

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>    </u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>      </u>	

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1 Committee/Subcommittee hearing bill: Infrastructure Strategies  
 2 Committee

3 Representative Abbott offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 66-342 and insert:

7 Section 1. Paragraphs (b) and (d) of subsection (3) of  
 8 section 20.23, Florida Statutes, is amended to read:

9 20.23 Department of Transportation.—There is created a  
 10 Department of Transportation which shall be a decentralized  
 11 agency.

12 (3)

13 (b) The secretary may appoint positions at the level of  
 14 deputy assistant secretary or director which the secretary deems  
 15 necessary to accomplish the mission and goals of the department,  
 16 including, but not limited to, the areas of program

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17 responsibility provided in this paragraph, each of whom shall be  
18 appointed by and serve at the pleasure of the secretary. The  
19 secretary may combine, separate, or delete offices as needed in  
20 consultation with the Executive Office of the Governor. The  
21 department's areas of program responsibility include, but are  
22 not limited to:

- 23 1. Administration;
- 24 2. Planning;
- 25 3. Modal development ~~Public transportation~~;
- 26 4. Design;
- 27 5. Highway operations;
- 28 6. Right-of-way;
- 29 7. Toll operations;
- 30 8. Transportation technology;
- 31 ~~9.8.~~ Information systems;
- 32 ~~10.9.~~ Motor carrier weight inspection;
- 33 ~~11.10.~~ Work program development ~~Management~~ and budget;
- 34 ~~12.11.~~ Comptroller;
- 35 ~~13.12.~~ Construction;
- 36 14. Statewide corridors;
- 37 ~~15.13.~~ Maintenance; and
- 38 16. Forecasting and performance;
- 39 17. Emergency management;
- 40 18. Safety office; and
- 41 19.14. Materials.

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42 ~~(d) The secretary shall appoint an inspector general~~  
43 ~~pursuant to s. 20.055 who shall be directly responsible to the~~  
44 ~~secretary and shall serve at the pleasure of the secretary.~~

45 Section 2. Paragraph (c) of subsection (3) of section  
46 338.231, Florida Statutes, is amended to read:

47 338.231 Turnpike tolls, fixing; pledge of tolls and other  
48 revenues.—The department shall at all times fix, adjust, charge,  
49 and collect such tolls and amounts for the use of the turnpike  
50 system as are required in order to provide a fund sufficient  
51 with other revenues of the turnpike system to pay the cost of  
52 maintaining, improving, repairing, and operating such turnpike  
53 system; to pay the principal of and interest on all bonds issued  
54 to finance or refinance any portion of the turnpike system as  
55 the same become due and payable; and to create reserves for all  
56 such purposes.

57 (3)

58 (c) Notwithstanding any other ~~provision of~~ law to the  
59 contrary, any prepaid toll account of any kind which has  
60 remained inactive for 10 ~~3~~ years is ~~shall be~~ presumed unclaimed,  
61 and its disposition shall be handled by the Department of  
62 Financial Services in accordance with all applicable provisions  
63 of chapter 717 relating to the disposition of unclaimed  
64 property, and the prepaid toll account shall be closed by the  
65 department.

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66 Section 3. Subsection (5) is added to section 339.08,  
67 Florida Statutes, to read:

68 339.08 Use of moneys in State Transportation Trust Fund.—

69 (5) (a) The department may not expend any state funds as  
70 described in s. 215.31 to support a project or program of:

71 1. A public transit provider as defined in s. 341.031(1);

72 2. An authority created pursuant to chapter 343, chapter  
73 348, or chapter 349;

74 3. A public-use airport as defined in s. 332.004; or

75 4. A port enumerated in s. 311.09(1)

76

77 which is found in violation of s. 381.00316. The department  
78 shall withhold state funds until the public transit provider,  
79 authority, public-use airport, or port is found in compliance  
80 with s. 381.00316.

81 Section 4. Section 339.0803, Florida Statutes, is amended  
82 to read:

83 339.0803 Allocation of increased revenues derived from  
84 amendments to s. 320.08 by ch. 2019-43.—

85 (1) Beginning in the 2021-2022 fiscal year and each fiscal  
86 year thereafter, funds that result from increased revenues to  
87 the State Transportation Trust Fund derived from the amendments  
88 to s. 320.08 made by chapter 2019-43, Laws of Florida, and  
89 deposited into the fund pursuant to s. 320.20(5) (a) must be used  
90 to fund arterial highway projects identified by the department

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91 in accordance with s. 339.65 and may be used for projects as  
92 specified in ss. 339.66 and 339.67. For purposes of the funding  
93 provided in this section, the department shall prioritize use of  
94 existing facilities or portions thereof when upgrading arterial  
95 highways to limited or controlled access facilities. However,  
96 this section does not preclude use of the funding for projects  
97 that enhance the capacity of an arterial highway. The funds  
98 allocated as provided in this section shall be in addition to  
99 any other statutory funding allocations provided by law.

