

By the Appropriations Committee on Transportation, Tourism, and Economic Development; the Committee on Transportation; and Senator Gruters

606-03527-24

20241032c2

1 A bill to be entitled
2 An act relating to transportation; amending s. 20.23,
3 F.S.; deleting obsolete language; amending s.
4 316.1575, F.S.; revising provisions requiring a person
5 approaching a railroad-highway grade crossing to stop
6 within a certain distance from the nearest rail;
7 revising penalties; amending s. 316.1576, F.S.;
8 revising circumstances under which a person is
9 prohibited from driving a vehicle through a railroad-
10 highway grade crossing; revising penalties; amending
11 s. 318.18, F.S.; revising penalties for certain
12 violations; providing a penalty for a certain
13 violation; amending s. 334.065, F.S.; revising the
14 membership of the Center for Urban Transportation
15 Research advisory board; deleting a requirement that
16 the appointments of certain board members be reviewed
17 and approved by the Florida Transportation Commission
18 and confirmed by the Board of Governors of the State
19 University System; amending s. 334.066, F.S.; revising
20 the membership of the Implementing Solutions from
21 Transportation Research and Evaluating Emerging
22 Technologies (I-STREET) Living Lab advisory board;
23 amending s. 339.175, F.S.; revising legislative
24 intent; prohibiting the designation of additional
25 metropolitan planning organizations (M.P.O.'s) after a
26 specified date except in certain urbanized areas;
27 deleting provisions relating to duties for a
28 designated M.P.O.; revising projects and strategies to
29 be considered in developing an M.P.O.'s long-range

606-03527-24

20241032c2

30 transportation plan and transportation improvement
31 program; revising the M.P.O.'s required to submit to
32 the Governor and the Legislature, by a specified date,
33 a feasibility report regarding consolidation;
34 requiring the department to periodically convene
35 M.P.O.'s of similar size to exchange best practices;
36 authorizing such M.P.O.'s to develop committees or
37 working groups; requiring training for new M.P.O.
38 governing board members to be provided by the
39 department or, at the discretion of the department,
40 another specified entity; deleting a provision
41 relating to M.P.O. coordination mechanisms; including
42 public-private partnerships as an authorized
43 innovative financing technique for needed projects and
44 programs; revising proposed transportation enhancement
45 activities that must be indicated by the long-range
46 transportation plan; providing that M.P.O. long-range
47 transportation plans must be approved by the
48 department, as well as the M.P.O.; requiring the
49 department to review certain aspects of each M.P.O.'s
50 long-range transportation plan and to return the plan
51 to the M.P.O. for revision if deemed unsatisfactory;
52 requiring the department to create quality performance
53 metrics and a scoring mechanism to evaluate each
54 M.P.O.'s service to its communities and to establish a
55 minimum acceptable quality performance score;
56 requiring each M.P.O. to report its quality
57 performance score annually to the district secretary
58 and to publish the score on its website, beginning on

606-03527-24

20241032c2

59 a specified date; requiring the department to validate
60 each M.P.O.'s score calculation and make any necessary
61 adjustments; deleting provisions relating to the
62 Metropolitan Planning Organization Advisory Council;
63 amending s. 627.748, F.S.; revising the preemption of
64 airports or seaports relating to fees charged for
65 taxicab pickups at such airports and seaports;
66 amending ss. 28.37, 142.01, 316.1951, 316.306,
67 316.622, 318.121, 318.21, 322.27, 331.3051, 331.310,
68 and 395.4036, F.S.; conforming cross-references and
69 provisions to changes made by the act; requiring the
70 department to submit a report to the Governor and
71 Legislature by a specified date which provides a
72 comprehensive review of the boundaries of department
73 districts and makes certain recommendations; providing
74 an effective date.

75

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

77

78 Section 1. Paragraph (e) of subsection (1) of section
79 20.23, Florida Statutes, is amended to read:

80 20.23 Department of Transportation.—There is created a
81 Department of Transportation which shall be a decentralized
82 agency.

83 (1)

84 (e) The ~~Any~~ secretary ~~appointed after July 5, 1989,~~ and the
85 assistant secretaries are ~~shall be~~ exempt from the ~~provisions of~~
86 part III of chapter 110 and shall receive compensation
87 commensurate with their qualifications and competitive with

606-03527-24

20241032c2

88 compensation for comparable responsibility in the private
89 sector.

90 Section 2. Section 316.1575, Florida Statutes, is amended
91 to read:

92 316.1575 Obedience to traffic control devices at railroad-
93 highway grade crossings.—

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

101 (a) A clearly visible electric or mechanical signal device
102 gives warning of the immediate approach of a railroad train or
103 railroad track equipment;

104 (b) A crossing gate is lowered or a law enforcement officer
105 or a human flagger gives or continues to give a signal of the
106 approach or passage of a railroad train or railroad track
107 equipment;

108 (c) An approaching railroad train or railroad track
109 equipment emits an audible signal or the railroad train or
110 railroad track equipment, by reason of its speed or nearness to
111 the crossing, is an immediate hazard; or

112 (d) An approaching railroad train or railroad track
113 equipment is plainly visible and is in hazardous proximity to
114 the railroad-highway grade crossing, regardless of the type of
115 traffic control devices installed at the crossing.

