

By the Committee on Fiscal Policy; the Appropriations Committee on Transportation, Tourism, and Economic Development; the Committee on Transportation; and Senator Hooper

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1 A bill to be entitled
2 An act relating to transportation; amending s.
3 316.126, F.S.; requiring the driver of a vehicle to
4 perform certain actions in the presence of a disabled
5 motor vehicle under certain circumstances; providing
6 penalties; reenacting s. 318.18(2)(d), F.S., relating
7 to the amount of certain penalties, to incorporate the
8 amendment made to s. 316.126, F.S., in a reference
9 thereto; creating s. 316.83, F.S.; requiring the
10 Department of Transportation to coordinate with
11 certain entities to establish certain standards
12 relating to grading certain roads' compatibility with
13 the operation of autonomous vehicles; requiring the
14 department to consider certain factors in establishing
15 such standards; requiring such standards to be
16 incorporated into standards for certain transportation
17 projects; amending s. 333.03, F.S.; requiring
18 political subdivisions to consider certain factors in
19 airport land use compatibility zoning regulations;
20 authorizing certain airport owners to establish noise
21 contours pursuant to a specified study accepted by the
22 Federal Aviation Administration; authorizing
23 mitigation of potential incompatible uses if a noise
24 study has not been conducted; amending s. 334.044,
25 F.S.; revising the department's powers and duties
26 regarding a workforce development program; creating s.
27 334.066, F.S.; establishing the Implementing Solutions
28 from Transportation Research and Evaluating Emerging
29 Technologies Living Lab (I-STREET) within the

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30 University of Florida; specifying requirements for I-
31 STREET; creating an advisory board to review and
32 advise I-STREET; specifying the composition of the
33 advisory board; amending s. 334.179, F.S.; revising
34 the definition of the term "certified for use" in
35 regard to permissible use of aggregates; prohibiting a
36 producer from certifying shipments of aggregates that
37 are not in compliance with department rules; creating
38 s. 334.181, F.S.; requiring a local governmental
39 entity to accept an electronic proof of delivery as an
40 official record for a material delivery on the local
41 governmental entity's transportation project; amending
42 s. 337.11, F.S.; requiring that contracts let by the
43 department for performance of bridge construction or
44 maintenance over navigable waters contain certain
45 insurance requirements; requiring the department to
46 implement and track strategies to reduce the cost of
47 projects while ensuring that such projects meet
48 federal and state standards; authorizing the
49 department to share a portion of cost savings with
50 certain consultants under specified circumstances;
51 providing that payments to consultants may not exceed
52 a specified amount; amending s. 337.1101, F.S.;
53 revising the calculation of a certain settlement paid
54 to a nonselected responsive bidder which requires the
55 department to maintain certain records and provide
56 certain notices to the Legislature and the Attorney
57 General; amending s. 337.14, F.S.; increasing the
58 proposed budget estimates of construction contracts

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59 for which an applying contractor may submit certain
60 financial statements; revising procedures relating to
61 certificates of qualification issued by the department
62 to construction contractors seeking certification to
63 bid on certain contracts; amending s. 337.168, F.S.;
64 deleting a public records exemption for certain
65 documents that reveal the identity of a potential
66 bidder; amending s. 337.408, F.S.; specifying the
67 maximum height of modular news racks and advertising
68 thereon; amending s. 338.223, F.S.; deleting a
69 requirement regarding the department's request for
70 legislative approval of proposed turnpike projects;
71 amending s. 339.175, F.S.; providing requirements for
72 multiple M.P.O.'s designated for a single area;
73 prohibiting an M.P.O. from performing project
74 production or delivery for certain projects; revising
75 duties of an M.P.O.; revising membership of an
76 M.P.O.'s technical advisory committee; requiring the
77 M.P.O.'s serving certain counties to submit a report
78 to the Governor and Legislature by a specified date;
79 deleting obsolete provisions; authorizing multiple
80 M.P.O.'s to merge into a single M.P.O.; requiring
81 multiple M.P.O.'s within a contiguous urbanized area
82 to coordinate plans and transportation improvement
83 programs and ensure consistency of certain data;
84 requiring an M.P.O.'s transportation improvement
85 program to indicate coordination with transportation
86 improvement plans of other M.P.O.'s within a
87 contiguous urbanized area; revising powers and duties

