiring
96 | priority to be given to certain projects; specifying
97 | the funding level authorized from the State
98 | Transportation Trust Fund; authorizing the department
99 | to adopt rules; providing for future repeal; creating
100 | s. 339.84, F.S.; requiring specified funds to be

101 allocated to the department's workforce development
 102 program for certain purposes; amending s. 354.01,
 103 F.S.; requiring certain railroad police officers to be
 104 recognized as special officers for certain purposes;
 105 providing construction; removing provisions requiring
 106 the Governor to appoint special officers; amending ss.
 107 354.02, 354.05, and 784.07, F.S.; conforming
 108 provisions to changes made by the act; amending s.
 109 943.10, F.S.; revising definitions; providing
 110 effective dates.

111

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

113

114 Section 1. Effective January 1, 2024, paragraph (b) of
 115 subsection (1) of section 316.126, Florida Statutes, is amended,
 116 and subsection (6) of that section is republished, to read:

117 316.126 Operation of vehicles and actions of pedestrians;
 118 ~~an~~ approach of ~~an~~ authorized emergency, sanitation, or utility
 119 service vehicle, wrecker, or road and bridge maintenance or
 120 construction vehicle; presence of disabled motor vehicle.-

121 (1)

122 (b) If an authorized emergency vehicle displaying any
 123 visual signals is parked on the roadside, a sanitation vehicle
 124 is performing a task related to the provision of sanitation
 125 services on the roadside, a utility service vehicle is

126 performing a task related to the provision of utility services
127 on the roadside, a wrecker displaying amber rotating or flashing
128 lights is performing a recovery or loading on the roadside, ~~or~~ a
129 road and bridge maintenance or construction vehicle displaying
130 warning lights is on the roadside without advance signs and
131 channelizing devices, or a disabled motor vehicle is stopped and
132 is displaying warning lights or hazard lights; is stopped and is
133 using emergency flares or posting emergency signage; or is
134 stopped and one or more persons are visibly present, the driver
135 of every other vehicle, as soon as it is safe:

136 1. Shall vacate the lane closest to the emergency vehicle,
137 sanitation vehicle, utility service vehicle, wrecker, ~~or~~ road
138 and bridge maintenance or construction vehicle, or disabled
139 motor vehicle when driving on an interstate highway or other
140 highway with two or more lanes traveling in the direction of the
141 emergency vehicle, sanitation vehicle, utility service vehicle,
142 wrecker, ~~or~~ road and bridge maintenance or construction vehicle, or
143 disabled motor vehicle except when otherwise directed by a
144 law enforcement officer. If such movement cannot be safely
145 accomplished, the driver shall reduce speed as provided in
146 subparagraph 2.

147 2. Shall slow to a speed that is 20 miles per hour less
148 than the posted speed limit when the posted speed limit is 25
149 miles per hour or greater; or travel at 5 miles per hour when
150 the posted speed limit is 20 miles per hour or less, when

151 driving on a two-lane road, except when otherwise directed by a
152 law enforcement officer.

153 (6) A violation of this section is a noncriminal traffic
154 infraction, punishable pursuant to chapter 318 as either a
155 moving violation for infractions of subsection (1) or subsection
156 (3), or as a pedestrian violation for infractions of subsection
157 (2).

158 Section 2. Effective January 1, 2024, for the purpose of
159 incorporating the amendment made by this act to section 316.126,
160 Florida Statutes, in a reference thereto, paragraph (d) of
161 subsection (2) of section 318.18, Florida Statutes, is reenacted
162 to read:

163 318.18 Amount of penalties.—The penalties required for a
164 noncriminal disposition pursuant to s. 318.14 or a criminal
165 offense listed in s. 318.17 are as follows:

166 (2) Thirty dollars for all nonmoving traffic violations
167 and:

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

170 Section 3. Section 316.83, Florida Statutes, is created to
171 read:

172 316.83 Autonomous vehicle grading standards for roads on
173 State Highway System.—The Department of Transportation shall
174 coordinate with federal, regional, and local partners, as well
175 as industry representatives, to establish standards by which

176 roads on the State Highway System shall be graded according to
177 their compatibility with the operation of autonomous vehicles.
178 In establishing such standards, the department shall consider
179 factors including, but not limited to, the structural adequacy
180 and safety of each road and the particular challenges that the
181 overall driving environment of each road may present to a fully
182 autonomous vehicle operating with the automated driving system
183 engaged. Autonomous vehicle grading standards established
184 pursuant to this section shall be incorporated into standards
185 for transportation projects involving the construction of new
186 roads or maintenance of existing roads on the State Highway
187 System.

188 Section 4. Subsection (2) of section 333.03, Florida
189 Statutes, is amended to read:

190 333.03 Requirement to adopt airport zoning regulations.—

191 (2) In the manner provided in subsection (1), political
192 subdivisions shall adopt, administer, and enforce airport land
193 use compatibility zoning regulations. Airport land use
194 compatibility zoning regulations shall, at a minimum, consider
195 ~~address~~ the following:

196 (a) The prohibition of new landfills and the restriction
197 of existing landfills within the following areas:

198 1. Within 10,000 feet from the nearest point of any runway
199 used or planned to be used by turbine aircraft.

200 2. Within 5,000 feet from the nearest point of any runway

201 used by only nonturbine aircraft.

202 3. Outside the perimeters defined in subparagraphs 1. and
203 2., but still within the lateral limits of the civil airport
204 imaginary surfaces defined in 14 C.F.R. s. 77.19. Case-by-case
205 review of such landfills is advised.

206 (b) Where any landfill is located and constructed in a
207 manner that attracts or sustains hazardous bird movements from
208 feeding, water, or roosting areas into, or across, the runways
209 or approach and departure patterns of aircraft. The landfill
210 operator must incorporate bird management techniques or other
211 practices to minimize bird hazards to airborne aircraft.

212 (c) Where an airport authority or other governing body
213 operating a public-use airport has conducted a noise study in
214 accordance with 14 C.F.R. part 150, or where a public-use
215 airport owner has established noise contours pursuant to another
216 public study accepted ~~approved~~ by the Federal Aviation
217 Administration, the prohibition of incompatible uses, as
218 established in the noise study in 14 C.F.R. part 150, Appendix A
219 or as a part of an alternative Federal Aviation Administration-
220 accepted ~~Administration-approved~~ public study, within the noise
221 contours established by any of these studies, except if such
222 uses are specifically contemplated by such study with
223 appropriate mitigation or similar techniques described in the
224 study.

