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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/20/2024	.	
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The Appropriations Committee on Transportation, Tourism, and Economic Development (Gruters) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (e) of subsection (1) of section
20.23, Florida Statutes, is amended to read:

20.23 Department of Transportation.—There is created a
Department of Transportation which shall be a decentralized
agency.

(1)



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11 (e) ~~The Any~~ secretary appointed after July 5, 1989, and the
12 assistant secretaries are ~~shall be~~ exempt from the provisions of
13 part III of chapter 110 and shall receive compensation
14 commensurate with their qualifications and competitive with
15 compensation for comparable responsibility in the private
16 sector.

17 Section 2. Section 316.1575, Florida Statutes, is amended
18 to read:

19 316.1575 Obedience to traffic control devices at railroad-
20 highway grade crossings.—

21 (1) ~~A Any~~ person walking, cycling, or driving a vehicle and
22 approaching a railroad-highway grade crossing under any of the
23 circumstances stated in this section must ~~shall~~ stop within 50
24 feet but not less than 15 feet from the nearest rail of such
25 railroad and may ~~shall~~ not proceed until the railroad tracks are
26 clear and he or she can proceed ~~do so~~ safely. This subsection
27 applies ~~The foregoing requirements apply~~ when:

28 (a) A clearly visible electric or mechanical signal device
29 gives warning of the immediate approach of a railroad train or
30 railroad track equipment;

31 (b) A crossing gate is lowered or a law enforcement officer
32 or a human flagger gives or continues to give a signal of the
33 approach or passage of a railroad train or railroad track
34 equipment;

35 (c) An approaching railroad train or railroad track
36 equipment emits an audible signal or the railroad train or
37 railroad track equipment, by reason of its speed or nearness to
38 the crossing, is an immediate hazard; or

39 (d) An approaching railroad train or railroad track



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40 equipment is plainly visible and is in hazardous proximity to
41 the railroad-highway grade crossing, regardless of the type of
42 traffic control devices installed at the crossing.

43 (2) A ~~No~~ person may not ~~shall~~ drive a ~~any~~ vehicle through,
44 around, or under any crossing gate or barrier at a railroad-
45 highway grade crossing while the gate or barrier is closed or is
46 being opened or closed.

47 (3) A person who violates ~~violation of~~ this section commits
48 ~~is~~ a noncriminal traffic infraction, punishable pursuant to
49 chapter 318 as:

50 (a) ~~either~~ A pedestrian violation; or

51 (b) If the infraction resulted from the operation of a
52 vehicle, as a moving violation.

53 1. For a first violation, the person shall pay a fine of
54 \$500 and have 6 points assessed against his or her driver
55 license pursuant to s. 322.27(3)(d)7.

56 2. For a second or subsequent violation, the person shall
57 pay a fine of \$1,000 and have 6 points assessed against his or
58 her driver license pursuant to s. 322.27(3)(d)7.

59 Section 3. Section 316.1576, Florida Statutes, is amended
60 to read:

61 316.1576 Insufficient clearance at a railroad-highway grade
62 crossing.—

63 (1) A person may not drive a ~~any~~ vehicle through a
64 railroad-highway grade crossing that does not have sufficient
65 space to drive completely through the crossing without stopping
66 or without obstructing the passage of other vehicles,
67 pedestrians, railroad trains, or other railroad equipment,
68 notwithstanding any traffic control signal indication to



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69 proceed.

70 (2) A person may not drive a any vehicle through a
71 railroad-highway grade crossing that does not have sufficient
72 undercarriage clearance to drive completely through the crossing
73 without stopping or without obstructing the passage of a
74 railroad train or other railroad equipment.

75 (3) A person who violates ~~violation of~~ this section commits
76 ~~is~~ a noncriminal traffic infraction, punishable as a moving
77 violation as provided in chapter 318.

78 (a) For a first violation, the person shall pay a fine of
79 \$500 and have 6 points assessed against his or her driver
80 license pursuant to s. 322.27(3)(d)7.

81 (b) For a second or subsequent violation, the person shall
82 pay a fine of \$1,000 and have 6 points assessed against his or
83 her driver license pursuant to s. 322.27(3)(d)7., and,
84 notwithstanding s. 322.27(3)(a), (b), and (c), shall have his or
85 her driving privilege suspended for not more than 6 months.

86 Section 4. Present subsections (10) through (23) of section
87 318.18, Florida Statutes, are redesignated as subsections (11)
88 through (24), respectively, a new subsection (10) is added to
89 that section, and subsection (9) of that section is amended, to
90 read:

91 318.18 Amount of penalties.—The penalties required for a
92 noncriminal disposition pursuant to s. 318.14 or a criminal
93 offense listed in s. 318.17 are as follows:

94 (9) Five ~~one~~ hundred dollars for a first violation and
95 \$1,000 for a second or subsequent violation of s. 316.1575.

96 (10) Five hundred dollars for a first violation and \$1,000
97 for a second or subsequent violation of s. 316.1576. In addition



98 to this penalty, for a second or subsequent violation, the
99 department shall suspend the driver license of the person for
100 not more than 6 months.