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88 of the Metropolitan Planning Organization Advisory
89 Council; authorizing the council to enter into certain
90 contracts; providing prohibitions; creating s.
91 339.651, F.S.; providing legislative findings;
92 requiring the department to specifically address
93 movement and storage of construction aggregate
94 materials in transportation plans; requiring specified
95 funding for certain projects; providing considerations
96 for funding; requiring priority to be given to certain
97 projects; specifying the funding level authorized from
98 the State Transportation Trust Fund; authorizing
99 rulemaking; providing for future repeal; creating s.
100 339.84, F.S.; requiring a specified amount to be
101 allocated to the workforce development program for
102 specified purposes; amending s. 354.01, F.S.;
103 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 s.
107 354.02, F.S.; revising the powers of a special
108 officer; amending s. 354.05, F.S.; revising how a
109 special officer may be removed from employment;
110 amending s. 784.07, F.S.; revising the definition of
111 the term "railroad special officer"; amending s.
112 943.10, F.S.; revising the definition of the terms
113 "law enforcement officer" and "employing agency";
114 providing effective dates.

115
116 Be It Enacted by the Legislature of the State of Florida:

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

121 316.126 Operation of vehicles and actions of pedestrians;
122 ~~on~~ approach of ~~an~~ authorized emergency, sanitation, or utility
123 service vehicle, wrecker, or road and bridge maintenance or
124 construction vehicle; presence of disabled motor vehicle.-

125 (1)

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

140 1. Shall vacate the lane closest to the emergency vehicle,
141 sanitation vehicle, utility service vehicle, wrecker, ~~or~~ road
142 and bridge maintenance or construction vehicle, or disabled
143 motor vehicle when driving on an interstate highway or other
144 highway with two or more lanes traveling in the direction of the
145 emergency vehicle, sanitation vehicle, utility service vehicle,

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146 wrecker, ~~or~~ road and bridge maintenance or construction vehicle,
147 or disabled motor vehicle except when otherwise directed by a
148 law enforcement officer. If such movement cannot be safely
149 accomplished, the driver shall reduce speed as provided in
150 subparagraph 2.

151 2. Shall slow to a speed that is 20 miles per hour less
152 than the posted speed limit when the posted speed limit is 25
153 miles per hour or greater; or travel at 5 miles per hour when
154 the posted speed limit is 20 miles per hour or less, when
155 driving on a two-lane road, except when otherwise directed by a
156 law enforcement officer.

157 (6) A violation of this section is a noncriminal traffic
158 infraction, punishable pursuant to chapter 318 as either a
159 moving violation for infractions of subsection (1) or subsection
160 (3), or as a pedestrian violation for infractions of subsection
161 (2).

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

167 318.18 Amount of penalties.—The penalties required for a
168 noncriminal disposition pursuant to s. 318.14 or a criminal
169 offense listed in s. 318.17 are as follows:

170 (2) Thirty dollars for all nonmoving traffic violations
171 and:

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

174 Section 3. Section 316.83, Florida Statutes, is created to

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175 read:

176 316.83 Autonomous vehicle grading standards for roads on
177 State Highway System.—The Department of Transportation shall
178 coordinate with federal, regional, and local partners, as well
179 as industry representatives, to establish standards by which
180 roads on the State Highway System must be graded according to
181 their compatibility with the operation of autonomous vehicles.
182 In establishing such standards, the department shall consider
183 factors including, but not limited to, the structural adequacy
184 and safety of each road and the particular challenges that the
185 overall driving environment of each road may present to a fully
186 autonomous vehicle operating with the automated driving system
187 engaged. Autonomous vehicle grading standards established
188 pursuant to this section must be incorporated into standards for
189 transportation projects involving the construction of new roads
190 or maintenance of existing roads on the State Highway System.

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

193 333.03 Requirement to adopt airport zoning regulations.—

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

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

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

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

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204 used by only nonturbine aircraft.

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

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

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

228 (d) Where an airport authority or other governing body
229 operating a public-use airport has not conducted a noise study,
230 the mitigation ~~prohibition~~ of potential incompatible uses
231 associated with residential construction and any educational
232 facility, with the exception of aviation school facilities,

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233 within an area contiguous to the airport measuring one-half the
234 length of the longest runway on either side of and at the end of
235 each runway centerline.

236 (e) The restriction of new incompatible uses, activities,
237 or substantial modifications to existing incompatible uses
238 within runway protection zones.

239 Section 5. Subsection (35) of section 334.044, Florida
240 Statutes, is amended to read:

241 334.044 Powers and duties of the department.—The department
242 shall have the following general powers and duties:

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

247 Section 6. Section 334.066, Florida Statutes, is created to
248 read:

249 334.066 Implementing Solutions from Transportation Research
250 and Evaluating Emerging Technologies Living Lab.—

251 (1) The Implementing Solutions from Transportation Research
252 and Evaluating Emerging Technologies Living Lab (I-STREET) is
253 established within the University of Florida.