225 (d) Where an airport authority or other governing body

226 | operating a public-use airport has not conducted a noise study,
 227 | the mitigation ~~prohibition~~ of potential incompatible uses
 228 | associated with residential construction and any educational
 229 | facility, with the exception of aviation school facilities,
 230 | within an area contiguous to the airport measuring one-half the
 231 | length of the longest runway on either side of and at the end of
 232 | each runway centerline.

233 | (e) The restriction of new incompatible uses, activities,
 234 | or substantial modifications to existing incompatible uses
 235 | within runway protection zones.

236 | Section 5. Subsection (35) of section 334.044, Florida
 237 | Statutes, is amended to read:

238 | 334.044 Powers and duties of the department.—The
 239 | department shall have the following general powers and duties:

240 | (35) To provide a ~~road and bridge~~ construction workforce
 241 | development program, in consultation with affected stakeholders,
 242 | for delivery ~~construction~~ of projects designated in the
 243 | department's work program.

244 | Section 6. Section 334.066, Florida Statutes, is created
 245 | to read:

246 | 334.066 Implementing Solutions from Transportation
 247 | Research and Evaluating Emerging Technologies Living Lab.—

248 | (1) The Implementing Solutions from Transportation
 249 | Research and Evaluating Emerging Technologies Living Lab (I-
 250 | STREET) is established within the University of Florida.

251 (2) At a minimum, I-STREET shall:

252 (a) Conduct and facilitate research on issues related to
253 innovative transportation mobility and safety technology
254 development and deployment in this state and serve as an
255 information exchange and depository for the most current
256 information pertaining to transportation research, education,
257 workforce development, and related issues.

258 (b) Be a continuing resource for the Legislature, the
259 department, local governments, the nation's metropolitan
260 regions, and the private sector in the area of transportation
261 and related research.

262 (c) Promote intercampus transportation and related
263 research activities among Florida universities to enhance the
264 ability of these universities to attract federal and private
265 sector funding for transportation and related research.

266 (d) Provide by July 1, 2024, and each July 1 thereafter,
267 to the Governor, the President of the Senate, and the Speaker of
268 the House of Representatives a comprehensive report that
269 outlines its clearly defined goals and its efforts and progress
270 on reaching those goals.

271 (3) An advisory board shall be created to periodically
272 review and advise I-STREET concerning its research program. The
273 board shall consist of nine members with expertise in
274 transportation-related areas, as follows:

275 (a) A member appointed by the President of the Senate.

276 (b) A member appointed by the Speaker of the House of
 277 Representatives.

278 (c) The Secretary of Transportation or his or her
 279 designee.

280 (d) The Secretary of Economic Opportunity or his or her
 281 designee.

282 (e) A member of the Florida Transportation Commission.

283 (f) Four members nominated by the University of Florida's
 284 College of Engineering and approved by the university's
 285 president. The College of Engineering's nominees may include
 286 representatives of the University of Florida, other academic and
 287 research institutions, or private entities.

288 Section 7. Section 334.179, Florida Statutes, is amended
 289 to read:

290 334.179 Department standards or specifications for
 291 permissible use of aggregates; misrepresentation of
 292 certification.—

293 (1) Notwithstanding any law, rule, or ordinance to the
 294 contrary, a local government may not adopt standards or
 295 specifications that are contrary to the department standards or
 296 specifications for permissible use of aggregates that have been
 297 certified for use. For purposes of this section, the term
 298 "certified for use" means that the aggregates have been
 299 certified by the producer in compliance ~~accordance~~ with
 300 department rules adopted pursuant to s. 334.044(10)(d). This

301 section does not apply to a multicounty independent special
302 district created by a special act of the Legislature.

303 (2) A producer may not represent that an aggregate is
304 certified for use unless such aggregate is in compliance with
305 department rules adopted pursuant to s. 334.044(10) (d).

306 Section 8. Section 334.181, Florida Statutes, is created
307 to read:

308 334.181 Electronic proof of delivery.—Notwithstanding any
309 law, rule, or ordinance to the contrary, a local governmental
310 entity must accept an electronic proof of delivery as an
311 official record for a material delivery on the local
312 governmental entity's transportation project.

313 Section 9. Subsections (15) and (16) of section 337.11,
314 Florida Statutes, are renumbered as subsections (18) and (19),
315 respectively, and new subsections (15), (16), and (17) are added
316 to that section to read:

317 337.11 Contracting authority of department; bids;
318 emergency repairs, supplemental agreements, and change orders;
319 combined design and construction contracts; progress payments;
320 records; requirements of vehicle registration.—

321 (15) Each contract let by the department for performance
322 of bridge construction or maintenance over navigable waters must
323 contain a provision requiring marine general liability
324 insurance, in an amount to be determined by the department,
325 which covers third-party personal injury and property damage

326 caused by vessels used by the contractor in the performance of
327 the work.

328 (16) The department shall implement strategies to reduce
329 the cost of all project phases, including design, construction,
330 and inspection, while ensuring that the design and construction
331 of projects meet applicable federal and state standards. The
332 department shall make a record of such strategies and the
333 projected savings related thereto.

334 (17) The department may share a portion of the
335 construction cost savings realized due to a change in the
336 construction contract design and scope, initiated after
337 execution of the contract, with a design services consultant or
338 a construction engineering and inspection services consultant to
339 the extent that the consultant's input and involvement
340 contributed to such savings. The amount paid to a consultant
341 pursuant to this subsection may not exceed 10 percent of the
342 construction cost savings realized.