101 Section 5. Subsection (3) of section 334.065, Florida
102 Statutes, is amended to read:

103 334.065 Center for Urban Transportation Research.—

104 (3) An advisory board shall be created to periodically and
105 objectively review and advise the center concerning its research
106 program. Except for projects mandated by law, state-funded base
107 projects shall not be undertaken without approval of the
108 advisory board. The membership of the board shall be composed
109 ~~consist~~ of 10 ~~nine~~ experts in transportation-related areas, as
110 follows:

111 (a) One member appointed by the President of the Senate.

112 (b) One member appointed by the Speaker of the House of
113 Representatives.

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

115 (d) The Secretary of Commerce or his or her designee.

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

117 (f) Five ~~including the secretaries of the Department of~~
118 ~~Transportation, the Department of Environmental Protection, and~~
119 ~~the Department of Economic Opportunity, or their designees, and~~
120 ~~a member of the Florida Transportation Commission. The~~
121 ~~nomination of the remaining members~~ recommended ~~of the board~~
122 ~~shall be made~~ to the President of the University of South
123 Florida by the College of Engineering at the University of South
124 Florida, ~~and the appointment of these members must be reviewed~~
125 ~~and approved by the Florida Transportation Commission and~~
126 ~~confirmed by the Board of Governors.~~



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127 Section 6. Paragraph (d) of subsection (3) of section
128 334.066, Florida Statutes, is amended to read:

129 334.066 Implementing Solutions from Transportation Research
130 and Evaluating Emerging Technologies Living Lab.-

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

135 (d) The Secretary of Commerce ~~Economic Opportunity~~ or his
136 or her designee.

137 Section 7. Present subsection (10) of section 339.175,
138 Florida Statutes, is redesignated as subsection (11), a new
139 subsection (10) is added to that section, and subsection (1),
140 paragraph (a) of subsection (2), paragraphs (b), (i), and (j) of
141 subsection (6), subsection (7), and present subsection (11) of
142 that section are amended, to read:

143 339.175 Metropolitan planning organization.-

144 (1) INTENT PURPOSE.-It is the intent of the Legislature to
145 encourage and promote the safe and efficient management,
146 operation, and development of multimodal ~~surface~~ transportation
147 systems that will serve the mobility needs of people and freight
148 and foster economic growth and development within and through
149 urbanized areas of this state while balancing the conservation
150 of natural resources ~~minimizing transportation-related fuel~~
151 ~~consumption, air pollution, and greenhouse gas emissions through~~
152 ~~metropolitan transportation planning processes identified in~~
153 ~~this section~~. To accomplish these objectives, metropolitan
154 planning organizations, referred to in this section as M.P.O.'s,
155 shall develop, in cooperation with the state and public transit



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156 operators, transportation plans and programs for metropolitan
157 areas. The plans and programs for each metropolitan area must
158 provide for the development and integrated management and
159 operation of transportation systems and facilities, including
160 pedestrian walkways and bicycle transportation facilities that
161 will function as an intermodal transportation system for the
162 metropolitan area, based upon the prevailing principles provided
163 in s. 334.046(1). The process for developing such plans and
164 programs shall provide for consideration of all modes of
165 transportation and shall be continuing, cooperative, and
166 comprehensive, to the degree appropriate, based on the
167 complexity of the transportation problems to be addressed. To
168 ensure that the process is integrated with the statewide
169 planning process, M.P.O.'s shall develop plans and programs that
170 identify transportation facilities that should function as an
171 integrated metropolitan transportation system, giving emphasis
172 to facilities that serve important national, state, and regional
173 transportation functions. For the purposes of this section,
174 those facilities include the facilities on the Strategic
175 Intermodal System designated under s. 339.63 and facilities for
176 which projects have been identified pursuant to s. 339.2819(4).

177 (2) DESIGNATION.—

178 (a)1. An M.P.O. shall be designated for each urbanized area
179 of the state; however, this does not require that an individual
180 M.P.O. be designated for each such area. Such designation shall
181 be accomplished by agreement between the Governor and units of
182 general-purpose local government representing at least 75
183 percent of the population of the urbanized area; however, the
184 unit of general-purpose local government that represents the



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185 central city or cities within the M.P.O. jurisdiction, as
186 defined by the United States Bureau of the Census, must be a
187 party to such agreement.

188 2. To the extent possible, only one M.P.O. shall be
189 designated for each urbanized area or group of contiguous
190 urbanized areas. More than one M.P.O. may be designated within
191 an existing urbanized area only if the Governor and the existing
192 M.P.O. determine that the size and complexity of the existing
193 urbanized area makes the designation of more than one M.P.O. for
194 the area appropriate. After July 1, 2024, no additional M.P.O.'s
195 may be designated in this state except in urbanized areas, as
196 defined by the United States Bureau of the Census, where the
197 urbanized area boundary is not contiguous to an urbanized area
198 designated before the 2020 census, in which case each M.P.O.
199 designated for the area must:

200 a. ~~Consult with every other M.P.O. designated for the~~
201 ~~urbanized area and the state to coordinate plans and~~
202 ~~transportation improvement programs.~~

203 b. ~~Ensure, to the maximum extent practicable, the~~
204 ~~consistency of data used in the planning process, including data~~
205 ~~used in forecasting travel demand within the urbanized area.~~

206
207 Each M.P.O. required under this section must be fully operative
208 no later than 6 months following its designation.