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

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

261 (b) Be a continuing resource for the Legislature, the

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262 department, local governments, the nation's metropolitan
263 regions, and the private sector in the area of transportation
264 and related research.

265 (c) Promote intercampus transportation and related research
266 activities among Florida universities to enhance their ability
267 to attract federal and private-sector funding for transportation
268 and related research.

269 (d) By July 1, 2024, and each July 1 thereafter, provide to
270 the Governor, the President of the Senate, and the Speaker of
271 the House of Representatives a comprehensive report that
272 outlines the clearly defined goals of the living lab and its
273 efforts and progress in reaching these goals.

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

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

279 (b) A member appointed by the Speaker of the House of
280 Representatives.

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

282 (d) The Secretary of Economic Opportunity or his or her
283 designee.

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

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

290 Section 7. Section 334.179, Florida Statutes, is amended to

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291 read:

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

295 (1) Notwithstanding any law, rule, or ordinance to the
296 contrary, a local government may not adopt standards or
297 specifications that are contrary to the department standards or
298 specifications for permissible use of aggregates that have been
299 certified for use. For purposes of this section, the term
300 “certified for use” means that the aggregates have been
301 certified by the producer in compliance ~~accordance~~ with
302 department rules adopted pursuant to s. 334.044(10)(d). This
303 section does not apply to a multicounty independent special
304 district created by a special act of the Legislature.

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

308 Section 8. Section 334.181, Florida Statutes, is created to
309 read:

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

315 Section 9. Present subsections (15) and (16) of section
316 337.11, Florida Statutes, are redesignated as subsections (18)
317 and (19), respectively, and new subsections (15) and (16) and
318 subsection (17) are added to that section, to read:

319 337.11 Contracting authority of department; bids; emergency

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320 repairs, supplemental agreements, and change orders; combined
321 design and construction contracts; progress payments; records;
322 requirements of vehicle registration.-

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

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

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

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

347 337.1101 Contracting and procurement authority of the
348 department; settlements; notification required.-

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349 (1) When the department, or any entity or enterprise within
350 the department, determines that it is in the best interest of
351 the public to resolve a protest filed in accordance with s.
352 120.57(3) of the award of a contract being procured pursuant to
353 s. 337.11 or related to the purchase of personal property or
354 contractual services being procured pursuant to s. 287.057,
355 through a settlement that requires the department to pay a
356 nonselected responsive bidder a total sum of \$1 million or more,
357 including any amount paid pursuant to s. 334.049, any amount
358 paid pursuant to s. 337.11(8) which is not included in the
359 department's work program approved by the Legislature as part of
360 the General Appropriations Act, or any amount paid pursuant to
361 any other law, the department must:

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

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

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

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

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

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

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

391 337.14 Application for qualification; certificate of
392 qualification; restrictions; request for hearing.—

393 (1) A ~~Any~~ contractor desiring to bid for the performance of
394 any construction contract in excess of \$250,000 which the
395 department proposes to let must first be certified by the
396 department as qualified pursuant to this section and rules of
397 the department. The rules of the department must address the
398 qualification of contractors to bid on construction contracts in
399 excess of \$250,000 and must include requirements with respect to
400 the equipment, past record, experience, financial resources, and
401 organizational personnel of the applying contractor which are
402 necessary to perform the specific class of work for which the
403 contractor seeks certification. Any contractor who desires to
404 bid on contracts in excess of \$50 million and who is not
405 qualified and in good standing with the department as of January
406 1, 2019, must first be certified by the department as qualified

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407 and must have satisfactorily completed two projects, each in
408 excess of \$15 million, for the department or for any other state
409 department of transportation. The department may limit the
410 dollar amount of any contract upon which a contractor is
411 qualified to bid or the aggregate total dollar volume of
412 contracts such contractor is allowed to have under contract at
413 any one time. Each applying contractor seeking qualification to
414 bid on construction contracts in excess of \$250,000 shall
415 furnish the department a statement under oath, on such forms as
416 the department may prescribe, setting forth detailed information
417 as required on the application. Each application for
418 certification must be accompanied by audited, certified
419 financial statements prepared in accordance with generally
420 accepted accounting principles and auditing standards by a
421 certified public accountant licensed in this state or another
422 state. The audited, certified financial statements must be for
423 the applying contractor and must have been prepared within the
424 immediately preceding 12 months. The department may not consider
425 any financial information of the parent entity of the applying
426 contractor, if any. The department may not certify as qualified
427 any applying contractor who fails to submit the audited,
428 certified financial statements required by this subsection. If
429 the application or the annual financial statement shows the
430 financial condition of the applying contractor more than 4
431 months before the date on which the application is received by
432 the department, the applicant must also submit interim audited,
433 certified financial statements prepared in accordance with
434 generally accepted accounting principles and auditing standards
435 by a certified public accountant licensed in this state or