116 (2) A ~~No~~ person may not ~~shall~~ drive a ~~any~~ vehicle through,

606-03527-24

20241032c2

117 around, or under any crossing gate or barrier at a railroad-
118 highway grade crossing while the gate or barrier is closed or is
119 being opened or closed.

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

123 (a) ~~either~~ A pedestrian violation; ~~or,~~

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

126 1. For a first violation, the person shall pay a fine of
127 \$500 and have 6 points assessed against his or her driver
128 license pursuant to s. 322.27(3) (d)7.

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

132 Section 3. Section 316.1576, Florida Statutes, is amended
133 to read:

134 316.1576 Insufficient clearance at a railroad-highway grade
135 crossing.—

136 (1) A person may not drive a ~~any~~ vehicle through a
137 railroad-highway grade crossing that does not have sufficient
138 space to drive completely through the crossing without stopping
139 or without obstructing the passage of other vehicles,
140 pedestrians, railroad trains, or other railroad equipment,
141 notwithstanding any traffic control signal indication to
142 proceed.

143 (2) A person may not drive a ~~any~~ vehicle through a
144 railroad-highway grade crossing that does not have sufficient
145 undercarriage clearance to drive completely through the crossing

606-03527-24

20241032c2

146 without stopping or without obstructing the passage of a
147 railroad train or other railroad equipment.

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

151 (a) For a first violation, the person shall pay a fine of
152 \$500 and have 6 points assessed against his or her driver
153 license pursuant to s. 322.27(3)(d)7.

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

159 Section 4. Present subsections (10) through (23) of section
160 318.18, Florida Statutes, are redesignated as subsections (11)
161 through (24), respectively, a new subsection (10) is added to
162 that section, and subsection (9) of that section is amended, to
163 read:

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

167 (9) Five ~~One~~ hundred dollars for a first violation and
168 \$1,000 for a second or subsequent violation of s. 316.1575.

169 (10) Five hundred dollars for a first violation and \$1,000
170 for a second or subsequent violation of s. 316.1576. In addition
171 to this penalty, for a second or subsequent violation, the
172 department shall suspend the driver license of the person for
173 not more than 6 months.

174 Section 5. Subsection (3) of section 334.065, Florida

606-03527-24

20241032c2

175 Statutes, is amended to read:

176 334.065 Center for Urban Transportation Research.—

177 (3) An advisory board shall be created to periodically and
178 objectively review and advise the center concerning its research
179 program. Except for projects mandated by law, state-funded base
180 projects shall not be undertaken without approval of the
181 advisory board. The membership of the board shall be composed
182 ~~consist~~ of 10 ~~nine~~ experts in transportation-related areas, as
183 follows:

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

185 (b) One member appointed by the Speaker of the House of
186 Representatives.

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

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

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

190 (f) Five ~~including the secretaries of the Department of~~
191 ~~Transportation, the Department of Environmental Protection, and~~
192 ~~the Department of Economic Opportunity, or their designees, and~~
193 ~~a member of the Florida Transportation Commission. The~~
194 ~~nomination of the remaining members~~ recommended ~~of the board~~
195 ~~shall be made~~ to the President of the University of South
196 Florida by the College of Engineering at the University of South
197 Florida, ~~and the appointment of these members must be reviewed~~
198 ~~and approved by the Florida Transportation Commission and~~
199 ~~confirmed by the Board of Governors.~~

200 Section 6. Paragraph (d) of subsection (3) of section
201 334.066, Florida Statutes, is amended to read:

202 334.066 Implementing Solutions from Transportation Research
203 and Evaluating Emerging Technologies Living Lab.—

606-03527-24

20241032c2

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

208 (d) The Secretary of Commerce ~~Economic Opportunity~~ or his
209 or her designee.

210 Section 7. Present subsection (10) of section 339.175,
211 Florida Statutes, is redesignated as subsection (11), a new
212 subsection (10) is added to that section, and subsection (1),
213 paragraph (a) of subsection (2), paragraphs (b), (i), and (j) of
214 subsection (6), subsection (7), and present subsection (11) of
215 that section are amended, to read:

216 339.175 Metropolitan planning organization.—

217 (1) INTENT PURPOSE.—It is the intent of the Legislature to
218 encourage and promote the safe and efficient management,
219 operation, and development of multimodal ~~surface~~ transportation
220 systems that will serve the mobility needs of people and freight
221 and foster economic growth and development within and through
222 urbanized areas of this state while balancing the conservation
223 of natural resources ~~minimizing transportation-related fuel~~
224 ~~consumption, air pollution, and greenhouse gas emissions through~~
225 ~~metropolitan transportation planning processes identified in~~
226 ~~this section~~. To accomplish these objectives, metropolitan
227 planning organizations, referred to in this section as M.P.O.'s,
228 shall develop, in cooperation with the state and public transit
229 operators, transportation plans and programs for metropolitan
230 areas. The plans and programs for each metropolitan area must
231 provide for the development and integrated management and
232 operation of transportation systems and facilities, including