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



214 applicable, which are necessary to qualify for federal aid. It
215 is the intent of this section that each M.P.O. be involved in
216 the planning and programming of transportation facilities,
217 including, but not limited to, airports, intercity and high-
218 speed rail lines, seaports, and intermodal facilities, to the
219 extent permitted by state or federal law. An M.P.O. may not
220 perform project production or delivery for capital improvement
221 projects on the State Highway System.

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

226 1. Support the economic vitality of the contiguous
227 urbanized metropolitan area, especially by enabling global
228 competitiveness, productivity, and efficiency.

229 2. Increase the safety and security of the transportation
230 system for motorized and nonmotorized users.

231 3. Increase the accessibility and mobility options
232 available to people and for freight.

233 4. Protect and enhance the environment, conserve natural
234 resources ~~promote energy conservation~~, and improve quality of
235 life.

236 5. Enhance the integration and connectivity of the
237 transportation system, across and between modes and contiguous
238 urbanized metropolitan areas, for people and freight.

239 6. Promote efficient system management and operation.

240 7. Emphasize the preservation of the existing
241 transportation system.

242 8. Improve the resilience of transportation infrastructure.



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243 9. Reduce traffic and congestion.

244 (i) By February 28, 2025 ~~December 31, 2023~~, the M.P.O.'s
245 serving Lee and Collier Hillsborough, Pasco, and Pinellas
246 Counties must submit a feasibility report to the Governor, the
247 President of the Senate, and the Speaker of the House of
248 Representatives exploring the benefits, costs, and process of
249 consolidation into a single M.P.O. serving the contiguous
250 urbanized area, the goal of which would be to:

251 1. Coordinate transportation projects deemed to be
252 regionally significant.

253 2. Review the impact of regionally significant land use
254 decisions on the region.

255 3. Review all proposed regionally significant
256 transportation projects in their respective ~~the~~ transportation
257 improvement programs.

258 (j)1. To more fully accomplish the purposes for which
259 M.P.O.'s have been mandated, the department shall, at least
260 annually, convene M.P.O.'s of similar size, based on the size of
261 population served, for the purpose of exchanging best practices.
262 M.P.O.'s may ~~shall~~ develop committees or working groups as
263 needed to accomplish such purpose. At the discretion of the
264 department, training for new M.P.O. governing board members must
265 be provided by the department, by an entity pursuant to a
266 contract with the department, by the Florida Center for Urban
267 Transportation Research, or by the Implementing Solutions from
268 Transportation Research and Evaluating Emerging Technologies (I-
269 STREET) Living Lab coordination mechanisms with one another to
270 expand and improve transportation within the state. The
271 appropriate method of coordination between M.P.O.'s shall vary



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272 ~~depending upon the project involved and given local and regional~~
273 ~~needs. Consequently, it is appropriate to set forth a flexible~~
274 ~~methodology that can be used by M.P.O.'s to coordinate with~~
275 ~~other M.P.O.'s and appropriate political subdivisions as~~
276 ~~circumstances demand.~~

277 2. Any M.P.O. may join with any other M.P.O. or any
278 individual political subdivision to coordinate activities or to
279 achieve any federal or state transportation planning or
280 development goals or purposes consistent with federal or state
281 law. When an M.P.O. determines that it is appropriate to join
282 with another M.P.O. or any political subdivision to coordinate
283 activities, the M.P.O. or political subdivision shall enter into
284 an interlocal agreement pursuant to s. 163.01, which, at a
285 minimum, creates a separate legal or administrative entity to
286 coordinate the transportation planning or development activities
287 required to achieve the goal or purpose; provides the purpose
288 for which the entity is created; provides the duration of the
289 agreement and the entity and specifies how the agreement may be
290 terminated, modified, or rescinded; describes the precise
291 organization of the entity, including who has voting rights on
292 the governing board, whether alternative voting members are
293 provided for, how voting members are appointed, and what the
294 relative voting strength is for each constituent M.P.O. or
295 political subdivision; provides the manner in which the parties
296 to the agreement will provide for the financial support of the
297 entity and payment of costs and expenses of the entity; provides
298 the manner in which funds may be paid to and disbursed from the
299 entity; and provides how members of the entity will resolve
300 disagreements regarding interpretation of the interlocal



301 agreement or disputes relating to the operation of the entity.
302 Such interlocal agreement shall become effective upon its
303 recordation in the official public records of each county in
304 which a member of the entity created by the interlocal agreement
305 has a voting member. Multiple M.P.O.'s may merge, combine, or
306 otherwise join together as a single M.P.O.

307 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must
308 develop a long-range transportation plan that addresses at least
309 a 20-year planning horizon. The plan must include both long-
310 range and short-range strategies and must comply with all other
311 state and federal requirements. The prevailing principles to be
312 considered in the long-range transportation plan are: preserving
313 the existing transportation infrastructure; enhancing Florida's
314 economic competitiveness; and improving travel choices to ensure
315 mobility. The long-range transportation plan must be consistent,
316 to the maximum extent feasible, with future land use elements
317 and the goals, objectives, and policies of the approved local
318 government comprehensive plans of the units of local government
319 located within the jurisdiction of the M.P.O. Each M.P.O. is
320 encouraged to consider strategies that integrate transportation
321 and land use planning to provide for sustainable development and
322 reduce greenhouse gas emissions. The approved long-range
323 transportation plan must be considered by local governments in
324 the development of the transportation elements in local
325 government comprehensive plans and any amendments thereto. The
326 long-range transportation plan must, at a minimum:

