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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/28/2024	.	
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The Committee on Fiscal Policy (DiCeglie) recommended the following:

Senate Amendment (with title amendment)

Delete lines 121 - 309

and insert:

Section 3. Section 334.046, Florida Statutes, is amended to read:

334.046 Department mission, goals, and objectives.—

(1) The department shall consider the following prevailing



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10 principles ~~when to be considered in~~ planning and developing the
11 state's multimodal an integrated, balanced statewide
12 transportation system are: preserving Florida's the existing
13 transportation infrastructure; supporting its enhancing
14 Florida's economic competitiveness; promoting the efficient
15 movement of people and goods; and preserving Florida's quality
16 of life of this state improving travel choices to ensure
17 mobility.

18 (2) The mission of the Department of Transportation shall
19 be to provide a safe statewide transportation system that
20 promotes the efficient movement ensures the mobility of people
21 and goods, supports the state's enhances economic
22 competitiveness, prioritizes Florida's environment and natural
23 resources prosperity, and preserves the quality of life and
24 connectedness of the state's our environment and communities.

25 (3) ~~The department shall document in the Florida~~
26 ~~Transportation Plan, in accordance with s. 339.155 and based~~
27 ~~upon the prevailing principles outlined in this section shall be~~
28 incorporated into all of preserving the existing transportation
29 infrastructure, enhancing Florida's economic competitiveness,
30 and improving travel choices to ensure mobility, the goals and
31 objectives that provide statewide policy guidance for
32 accomplishing the department's mission, including the Florida
33 Transportation Plan outlined in s. 339.155.

34 (4) At a minimum, the department's goals shall address the
35 following prevailing principles:-

36 (a) Maintaining investments Preservation.-Protecting the
37 state's transportation infrastructure investment, which-
38 Preservation includes:



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39 1. Ensuring that 80 percent of the pavement on the State
40 Highway System meets department standards;

41 2. Ensuring that 90 percent of department-maintained
42 bridges meet department standards; and

43 3. Ensuring that the department achieves 100 percent of the
44 acceptable maintenance standard on the state highway system.

45 (b) *Economic competitiveness.*—Ensuring that the state has a
46 clear understanding of the return on investment and economic
47 impacts consequences of transportation infrastructure
48 investments, and how such investments affect the state's
49 economic competitiveness. The department must develop a
50 macroeconomic analysis of the linkages between transportation
51 investment and economic performance, as well as a method to
52 quantifiably measure the economic benefits of the district-work-
53 program investments. Such an analysis must analyze:

54 1. The state's and district's economic performance relative
55 to the competition.

56 2. The business environment as viewed from the perspective
57 of companies evaluating the state as a place in which to do
58 business.

59 3. The state's capacity to sustain long-term growth.

60 (c) Connected transportation system Mobility.—Ensuring a
61 cost-effective, statewide, interconnected transportation system
62 that provides for the most efficient and effective multimodality
63 and mobility.

64 (d) Preserving Florida's natural resources and quality of
65 life.—Prioritizing Florida's natural resources and the quality
66 of life of its communities.

67 Section 4. Section 334.61, Florida Statutes, is created to



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68 read:

69 334.61 Traffic lane repurposing.-

70 (1) Whenever a governmental entity proposes any project
71 that will repurpose one or more existing traffic lanes, the
72 governmental entity shall include a traffic study to address any
73 potential adverse impacts of the project, including, but not
74 limited to, changes in traffic congestion and impacts on safety.

75 (2) If, following the study required by subsection (1), the
76 governmental entity elects to continue with the design of the
77 project, it must notify all affected property owners, impacted
78 municipalities, and the counties in which the project is located
79 at least 180 days before the design phase of the project is
80 completed. The notice must provide a written explanation
81 regarding the need for the project, information on how to review
82 the traffic study required by subsection (1), and indicate that
83 all affected parties will be given an opportunity to provide
84 comments to the proposing entity regarding potential impacts of
85 the change.

86 (3) The governmental entity shall hold at least one public
87 meeting, with at least 30 days prior notice, before completing
88 the design phase of the project in the jurisdiction where the
89 project is located. At the public meeting, the governmental
90 entity shall explain the purpose of the project and receive
91 public input, including possible alternatives, to determine the
92 manner in which the project will affect the community.