606-03527-24

20241032c2

233 pedestrian walkways and bicycle transportation facilities that
234 will function as an intermodal transportation system for the
235 metropolitan area, based upon the prevailing principles provided
236 in s. 334.046(1). The process for developing such plans and
237 programs shall provide for consideration of all modes of
238 transportation and shall be continuing, cooperative, and
239 comprehensive, to the degree appropriate, based on the
240 complexity of the transportation problems to be addressed. To
241 ensure that the process is integrated with the statewide
242 planning process, M.P.O.'s shall develop plans and programs that
243 identify transportation facilities that should function as an
244 integrated metropolitan transportation system, giving emphasis
245 to facilities that serve important national, state, and regional
246 transportation functions. For the purposes of this section,
247 those facilities include the facilities on the Strategic
248 Intermodal System designated under s. 339.63 and facilities for
249 which projects have been identified pursuant to s. 339.2819(4).

250 (2) DESIGNATION.—

251 (a)1. An M.P.O. shall be designated for each urbanized area
252 of the state; however, this does not require that an individual
253 M.P.O. be designated for each such area. Such designation shall
254 be accomplished by agreement between the Governor and units of
255 general-purpose local government representing at least 75
256 percent of the population of the urbanized area; however, the
257 unit of general-purpose local government that represents the
258 central city or cities within the M.P.O. jurisdiction, as
259 defined by the United States Bureau of the Census, must be a
260 party to such agreement.

261 2. To the extent possible, only one M.P.O. shall be

606-03527-24

20241032c2

262 designated for each urbanized area or group of contiguous
263 urbanized areas. More than one M.P.O. may be designated within
264 an existing urbanized area only if the Governor and the existing
265 M.P.O. determine that the size and complexity of the existing
266 urbanized area makes the designation of more than one M.P.O. for
267 the area appropriate. After July 1, 2024, no additional M.P.O.'s
268 may be designated in this state except in urbanized areas, as
269 defined by the United States Bureau of the Census, where the
270 urbanized area boundary is not contiguous to an urbanized area
271 designated before the 2020 census, ~~in which case each M.P.O.~~
272 ~~designated for the area must:~~

273 a. ~~Consult with every other M.P.O. designated for the~~
274 ~~urbanized area and the state to coordinate plans and~~
275 ~~transportation improvement programs.~~

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

279
280 Each M.P.O. required under this section must be fully operative
281 no later than 6 months following its designation.

282 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,
283 privileges, and authority of an M.P.O. are those specified in
284 this section or incorporated in an interlocal agreement
285 authorized under s. 163.01. Each M.P.O. shall perform all acts
286 required by federal or state laws or rules, now and subsequently
287 applicable, which are necessary to qualify for federal aid. It
288 is the intent of this section that each M.P.O. be involved in
289 the planning and programming of transportation facilities,
290 including, but not limited to, airports, intercity and high-

606-03527-24

20241032c2

291 speed rail lines, seaports, and intermodal facilities, to the
292 extent permitted by state or federal law. An M.P.O. may not
293 perform project production or delivery for capital improvement
294 projects on the State Highway System.

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

299 1. Support the economic vitality of the contiguous
300 urbanized metropolitan area, especially by enabling global
301 competitiveness, productivity, and efficiency.

302 2. Increase the safety and security of the transportation
303 system for motorized and nonmotorized users.

304 3. Increase the accessibility and mobility options
305 available to people and for freight.

306 4. Protect and enhance the environment, conserve natural
307 resources ~~promote energy conservation~~, and improve quality of
308 life.

309 5. Enhance the integration and connectivity of the
310 transportation system, across and between modes and contiguous
311 urbanized metropolitan areas, for people and freight.

312 6. Promote efficient system management and operation.

313 7. Emphasize the preservation of the existing
314 transportation system.

315 8. Improve the resilience of transportation infrastructure.

316 9. Reduce traffic and congestion.

317 (i) By February 28, 2025 ~~December 31, 2023~~, the M.P.O.'s
318 serving Lee and Collier ~~Hillsborough, Pasco, and Pinellas~~
319 Counties must submit a feasibility report to the Governor, the

606-03527-24

20241032c2

320 President of the Senate, and the Speaker of the House of
321 Representatives exploring the benefits, costs, and process of
322 consolidation into a single M.P.O. serving the contiguous
323 urbanized area, the goal of which would be to:

324 1. Coordinate transportation projects deemed to be
325 regionally significant.

326 2. Review the impact of regionally significant land use
327 decisions on the region.

328 3. Review all proposed regionally significant
329 transportation projects in their respective ~~the~~ transportation
330 improvement programs.