343 Section 10. Subsection (1) of section 337.1101, Florida
344 Statutes, is amended to read:

345 337.1101 Contracting and procurement authority of the
346 department; settlements; notification required.—

347 (1) When the department, or any entity or enterprise
348 within the department, determines that it is in the best
349 interest of the public to resolve a protest filed in accordance
350 with s. 120.57(3) of the award of a contract being procured

351 pursuant to s. 337.11 or related to the purchase of personal
352 property or contractual services being procured pursuant to s.
353 287.057, through a settlement that requires the department to
354 pay a nonselected responsive bidder a total sum of \$1 million or
355 more, including any amount paid pursuant to s. 334.049, any
356 amount paid pursuant to s. 337.11(8) which is not included in
357 the department's work program approved by the Legislature as
358 part of the General Appropriations Act, or any amount paid
359 pursuant to any other law, the department must:

360 (a) Document in a written memorandum by the secretary the
361 specific reasons that such settlement and payment to a
362 nonselected responsive bidder is in the best interest of the
363 state. The written memorandum must be included and maintained in
364 the department's permanent files concerning the procurement and
365 must include:

366 1. A description of the property rights, patent rights,
367 copyrights, trademarks, or the engineering design or other
368 design work that the department will acquire or retain as a
369 result of such settlement; and

370 2. The specific appropriation in the existing General
371 Appropriations Act which the department intends to use to
372 provide such payment.

373 (b) Provide prior written notification to the President of
374 the Senate, the Speaker of the House of Representatives, the
375 Senate and House of Representatives minority leaders, the chair

376 and vice chair of the Legislative Budget Commission, and the
377 Attorney General at least 5 business days, or as soon thereafter
378 as practicable, before the department makes the settlement
379 agreement final. Such written notification must include the
380 written memorandum required pursuant to paragraph (a).

381 (c) Provide, at the time settlement discussions regarding
382 any such payment have begun in earnest, written notification of
383 such discussions to the President of the Senate, the Speaker of
384 the House of Representatives, the Senate and House of
385 Representatives minority leaders, the chair and vice chair of
386 the Legislative Budget Commission, and the Attorney General.

387 Section 11. Subsections (1) and (4) of section 337.14,
388 Florida Statutes, are amended to read:

389 337.14 Application for qualification; certificate of
390 qualification; restrictions; request for hearing.—

391 (1) Any contractor desiring to bid for the performance of
392 any construction contract in excess of \$250,000 which the
393 department proposes to let must first be certified by the
394 department as qualified pursuant to this section and rules of
395 the department. The rules of the department must address the
396 qualification of contractors to bid on construction contracts in
397 excess of \$250,000 and must include requirements with respect to
398 the equipment, past record, experience, financial resources, and
399 organizational personnel of the applying contractor which are
400 necessary to perform the specific class of work for which the

401 contractor seeks certification. Any contractor who desires to
402 bid on contracts in excess of \$50 million and who is not
403 qualified and in good standing with the department as of January
404 1, 2019, must first be certified by the department as qualified
405 and must have satisfactorily completed two projects, each in
406 excess of \$15 million, for the department or for any other state
407 department of transportation. The department may limit the
408 dollar amount of any contract upon which a contractor is
409 qualified to bid or the aggregate total dollar volume of
410 contracts such contractor is allowed to have under contract at
411 any one time. Each applying contractor seeking qualification to
412 bid on construction contracts in excess of \$250,000 shall
413 furnish the department a statement under oath, on such forms as
414 the department may prescribe, setting forth detailed information
415 as required on the application. Each application for
416 certification must be accompanied by audited, certified
417 financial statements prepared in accordance with generally
418 accepted accounting principles and auditing standards by a
419 certified public accountant licensed in this state or another
420 state. The audited, certified financial statements must be for
421 the applying contractor and must have been prepared within the
422 immediately preceding 12 months. The department may not consider
423 any financial information of the parent entity of the applying
424 contractor, if any. The department may not certify as qualified
425 any applying contractor who fails to submit the audited,

426 certified financial statements required by this subsection. If
427 the application or the annual financial statement shows the
428 financial condition of the applying contractor more than 4
429 months before the date on which the application is received by
430 the department, the applicant must also submit interim audited,
431 certified financial statements prepared in accordance with
432 generally accepted accounting principles and auditing standards
433 by a certified public accountant licensed in this state or
434 another state. The interim financial statements must cover the
435 period from the end date of the annual statement and must show
436 the financial condition of the applying contractor no more than
437 4 months before the date that the interim financial statements
438 are received by the department. However, upon the request of the
439 applying contractor, an application and accompanying annual or
440 interim financial statement received by the department within 15
441 days after either 4-month period under this subsection shall be
442 considered timely. An applying contractor desiring to bid
443 exclusively for the performance of construction contracts with
444 proposed budget estimates of less than \$2 ~~\$1~~ million may submit
445 reviewed annual or reviewed interim financial statements
446 prepared by a certified public accountant. The information
447 required by this subsection is confidential and exempt from s.
448 119.07(1). The department shall act upon the application for
449 qualification within 30 days after the department determines
450 that the application is complete. The department may waive the

451 requirements of this subsection for projects having a contract
452 price of \$500,000 or less if the department determines that the
453 project is of a noncritical nature and the waiver will not
454 endanger public health, safety, or property.

455 (4) If the applicant is found to possess the prescribed
456 qualifications, the department shall issue to him or her a
457 certificate of qualification that, unless thereafter revoked by
458 the department for good cause, will be valid for a period of 18
459 months after the date of the applicant's financial statement or
460 such shorter period as the department prescribes. Submission of
461 an application does ~~and subsequent approval do~~ not affect
462 expiration of the certificate of qualification, ~~the ability~~
463 ~~factor of the applicant, or the maximum capacity rating of the~~
464 ~~applicant.~~ An applicant may submit a written request with a
465 timely submitted application to keep an existing certificate of
466 qualification in place until the expiration date. If the request
467 is approved by the department, the current maximum capacity
468 rating of the applicant must remain in place until expiration of
469 the current certificate of qualification. If the department
470 finds that an application is incomplete or contains inadequate
471 information or information that cannot be verified, the
472 department may request in writing that the applicant provide the
473 necessary information to complete the application or provide the
474 source from which any information in the application may be
475 verified. If the applicant fails to comply with the initial

476 written request within a reasonable period of time as specified
 477 therein, the department shall request the information a second
 478 time. If the applicant fails to comply with the second request
 479 within a reasonable period of time as specified therein, the
 480 application shall be denied.