93 (4) The governmental entity shall review all comments from
94 the public meeting and take the comments and any alternatives
95 presented during the meeting into consideration in the final
96 design of the project.



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97 Section 5. Paragraph (c) of subsection (3) of section
98 338.231, Florida Statutes, is amended to read:

99 338.231 Turnpike tolls, fixing; pledge of tolls and other
100 revenues.—The department shall at all times fix, adjust, charge,
101 and collect such tolls and amounts for the use of the turnpike
102 system as are required in order to provide a fund sufficient
103 with other revenues of the turnpike system to pay the cost of
104 maintaining, improving, repairing, and operating such turnpike
105 system; to pay the principal of and interest on all bonds issued
106 to finance or refinance any portion of the turnpike system as
107 the same become due and payable; and to create reserves for all
108 such purposes.

109 (3)

110 (c) Notwithstanding any other provision of law to the
111 contrary, any prepaid toll account of any kind which has
112 remained inactive for 10 ~~3~~ years is ~~shall be~~ presumed unclaimed
113 and its disposition shall be handled by the Department of
114 Financial Services in accordance with all applicable provisions
115 of chapter 717 relating to the disposition of unclaimed
116 property, and the prepaid toll account shall be closed by the
117 department.

118 Section 6. Subsection (5) is added to section 339.08,
119 Florida Statutes, to read:

120 339.08 Use of moneys in State Transportation Trust Fund.—

121 (5) The department may not expend any state funds as
122 described in s. 215.31 to support a project or program of any of
123 the following entities:

124 (a) A public transit provider as defined in s. 341.031;

125 (b) An authority created pursuant to chapter 343, chapter



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126 348, or chapter 349;

127 (c) A public-use airport as defined in s. 332.004; or

128 (d) A port listed in s. 311.09(1),

129

130 which is found in violation of s. 381.00316. The department

131 shall withhold state funds until the public transit provider,

132 authority, public-use airport, or port is found in compliance

133 with s. 381.00316.

134 Section 7. Section 339.0803, Florida Statutes, is amended
135 to read:

136 339.0803 Allocation of increased revenues derived from
137 amendments to s. 320.08 by ch. 2019-43.—

138 (1) Beginning in the 2021-2022 fiscal year and each fiscal
139 year thereafter, funds that result from increased revenues to
140 the State Transportation Trust Fund derived from the amendments
141 to s. 320.08 made by chapter 2019-43, Laws of Florida, and
142 deposited into the fund pursuant to s. 320.20(5)(a) must be used
143 to fund arterial highway projects identified by the department
144 in accordance with s. 339.65 and may be used for projects as
145 specified in ss. 339.66 and 339.67. For purposes of the funding
146 provided in this section, the department shall prioritize use of
147 existing facilities or portions thereof when upgrading arterial
148 highways to limited or controlled access facilities. However,
149 this section does not preclude use of the funding for projects
150 that enhance the capacity of an arterial highway. The funds
151 allocated as provided in this section shall be in addition to
152 any other statutory funding allocations provided by law.

153 (2) Revenues deposited into the State Transportation Trust
154 Fund pursuant to s. 320.20(5)(a) shall first be available for



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155 appropriation for payments under a service contract entered into
156 with the Florida Department of Transportation Financing
157 Corporation pursuant to s. 339.0809(4) to fund arterial highway
158 projects. For the corporation's bonding purposes, two or more
159 such projects in the department's adopted work program may be
160 treated as a single project.

161 Section 8. Subsection (13) of section 339.0809, Florida
162 Statutes, is amended, and subsection (14) is added to that
163 section, to read:

164 339.0809 Florida Department of Transportation Financing
165 Corporation.—

166 (13) The department may enter into a service contract in
167 conjunction with the issuance of debt obligations as provided in
168 this section which provides for periodic payments for debt
169 service or other amounts payable with respect to debt
170 obligations, plus any administrative expenses of the Florida
171 Department of Transportation Financing Corporation. Funds
172 appropriated for payments under a service contract shall be
173 available after funds pledged to payment on bonds, but before
174 other statutorily required distributions.