327 (a) Identify transportation facilities, including, but not
328 limited to, major roadways, airports, seaports, spaceports,
329 commuter rail systems, transit systems, and intermodal or



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330 multimodal terminals that will function as an integrated
331 metropolitan transportation system. The long-range
332 transportation plan must give emphasis to those transportation
333 facilities that serve national, statewide, or regional
334 functions, and must consider the goals and objectives identified
335 in the Florida Transportation Plan as provided in s. 339.155. If
336 a project is located within the boundaries of more than one
337 M.P.O., the M.P.O.'s must coordinate plans regarding the project
338 in the long-range transportation plan. ~~Multiple M.P.O.'s within
339 a contiguous urbanized area must coordinate the development of
340 long-range transportation plans to be reviewed by the
341 Metropolitan Planning Organization Advisory Council.~~

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



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359 possible, the consistency of data used in the planning process.

360 (c) Assess capital investment and other measures necessary
361 to:

362 1. Ensure the preservation of the existing metropolitan
363 transportation system including requirements for the operation,
364 resurfacing, restoration, and rehabilitation of major roadways
365 and requirements for the operation, maintenance, modernization,
366 and rehabilitation of public transportation facilities; and

367 2. Make the most efficient use of existing transportation
368 facilities to relieve vehicular congestion, improve safety, and
369 maximize the mobility of people and goods. Such efforts must
370 include, but are not limited to, consideration of infrastructure
371 and technological improvements necessary to accommodate advances
372 in vehicle technology, such as automated driving systems and
373 other developments.

374 (d) Indicate, as appropriate, proposed transportation
375 enhancement activities, including, but not limited to,
376 pedestrian and bicycle facilities, trails or facilities that are
377 regionally significant or critical linkages for the Florida
378 Shared-Use Nonmotorized Trail Network, scenic easements,
379 landscaping, integration of advanced air mobility, and
380 integration of autonomous and electric vehicles, electric
381 bicycles, and motorized scooters used for freight, commuter, or
382 micromobility purposes ~~historic preservation, mitigation of~~
383 ~~water pollution due to highway runoff, and control of outdoor~~
384 ~~advertising.~~

385 (e) In addition to the requirements of paragraphs (a)-(d),
386 in metropolitan areas that are classified as nonattainment areas
387 for ozone or carbon monoxide, the M.P.O. must coordinate the



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388 development of the long-range transportation plan with the State
389 Implementation Plan developed pursuant to the requirements of
390 the federal Clean Air Act.

391
392 In the development of its long-range transportation plan, each
393 M.P.O. must provide the public, affected public agencies,
394 representatives of transportation agency employees, freight
395 shippers, providers of freight transportation services, private
396 providers of transportation, representatives of users of public
397 transit, and other interested parties with a reasonable
398 opportunity to comment on the long-range transportation plan.
399 The long-range transportation plan must be approved by the
400 M.P.O. and by the department as provided in subsection (10).

401 (10) ACCOUNTABILITY.—

402 (a) The department shall review each M.P.O.'s long-range
403 transportation plan for productive flow and connectivity for
404 people and freight within the M.P.O.'s metropolitan area. If the
405 department finds an M.P.O.'s long-range transportation plan to
406 be unsatisfactory or incongruent with the metropolitan area, the
407 department must return the plan to the M.P.O. for revision.

408 (b) The department shall create quality performance metrics
409 and a scoring mechanism by which to evaluate each M.P.O.'s
410 service to its communities, taking into consideration traffic
411 congestion, the utilization rate of multimodal transportation
412 facilities, resident satisfaction, efficiency of the
413 transportation system for people and freight, and other factors
414 the department deems necessary. The department shall establish a
415 minimum acceptable quality performance score.

416 (c) Beginning in 2025, and each year thereafter, each



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417 M.P.O. shall report its score for each quality performance
418 metric by December 1 to the district secretary and shall publish
419 the score and supporting data on its website. The department
420 shall validate each M.P.O.'s score calculation and make
421 adjustments thereto if necessary.

422 ~~(11) METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL.—~~

423 ~~(a) A Metropolitan Planning Organization Advisory Council~~
424 ~~is created to augment, and not supplant, the role of the~~
425 ~~individual M.P.O.'s in the cooperative transportation planning~~
426 ~~process described in this section.~~

427 ~~(b) The council shall consist of one representative from~~
428 ~~each M.P.O. and shall elect a chairperson annually from its~~
429 ~~number. Each M.P.O. shall also elect an alternate representative~~
430 ~~from each M.P.O. to vote in the absence of the representative.~~
431 ~~Members of the council do not receive any compensation for their~~
432 ~~services, but may be reimbursed from funds made available to~~
433 ~~council members for travel and per diem expenses incurred in the~~
434 ~~performance of their council duties as provided in s. 112.061.~~

435 ~~(c) The powers and duties of the Metropolitan Planning~~
436 ~~Organization Advisory Council are to:~~

437 ~~1. Establish bylaws by action of its governing board~~
438 ~~providing procedural rules to guide its proceedings and~~
439 ~~consideration of matters before the council, or, alternatively,~~
440 ~~adopt rules pursuant to ss. 120.536(1) and 120.54 to implement~~
441 ~~provisions of law conferring powers or duties upon it.~~