331 (j)1. To more fully accomplish the purposes for which
332 M.P.O.'s have been mandated, the department shall, at least
333 annually, convene M.P.O.'s of similar size, based on the size of
334 population served, for the purpose of exchanging best practices.
335 M.P.O.'s may ~~shall~~ develop committees or working groups as
336 needed to accomplish such purpose. At the discretion of the
337 department, training for new M.P.O. governing board members must
338 be provided by the department, by an entity pursuant to a
339 contract with the department, by the Florida Center for Urban
340 Transportation Research, or by the Implementing Solutions from
341 Transportation Research and Evaluating Emerging Technologies (I-
342 STREET) Living Lab ~~coordination mechanisms with one another to~~
343 ~~expand and improve transportation within the state. The~~
344 ~~appropriate method of coordination between M.P.O.'s shall vary~~
345 ~~depending upon the project involved and given local and regional~~
346 ~~needs. Consequently, it is appropriate to set forth a flexible~~
347 ~~methodology that can be used by M.P.O.'s to coordinate with~~
348 ~~other M.P.O.'s and appropriate political subdivisions as~~

606-03527-24

20241032c2

349 ~~circumstances demand.~~

350 2. Any M.P.O. may join with any other M.P.O. or any
351 individual political subdivision to coordinate activities or to
352 achieve any federal or state transportation planning or
353 development goals or purposes consistent with federal or state
354 law. When an M.P.O. determines that it is appropriate to join
355 with another M.P.O. or any political subdivision to coordinate
356 activities, the M.P.O. or political subdivision shall enter into
357 an interlocal agreement pursuant to s. 163.01, which, at a
358 minimum, creates a separate legal or administrative entity to
359 coordinate the transportation planning or development activities
360 required to achieve the goal or purpose; provides the purpose
361 for which the entity is created; provides the duration of the
362 agreement and the entity and specifies how the agreement may be
363 terminated, modified, or rescinded; describes the precise
364 organization of the entity, including who has voting rights on
365 the governing board, whether alternative voting members are
366 provided for, how voting members are appointed, and what the
367 relative voting strength is for each constituent M.P.O. or
368 political subdivision; provides the manner in which the parties
369 to the agreement will provide for the financial support of the
370 entity and payment of costs and expenses of the entity; provides
371 the manner in which funds may be paid to and disbursed from the
372 entity; and provides how members of the entity will resolve
373 disagreements regarding interpretation of the interlocal
374 agreement or disputes relating to the operation of the entity.
375 Such interlocal agreement shall become effective upon its
376 recordation in the official public records of each county in
377 which a member of the entity created by the interlocal agreement

606-03527-24

20241032c2

378 has a voting member. Multiple M.P.O.'s may merge, combine, or
379 otherwise join together as a single M.P.O.

380 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must
381 develop a long-range transportation plan that addresses at least
382 a 20-year planning horizon. The plan must include both long-
383 range and short-range strategies and must comply with all other
384 state and federal requirements. The prevailing principles to be
385 considered in the long-range transportation plan are: preserving
386 the existing transportation infrastructure; enhancing Florida's
387 economic competitiveness; and improving travel choices to ensure
388 mobility. The long-range transportation plan must be consistent,
389 to the maximum extent feasible, with future land use elements
390 and the goals, objectives, and policies of the approved local
391 government comprehensive plans of the units of local government
392 located within the jurisdiction of the M.P.O. Each M.P.O. is
393 encouraged to consider strategies that integrate transportation
394 and land use planning to provide for sustainable development and
395 reduce greenhouse gas emissions. The approved long-range
396 transportation plan must be considered by local governments in
397 the development of the transportation elements in local
398 government comprehensive plans and any amendments thereto. The
399 long-range transportation plan must, at a minimum:

400 (a) Identify transportation facilities, including, but not
401 limited to, major roadways, airports, seaports, spaceports,
402 commuter rail systems, transit systems, and intermodal or
403 multimodal terminals that will function as an integrated
404 metropolitan transportation system. The long-range
405 transportation plan must give emphasis to those transportation
406 facilities that serve national, statewide, or regional

606-03527-24

20241032c2

407 functions, and must consider the goals and objectives identified
408 in the Florida Transportation Plan as provided in s. 339.155. If
409 a project is located within the boundaries of more than one
410 M.P.O., the M.P.O.'s must coordinate plans regarding the project
411 in the long-range transportation plan. ~~Multiple M.P.O.'s within~~
412 ~~a contiguous urbanized area must coordinate the development of~~
413 ~~long-range transportation plans to be reviewed by the~~
414 ~~Metropolitan Planning Organization Advisory Council.~~

415 (b) Include a financial plan that demonstrates how the plan
416 can be implemented, indicating resources from public and private
417 sources which are reasonably expected to be available to carry
418 out the plan, and recommends any additional financing strategies
419 for needed projects and programs. The financial plan may
420 include, for illustrative purposes, additional projects that
421 would be included in the adopted long-range transportation plan
422 if reasonable additional resources beyond those identified in
423 the financial plan were available. For the purpose of developing
424 the long-range transportation plan, the M.P.O. and the
425 department shall cooperatively develop estimates of funds that
426 will be available to support the plan implementation. Innovative
427 financing techniques may be used to fund needed projects and
428 programs. Such techniques may include the assessment of tolls,
429 public-private partnerships, the use of value capture financing,
430 or the use of value pricing. Multiple M.P.O.'s within a
431 contiguous urbanized area must ensure, to the maximum extent
432 possible, the consistency of data used in the planning process.