100 (2) Revenues deposited into the State Transportation Trust  
101 Fund pursuant to s. 320.20(5)(a) shall first be available for  
102 appropriation for payments under a service contract entered into  
103 with the Florida Department of Transportation Financing  
104 Corporation pursuant to s. 339.0809(4) to fund arterial highway  
105 projects. For the corporation's bonding purposes, two or more of  
106 such projects in the department's approved work program may be  
107 treated as a single project.

108 Section 5. Subsection (13) of section 339.0809, Florida  
109 Statutes, is amended to read:

110 339.0809 Florida Department of Transportation Financing  
111 Corporation.—

112 (13) (a) The department may enter into a service contract  
113 in conjunction with the issuance of debt obligations as provided  
114 in this section which provides for periodic payments for debt  
115 service or other amounts payable with respect to debt

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116 obligations, plus any administrative expenses of the Florida  
117 Department of Transportation Financing Corporation. Funds  
118 appropriated for payments under a service contract shall be  
119 available after funds pledged to payment on bonds but before  
120 other statutorily required distributions.

121 (b) For the purposes of this subsection, the department  
122 may enter into a service contract to finance those 20 projects  
123 identified in the Moving Florida Forward Infrastructure  
124 Initiative in the work program. Service contract payments may  
125 not exceed 7 percent of the funds deposited in the State  
126 Transportation Trust Fund in each fiscal year. The annual  
127 payments under such service contract shall be included in the  
128 department's tentative work program and legislative budget  
129 request developed under s. 339.135. The department shall ensure  
130 that the annual payments are programmed for the life of the  
131 service contract before execution of the service contract and  
132 shall remain programmed until fully paid.

133 Section 6. Subsection (6) is added to section 339.155,  
134 Florida Statutes, to read:

135 339.155 Transportation planning.—

136 (6) PECUNIARY TRANSPORTATION PLANNING REQUIREMENTS.—As  
137 used in this subsection, the term "nonpecuniary factor" means  
138 social, political, or ideological interests, including  
139 environmental, social, and corporate governance (ESG) interests;  
140 social governance standards, benchmarks, and requirements,

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141 including any initiative adopted by the federal government or  
142 agency thereof to achieve a reduction in carbon dioxide  
143 emissions or thresholds to achieve net zero emissions of carbon  
144 dioxide.

145 (a) Notwithstanding any other law to the contrary, when  
146 developing plans outlined in this section, the department may  
147 not consider any nonpecuniary factor. Rather, the department  
148 shall consider pecuniary factors, including, but not limited to,  
149 the material effects on the risk or return of an investment,  
150 mitigation against natural hazards, and long-term financial  
151 viability.

152 (b) The requirements of this subsection also apply to all  
153 metropolitan planning organizations subject to s. 339.175.

154 Section 7. Section 339.652, Florida Statutes, is created  
155 to read:

156 339.652 Supply Chain Innovation Grant Program.—

157 (1)(a) There is created the Supply Chain Innovation Grant  
158 Program within the Department of Commerce. Subject to  
159 appropriation by the Legislature and in collaboration with the  
160 Department of Transportation, the Department of Commerce shall  
161 annually consider applications submitted under the program by  
162 ports listed in s. 311.09(1); class I, II, or III freight  
163 railroads; public airports as defined in s. 330.27; and  
164 intermodal logistics centers or inland ports as defined in s.  
165 311.101(2) to fund proposed projects that support supply chain

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166 innovation. Each award made shall be matched dollar-for-dollar  
167 by nonstate funds. Project selection shall be based on projects  
168 that create strategic investments in infrastructure to increase  
169 capacity and address freight mobility to meet the economic  
170 development goals of the state. In the selection process,  
171 priority should be given to projects with innovative plans,  
172 advanced technologies, and development strategies that focus on  
173 future growth and economic prosperity of the supply chain across  
174 the state. Project criteria shall include consideration of:

- 175 1. Consistency with plans and studies produced by the  
176 Department of Commerce and the Department of Transportation.
- 177 2. Projects that directly increase efficiency in the  
178 delivery of goods.
- 179 3. Improved freight mobility access while reducing  
180 congestion, including, but not limited to, overnight truck  
181 parking at rest areas, weigh stations, and intermodal logistics  
182 centers.
- 183 4. Increased fuel storage and distribution capacity across  
184 the state, including, but not limited to petroleum, hydrogen,  
185 ethanol, and natural gas located at seaports and spaceports.
- 186 5. Securing a sustainable logistics transportation network  
187 throughout this state.
- 188 6. Developing connections to multimodal transportation  
189 systems.