481 Section 12. Subsection (2) of section 337.168, Florida
 482 Statutes, is amended to read:

483 337.168 Confidentiality of official estimates, ~~identities~~
 484 ~~of potential bidders,~~ and bid analysis and monitoring system.-

485 ~~(2) A document that reveals the identity of a person who~~
 486 ~~has requested or obtained a bid package, plan, or specifications~~
 487 ~~pertaining to any project to be let by the department is~~
 488 ~~confidential and exempt from the provisions of s. 119.07(1) for~~
 489 ~~the period that begins 2 working days before the deadline for~~
 490 ~~obtaining bid packages, plans, or specifications and ends with~~
 491 ~~the letting of the bid. A document that reveals the identity of~~
 492 ~~a person who has requested or obtained a bid package, plan, or~~
 493 ~~specifications pertaining to any project to be let by the~~
 494 ~~department before the 2 working days before the deadline for~~
 495 ~~obtaining bid packages, plans, or specifications remains a~~
 496 ~~public record subject to s. 119.07(1).~~

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

499 337.408 Regulation of bus stops, benches, transit
 500 shelters, street light poles, waste disposal receptacles, and

501 modular news racks within rights-of-way.-

502 (3) Modular news racks, including advertising thereon, may
 503 be located within the right-of-way limits of any municipal,
 504 county, or state road, except a limited access highway, if
 505 ~~provided~~ the municipal government within whose incorporated
 506 limits such racks are installed or the county government within
 507 whose unincorporated limits such racks are installed has passed
 508 an ordinance regulating the placement of modular news racks
 509 within the right-of-way and has authorized a qualified private
 510 supplier of modular news racks to provide such service. The
 511 modular news rack or advertising thereon may ~~shall~~ not exceed a
 512 height of 105 ~~56~~ inches or a total advertising space of 56
 513 square feet. No later than 45 days before ~~prior to~~ installation
 514 of modular news racks, the private supplier must ~~shall~~ provide a
 515 map of proposed locations and typical installation plans to the
 516 department for approval. If the department does not respond
 517 within 45 days after receipt of the submitted plans,
 518 installation may proceed.

519 Section 14. Paragraph (a) of subsection (1) of section
 520 338.223, Florida Statutes, is amended to read:

521 338.223 Proposed turnpike projects.-

522 (1)(a) Any proposed project to be constructed or acquired
 523 as part of the turnpike system and any turnpike improvement
 524 shall be included in the tentative work program. A proposed
 525 project or group of proposed projects may not be added to the

526 | turnpike system unless such project or projects are determined
527 | to be economically feasible and a statement of environmental
528 | feasibility has been completed for such project or projects and
529 | such projects are determined to be consistent, to the maximum
530 | extent feasible, with approved local government comprehensive
531 | plans of the local governments in which such projects are
532 | located. The department may authorize engineering studies,
533 | traffic studies, environmental studies, and other expert studies
534 | of the location, costs, economic feasibility, and practicality
535 | of proposed turnpike projects throughout the state and may
536 | proceed with the design phase of such projects. ~~The department~~
537 | ~~may not request legislative approval of a proposed turnpike~~
538 | ~~project until the design phase of that project is at least 30~~
539 | ~~percent complete.~~ If a proposed project or group of proposed
540 | projects is found to be economically feasible, consistent, to
541 | the maximum extent feasible, with approved local government
542 | comprehensive plans of the local governments in which such
543 | projects are located, and a favorable statement of environmental
544 | feasibility has been completed, the department, with the
545 | approval of the Legislature, shall, after the receipt of all
546 | necessary permits, construct, maintain, and operate such
547 | turnpike projects.

548 | Section 15. Paragraph (a) of subsection (2), subsection
549 | (6), paragraphs (a) and (b) of subsection (7), paragraphs (a)
550 | and (c) of subsection (8), and paragraph (c) of subsection (11)

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

553 339.175 Metropolitan planning organization.—

554 (2) DESIGNATION.—

555 (a)1. An M.P.O. shall be designated for each urbanized
 556 area of the state; however, this does not require that an
 557 individual M.P.O. be designated for each such area. Such
 558 designation shall be accomplished by agreement between the
 559 Governor and units of general-purpose local government
 560 representing at least 75 percent of the population of the
 561 urbanized area; however, the unit of general-purpose local
 562 government that represents the central city or cities within the
 563 M.P.O. jurisdiction, as defined by the United States Bureau of
 564 the Census, must be a party to such agreement.

565 2. To the extent possible, only one M.P.O. shall be
 566 designated for each urbanized area or group of contiguous
 567 urbanized areas. More than one M.P.O. may be designated within
 568 an existing urbanized area only if the Governor and the existing
 569 M.P.O. determine that the size and complexity of the existing
 570 urbanized area makes the designation of more than one M.P.O. for
 571 the area appropriate, in which case each M.P.O. designated for
 572 the area must:

573 a. Consult with every other M.P.O. designated for the
 574 urbanized area and the state to coordinate plans and
 575 transportation improvement programs.

576 b. Ensure, to the maximum extent practicable, the
 577 consistency of data used in the planning process, including data
 578 used in forecasting travel demand within the urbanized area.

579
 580 Each M.P.O. required under this section must be fully operative
 581 no later than 6 months following its designation.

582 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,
 583 privileges, and authority of an M.P.O. are those specified in
 584 this section or incorporated in an interlocal agreement
 585 authorized under s. 163.01. Each M.P.O. shall perform all acts
 586 required by federal or state laws or rules, now and subsequently
 587 applicable, which are necessary to qualify for federal aid. It
 588 is the intent of this section that each M.P.O. ~~shall~~ be involved
 589 in the planning and programming of transportation facilities,
 590 including, but not limited to, airports, intercity and high-
 591 speed rail lines, seaports, and intermodal facilities, to the
 592 extent permitted by state or federal law. An M.P.O. may not
 593 perform project production or delivery for capital improvement
 594 projects on the State Highway System.

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

597 1. A long-range transportation plan pursuant to the
 598 requirements of subsection (7) ~~.~~

599 2. An annually updated transportation improvement program
 600 pursuant to the requirements of subsection (8) ~~.~~ ~~and~~

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

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

607 1. Support the economic vitality of the contiguous
608 urbanized metropolitan area, especially by enabling global
609 competitiveness, productivity, and efficiency.~~†~~

610 2. Increase the safety and security of the transportation
611 system for motorized and nonmotorized users.~~†~~

612 3. Increase the accessibility and mobility options
613 available to people and for freight.~~†~~

614 4. Protect and enhance the environment, promote energy
615 conservation, and improve quality of life.~~†~~

616 5. Enhance the integration and connectivity of the
617 transportation system, across and between modes and contiguous
618 urbanized metropolitan areas, for people and freight.~~†~~

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

620 7. Emphasize the preservation of the existing
621 transportation system.