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436 another state. The interim financial statements must cover the
437 period from the end date of the annual statement and must show
438 the financial condition of the applying contractor no more than
439 4 months before the date that the interim financial statements
440 are received by the department. However, upon the request of the
441 applying contractor, an application and accompanying annual or
442 interim financial statement received by the department within 15
443 days after either 4-month period under this subsection must
444 ~~shall~~ be considered timely. An applying contractor desiring to
445 bid exclusively for the performance of construction contracts
446 with proposed budget estimates of less than \$2 ~~\$1~~ million may
447 submit reviewed annual or reviewed interim financial statements
448 prepared by a certified public accountant. The information
449 required by this subsection is confidential and exempt from s.
450 119.07(1). The department shall act upon the application for
451 qualification within 30 days after the department determines
452 that the application is complete. The department may waive the
453 requirements of this subsection for projects having a contract
454 price of \$500,000 or less if the department determines that the
455 project is of a noncritical nature and that the waiver will not
456 endanger public health, safety, or property.

457 (4) If the applicant is found to possess the prescribed
458 qualifications, the department must ~~shall~~ issue to him or her a
459 certificate of qualification that, unless thereafter revoked by
460 the department for good cause, will be valid for a period of 18
461 months after the date of the applicant's financial statement or
462 such shorter period as the department prescribes. Submission of
463 an application does ~~and subsequent approval do~~ not affect
464 expiration of the certificate of qualification. An applicant may

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465 submit a written request with a timely submitted application to
466 keep an existing certificate of qualification in place until the
467 expiration date. If the request is approved by the department,
468 the current maximum capacity rating of the applicant must remain
469 in place until expiration of the current certificate of
470 qualification, the ability factor of the applicant, or the
471 maximum capacity rating of the applicant. If the department
472 finds that an application is incomplete or contains inadequate
473 information or information that cannot be verified, the
474 department may request in writing that the applicant provide the
475 necessary information to complete the application or provide the
476 source from which any information in the application may be
477 verified. If the applicant fails to comply with the initial
478 written request within a reasonable period of time as specified
479 therein, the department must ~~shall~~ request the information a
480 second time. If the applicant fails to comply with the second
481 request within a reasonable period of time as specified therein,
482 the application must ~~shall~~ be denied.

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

485 337.168 Confidentiality of official estimates, and the
486 ~~identities of potential bidders, and bid analysis and monitoring~~
487 ~~system.-~~

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

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494 ~~the letting of the bid. A document that reveals the identity of~~
495 ~~a person who has requested or obtained a bid package, plan, or~~
496 ~~specifications pertaining to any project to be let by the~~
497 ~~department before the 2 working days before the deadline for~~
498 ~~obtaining bid packages, plans, or specifications remains a~~
499 ~~public record subject to s. 119.07(1).~~

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

502 337.408 Regulation of bus stops, benches, transit shelters,
503 street light poles, waste disposal receptacles, and modular news
504 racks within rights-of-way.-

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

522 Section 14. Paragraph (a) of subsection (1) of section

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523 338.223, Florida Statutes, is amended to read:

524 338.223 Proposed turnpike projects.—

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

551 Section 15. Paragraph (a) of subsection (2), subsection

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552 (6), paragraphs (a) and (b) of subsection (7), paragraphs (a)
553 and (c) of subsection (8), and paragraph (c) of subsection (11)
554 of section 339.175, Florida Statutes, are amended, and paragraph
555 (d) is added to subsection (11) of that section, to read:

556 339.175 Metropolitan planning organization.—

557 (2) DESIGNATION.—

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

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

576 a. Consult with every other M.P.O. designated for the
577 urbanized area and the state to coordinate plans and
578 transportation improvement programs.

579 b. Ensure, to the maximum extent practicable, the
580 consistency of data used in the planning process, including data

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581 used in forecasting travel demand within the area.