433 (c) Assess capital investment and other measures necessary
434 to:

- 435 1. Ensure the preservation of the existing metropolitan

606-03527-24

20241032c2

436 transportation system including requirements for the operation,
437 resurfacing, restoration, and rehabilitation of major roadways
438 and requirements for the operation, maintenance, modernization,
439 and rehabilitation of public transportation facilities; and

440 2. Make the most efficient use of existing transportation
441 facilities to relieve vehicular congestion, improve safety, and
442 maximize the mobility of people and goods. Such efforts must
443 include, but are not limited to, consideration of infrastructure
444 and technological improvements necessary to accommodate advances
445 in vehicle technology, such as automated driving systems and
446 other developments.

447 (d) Indicate, as appropriate, proposed transportation
448 enhancement activities, including, but not limited to,
449 pedestrian and bicycle facilities, trails or facilities that are
450 regionally significant or critical linkages for the Florida
451 Shared-Use Nonmotorized Trail Network, scenic easements,
452 landscaping, integration of advanced air mobility, and
453 integration of autonomous and electric vehicles, electric
454 bicycles, and motorized scooters used for freight, commuter, or
455 micromobility purposes ~~historic preservation, mitigation of~~
456 ~~water pollution due to highway runoff, and control of outdoor~~
457 ~~advertising.~~

458 (e) In addition to the requirements of paragraphs (a)-(d),
459 in metropolitan areas that are classified as nonattainment areas
460 for ozone or carbon monoxide, the M.P.O. must coordinate the
461 development of the long-range transportation plan with the State
462 Implementation Plan developed pursuant to the requirements of
463 the federal Clean Air Act.

464

606-03527-24

20241032c2

465 In the development of its long-range transportation plan, each
466 M.P.O. must provide the public, affected public agencies,
467 representatives of transportation agency employees, freight
468 shippers, providers of freight transportation services, private
469 providers of transportation, representatives of users of public
470 transit, and other interested parties with a reasonable
471 opportunity to comment on the long-range transportation plan.
472 The long-range transportation plan must be approved by the
473 M.P.O. and by the department as provided in subsection (10).

474 (10) ACCOUNTABILITY.—

475 (a) The department shall review each M.P.O.'s long-range
476 transportation plan for productive flow and connectivity for
477 people and freight within the M.P.O.'s metropolitan area. If the
478 department finds an M.P.O.'s long-range transportation plan to
479 be unsatisfactory or incongruent with the metropolitan area, the
480 department must return the plan to the M.P.O. for revision.

481 (b) The department shall create quality performance metrics
482 and a scoring mechanism by which to evaluate each M.P.O.'s
483 service to its communities, taking into consideration traffic
484 congestion, the utilization rate of multimodal transportation
485 facilities, resident satisfaction, efficiency of the
486 transportation system for people and freight, and other factors
487 the department deems necessary. The department shall establish a
488 minimum acceptable quality performance score.

489 (c) Beginning in 2025, and each year thereafter, each
490 M.P.O. shall report its score for each quality performance
491 metric by December 1 to the district secretary and shall publish
492 the score and supporting data on its website. The department
493 shall validate each M.P.O.'s score calculation and make

606-03527-24

20241032c2

494 adjustments thereto if necessary.

495 ~~(11) METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL.~~

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

500 ~~(b) The council shall consist of one representative from~~
501 ~~each M.P.O. and shall elect a chairperson annually from its~~
502 ~~number. Each M.P.O. shall also elect an alternate representative~~
503 ~~from each M.P.O. to vote in the absence of the representative.~~
504 ~~Members of the council do not receive any compensation for their~~
505 ~~services, but may be reimbursed from funds made available to~~
506 ~~council members for travel and per diem expenses incurred in the~~
507 ~~performance of their council duties as provided in s. 112.061.~~

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

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

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

518 ~~3. Serve as a clearinghouse for review and comment by~~
519 ~~M.P.O.'s on the Florida Transportation Plan and on other issues~~
520 ~~required to comply with federal or state law in carrying out the~~
521 ~~urbanized area transportation and systematic planning processes~~
522 ~~instituted pursuant to s. 339.155. The council must also report~~

606-03527-24

20241032c2

523 ~~annually to the Florida Transportation Commission on the~~
524 ~~alignment of M.P.O. long range transportation plans with the~~
525 ~~Florida Transportation Plan.~~

526 ~~4. Employ an executive director and such other staff as~~
527 ~~necessary to perform adequately the functions of the council,~~
528 ~~within budgetary limitations. The executive director and staff~~
529 ~~are exempt from part II of chapter 110 and serve at the~~
530 ~~direction and control of the council. The council is assigned to~~
531 ~~the Office of the Secretary of the Department of Transportation~~
532 ~~for fiscal and accountability purposes, but it shall otherwise~~
533 ~~function independently of the control and direction of the~~
534 ~~department.~~