622 8. Improve the resilience of transportation
623 infrastructure.

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

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

627 1. Prepare a congestion management system for the
 628 contiguous urbanized metropolitan area and cooperate with the
 629 department in the development of all other transportation
 630 management systems required by state or federal law.~~;~~

631 2. Assist the department in mapping transportation
 632 planning boundaries required by state or federal law.~~;~~

633 3. Assist the department in performing its duties relating
 634 to access management, functional classification of roads, and
 635 data collection.~~;~~

636 4. Execute all agreements or certifications necessary to
 637 comply with applicable state or federal law.~~;~~

638 5. Represent all the jurisdictional areas within the
 639 metropolitan area in the formulation of transportation plans and
 640 programs required by this section.~~;~~~~and~~

641 6. Perform all other duties required by state or federal
 642 law.

643 (d) Each M.P.O. shall appoint a technical advisory
 644 committee, the members of which shall serve at the pleasure of
 645 the M.P.O. The membership of the technical advisory committee
 646 must include, whenever possible, planners; engineers;
 647 representatives of local aviation authorities, intermodal
 648 logistics centers, port authorities, and public transit
 649 authorities or representatives of aviation departments, seaport
 650 departments, and public transit departments of municipal or

651 county governments, as applicable; the school superintendent of
652 each county within the jurisdiction of the M.P.O. or the
653 superintendent's designee; and other appropriate representatives
654 of affected local governments. For each M.P.O. the voting
655 membership of which is governed by paragraph (3) (a), when
656 selecting the membership of the technical advisory committee,
657 the M.P.O. must consider the proportional representation of the
658 area's population. In addition to any other duties assigned to
659 it by the M.P.O. or by state or federal law, the technical
660 advisory committee is responsible for considering safe access to
661 schools in its review of transportation project priorities,
662 long-range transportation plans, and transportation improvement
663 programs, and shall advise the M.P.O. on such matters. In
664 addition, the technical advisory committee shall coordinate its
665 actions with local school boards and other local programs and
666 organizations within the metropolitan area which participate in
667 school safety activities, such as locally established community
668 traffic safety teams. Local school boards must provide the
669 appropriate M.P.O. with information concerning future school
670 sites and in the coordination of transportation service.

671 (e)1. Each M.P.O. shall appoint a citizens' advisory
672 committee, the members of which serve at the pleasure of the
673 M.P.O. The membership on the citizens' advisory committee must
674 reflect a broad cross-section of local residents with an
675 interest in the development of an efficient, safe, and cost-

676 effective transportation system. Minorities, the elderly, and
677 the handicapped must be adequately represented.

678 2. Notwithstanding ~~the provisions of~~ subparagraph 1., an
679 M.P.O. may, with the approval of the department and the
680 applicable federal governmental agency, adopt an alternative
681 program or mechanism to ensure citizen involvement in the
682 transportation planning process.

683 (f) The department shall allocate to each M.P.O., for the
684 purpose of accomplishing its transportation planning and
685 programming duties, an appropriate amount of federal
686 transportation planning funds.

687 (g) Each M.P.O. shall have an executive or staff director
688 who reports directly to the M.P.O. governing board for all
689 matters regarding the administration and operation of the M.P.O.
690 and any additional personnel as deemed necessary. The executive
691 director and any additional personnel may be employed either by
692 an M.P.O. or by another governmental entity, such as a county,
693 city, or regional planning council, that has a staff services
694 agreement signed and in effect with the M.P.O. Each M.P.O. may
695 enter into contracts with local or state agencies, private
696 planning firms, private engineering firms, or other public or
697 private entities to accomplish its transportation planning and
698 programming duties and administrative functions.

699 (h) In order to enhance their knowledge, effectiveness,
700 and participation in the urbanized area transportation planning

701 process, each M.P.O. shall provide training opportunities and
702 training funds specifically for local elected officials and
703 others who serve on an M.P.O. The training opportunities may be
704 conducted by an individual M.P.O. or through statewide and
705 federal training programs and initiatives that are specifically
706 designed to meet the needs of M.P.O. board members.

707 (i) By December 31, 2023, ~~There is created the Chairs~~
708 ~~Coordinating Committee, composed of the M.P.O.'s serving Citrus,~~
709 ~~Hernando, Hillsborough, Manatee, Pasco, and Pinellas, Polk, and~~
710 ~~Sarasota Counties~~ must submit a feasibility report to the
711 Governor, the President of the Senate, and the Speaker of the
712 House of Representatives exploring the benefits, costs, and
713 process of consolidation into a single M.P.O. serving the
714 contiguous urbanized area, the goal of which would be to. ~~The~~
715 ~~committee must, at a minimum:~~

716 1. Coordinate transportation projects deemed to be
717 regionally significant ~~by the committee.~~

718 2. Review the impact of regionally significant land use
719 decisions on the region.

720 3. Review all proposed regionally significant
721 transportation projects in the ~~respective~~ transportation
722 improvement programs ~~which affect more than one of the M.P.O.'s~~
723 ~~represented on the committee.~~

724 4. ~~Institute a conflict resolution process to address any~~
725 ~~conflict that may arise in the planning and programming of such~~

726 ~~regionally significant projects.~~

727 (j)1. ~~The Legislature finds that the state's rapid growth~~
728 ~~in recent decades has caused many urbanized areas subject to~~
729 ~~M.P.O. jurisdiction to become contiguous to each other. As a~~
730 ~~result, various transportation projects may cross from the~~
731 ~~jurisdiction of one M.P.O. into the jurisdiction of another~~
732 ~~M.P.O.~~ To more fully accomplish the purposes for which M.P.O.'s
733 have been mandated, M.P.O.'s shall develop coordination
734 mechanisms with one another to expand and improve transportation
735 within the state. The appropriate method of coordination between
736 M.P.O.'s shall vary depending upon the project involved and
737 given local and regional needs. Consequently, it is appropriate
738 to set forth a flexible methodology that can be used by M.P.O.'s
739 to coordinate with other M.P.O.'s and appropriate political
740 subdivisions as circumstances demand.