442 ~~2. Assist M.P.O.'s in carrying out the urbanized area~~
443 ~~transportation planning process by serving as the principal~~
444 ~~forum for collective policy discussion pursuant to law.~~

445 ~~3. Serve as a clearinghouse for review and comment by~~



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446 ~~M.P.O.'s on the Florida Transportation Plan and on other issues~~
447 ~~required to comply with federal or state law in carrying out the~~
448 ~~urbanized area transportation and systematic planning processes~~
449 ~~instituted pursuant to s. 339.155. The council must also report~~
450 ~~annually to the Florida Transportation Commission on the~~
451 ~~alignment of M.P.O. long-range transportation plans with the~~
452 ~~Florida Transportation Plan.~~

453 ~~4. Employ an executive director and such other staff as~~
454 ~~necessary to perform adequately the functions of the council,~~
455 ~~within budgetary limitations. The executive director and staff~~
456 ~~are exempt from part II of chapter 110 and serve at the~~
457 ~~direction and control of the council. The council is assigned to~~
458 ~~the Office of the Secretary of the Department of Transportation~~
459 ~~for fiscal and accountability purposes, but it shall otherwise~~
460 ~~function independently of the control and direction of the~~
461 ~~department.~~

462 ~~5. Deliver training on federal and state program~~
463 ~~requirements and procedures to M.P.O. board members and M.P.O.~~
464 ~~staff.~~

465 ~~6. Adopt an agency strategic plan that prioritizes steps~~
466 ~~the agency will take to carry out its mission within the context~~
467 ~~of the state comprehensive plan and any other statutory mandates~~
468 ~~and directives.~~

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

474 ~~Section 8. Paragraph (b) of subsection (17) of section~~



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475 627.748, Florida Statutes, is amended to read:

476 627.748 Transportation network companies.—

477 (17) PREEMPTION.—

478 (b) This subsection does not prohibit an airport or a
479 seaport from charging the same reasonable pickup fees ~~consistent~~
480 ~~with any pickup fees~~ charged for all ~~to~~ taxicab pickups
481 ~~companies~~ at that airport or seaport for their use of the
482 airport's or seaport's facilities or prohibit the airport or
483 seaport from designating locations for staging, pickup, and
484 other similar operations at the airport or seaport.

485 Section 9. Subsection (6) of section 28.37, Florida
486 Statutes, is amended to read:

487 28.37 Fines, fees, service charges, and costs remitted to
488 the state.—

489 (6) Ten percent of all court-related fines collected by the
490 clerk, except for penalties or fines distributed to counties or
491 municipalities under s. 316.0083(1)(b)3. or s. 318.18(16)(a) ~~s.~~
492 ~~318.18(15)(a)~~, must be deposited into the fine and forfeiture
493 fund to be used exclusively for clerk court-related functions,
494 as provided in s. 28.35(3)(a).

495 Section 10. Paragraph (c) of subsection (1) of section
496 142.01, Florida Statutes, is amended to read:

497 142.01 Fine and forfeiture fund; disposition of revenue;
498 clerk of the circuit court.—

499 (1) There shall be established by the clerk of the circuit
500 court in each county of this state a separate fund to be known
501 as the fine and forfeiture fund for use by the clerk of the
502 circuit court in performing court-related functions. The fund
503 shall consist of the following:



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504 (c) Court costs pursuant to ss. 28.2402(1)(b),
505 34.045(1)(b), 318.14(10)(b), 318.18(12)(a) ~~318.18(11)(a)~~,
506 327.73(9)(a) and (11)(a), and 938.05(3).

507 Section 11. Subsection (4) of section 316.1951, Florida
508 Statutes, is amended to read:

509 316.1951 Parking for certain purposes prohibited; sale of
510 motor vehicles; prohibited acts.—

511 (4) A local government may adopt an ordinance to allow the
512 towing of a motor vehicle parked in violation of this section. A
513 law enforcement officer, compliance officer, code enforcement
514 officer from any local government agency, or supervisor of the
515 department may issue a citation and cause to be immediately
516 removed at the owner's expense any motor vehicle found in
517 violation of subsection (1), except as provided in subsections
518 (2) and (3), or in violation of subsection (5), subsection (6),
519 subsection (7), or subsection (8), and the owner shall be
520 assessed a penalty as provided in s. 318.18(22) ~~s. 318.18(21)~~ by
521 the government agency or authority that orders immediate removal
522 of the motor vehicle. A motor vehicle removed under this section
523 shall not be released from an impound or towing and storage
524 facility before a release form prescribed by the department has
525 been completed verifying that the fine has been paid to the
526 government agency or authority that ordered immediate removal of
527 the motor vehicle. However, the owner may pay towing and storage
528 charges to the towing and storage facility pursuant to s. 713.78
529 before payment of the fine or before the release form has been
530 completed.