535 ~~5. Deliver training on federal and state program~~
536 ~~requirements and procedures to M.P.O. board members and M.P.O.~~
537 ~~staff.~~

538 ~~6. Adopt an agency strategic plan that prioritizes steps~~
539 ~~the agency will take to carry out its mission within the context~~
540 ~~of the state comprehensive plan and any other statutory mandates~~
541 ~~and directives.~~

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

547 Section 8. Paragraph (b) of subsection (17) of section
548 627.748, Florida Statutes, is amended to read:

549 627.748 Transportation network companies.—

550 (17) PREEMPTION.—

551 (b) This subsection does not prohibit an airport or a

606-03527-24

20241032c2

552 seaport from charging the same reasonable pickup fees ~~consistent~~
 553 ~~with any pickup fees~~ charged for all ~~to~~ taxicab pickups
 554 ~~companies~~ at that airport or seaport for their use of the
 555 airport's or seaport's facilities or prohibit the airport or
 556 seaport from designating locations for staging, pickup, and
 557 other similar operations at the airport or seaport.

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

560 28.37 Fines, fees, service charges, and costs remitted to
 561 the state.—

562 (6) Ten percent of all court-related fines collected by the
 563 clerk, except for penalties or fines distributed to counties or
 564 municipalities under s. 316.0083(1)(b)3. or s. 318.18(16)(a) ~~s.~~
 565 ~~318.18(15)(a)~~, must be deposited into the fine and forfeiture
 566 fund to be used exclusively for clerk court-related functions,
 567 as provided in s. 28.35(3)(a).

568 Section 10. Paragraph (c) of subsection (1) of section
 569 142.01, Florida Statutes, is amended to read:

570 142.01 Fine and forfeiture fund; disposition of revenue;
 571 clerk of the circuit court.—

572 (1) There shall be established by the clerk of the circuit
 573 court in each county of this state a separate fund to be known
 574 as the fine and forfeiture fund for use by the clerk of the
 575 circuit court in performing court-related functions. The fund
 576 shall consist of the following:

577 (c) Court costs pursuant to ss. 28.2402(1)(b),
 578 34.045(1)(b), 318.14(10)(b), 318.18(12)(a) ~~318.18(11)(a)~~,
 579 327.73(9)(a) and (11)(a), and 938.05(3).

580 Section 11. Subsection (4) of section 316.1951, Florida

606-03527-24

20241032c2

581 Statutes, is amended to read:

582 316.1951 Parking for certain purposes prohibited; sale of
583 motor vehicles; prohibited acts.—

584 (4) A local government may adopt an ordinance to allow the
585 towing of a motor vehicle parked in violation of this section. A
586 law enforcement officer, compliance officer, code enforcement
587 officer from any local government agency, or supervisor of the
588 department may issue a citation and cause to be immediately
589 removed at the owner's expense any motor vehicle found in
590 violation of subsection (1), except as provided in subsections
591 (2) and (3), or in violation of subsection (5), subsection (6),
592 subsection (7), or subsection (8), and the owner shall be
593 assessed a penalty as provided in s. 318.18(22) ~~s. 318.18(21)~~ by
594 the government agency or authority that orders immediate removal
595 of the motor vehicle. A motor vehicle removed under this section
596 shall not be released from an impound or towing and storage
597 facility before a release form prescribed by the department has
598 been completed verifying that the fine has been paid to the
599 government agency or authority that ordered immediate removal of
600 the motor vehicle. However, the owner may pay towing and storage
601 charges to the towing and storage facility pursuant to s. 713.78
602 before payment of the fine or before the release form has been
603 completed.

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

606 316.306 School and work zones; prohibition on the use of a
607 wireless communications device in a handheld manner.—

608 (4) (a) Any person who violates this section commits a
609 noncriminal traffic infraction, punishable as a moving

606-03527-24

20241032c2

610 violation, as provided in chapter 318, and shall have 4 ~~3~~ points
611 assessed against his or her driver license as set forth in s.
612 322.27(3)(d)8. ~~s. 322.27(3)(d)7.~~ For a first offense under this
613 section, in lieu of the penalty specified in s. 318.18 and the
614 assessment of points, a person who violates this section may
615 elect to participate in a wireless communications device driving
616 safety program approved by the Department of Highway Safety and
617 Motor Vehicles. Upon completion of such program, the penalty
618 specified in s. 318.18 and associated costs may be waived by the
619 clerk of the court and the assessment of points must be waived.

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

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

629 316.622 Farm labor vehicles.—

630 (7) A violation of this section is a noncriminal traffic
631 infraction, punishable as provided in s. 318.18(17) ~~s.~~
632 ~~318.18(16)~~.

633 Section 14. Section 318.121, Florida Statutes, is amended
634 to read:

635 318.121 Preemption of additional fees, fines, surcharges,
636 and costs.—Notwithstanding any general or special law, or
637 municipal or county ordinance, additional fees, fines,
638 surcharges, or costs other than the court costs and surcharges

606-03527-24

20241032c2

639 assessed under s. 318.18(12), (14), (19), (20), and (23) ~~s.~~
640 ~~318.18(11), (13), (18), (19), and (22)~~ may not be added to the
641 civil traffic penalties assessed under this chapter.