582

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

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

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

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

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

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

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

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- 610 1. Support the economic vitality of the contiguous
611 urbanized metropolitan area, especially by enabling global
612 competitiveness, productivity, and efficiency.~~†~~
- 613 2. Increase the safety and security of the transportation
614 system for motorized and nonmotorized users.~~†~~
- 615 3. Increase the accessibility and mobility options
616 available to people and for freight.~~†~~
- 617 4. Protect and enhance the environment, promote energy
618 conservation, and improve quality of life.~~†~~
- 619 5. Enhance the integration and connectivity of the
620 transportation system, across and between modes and contiguous
621 urbanized metropolitan areas, for people and freight.~~†~~
- 622 6. Promote efficient system management and operation.~~†~~ ~~and~~
- 623 7. Emphasize the preservation of the existing
624 transportation system.
- 625 8. Improve the resilience of transportation infrastructure.
- 626 (c) In order to provide recommendations to the department
627 and local governmental entities regarding transportation plans
628 and programs, each M.P.O. shall:
- 629 1. Prepare a congestion management system for the
630 contiguous urbanized metropolitan area and cooperate with the
631 department in the development of all other transportation
632 management systems required by state or federal law.~~†~~
- 633 2. Assist the department in mapping transportation planning
634 boundaries required by state or federal law.~~†~~
- 635 3. Assist the department in performing its duties relating
636 to access management, functional classification of roads, and
637 data collection.~~†~~
- 638 4. Execute all agreements or certifications necessary to

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639 comply with applicable state or federal law.~~†~~

640 5. Represent all the jurisdictional areas within the
641 metropolitan area in the formulation of transportation plans and
642 programs required by this section.~~†~~~~and~~

643 6. Perform all other duties required by state or federal
644 law.

645 (d) Each M.P.O. shall appoint a technical advisory
646 committee, the members of which shall serve at the pleasure of
647 the M.P.O. The membership of the technical advisory committee
648 must include, whenever possible, planners; engineers;
649 representatives of local aviation authorities, intermodal
650 logistics centers, port authorities, and public transit
651 authorities or representatives of aviation departments, seaport
652 departments, and public transit departments of municipal or
653 county governments, as applicable; the school superintendent of
654 each county within the jurisdiction of the M.P.O. or the
655 superintendent's designee; and other appropriate representatives
656 of affected local governments. For each M.P.O. whose voting
657 membership is governed by paragraph (3) (a), when selecting the
658 membership of the technical advisory committee, the M.P.O. must
659 consider the proportional representation of the area's
660 population. In addition to any other duties assigned to it by
661 the M.P.O. or by state or federal law, the technical advisory
662 committee is responsible for considering safe access to schools
663 in its review of transportation project priorities, long-range
664 transportation plans, and transportation improvement programs,
665 and shall advise the M.P.O. on such matters. In addition, the
666 technical advisory committee shall coordinate its actions with
667 local school boards and other local programs and organizations

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668 within the metropolitan area which participate in school safety
669 activities, such as locally established community traffic safety
670 teams. Local school boards must provide the appropriate M.P.O.
671 with information concerning future school sites and in the
672 coordination of transportation service.

673 (e)1. Each M.P.O. shall appoint a citizens' advisory
674 committee, the members of which serve at the pleasure of the
675 M.P.O. The membership on the citizens' advisory committee must
676 reflect a broad cross-section of local residents with an
677 interest in the development of an efficient, safe, and cost-
678 effective transportation system. Minorities, the elderly, and
679 the handicapped must be adequately represented.

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

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

689 (g) Each M.P.O. shall have an executive or staff director
690 who reports directly to the M.P.O. governing board for all
691 matters regarding the administration and operation of the M.P.O.
692 and any additional personnel as deemed necessary. The executive
693 director and any additional personnel may be employed either by
694 an M.P.O. or by another governmental entity, such as a county,
695 city, or regional planning council, that has a staff services
696 agreement signed and in effect with the M.P.O. Each M.P.O. may

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697 enter into contracts with local or state agencies, private
 698 planning firms, private engineering firms, or other public or
 699 private entities to accomplish its transportation planning and
 700 programming duties and administrative functions.

701 (h) In order to enhance their knowledge, effectiveness, and
 702 participation in the urbanized area transportation planning
 703 process, each M.P.O. shall provide training opportunities and
 704 training funds specifically for local elected officials and
 705 others who serve on an M.P.O. The training opportunities may be
 706 conducted by an individual M.P.O. or through statewide and
 707 federal training programs and initiatives that are specifically
 708 designed to meet the needs of M.P.O. board members.

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

718 1. Coordinate transportation projects deemed to be
 719 regionally significant ~~by the committee.~~

720 2. Review the impact of regionally significant land use
 721 decisions on the region.