531 Section 12. Subsection (4) of section 316.306, Florida
532 Statutes, is amended to read:



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533 316.306 School and work zones; prohibition on the use of a
534 wireless communications device in a handheld manner.—

535 (4) (a) Any person who violates this section commits a
536 noncriminal traffic infraction, punishable as a moving
537 violation, as provided in chapter 318, and shall have 4 ~~3~~ points
538 assessed against his or her driver license as set forth in s.
539 322.27(3)(d)8. ~~s. 322.27(3)(d)7.~~ For a first offense under this
540 section, in lieu of the penalty specified in s. 318.18 and the
541 assessment of points, a person who violates this section may
542 elect to participate in a wireless communications device driving
543 safety program approved by the Department of Highway Safety and
544 Motor Vehicles. Upon completion of such program, the penalty
545 specified in s. 318.18 and associated costs may be waived by the
546 clerk of the court and the assessment of points must be waived.

547 (b) The clerk of the court may dismiss a case and assess
548 court costs in accordance with s. 318.18(12)(a) ~~s. 318.18(11)(a)~~
549 for a nonmoving traffic infraction for a person who is cited for
550 a first time violation of this section if the person shows the
551 clerk proof of purchase of equipment that enables his or her
552 personal wireless communications device to be used in a hands-
553 free manner.

554 Section 13. Subsection (7) of section 316.622, Florida
555 Statutes, is amended to read:

556 316.622 Farm labor vehicles.—

557 (7) A violation of this section is a noncriminal traffic
558 infraction, punishable as provided in s. 318.18(17) ~~s.~~
559 ~~318.18(16).~~

560 Section 14. Section 318.121, Florida Statutes, is amended
561 to read:



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562 318.121 Preemption of additional fees, fines, surcharges,
563 and costs.—Notwithstanding any general or special law, or
564 municipal or county ordinance, additional fees, fines,
565 surcharges, or costs other than the court costs and surcharges
566 assessed under s. 318.18(12), (14), (19), (20), and (23) ~~s.~~
567 ~~318.18(11), (13), (18), (19), and (22)~~ may not be added to the
568 civil traffic penalties assessed under this chapter.

569 Section 15. Subsections (13), (16) through (19), and (21)
570 of section 318.21, Florida Statutes, are amended to read:

571 318.21 Disposition of civil penalties by county courts.—All
572 civil penalties received by a county court pursuant to the
573 provisions of this chapter shall be distributed and paid monthly
574 as follows:

575 (13) Of the proceeds from the fine under s. 318.18(16) ~~s.~~
576 ~~318.18(15)~~, \$65 shall be remitted to the Department of Revenue
577 for deposit into the Administrative Trust Fund of the Department
578 of Health and the remaining \$60 shall be distributed pursuant to
579 subsections (1) and (2).

580 (16) The proceeds from the fines described in s. 318.18(17)
581 ~~s. 318.18(16)~~ shall be remitted to the law enforcement agency
582 that issues the citation for a violation of s. 316.622. The
583 funds must be used for continued education and enforcement of s.
584 316.622 and other related safety measures contained in chapter
585 316.

586 (17) Notwithstanding subsections (1) and (2), the proceeds
587 from the surcharge imposed under s. 318.18(18) ~~s. 318.18(17)~~
588 shall be distributed as provided in that subsection. This
589 subsection expires July 1, 2026.

590 (18) Notwithstanding subsections (1) and (2), the proceeds



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591 from the administrative fee imposed under s. 318.18(19) ~~s.~~
592 ~~318.18(18)~~ shall be distributed as provided in that subsection.

593 (19) Notwithstanding subsections (1) and (2), the proceeds
594 from the Article V assessment imposed under s. 318.18(20) ~~s.~~
595 ~~318.18(19)~~ shall be distributed as provided in that subsection.

596 (21) Notwithstanding subsections (1) and (2), the proceeds
597 from the additional penalties imposed pursuant to s.
598 318.18(5) (c) and (21) ~~(20)~~ shall be distributed as provided in
599 that section.

600 Section 16. Paragraph (d) of subsection (3) of section
601 322.27, Florida Statutes, is amended to read:

602 322.27 Authority of department to suspend or revoke driver
603 license or identification card.-

604 (3) There is established a point system for evaluation of
605 convictions of violations of motor vehicle laws or ordinances,
606 and violations of applicable provisions of s. 403.413(6) (b) when
607 such violations involve the use of motor vehicles, for the
608 determination of the continuing qualification of any person to
609 operate a motor vehicle. The department is authorized to suspend
610 the license of any person upon showing of its records or other
611 good and sufficient evidence that the licensee has been
612 convicted of violation of motor vehicle laws or ordinances, or
613 applicable provisions of s. 403.413(6) (b), amounting to 12 or
614 more points as determined by the point system. The suspension
615 shall be for a period of not more than 1 year.

616 (d) The point system shall have as its basic element a
617 graduated scale of points assigning relative values to
618 convictions of the following violations:

619 1. Reckless driving, willful and wanton-4 points.