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190 7. Addressing emerging supply chain and transportation  
191 industry challenges.

192 (b) The Department of Commerce and the Department of  
193 Transportation shall also consider applications for funding  
194 submitted by public and private entities seeking to develop and  
195 establish vertiports in this state. Each award made for  
196 vertiport development shall be matched dollar-for-dollar by  
197 nonstate funds. For purposes of this subsection, the term  
198 "vertiport" means a system or infrastructure with supporting  
199 services and equipment used for landing, ground handling, and  
200 takeoff of manned or unmanned vertical takeoff and landing  
201 (VTOL) aircraft.

202 (2) Awardees under this program shall be selected jointly  
203 by the Department of Transportation and the Department of  
204 Commerce, and grants awarded under this program shall be  
205 administered by the Department of Commerce. The Department of  
206 Transportation and the Department of Commerce may adopt rules to  
207 implement this section.

208 (3) The Department of Commerce, in conjunction with the  
209 Department of Transportation, shall generate a Supply Chain  
210 Innovation Grant Program report that shall include a list of  
211 each Supply Chain Innovation Grant Program project awarded and  
212 the benefit of each project toward meeting the Supply Chain  
213 Innovation Grant Program goals and objectives. The Department of  
214 Commerce must provide the report to the Governor, the President

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215 of the Senate, and the Speaker of the House of Representatives  
216 by October 1, 2025, and biennially thereafter.

217 Section 8. Paragraphs (c) and (d) are added to subsection  
218 (2) of section 341.051, Florida Statutes, and subsection (6) of  
219 that section is amended, to read:

220 341.051 Administration and financing of public transit and  
221 intercity bus service programs and projects.—

222 (2)

223 (c) Any lane elimination or lane repurposing,  
224 recommendation, or application relating to public transit  
225 projects must be approved by a two-thirds vote of the transit  
226 authority board in a public meeting with a 30-day public notice.

227 (d) Any action of eminent domain for acquisition of public  
228 transit facilities carried out by a public transit provider  
229 shall be discussed by the public transit provider at a public  
230 meeting with a 30-day public notice.

231 (6) ANNUAL APPROPRIATION.—Funds paid into the State  
232 Transportation Trust Fund pursuant to s. 201.15 for the New  
233 Starts Transit Program are hereby annually appropriated for  
234 expenditure to support the New Starts Transit Program. The  
235 remaining unallocated New Starts Transit Program funds as of  
236 June 30 of each fiscal year, shall be reallocated for the  
237 purpose of the Strategic Intermodal System within the State  
238 Transportation Trust Fund.

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

243 Section 9. Subsection (4) is added to section 341.071,  
244 Florida Statutes, to read:

245 341.071 Transit productivity and performance measures;  
246 reports.—

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

248 1. "General administration costs" includes, but is not  
249 limited to, transit service development, injuries and damages,  
250 safety, personnel administration, legal services, data  
251 processing, finance and accounting, purchasing and stores,  
252 engineering, real estate management, office management and  
253 services, customer service, promotion, market research, and  
254 planning. This term does not include insurance costs.

255 2. "Public transit provider" means a public agency  
256 providing public transit service, including an authority created  
257 pursuant to chapter 343 part II or chapter 349. This section  
258 does not apply to Central Florida Commuter Rail or the authority  
259 created pursuant to chapter 343 part I.

260 3. "Tier 1 provider" as defined in 49 C.F.R. Part 625.

261 4. "Tier 2 provider" as defined in 49 C.F.R. Part 625.

262 (b) Beginning November 1, 2024, and annually thereafter,  
263 each public transit provider, during a publicly noticed meeting  
264 shall:

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265 1. Annually certify that its budgeted and general  
266 administration costs are not greater than 20 percent above the  
267 annual state average of administrative costs for their  
268 respective tier.

269 2. Annually present a line-item budget report of its  
270 budgeted and actual general administration costs.

271 3. Disclose all salaried executive and management level  
272 employees' total compensation package, ridership performance and  
273 metrics, and any gift as defined in s. 112.312 accepted in  
274 exchange for contracts. This report shall be posted annually on  
275 the transit provider's website.