741 2. Any M.P.O. may join with any other M.P.O. or any
742 individual political subdivision to coordinate activities or to
743 achieve any federal or state transportation planning or
744 development goals or purposes consistent with federal or state
745 law. When an M.P.O. determines that it is appropriate to join
746 with another M.P.O. or any political subdivision to coordinate
747 activities, the M.P.O. or political subdivision shall enter into
748 an interlocal agreement pursuant to s. 163.01, which, at a
749 minimum, creates a separate legal or administrative entity to
750 coordinate the transportation planning or development activities

751 required to achieve the goal or purpose; provides the purpose
752 for which the entity is created; provides the duration of the
753 agreement and the entity and specifies how the agreement may be
754 terminated, modified, or rescinded; describes the precise
755 organization of the entity, including who has voting rights on
756 the governing board, whether alternative voting members are
757 provided for, how voting members are appointed, and what the
758 relative voting strength is for each constituent M.P.O. or
759 political subdivision; provides the manner in which the parties
760 to the agreement will provide for the financial support of the
761 entity and payment of costs and expenses of the entity; provides
762 the manner in which funds may be paid to and disbursed from the
763 entity; and provides how members of the entity will resolve
764 disagreements regarding interpretation of the interlocal
765 agreement or disputes relating to the operation of the entity.
766 Such interlocal agreement shall become effective upon its
767 recordation in the official public records of each county in
768 which a member of the entity created by the interlocal agreement
769 has a voting member. Multiple ~~This paragraph does not require~~
770 ~~any~~ M.P.O.'s may ~~to~~ merge, combine, or otherwise join together
771 as a single M.P.O.

772 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must
773 develop a long-range transportation plan that addresses at least
774 a 20-year planning horizon. The plan must include both long-
775 range and short-range strategies and must comply with all other

776 state and federal requirements. The prevailing principles to be
 777 considered in the long-range transportation plan are: preserving
 778 the existing transportation infrastructure; enhancing Florida's
 779 economic competitiveness; and improving travel choices to ensure
 780 mobility. The long-range transportation plan must be consistent,
 781 to the maximum extent feasible, with future land use elements
 782 and the goals, objectives, and policies of the approved local
 783 government comprehensive plans of the units of local government
 784 located within the jurisdiction of the M.P.O. Each M.P.O. is
 785 encouraged to consider strategies that integrate transportation
 786 and land use planning to provide for sustainable development and
 787 reduce greenhouse gas emissions. The approved long-range
 788 transportation plan must be considered by local governments in
 789 the development of the transportation elements in local
 790 government comprehensive plans and any amendments thereto. The
 791 long-range transportation plan must, at a minimum:

792 (a) Identify transportation facilities, including, but not
 793 limited to, major roadways, airports, seaports, spaceports,
 794 commuter rail systems, transit systems, and intermodal or
 795 multimodal terminals that will function as an integrated
 796 metropolitan transportation system. The long-range
 797 transportation plan must give emphasis to those transportation
 798 facilities that serve national, statewide, or regional
 799 functions, and must consider the goals and objectives identified
 800 in the Florida Transportation Plan as provided in s. 339.155. If

801 a project is located within the boundaries of more than one
802 M.P.O., the M.P.O.'s must coordinate plans regarding the project
803 in the long-range transportation plan. Multiple M.P.O.'s within
804 a contiguous urbanized area must coordinate the development of
805 long-range transportation plans to be reviewed by the
806 Metropolitan Planning Organization Advisory Council.

807 (b) Include a financial plan that demonstrates how the
808 plan can be implemented, indicating resources from public and
809 private sources which are reasonably expected to be available to
810 carry out the plan, and recommends any additional financing
811 strategies for needed projects and programs. The financial plan
812 may include, for illustrative purposes, additional projects that
813 would be included in the adopted long-range transportation plan
814 if reasonable additional resources beyond those identified in
815 the financial plan were available. For the purpose of developing
816 the long-range transportation plan, the M.P.O. and the
817 department shall cooperatively develop estimates of funds that
818 will be available to support the plan implementation. Innovative
819 financing techniques may be used to fund needed projects and
820 programs. Such techniques may include the assessment of tolls,
821 the use of value capture financing, or the use of value pricing.
822 Multiple M.P.O.'s within a contiguous urbanized area must
823 ensure, to the maximum extent possible, the consistency of data
824 used in the planning process.

825

826 In the development of its long-range transportation plan, each
827 M.P.O. must provide the public, affected public agencies,
828 representatives of transportation agency employees, freight
829 shippers, providers of freight transportation services, private
830 providers of transportation, representatives of users of public
831 transit, and other interested parties with a reasonable
832 opportunity to comment on the long-range transportation plan.
833 The long-range transportation plan must be approved by the
834 M.P.O.

835 (8) TRANSPORTATION IMPROVEMENT PROGRAM.—Each M.P.O. shall,
836 in cooperation with the state and affected public transportation
837 operators, develop a transportation improvement program for the
838 area within the jurisdiction of the M.P.O. In the development of
839 the transportation improvement program, each M.P.O. must provide
840 the public, affected public agencies, representatives of
841 transportation agency employees, freight shippers, providers of
842 freight transportation services, private providers of
843 transportation, representatives of users of public transit, and
844 other interested parties with a reasonable opportunity to
845 comment on the proposed transportation improvement program.

846 (a) Each M.P.O. is responsible for developing, annually, a
847 list of project priorities and a transportation improvement
848 program. The prevailing principles to be considered by each
849 M.P.O. when developing a list of project priorities and a
850 transportation improvement program are: preserving the existing

851 transportation infrastructure; enhancing Florida's economic
852 competitiveness; and improving travel choices to ensure safety
853 and mobility. The transportation improvement program will be
854 used to initiate federally aided transportation facilities and
855 improvements as well as other transportation facilities and
856 improvements including transit, rail, aviation, spaceport, and
857 port facilities to be funded from the State Transportation Trust
858 Fund within its metropolitan area in accordance with existing
859 and subsequent federal and state laws and rules and regulations
860 related thereto. The transportation improvement program shall be
861 consistent, to the maximum extent feasible, with the approved
862 local government comprehensive plans of the units of local
863 government whose boundaries are within the metropolitan area of
864 the M.P.O. and include those projects programmed pursuant to s.
865 339.2819(4). Multiple M.P.O.'s within a contiguous urbanized
866 area must coordinate transportation improvement programs.