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

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

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

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

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

774 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must
775 develop a long-range transportation plan that addresses at least
776 a 20-year planning horizon. The plan must include both long-
777 range and short-range strategies and must comply with all other
778 state and federal requirements. The prevailing principles to be
779 considered in the long-range transportation plan are: preserving
780 the existing transportation infrastructure; enhancing Florida's
781 economic competitiveness; and improving travel choices to ensure
782 mobility. The long-range transportation plan must be consistent,
783 to the maximum extent feasible, with future land use elements

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784 and the goals, objectives, and policies of the approved local
785 government comprehensive plans of the units of local government
786 located within the jurisdiction of the M.P.O. Each M.P.O. is
787 encouraged to consider strategies that integrate transportation
788 and land use planning to provide for sustainable development and
789 reduce greenhouse gas emissions. The approved long-range
790 transportation plan must be considered by local governments in
791 the development of the transportation elements in local
792 government comprehensive plans and any amendments thereto. The
793 long-range transportation plan must, at a minimum:

794 (a) Identify transportation facilities, including, but not
795 limited to, major roadways, airports, seaports, spaceports,
796 commuter rail systems, transit systems, and intermodal or
797 multimodal terminals that will function as an integrated
798 metropolitan transportation system. The long-range
799 transportation plan must give emphasis to those transportation
800 facilities that serve national, statewide, or regional
801 functions, and must consider the goals and objectives identified
802 in the Florida Transportation Plan as provided in s. 339.155. If
803 a project is located within the boundaries of more than one
804 M.P.O., the M.P.O.'s must coordinate plans regarding the project
805 in the long-range transportation plan. Multiple M.P.O.'s within
806 a contiguous urbanized area must coordinate the development of
807 long-range transportation plans to be reviewed by the
808 Metropolitan Planning Organization Advisory Council.

809 (b) Include a financial plan that demonstrates how the plan
810 can be implemented, indicating resources from public and private
811 sources which are reasonably expected to be available to carry
812 out the plan, and recommends any additional financing strategies

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813 for needed projects and programs. The financial plan may
814 include, for illustrative purposes, additional projects that
815 would be included in the adopted long-range transportation plan
816 if reasonable additional resources beyond those identified in
817 the financial plan were available. For the purpose of developing
818 the long-range transportation plan, the M.P.O. and the
819 department shall cooperatively develop estimates of funds that
820 will be available to support the plan implementation. Innovative
821 financing techniques may be used to fund needed projects and
822 programs. Such techniques may include the assessment of tolls,
823 the use of value capture financing, or the use of value pricing.
824 Multiple M.P.O.'s within a contiguous urbanized area must
825 ensure, to the maximum extent possible, the consistency of data
826 used in the planning process.

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

837 (8) TRANSPORTATION IMPROVEMENT PROGRAM.—Each M.P.O. shall,
838 in cooperation with the state and affected public transportation
839 operators, develop a transportation improvement program for the
840 area within the jurisdiction of the M.P.O. In the development of
841 the transportation improvement program, each M.P.O. must provide

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842 the public, affected public agencies, representatives of
843 transportation agency employees, freight shippers, providers of
844 freight transportation services, private providers of
845 transportation, representatives of users of public transit, and
846 other interested parties with a reasonable opportunity to
847 comment on the proposed transportation improvement program.

848 (a) Each M.P.O. is responsible for developing, annually, a
849 list of project priorities and a transportation improvement
850 program. The prevailing principles to be considered by each
851 M.P.O. when developing a list of project priorities and a
852 transportation improvement program are: preserving the existing
853 transportation infrastructure; enhancing Florida's economic
854 competitiveness; and improving travel choices to ensure safety
855 and mobility. The transportation improvement program will be
856 used to initiate federally aided transportation facilities and
857 improvements as well as other transportation facilities and
858 improvements including transit, rail, aviation, spaceport, and
859 port facilities to be funded from the State Transportation Trust
860 Fund within its metropolitan area in accordance with existing
861 and subsequent federal and state laws and rules and regulations
862 related thereto. The transportation improvement program shall be
863 consistent, to the maximum extent feasible, with the approved
864 local government comprehensive plans of the units of local
865 government whose boundaries are within the metropolitan area of
866 the M.P.O. and include those projects programmed pursuant to s.
867 339.2819(4). Multiple M.P.O.'s within a contiguous urbanized
868 area must coordinate transportation improvement programs.

869 (c) The transportation improvement program must, at a
870 minimum:

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871 1. Include projects and project phases to be funded with
872 state or federal funds within the time period of the
873 transportation improvement program and which are recommended for
874 advancement during the next fiscal year and 4 subsequent fiscal
875 years. Such projects and project phases must be consistent, to
876 the maximum extent feasible, with the approved local government
877 comprehensive plans of the units of local government located
878 within the jurisdiction of the M.P.O. For informational
879 purposes, the transportation improvement program shall also
880 include a list of projects to be funded from local or private
881 revenues.