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- 620 2. Leaving the scene of a crash resulting in property
621 damage of more than \$50—6 points.
- 622 3. Unlawful speed, or unlawful use of a wireless
623 communications device, resulting in a crash—6 points.
- 624 4. Passing a stopped school bus:
- 625 a. Not causing or resulting in serious bodily injury to or
626 death of another—4 points.
- 627 b. Causing or resulting in serious bodily injury to or
628 death of another—6 points.
- 629 c. Points may not be imposed for a violation of passing a
630 stopped school bus as provided in s. 316.172(1)(a) or (b) when
631 enforced by a school bus infraction detection system pursuant s.
632 316.173. In addition, a violation of s. 316.172(1)(a) or (b)
633 when enforced by a school bus infraction detection system
634 pursuant to s. 316.173 may not be used for purposes of setting
635 motor vehicle insurance rates.
- 636 5. Unlawful speed:
- 637 a. Not in excess of 15 miles per hour of lawful or posted
638 speed—3 points.
- 639 b. In excess of 15 miles per hour of lawful or posted
640 speed—4 points.
- 641 c. Points may not be imposed for a violation of unlawful
642 speed as provided in s. 316.1895 or s. 316.183 when enforced by
643 a traffic infraction enforcement officer pursuant to s.
644 316.1896. In addition, a violation of s. 316.1895 or s. 316.183
645 when enforced by a traffic infraction enforcement officer
646 pursuant to s. 316.1896 may not be used for purposes of setting
647 motor vehicle insurance rates.
- 648 6. A violation of a traffic control signal device as



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649 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.
650 However, points may not be imposed for a violation of s.
651 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
652 stop at a traffic signal and when enforced by a traffic
653 infraction enforcement officer. In addition, a violation of s.
654 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
655 stop at a traffic signal and when enforced by a traffic
656 infraction enforcement officer may not be used for purposes of
657 setting motor vehicle insurance rates.

658 7. Unlawfully driving a vehicle through a railroad-highway
659 grade crossing—6 points.

660 8. All other moving violations (including parking on a
661 highway outside the limits of a municipality)—3 points. However,
662 points may not be imposed for a violation of s. 316.0741 or s.
663 316.2065(11); and points may be imposed for a violation of s.
664 316.1001 only when imposed by the court after a hearing pursuant
665 to s. 318.14(5).

666 ~~9.8.~~ Any moving violation covered in this paragraph,
667 excluding unlawful speed and unlawful use of a wireless
668 communications device, resulting in a crash—4 points.

669 ~~10.9.~~ Any conviction under s. 403.413(6)(b)—3 points.

670 ~~11.10.~~ Any conviction under s. 316.0775(2)—4 points.

671 ~~12.11.~~ A moving violation covered in this paragraph which
672 is committed in conjunction with the unlawful use of a wireless
673 communications device within a school safety zone—2 points, in
674 addition to the points assigned for the moving violation.

675 Section 17. Subsection (14) of section 331.3051, Florida
676 Statutes, is amended to read:

677 331.3051 Duties of Space Florida.—Space Florida shall:



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678 ~~(14) Partner with the Metropolitan Planning Organization~~
679 ~~Advisory Council to coordinate and specify how aerospace~~
680 ~~planning and programming will be part of the state's cooperative~~
681 ~~transportation planning process.~~

682 Section 18. Paragraph (e) of subsection (2) of section
683 331.310, Florida Statutes, is amended to read:

684 331.310 Powers and duties of the board of directors.—

685 (2) The board of directors shall:

686 (e) Prepare an annual report of operations as a supplement
687 to the annual report required under s. 331.3051(15) ~~s.~~

688 ~~331.3051(16)~~. The report must include, but not be limited to, a
689 balance sheet, an income statement, a statement of changes in
690 financial position, a reconciliation of changes in equity
691 accounts, a summary of significant accounting principles, the
692 auditor's report, a summary of the status of existing and
693 proposed bonding projects, comments from management about the
694 year's business, and prospects for the next year.

695 Section 19. Subsection (1) of section 395.4036, Florida
696 Statutes, is amended to read:

697 395.4036 Trauma payments.—

698 (1) Recognizing the Legislature's stated intent to provide
699 financial support to the current verified trauma centers and to
700 provide incentives for the establishment of additional trauma
701 centers as part of a system of state-sponsored trauma centers,
702 the department shall utilize funds collected under s. 318.18 and
703 deposited into the Emergency Medical Services Trust Fund of the
704 department to ensure the availability and accessibility of
705 trauma services throughout the state as provided in this
706 subsection.



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707 (a) Funds collected under s. 318.18(16) ~~s. 318.18(15)~~ shall
708 be distributed as follows:

709 1. Twenty percent of the total funds collected during the
710 state fiscal year shall be distributed to verified trauma
711 centers that have a local funding contribution as of December
712 31. Distribution of funds under this subparagraph shall be based
713 on trauma caseload volume for the most recent calendar year
714 available.

715 2. Forty percent of the total funds collected shall be
716 distributed to verified trauma centers based on trauma caseload
717 volume for the most recent calendar year available. The
718 determination of caseload volume for distribution of funds under
719 this subparagraph shall be based on the hospital discharge data
720 for patients who meet the criteria for classification as a
721 trauma patient reported by each trauma center pursuant to s.
722 408.061.

723 3. Forty percent of the total funds collected shall be
724 distributed to verified trauma centers based on severity of
725 trauma patients for the most recent calendar year available. The
726 determination of severity for distribution of funds under this
727 subparagraph shall be based on the department's International
728 Classification Injury Severity Scores or another statistically
729 valid and scientifically accepted method of stratifying a trauma
730 patient's severity of injury, risk of mortality, and resource
731 consumption as adopted by the department by rule, weighted based
732 on the costs associated with and incurred by the trauma center
733 in treating trauma patients. The weighting of scores shall be
734 established by the department by rule.