276 (c) To support compliance with paragraph (b), by tier, the  
277 department shall determine the annual state average of  
278 administrative costs by determining the percentage of the total  
279 operating budget that is expended on General Administration  
280 costs in this state annually by March 31 to inform the  
281 provider's following Fiscal Year budget.

282 Section 10. Section 341.072, Florida Statutes, is created  
283 to read:

284 341.072 Public Transit Provider Marketing and Advertising  
285 Standards.-

286 (1)(a) As a condition of receiving state funds a public  
287 transit provider may not expend state funds directly,  
288 indirectly, or through a grant or agreement, for marketing or  
289 advertising activities, including any wrap, tinting, or paint on

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290 a bus, commercial motor vehicle, or motor vehicle, as those  
291 terms are defined in s. 316.003, except those that are limited  
292 to displaying a brand or logo of the public transit provider,  
293 the official seal of the jurisdictional government entity, or  
294 state agency public service announcement.

295 (b) The department shall have priority placement for  
296 marketing or advertising activities, including any wrap,  
297 tinting, or paint on a bus, commercial motor vehicle, or motor  
298 vehicle, as those terms are defined in s. 316.003.

299 (2) The department shall incorporate guidelines for the  
300 activities allowed under subsection (1) in the public  
301 transportation grant agreement entered with each public transit  
302 provider.

303

304 -----

305 **T I T L E A M E N D M E N T**

306 Remove lines 3-58 and insert:

307 amending s. 20.23, F.S.; revising the list of areas of  
308 program responsibility within the Department of  
309 Transportation; removing provisions requiring the  
310 secretary of the department to appoint an inspector  
311 general; amending s. 338.231, F.S.; revising the time  
312 period for which a prepaid toll account must remain  
313 inactive in order to be presumed unclaimed; amending  
314 s. 339.08, F.S.; prohibiting the department from

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1301 (2024)

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315 expending certain state funds to support certain  
316 projects or programs; amending s. 339.0803, F.S.;  
317 prioritizing availability of certain revenues  
318 deposited into the State Transportation Trust Fund for  
319 payments under service contracts with the Florida  
320 Department of Transportation Financing Corporation to  
321 fund arterial highway projects; authorizing two or  
322 more of such projects to be treated as a single  
323 project for certain purposes; amending s. 339.0809,  
324 F.S.; specifying priority of availability of funds  
325 appropriated for payments under a service contract  
326 with the corporation; authorizing the department to  
327 enter into service contracts to finance projects  
328 identified in the Moving Florida Forward  
329 Infrastructure Initiative; providing requirements for  
330 annual service contract payments; amending s. 339.155,  
331 F.S.; defining the term "nonpecuniary factor";  
332 prohibiting the department from considering  
333 nonpecuniary factors when developing transportation  
334 plans; requiring consideration of certain pecuniary  
335 factors; providing applicability; creating s. 339.652,  
336 F.S.; creating the Supply Chain Innovation Grant  
337 Program within the Department of Commerce; providing  
338 the purpose of the program; requiring the Department  
339 of Commerce and the Department of Transportation to

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340 consider applications and select grant awardees;  
341 providing selection criteria; requiring each award  
342 made for vertiport development to be matched by  
343 nonstate funds; defining the term "vertiport";  
344 authorizing the departments to adopt rules; requiring  
345 a biennial report to the Governor and Legislature;  
346 amending s. 341.051, F.S.; providing voting and  
347 meeting notice requirements for specified public  
348 transit projects; providing meeting notice and other  
349 requirements for specified actions by a public transit  
350 provider; requiring certain unallocated funds for the  
351 New Starts Transit Program to be reallocated for the  
352 purpose of the Strategic Intermodal System; amending  
353 s. 341.071, F.S.; defining the terms "general  
354 administration costs", "public transit provider",  
355 "tier 1 provider", and "tier 2 provider"; requiring  
356 each public transit provider to annually certify that  
357 its budgeted and general administration costs do not  
358 exceed the annual state average of administrative  
359 costs by more than a certain percentage; requiring  
360 each public transit provider to annually present a  
361 specified budget report; requiring each public transit  
362 provider to annually post a specified report on its  
363 website; specifying the method by which the department  
364 is required to determine a certain annual state

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1301 (2024)

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365 | average; creating s. 341.072, F.S.; prohibiting a  
366 | public transit provider from expending certain state  
367 | funds for certain marketing or advertising activities;  
368 | providing the department priority placement for  
369 | certain marketing or advertising activities;