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

644 318.21 Disposition of civil penalties by county courts.—All
645 civil penalties received by a county court pursuant to the
646 provisions of this chapter shall be distributed and paid monthly
647 as follows:

648 (13) Of the proceeds from the fine under s. 318.18(16) ~~s.~~
649 ~~318.18(15)~~, \$65 shall be remitted to the Department of Revenue
650 for deposit into the Administrative Trust Fund of the Department
651 of Health and the remaining \$60 shall be distributed pursuant to
652 subsections (1) and (2).

653 (16) The proceeds from the fines described in s. 318.18(17)
654 ~~s. 318.18(16)~~ shall be remitted to the law enforcement agency
655 that issues the citation for a violation of s. 316.622. The
656 funds must be used for continued education and enforcement of s.
657 316.622 and other related safety measures contained in chapter
658 316.

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

663 (18) Notwithstanding subsections (1) and (2), the proceeds
664 from the administrative fee imposed under s. 318.18(19) ~~s.~~
665 ~~318.18(18)~~ shall be distributed as provided in that subsection.

666 (19) Notwithstanding subsections (1) and (2), the proceeds
667 from the Article V assessment imposed under s. 318.18(20) ~~s.~~

606-03527-24

20241032c2

668 ~~318.18(19)~~ shall be distributed as provided in that subsection.

669 (21) Notwithstanding subsections (1) and (2), the proceeds
670 from the additional penalties imposed pursuant to s.

671 318.18(5)(c) and (21) ~~(20)~~ shall be distributed as provided in
672 that section.

673 Section 16. Paragraph (d) of subsection (3) of section
674 322.27, Florida Statutes, is amended to read:

675 322.27 Authority of department to suspend or revoke driver
676 license or identification card.—

677 (3) There is established a point system for evaluation of
678 convictions of violations of motor vehicle laws or ordinances,
679 and violations of applicable provisions of s. 403.413(6)(b) when
680 such violations involve the use of motor vehicles, for the
681 determination of the continuing qualification of any person to
682 operate a motor vehicle. The department is authorized to suspend
683 the license of any person upon showing of its records or other
684 good and sufficient evidence that the licensee has been
685 convicted of violation of motor vehicle laws or ordinances, or
686 applicable provisions of s. 403.413(6)(b), amounting to 12 or
687 more points as determined by the point system. The suspension
688 shall be for a period of not more than 1 year.

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

692 1. Reckless driving, willful and wanton—4 points.

693 2. Leaving the scene of a crash resulting in property
694 damage of more than \$50—6 points.

695 3. Unlawful speed, or unlawful use of a wireless
696 communications device, resulting in a crash—6 points.

606-03527-24

20241032c2

- 697 4. Passing a stopped school bus:
- 698 a. Not causing or resulting in serious bodily injury to or
- 699 death of another—4 points.
- 700 b. Causing or resulting in serious bodily injury to or
- 701 death of another—6 points.
- 702 c. Points may not be imposed for a violation of passing a
- 703 stopped school bus as provided in s. 316.172(1)(a) or (b) when
- 704 enforced by a school bus infraction detection system pursuant s.
- 705 316.173. In addition, a violation of s. 316.172(1)(a) or (b)
- 706 when enforced by a school bus infraction detection system
- 707 pursuant to s. 316.173 may not be used for purposes of setting
- 708 motor vehicle insurance rates.
- 709 5. Unlawful speed:
- 710 a. Not in excess of 15 miles per hour of lawful or posted
- 711 speed—3 points.
- 712 b. In excess of 15 miles per hour of lawful or posted
- 713 speed—4 points.
- 714 c. Points may not be imposed for a violation of unlawful
- 715 speed as provided in s. 316.1895 or s. 316.183 when enforced by
- 716 a traffic infraction enforcement officer pursuant to s.
- 717 316.1896. In addition, a violation of s. 316.1895 or s. 316.183
- 718 when enforced by a traffic infraction enforcement officer
- 719 pursuant to s. 316.1896 may not be used for purposes of setting
- 720 motor vehicle insurance rates.
- 721 6. A violation of a traffic control signal device as
- 722 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.
- 723 However, points may not be imposed for a violation of s.
- 724 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
- 725 stop at a traffic signal and when enforced by a traffic

606-03527-24

20241032c2

726 infraction enforcement officer. In addition, a violation of s.
727 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
728 stop at a traffic signal and when enforced by a traffic
729 infraction enforcement officer may not be used for purposes of
730 setting motor vehicle insurance rates.

731 7. Unlawfully driving a vehicle through a railroad-highway
732 grade crossing—6 points.

733 8. All other moving violations (including parking on a
734 highway outside the limits of a municipality)—3 points. However,
735 points may not be imposed for a violation of s. 316.0741 or s.
736 316.2065(11); and points may be imposed for a violation of s.
737 316.1001 only when imposed by the court after a hearing pursuant
738 to s. 318.14(5).