175 (14) The department may enter into a service contract to
176 finance the projects authorized in s. 215 of ch. 2023-239, Laws
177 of Florida, and in budget amendment EOG# 2024-B0112, and
178 subsequently adopted into the 5-year work program. Service
179 contract payments may not exceed 7 percent of the funds
180 deposited in the State Transportation Trust Fund in each fiscal
181 year. The annual payments under such service contract shall be
182 included in the department's work program and legislative budget
183 request developed pursuant to s. 339.135. The department shall



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184 ensure that the annual payments are programmed for the life of
185 the service contract before execution of the service contract
186 and shall remain programmed until fully paid.

187 Section 9. Subsection (8) is added to section 339.2818,
188 Florida Statutes, to read:

189 339.2818 Small County Outreach Program.—

190 (8) Subject to a specific appropriation in addition to
191 funds appropriated for projects under this section, a local
192 government either wholly or partially within the Everglades
193 Agricultural Area as defined in s. 373.4592(15), the Peace River
194 Basin, or the Suwannee River Basin may compete for additional
195 funding using the criteria listed in paragraph (4) (c) at up to
196 100 percent of project costs on state or county roads used
197 primarily as farm-to-market connections between rural
198 agricultural areas and market distribution centers, excluding
199 capacity improvement projects.

200 Section 10. Subsection (6) of section 341.051, Florida
201 Statutes, is amended, paragraphs (c) and (d) are added to
202 subsection (2), and subsection (8) is added to that section, to
203 read:

204 341.051 Administration and financing of public transit and
205 intercity bus service programs and projects.—

206 (2) PUBLIC TRANSIT PLAN.—

207 (c) Any lane elimination or lane repurposing,
208 recommendation, or application relating to public transit
209 projects must be approved by a two-thirds vote of the transit
210 authority board in a public meeting to be held after a 30-day
211 public notice.

212 (d) Any action of eminent domain for acquisition of public



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213 transit facilities carried out by a public transit provider must
214 be discussed by the public transit provider at a public meeting
215 to be held after a 30-day public notice.

216 (6) (a) ANNUAL APPROPRIATION.—Funds paid into the State
217 Transportation Trust Fund pursuant to s. 201.15 for the New
218 Starts Transit Program are hereby annually appropriated for
219 expenditure to support the New Starts Transit Program.

220 (b) The remaining unallocated New Starts Transit Program
221 funds as of June 30, 2024 shall be reallocated for the purpose
222 of the Strategic Intermodal System within the State
223 Transportation Trust Fund. This paragraph expires June 30, 2026.

224 (8) EXTERIOR VEHICLE WRAP, TINTING, PAINT, MARKETING, AND
225 ADVERTISING.—

226 (a) As a condition of receiving funds from the department,
227 a public transit provider may not expend department funds for
228 marketing or advertising activities, including any wrap,
229 tinting, paint, or other medium displayed, attached, or affixed
230 on a bus, commercial motor vehicle, or motor vehicle that is
231 owned, leased, or operated by a public transit provider and is
232 limited to displaying a brand or logo of the public transit
233 provider, the official seal of the jurisdictional governmental
234 entity, or a state agency public service announcement.

235 (b) The department shall incorporate guidelines for the
236 marketing or advertising activities allowed under paragraph (a)
237 in the public transportation grant agreement entered into with
238 each public transit provider.

239 (c) Any new wrap, tinting, paint, medium, or advertisement
240 on the passenger windows of a vehicle used by a public transit
241 provider may not be darker than the legally allowed window



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242 tinting requirements as provided in s. 316.2954.

243

244 For purposes of this section, the term "net operating costs"
245 means all operating costs of a project less any federal funds,
246 fares, or other sources of income to the project.

247 Section 11. Subsection (4) is added to section 341.071,
248 Florida Statutes, to read:

249 341.071 Transit productivity and performance measures;
250 reports.—

251 (4) (a) As used in this subsection, the term:

252 1. "General administrative costs" includes, but is not
253 limited to, costs related to transit service development,
254 injuries and damages, safety, personnel administration, legal
255 services, data processing, finance and accounting, purchasing
256 and stores, engineering, real estate management, office
257 management and services, customer service, promotion, market
258 research, and planning. The term does not include insurance
259 costs.

260 2. "Public transit provider" means a public agency
261 providing public transit service, including an authority created
262 pursuant to part II of chapter 343 or chapter 349. The term does
263 not apply to the Central Florida Commuter Rail Commission or the
264 authority created pursuant to part I of chapter 343.

265 3. "Tier 1 provider" has the same meaning as in 49 C.F.R.
266 part 625.