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

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

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900 project phase within the time period contemplated for completion
901 of the project or project phase.

902 4. Group projects and project phases of similar urgency and
903 anticipated staging into appropriate staging periods.

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

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

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

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

925 (11) METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL.—

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

928 ~~1. Enter into contracts with individuals, private~~

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929 ~~corporations, and public agencies.~~

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

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

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

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

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

950 4.7. Employ an executive director and such other staff as
951 necessary to perform adequately the functions of the council,
952 within budgetary limitations. The executive director and staff
953 are exempt from part II of chapter 110 and serve at the
954 direction and control of the council. The council is assigned to
955 the Office of the Secretary of the Department of Transportation
956 for fiscal and accountability purposes, but it shall otherwise
957 function independently of the control and direction of the

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958 department.

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

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

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

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

973 339.651 Strategic Intermodal System supply chain demands.-

974 (1) The Legislature finds that Strategic Intermodal System
975 components described in s. 339.62 ensure a multimodal
976 transportation system; that the Strategic Intermodal System is a
977 critical network supporting economic activities and the
978 transport of people and goods; and that the Strategic Intermodal
979 System is instrumental in the movement of road-building
980 materials for infrastructure investments. The Legislature
981 further finds that Florida's rapid economic and population
982 growth can compound supply chain demands on the transportation
983 system, and that the demand for construction aggregate continues
984 to outpace supply.

985 (2) The department shall specifically address in its
986 transportation plans, including the Florida Transportation Plan

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987 and the Strategic Intermodal System Plan, movement and storage
988 of construction aggregate materials essential for building
989 roadways.

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

997 (4) The department shall consider, but is not limited to,
998 the following criteria when evaluating projects for assistance
999 under this section:

1000 (a) The ability of the project to serve the strategic state
1001 interest of mitigating supply-chain demands for construction
1002 aggregate sufficient to ensure ongoing improvement of the
1003 Strategic Intermodal System and the state's entire
1004 transportation network.

1005 (b) The ability of the project to facilitate the cost-
1006 effective and efficient movement and storage of construction
1007 aggregate.

1008 (c) The extent to which the project efficiently interacts
1009 with and supports the transportation network.

1010 (d) A commitment of a funding match, which may be
1011 investments or commitments made by the owner or developer of the
1012 existing or proposed facility that facilitates or will
1013 facilitate the movement and storage of construction aggregate,
1014 local financial support or commitment, or a combination of both.
1015 Projects with a funding match must be prioritized based on the

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1016 amount of the match and must be prioritized over projects having
1017 no such funding match.

1018 (5) The department shall give funding priority to projects
1019 creating new supply chains or closing existing supply chain
1020 gaps. The State Transportation Trust Fund may fund up to 100
1021 percent of the cost of a project selected based on the criteria
1022 specified in this section.

1023 (6) The department may adopt rules to implement this
1024 section.

1025 (7) This section is repealed July 1, 2028, unless reviewed
1026 and saved from repeal through reenactment by the Legislature.

1027 Section 17. Section 339.84, Florida Statutes, is created to
1028 read:

1029 339.84 Workforce development.—Beginning with the 2023-2024
1030 fiscal year and annually thereafter for 5 years, \$5 million
1031 shall be allocated from the State Transportation Trust Fund to
1032 the workforce development program as provided in s. 334.044(35)
1033 to promote career paths in this state's road and bridge
1034 industry.

1035 Section 18. Section 354.01, Florida Statutes, is amended to
1036 read:

1037 354.01 Appointment of Special officers.—A railroad police
1038 officer ~~Upon the application of any railroad or other common~~
1039 ~~carrier doing business in this state, the Governor shall appoint~~
1040 ~~one or more persons who has have met the law enforcement officer~~
1041 ~~qualifications and training requirements of ss. 943.13 and~~
1042 943.135(1) must be recognized as a special officer ~~s. 943.13 as~~
1043 ~~special officers~~ for the protection and safety of any railroad
1044 or other common carrier doing business in this state ~~such~~