739 ~~9.8.~~ Any moving violation covered in this paragraph,
740 excluding unlawful speed and unlawful use of a wireless
741 communications device, resulting in a crash—4 points.

742 ~~10.9.~~ Any conviction under s. 403.413(6)(b)—3 points.

743 ~~11.10.~~ Any conviction under s. 316.0775(2)—4 points.

744 ~~12.11.~~ A moving violation covered in this paragraph which
745 is committed in conjunction with the unlawful use of a wireless
746 communications device within a school safety zone—2 points, in
747 addition to the points assigned for the moving violation.

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

750 331.3051 Duties of Space Florida.—Space Florida shall:

751 ~~(14) Partner with the Metropolitan Planning Organization~~
752 ~~Advisory Council to coordinate and specify how aerospace~~
753 ~~planning and programming will be part of the state's cooperative~~
754 ~~transportation planning process.~~

606-03527-24

20241032c2

755 Section 18. Paragraph (e) of subsection (2) of section
756 331.310, Florida Statutes, is amended to read:

757 331.310 Powers and duties of the board of directors.—

758 (2) The board of directors shall:

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

761 ~~331.3051(16)~~. The report must include, but not be limited to, a
762 balance sheet, an income statement, a statement of changes in
763 financial position, a reconciliation of changes in equity
764 accounts, a summary of significant accounting principles, the
765 auditor's report, a summary of the status of existing and
766 proposed bonding projects, comments from management about the
767 year's business, and prospects for the next year.

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

770 395.4036 Trauma payments.—

771 (1) Recognizing the Legislature's stated intent to provide
772 financial support to the current verified trauma centers and to
773 provide incentives for the establishment of additional trauma
774 centers as part of a system of state-sponsored trauma centers,
775 the department shall utilize funds collected under s. 318.18 and
776 deposited into the Emergency Medical Services Trust Fund of the
777 department to ensure the availability and accessibility of
778 trauma services throughout the state as provided in this
779 subsection.

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

782 1. Twenty percent of the total funds collected during the
783 state fiscal year shall be distributed to verified trauma

606-03527-24

20241032c2

784 centers that have a local funding contribution as of December
785 31. Distribution of funds under this subparagraph shall be based
786 on trauma caseload volume for the most recent calendar year
787 available.

788 2. Forty percent of the total funds collected shall be
789 distributed to verified trauma centers based on trauma caseload
790 volume for the most recent calendar year available. The
791 determination of caseload volume for distribution of funds under
792 this subparagraph shall be based on the hospital discharge data
793 for patients who meet the criteria for classification as a
794 trauma patient reported by each trauma center pursuant to s.
795 408.061.

796 3. Forty percent of the total funds collected shall be
797 distributed to verified trauma centers based on severity of
798 trauma patients for the most recent calendar year available. The
799 determination of severity for distribution of funds under this
800 subparagraph shall be based on the department's International
801 Classification Injury Severity Scores or another statistically
802 valid and scientifically accepted method of stratifying a trauma
803 patient's severity of injury, risk of mortality, and resource
804 consumption as adopted by the department by rule, weighted based
805 on the costs associated with and incurred by the trauma center
806 in treating trauma patients. The weighting of scores shall be
807 established by the department by rule.

808 (b) Funds collected under s. 318.18(5)(c) and (21) ~~s.~~
809 ~~318.18(5)(c) and (20)~~ shall be distributed as follows:

810 1. Thirty percent of the total funds collected shall be
811 distributed to Level II trauma centers operated by a public
812 hospital governed by an elected board of directors as of

606-03527-24

20241032c2

813 December 31, 2008.

814 2. Thirty-five percent of the total funds collected shall
815 be distributed to verified trauma centers based on trauma
816 caseload volume for the most recent calendar year available. The
817 determination of caseload volume for distribution of funds under
818 this subparagraph shall be based on the hospital discharge data
819 for patients who meet the criteria for classification as a
820 trauma patient reported by each trauma center pursuant to s.
821 408.061.

822 3. Thirty-five percent of the total funds collected shall
823 be distributed to verified trauma centers based on severity of
824 trauma patients for the most recent calendar year available. The
825 determination of severity for distribution of funds under this
826 subparagraph shall be based on the department's International
827 Classification Injury Severity Scores or another statistically
828 valid and scientifically accepted method of stratifying a trauma
829 patient's severity of injury, risk of mortality, and resource
830 consumption as adopted by the department by rule, weighted based
831 on the costs associated with and incurred by the trauma center
832 in treating trauma patients. The weighting of scores shall be
833 established by the department by rule.

834 Section 20. By October 31, 2024, the Department of
835 Transportation shall submit to the Governor, the President of
836 the Senate, and the Speaker of the House of Representatives a
837 report that provides a comprehensive review of the boundaries of
838 each of the department's districts and makes recommendations as
839 to whether any district's boundaries should be redrawn as a
840 result of population growth and increased urban density.

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