267 4. "Tier 2 provider" has the same meaning as in defined in
268 49 C.F.R. part 625.

269 (b) Beginning November 1, 2024, and annually thereafter,
270 each public transit provider, during a publicly noticed meeting,



- 271 shall:
- 272 1. Certify that its budgeted and general administration
273 costs are not greater than 20 percent above the annual state
274 average of administrative costs for its respective tier.
- 275 2. Present a line-item budget report of its budgeted and
276 actual general administration costs.
- 277 3. Disclose all salaried executive-management-level
278 employees' total compensation packages, ridership performance
279 and metrics, and any gift as defined in s. 112.312 accepted in
280 exchange for contracts. This disclosure shall be posted annually
281 on the public transit provider's website.

282 (c) To support compliance with paragraph (b), the
283 department shall determine, by tier, the annual state average of
284 general administrative costs by determining the percentage of
285 the total operating budget that is expended on general
286 administration costs in this state annually by March 31 to
287 inform the public transit provider's budget for the following
288 fiscal year. Upon review and certification by the department,
289 costs budgeted and expended in association with nontransit-
290 related engineering and construction services may be excluded.

291 (d) A year-over-year cumulative increase of 5 percent or
292 more in general administration costs must be reviewed before the
293 start of the next fiscal year and must be reviewed and approved
294 by the department before approval by the public transportation
295 provider's governing board.

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

297 And the title is amended as follows:

298 Delete lines 14 - 66

299 and insert:



300 tentative work program; amending s. 334.046, F.S.;

301 revising provisions relating to the department's

302 mission, goals, and objectives; creating s. 334.61,

303 F.S.; requiring governmental entities that propose

304 certain projects to conduct a traffic study; requiring

305 notice to property owners, impacted municipalities,

306 and counties affected by such projects within a

307 specified timeframe; providing notice requirements;

308 requiring such governmental entities to hold a public

309 meeting before completion of the design phase of such

310 projects; providing requirements for such public

311 meetings; requiring such governmental entities to

312 review and take into consideration comments and

313 alternatives presented in public meetings in the final

314 project design; amending s. 338.231, F.S.; extending

315 the length of time before which an inactive prepaid

316 toll account becomes unclaimed property; amending s.

317 339.08, F.S.; prohibiting the department from

318 expending state funds to support a project or program

319 of specified entities; requiring the department to

320 withhold state funds until such entities are in

321 compliance with a specified provision; amending s.

322 339.0803, F.S.; prioritizing availability of certain

323 revenues deposited into the State Transportation Trust

324 Fund for payments under service contracts with the

325 Florida Department of Transportation Financing

326 Corporation to fund arterial highway projects;

327 providing that two or more such projects may be

328 treated as a single project for certain purposes;



329 amending s. 339.0809, F.S.; specifying availability of
330 funds appropriated for payments under a service
331 contract with the corporation; authorizing the
332 department to enter into service contracts to finance
333 certain projects; providing requirements for annual
334 service contract payments; requiring the department,
335 before execution of a service contract, to ensure that
336 annual payments are programmed for the life of the
337 contract and to ensure that they remain programmed
338 until fully paid; amending s. 339.2818, F.S.;

339 authorizing, subject to appropriation, a local
340 government within a specified area to compete for
341 funding using specified criteria on specified roads;
342 providing an exclusion; amending s. 341.051, F.S.;

343 providing voting and meeting notice requirements for
344 specified public transit projects; providing meeting
345 notice requirements for discussion of specified
346 actions by a public transit provider; requiring that
347 certain unallocated funds for the New Starts Transit
348 Program be reallocated for the purpose of the
349 Strategic Intermodal System; limiting, as a condition
350 of receiving state funds, the displays marketing or
351 advertising a public transit provider may display on
352 certain vehicles; requiring the department to
353 incorporate guidelines in the public transportation
354 grant agreement entered into with each public transit
355 provider; prohibiting certain media on passenger
356 windows of public transit provider vehicles from being
357 darker than certain window tinting requirements;



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358 amending s. 341.071, F.S.; defining terms; beginning
359 on a specified date and annually thereafter, requiring
360 each public transit provider to take specified actions
361 during a publicly noticed meeting; requiring that a
362 certain disclosure be posted on public transit
363 providers' websites; requiring a specified increase in
364 general administration costs to be reviewed and
365 approved by certain entities; amending