735 (b) Funds collected under s. 318.18(5)(c) and (21) ~~s.~~



736 ~~318.18(5)(e) and (20)~~ shall be distributed as follows:

737 1. Thirty percent of the total funds collected shall be
738 distributed to Level II trauma centers operated by a public
739 hospital governed by an elected board of directors as of
740 December 31, 2008.

741 2. Thirty-five percent of the total funds collected shall
742 be distributed to verified trauma centers based on trauma
743 caseload volume for the most recent calendar year available. The
744 determination of caseload volume for distribution of funds under
745 this subparagraph shall be based on the hospital discharge data
746 for patients who meet the criteria for classification as a
747 trauma patient reported by each trauma center pursuant to s.
748 408.061.

749 3. Thirty-five percent of the total funds collected shall
750 be distributed to verified trauma centers based on severity of
751 trauma patients for the most recent calendar year available. The
752 determination of severity for distribution of funds under this
753 subparagraph shall be based on the department's International
754 Classification Injury Severity Scores or another statistically
755 valid and scientifically accepted method of stratifying a trauma
756 patient's severity of injury, risk of mortality, and resource
757 consumption as adopted by the department by rule, weighted based
758 on the costs associated with and incurred by the trauma center
759 in treating trauma patients. The weighting of scores shall be
760 established by the department by rule.

761 Section 20. By October 31, 2024, the Department of
762 Transportation shall submit to the Governor, the President of
763 the Senate, and the Speaker of the House of Representatives a
764 report that provides a comprehensive review of the boundaries of



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765 each of the department's districts and makes recommendations as
766 to whether any district's boundaries should be redrawn as a
767 result of population growth and increased urban density.

768 Section 21. This act shall take effect July 1, 2024.
769

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

771 And the title is amended as follows:

772 Delete everything before the enacting clause
773 and insert:

774 An act relating to transportation; amending s. 20.23,
775 F.S.; deleting obsolete language; amending s.
776 316.1575, F.S.; revising provisions requiring a person
777 approaching a railroad-highway grade crossing to stop
778 within a certain distance from the nearest rail;
779 revising penalties; amending s. 316.1576, F.S.;
780 revising circumstances under which a person is
781 prohibited from driving a vehicle through a railroad-
782 highway grade crossing; revising penalties; amending
783 s. 318.18, F.S.; revising penalties for certain
784 violations; providing a penalty for a certain
785 violation; amending s. 334.065, F.S.; revising the
786 membership of the Center for Urban Transportation
787 Research advisory board; deleting a requirement that
788 the appointments of certain board members be reviewed
789 and approved by the Florida Transportation Commission
790 and confirmed by the Board of Governors of the State
791 University System; amending s. 334.066, F.S.; revising
792 the membership of the Implementing Solutions from
793 Transportation Research and Evaluating Emerging



794 Technologies (I-STREET) Living Lab advisory board;
795 amending s. 339.175, F.S.; revising legislative
796 intent; prohibiting the designation of additional
797 metropolitan planning organizations (M.P.O.'s) after a
798 specified date except in certain urbanized areas;
799 deleting provisions relating to duties for a
800 designated M.P.O.; revising projects and strategies to
801 be considered in developing an M.P.O.'s long-range
802 transportation plan and transportation improvement
803 program; revising the M.P.O.'s required to submit to
804 the Governor and the Legislature, by a specified date,
805 a feasibility report regarding consolidation;
806 requiring the department to periodically convene
807 M.P.O.'s of similar size to exchange best practices;
808 authorizing such M.P.O.'s to develop committees or
809 working groups; requiring training for new M.P.O.
810 governing board members to be provided by the
811 department or, at the discretion of the department,
812 another specified entity; deleting a provision
813 relating to M.P.O. coordination mechanisms; including
814 public-private partnerships as an authorized
815 innovative financing technique for needed projects and
816 programs; revising proposed transportation enhancement
817 activities that must be indicated by the long-range
818 transportation plan; providing that M.P.O. long-range
819 transportation plans must be approved by the
820 department, as well as the M.P.O.; requiring the
821 department to review certain aspects of each M.P.O.'s
822 long-range transportation plan and to return the plan



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823 to the M.P.O. for revision if deemed unsatisfactory;
824 requiring the department to create quality performance
825 metrics and a scoring mechanism to evaluate each
826 M.P.O.'s service to its communities and to establish a
827 minimum acceptable quality performance score;
828 requiring each M.P.O. to report its quality
829 performance score annually to the district secretary
830 and to publish the score on its website, beginning on
831 a specified date; requiring the department to validate
832 each M.P.O.'s score calculation and make any necessary
833 adjustments; deleting provisions relating to the
834 Metropolitan Planning Organization Advisory Council;
835 amending s. 627.748, F.S.; revising the preemption of
836 airports or seaports relating to fees charged for
837 taxicab pickups at such airports and seaports;
838 amending ss. 28.37, 142.01, 316.1951, 316.306,
839 316.622, 318.121, 318.21, 322.27, 331.3051, 331.310,
840 and 395.4036, F.S.; conforming cross-references and
841 provisions to changes made by the act; requiring the
842 department to submit a report to the Governor and
843 Legislature by a specified date which provides a
844 comprehensive review of the boundaries of department
845 districts and makes certain recommendations; providing
846 an effective date.