867 (c) The transportation improvement program must, at a
868 minimum:

869 1. Include projects and project phases to be funded with
870 state or federal funds within the time period of the
871 transportation improvement program and which are recommended for
872 advancement during the next fiscal year and 4 subsequent fiscal
873 years. Such projects and project phases must be consistent, to
874 the maximum extent feasible, with the approved local government
875 comprehensive plans of the units of local government located

876 within the jurisdiction of the M.P.O. For informational
877 purposes, the transportation improvement program shall also
878 include a list of projects to be funded from local or private
879 revenues.

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

884 3. Provide a financial plan that demonstrates how the
885 transportation improvement program can be implemented; indicates
886 the resources, both public and private, that are reasonably
887 expected to be available to accomplish the program; identifies
888 any innovative financing techniques that may be used to fund
889 needed projects and programs; and may include, for illustrative
890 purposes, additional projects that would be included in the
891 approved transportation improvement program if reasonable
892 additional resources beyond those identified in the financial
893 plan were available. Innovative financing techniques may include
894 the assessment of tolls, the use of value capture financing, or
895 the use of value pricing. The transportation improvement program
896 may include a project or project phase only if full funding can
897 reasonably be anticipated to be available for the project or
898 project phase within the time period contemplated for completion
899 of the project or project phase.

900 4. Group projects and project phases of similar urgency

901 and anticipated staging into appropriate staging periods.

902 5. Indicate how the transportation improvement program
 903 relates to the long-range transportation plan developed under
 904 subsection (7), including providing examples of specific
 905 projects or project phases that further the goals and policies
 906 of the long-range transportation plan.

907 6. Indicate whether any project or project phase is
 908 inconsistent with an approved comprehensive plan of a unit of
 909 local government located within the jurisdiction of the M.P.O.
 910 If a project is inconsistent with an affected comprehensive
 911 plan, the M.P.O. must provide justification for including the
 912 project in the transportation improvement program.

913 7. Indicate how the improvements are consistent, to the
 914 maximum extent feasible, with affected seaport, airport, and
 915 spaceport master plans and with public transit development plans
 916 of the units of local government located within the jurisdiction
 917 of the M.P.O. If a project is located within the boundaries of
 918 more than one M.P.O., the M.P.O.'s must coordinate plans
 919 regarding the project in the transportation improvement program.

920 8. Indicate coordination or alignment with transportation
 921 improvement plans of other M.P.O.'s within the contiguous
 922 urbanized area.

923 (11) METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL.—

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

926 ~~1. Enter into contracts with individuals, private~~
 927 ~~corporations, and public agencies.~~

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

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

932 1.4. Establish bylaws by action of its governing board
 933 providing procedural rules to guide its proceedings and
 934 consideration of matters before the council, or, alternatively,
 935 adopt rules pursuant to ss. 120.536(1) and 120.54 to implement
 936 provisions of law conferring powers or duties upon it.

937 ~~2.5.~~ Assist M.P.O.'s in carrying out the urbanized area
 938 transportation planning process by serving as the principal
 939 forum for collective policy discussion pursuant to law.

940 ~~3.6.~~ Serve as a clearinghouse for review and comment by
 941 M.P.O.'s on the Florida Transportation Plan and on other issues
 942 required to comply with federal or state law in carrying out the
 943 urbanized area transportation and systematic planning processes
 944 instituted pursuant to s. 339.155. The council must also report
 945 annually to the Florida Transportation Commission on the
 946 alignment of M.P.O. long-range transportation plans with the
 947 Florida Transportation Plan.

948 4.7. Employ an executive director and such other staff as
 949 necessary to perform adequately the functions of the council,
 950 within budgetary limitations. The executive director and staff

951 are exempt from part II of chapter 110 and serve at the
952 direction and control of the council. The council is assigned to
953 the Office of the Secretary of the Department of Transportation
954 for fiscal and accountability purposes, but it shall otherwise
955 function independently of the control and direction of the
956 department.

957 5. Deliver training on federal and state program
958 requirements and procedures to M.P.O. board members and M.P.O.
959 staff.

960 ~~6.8.~~ Adopt an agency strategic plan that prioritizes steps
961 the agency will take to carry out its mission within the context
962 of the state comprehensive plan and any other statutory mandates
963 and directives.

964 (d) The Metropolitan Planning Organization Advisory
965 Council may enter into contracts in accordance with chapter 287
966 to support the activities described in paragraph (c). Lobbying
967 and the acceptance of funds, grants, assistance, gifts, or
968 bequests from private, local, state, or federal sources are
969 prohibited.

970 Section 16. Section 339.651, Florida Statutes, is created
971 to read:

972 339.651 Strategic Intermodal System supply-chain demands.—

973 (1) The Legislature finds that Strategic Intermodal System
974 components defined in s. 339.62 ensure a multi-modal
975 transportation system; that the Strategic Intermodal System is a

976 critical network supporting economic activities and the
977 transport of people and goods; and that the Strategic Intermodal
978 System is instrumental in the movement of road building
979 materials for infrastructure investments. The Legislature
980 further finds that Florida's rapid economic and population
981 growth can compound supply-chain demands on the transportation
982 system, and the demand for construction aggregate continues to
983 outpace supply.

984 (2) The department shall specifically address in its
985 transportation plans, including the Florida Transportation Plan
986 and the Strategic Intermodal System Plan, movement and storage
987 of construction aggregate materials essential for building
988 roadways.

989 (3) The department shall make up to \$20 million available
990 each year for fiscal years 2023-2024 through 2027-2028, from
991 existing work program revenues, to fund projects that meet the
992 public purpose of providing increased capacity and enhanced
993 capabilities to move and store construction aggregate.
994 Applicants eligible for project funding under this section are
995 seaports listed in s. 311.09 and rail lines and rail facilities.

996 (4) The department must consider at least the following
997 criteria when evaluating projects for assistance under this
998 section:

999 (a) The ability of the project to serve the strategic
1000 state interest of mitigating supply-chain demands for

1001 construction aggregate sufficient to ensure ongoing improvement
1002 of the Strategic Intermodal System and the state's entire
1003 transportation network.

1004 (b) The ability of the project to facilitate the cost-
1005 effective and efficient movement and storage of construction
1006 aggregate.

1007 (c) The extent to which the project efficiently interacts
1008 with and supports the transportation network.