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1045 carriers; its ~~their~~ passengers and employees; and the property
1046 of such carrier ~~carriers~~, passengers, and employees. A special
1047 officer is not considered a law enforcement officer except for
1048 purposes of ss. 943.085-943.255 ~~However, until the Governor~~
1049 ~~either appoints or rejects the application for appointment of a~~
1050 ~~person as a special officer, the railroad or common carrier may~~
1051 ~~temporarily employ the person as a special officer if he or she~~
1052 ~~complies with the qualifications for employment as a law~~
1053 ~~enforcement officer in s. 943.13. Notwithstanding any other~~
1054 ~~provision of law, a special officer must have the same training~~
1055 ~~as a law enforcement officer in accordance with ss. 943.13 and~~
1056 ~~943.135(1).~~ A Class I, Class II, or Class III railroad is ~~shall~~
1057 ~~be~~ considered an employing agency for purposes of ss. 943.10,
1058 943.13, and 943.135(1) ~~ss. 943.13 and 943.135(1)~~, and shall pay
1059 all costs associated with the training and continuing education
1060 of employed special officers.

1061 Section 19. Section 354.02, Florida Statutes, is amended to
1062 read:

1063 354.02 Powers. ~~Each special officer shall have and exercise~~
1064 Throughout every county in which the common carrier for which he
1065 or she is employed does business, operates, or owns property, a
1066 special officer may arrest a person who has violated ~~was~~
1067 ~~appointed, shall do business, operate, or own property, the~~
1068 ~~power to make arrests for violation of law on the property of~~
1069 ~~such common carrier, and to arrest persons, whether on or off~~
1070 ~~such carrier's property, violating any law on such carrier's~~
1071 ~~property, whether the arrest occurs on or off such carrier's~~
1072 property, under the same conditions under which a deputy sheriff
1073 ~~sheriffs~~ may by law make arrests, and may ~~shall have authority~~

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1074 ~~to~~ carry weapons for the reasonable purpose of his or her office
 1075 ~~their offices.~~

1076 Section 20. Section 354.05, Florida Statutes, is amended to
 1077 read:

1078 354.05 Term of office; removal.—The commission of a special
 1079 officer ~~officers provided for herein shall be commissioned by~~
 1080 ~~the Governor, and their commissions shall continue so long as he~~
 1081 or she is ~~they are~~ employed in such capacity by the railroad or
 1082 other common carrier. However, a special officer may; ~~but they~~
 1083 ~~shall~~ be removed ~~by the Governor~~ at any time, in the manner and
 1084 for the causes provided by law.

1085 Section 21. Paragraph (f) of subsection (1) of section
 1086 784.07, Florida Statutes, is amended to read:

1087 784.07 Assault or battery of law enforcement officers,
 1088 firefighters, emergency medical care providers, public transit
 1089 employees or agents, or other specified officers;
 1090 reclassification of offenses; minimum sentences.—

1091 (1) As used in this section, the term:

1092 (f) "Railroad special officer" means a person employed by a
 1093 Class I, Class II, or Class III railroad ~~and appointed or~~
 1094 ~~pending appointment by the Governor~~ pursuant to s. 354.01.

1095 Section 22. Subsections (1) and (4) of section 943.10,
 1096 Florida Statutes, are amended to read:

1097 943.10 Definitions; ss. 943.085-943.255.—The following
 1098 words and phrases as used in ss. 943.085-943.255 are defined as
 1099 follows:

1100 (1) "Law enforcement officer" means any person who is
 1101 elected, appointed, or employed full time by any municipality or
 1102 the state or any political subdivision thereof; who is vested

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1103 with authority to bear arms and make arrests; and whose primary
1104 responsibility is the prevention and detection of crime or the
1105 enforcement of the penal, criminal, traffic, or highway laws of
1106 the state. The term ~~This definition~~ includes all certified
1107 supervisory and command personnel whose duties include, in whole
1108 or in part, the supervision, training, guidance, and management
1109 responsibilities of full-time law enforcement officers, part-
1110 time law enforcement officers, or auxiliary law enforcement
1111 officers but does not include support personnel employed by the
1112 employing agency. The term also includes a special officer
1113 employed by a Class I, Class II, or Class III railroad pursuant
1114 to s. 354.01.

1115 (4) "Employing agency" means any agency or unit of
1116 government or any municipality or the state or any political
1117 subdivision thereof, or any agent thereof, which has
1118 constitutional or statutory authority to employ or appoint
1119 persons as officers. The term ~~also~~ includes any private entity
1120 that ~~which~~ has contracted with the state or county for the
1121 operation and maintenance of a nonjuvenile detention facility.
1122 The term also includes a Class I, Class II, or Class III
1123 railroad that employs special officers pursuant to s. 354.01.

1124 Section 23. Except as otherwise expressly provided in this
1125 act, this act shall take effect July 1, 2023.