1009 (d) Any commitment of a funding match, which may be
1010 investment or commitment made by the owner or developer of the
1011 existing or proposed facility that facilitates or will
1012 facilitate the movement and storage of construction aggregate,
1013 local financial support or commitment, or a combination of both.
1014 Projects with a funding match shall be prioritized based on the
1015 amount of the match and shall be prioritized over projects
1016 having no such funding match.

1017 (5) The State Transportation Trust Fund may fund up to 100
1018 percent of the cost of a project selected based on the criteria
1019 specified herein.

1020 (6) The department may adopt rules to implement this
1021 section.

1022 (7) This section shall stand repealed on July 1, 2028.

1023 Section 17. Section 339.84, Florida Statutes, is created
1024 to read:

1025 339.84 Workforce development.—Beginning in the 2023-2024

1026 fiscal year and annually thereafter for 5 years, \$5 million
 1027 shall be allocated from the State Transportation Trust Fund to
 1028 the workforce development program as provided in s. 334.044(35)
 1029 to promote career paths in Florida's road and bridge industry.

1030 Section 18. Section 354.01, Florida Statutes, is amended
 1031 to read:

1032 354.01 ~~Appointment of~~ Special officers. ~~A railroad police~~
 1033 officer ~~Upon the application of any railroad or other common~~
 1034 ~~carrier doing business in this state, the Governor shall appoint~~
 1035 ~~one or more persons who~~ has ~~have~~ met the law enforcement officer
 1036 qualifications and training requirements of ss. 943.13 and
 1037 943.135(1) shall be recognized as a special officer ~~s. 943.13 as~~
 1038 ~~special officers~~ for the protection and safety of any railroad
 1039 or other common carrier doing business in this state ~~such~~
 1040 ~~carriers; its~~ their passengers and employees; and the property
 1041 of such carrier ~~carriers~~, passengers, and employees. A special
 1042 officer is not considered a law enforcement officer except for
 1043 purposes of ss. 943.085-943.255. ~~However, until the Governor~~
 1044 ~~either appoints or rejects the application for appointment of a~~
 1045 ~~person as a special officer, the railroad or common carrier may~~
 1046 ~~temporarily employ the person as a special officer if he or she~~
 1047 ~~complies with the qualifications for employment as a law~~
 1048 ~~enforcement officer in s. 943.13. Notwithstanding any other~~
 1049 ~~provision of law, a special officer must have the same training~~
 1050 ~~as a law enforcement officer in accordance with ss. 943.13 and~~

1051 ~~943.135(1)~~. A Class I, Class II, or Class III railroad shall be
1052 considered an employing agency for purposes of ss. 943.10,
1053 943.13, and 943.135(1), and shall pay all costs associated with
1054 the training and continuing education of employed special
1055 officers.

1056 Section 19. Section 354.02, Florida Statutes, is amended
1057 to read:

1058 354.02 Powers. ~~Each special officer shall have and~~
1059 ~~exercise~~ Throughout every county in which the common carrier for
1060 which he or she is employed does business, operates, or owns
1061 property, a special officer may arrest a person who has violated
1062 ~~was appointed, shall do business, operate, or own property, the~~
1063 ~~power to make arrests for violation of law on the property of~~
1064 ~~such common carrier, and to arrest persons, whether on or off~~
1065 ~~such carrier's property, violating any law on such carrier's~~
1066 property, whether the arrest occurs on or off such carrier's
1067 property, under the same conditions under which a deputy sheriff
1068 ~~sheriffs~~ may by law make arrests, and may ~~shall have authority~~
1069 ~~to~~ carry weapons for the reasonable purpose of his or her office
1070 ~~their offices.~~

1071 Section 20. Section 354.05, Florida Statutes, is amended
1072 to read:

1073 354.05 Term of office; removal.—The commission of a
1074 special officer ~~officers provided for herein shall be~~
1075 ~~commissioned by the Governor, and their commissions shall~~

1076 continue so long as he or she is ~~they are~~ employed in such
 1077 capacity by the railroad or other common carrier. However, a
 1078 special officer may; ~~but they shall~~ be removed ~~by the Governor~~
 1079 at any time, in the manner and for the causes provided by law.

1080 Section 21. Paragraph (f) of subsection (1) of section
 1081 784.07, Florida Statutes, is amended to read:

1082 784.07 Assault or battery of law enforcement officers,
 1083 firefighters, emergency medical care providers, public transit
 1084 employees or agents, or other specified officers;
 1085 reclassification of offenses; minimum sentences.—

1086 (1) As used in this section, the term:

1087 (f) "Railroad special officer" means a person employed by
 1088 a Class I, Class II, or Class III railroad ~~and appointed or~~
 1089 ~~pending appointment by the Governor~~ pursuant to s. 354.01.

1090 Section 22. Subsections (1) and (4) of section 943.10,
 1091 Florida Statutes, are amended to read:

1092 943.10 Definitions; ss. 943.085-943.255.—The following
 1093 words and phrases as used in ss. 943.085-943.255 are defined as
 1094 follows:

1095 (1) "Law enforcement officer" means any person who is
 1096 elected, appointed, or employed full time by any municipality or
 1097 the state or any political subdivision thereof; who is vested
 1098 with authority to bear arms and make arrests; and whose primary
 1099 responsibility is the prevention and detection of crime or the
 1100 enforcement of the penal, criminal, traffic, or highway laws of

1101 the state. The term ~~This definition~~ includes all certified
1102 supervisory and command personnel whose duties include, in whole
1103 or in part, the supervision, training, guidance, and management
1104 responsibilities of full-time law enforcement officers, part-
1105 time law enforcement officers, or auxiliary law enforcement
1106 officers but does not include support personnel employed by the
1107 employing agency. The term also includes a special officer
1108 employed by a Class I, Class II, or Class III railroad pursuant
1109 to s. 354.01.

1110 (4) "Employing agency" means any agency or unit of
1111 government or any municipality or the state or any political
1112 subdivision thereof, or any agent thereof, which has
1113 constitutional or statutory authority to employ or appoint
1114 persons as officers. The term ~~also~~ includes any private entity
1115 that ~~which~~ has contracted with the state or county for the
1116 operation and maintenance of a nonjuvenile detention facility.
1117 The term also includes a Class I, Class II, or Class III
1118 railroad that employs special officers pursuant to s. 354.01.

1119 Section 23. Except as otherwise expressly provided in this
1120 act, this act shall take effect July 1, 2023.

1121