

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Abbott offered the following:

Substitute Amendment for Amendment (921611) (with title amendment)

Remove lines 117-385 and insert:

Section 2. Subsection (7) of section 311.101, Florida Statutes, is renumbered as subsection (8), and a new subsection (7) is added to that section to read:

311.101 Intermodal Logistics Center Infrastructure Support Program.—

(7) Beginning with the 2024-2025 fiscal year through the 2029-2030 fiscal year, \$15 million in recurring funds shall be made available from the State Transportation Trust Fund for the

241181

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Amendment No.

14 program. The Department of Transportation shall include projects
15 proposed to be funded under this section in the tentative work
16 program developed pursuant to s. 339.135(4).

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

19 334.046 Department mission, goals, and objectives.—

20 (1) The department shall consider the following prevailing
21 principles ~~when to be considered in~~ planning and developing the
22 state's multimodal an integrated, balanced statewide
23 transportation system are: preserving Florida's the existing
24 transportation infrastructure; supporting its enhancing
25 Florida's economic competitiveness; promoting the efficient
26 movement of people and goods; and preserving Florida's quality
27 of life improving travel choices to ensure mobility.

28 (2) The mission of the Department of Transportation shall
29 be to provide a safe statewide transportation system that
30 promotes the efficient movement ~~ensures the mobility~~ of people
31 and goods, supports the state's enhances economic
32 competitiveness, prioritizes Florida's environment and natural
33 resources prosperity, and preserves the quality of life and
34 connectedness of the state's our environment and communities.

35 (3) The ~~department shall document in the Florida~~
36 ~~Transportation Plan, in accordance with s. 339.155 and based~~
37 ~~upon the~~ prevailing principles outlined in this section shall be
38 incorporated into all ~~of preserving the existing transportation~~

241181

Approved For Filing: 2/23/2024 6:57:13 PM

Amendment No.

39 ~~infrastructure, enhancing Florida's economic competitiveness,~~
40 ~~and improving travel choices to ensure mobility,~~ the goals and
41 objectives that provide statewide policy guidance for
42 accomplishing the department's mission, including the Florida
43 Transportation Plan outlined in s. 339.155.

44 (4) At a minimum, the department's goals shall address the
45 following prevailing principles:—

46 (a) Maintaining investments Preservation.—Protecting the
47 state's transportation infrastructure investment, which—
48 Preservation includes:

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

51 2. Ensuring that 90 percent of department-maintained
52 bridges meet department standards; and

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

55 (b) Economic competitiveness.—Ensuring that the state has
56 a clear understanding of the return on investment and economic
57 impacts consequences of transportation infrastructure
58 investments, and how such investments affect the state's
59 economic competitiveness. The department must develop a
60 macroeconomic analysis of the linkages between transportation
61 investment and economic performance, as well as a method to
62 quantifiably measure the economic benefits of the district-work-
63 program investments. Such an analysis must analyze:

241181

Approved For Filing: 2/23/2024 6:57:13 PM

Amendment No.

64 1. The state's and district's economic performance
65 relative to the competition.

66 2. The business environment as viewed from the perspective
67 of companies evaluating the state as a place in which to do
68 business.

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

70 (c) Connected transportation system Mobility.—Ensuring a
71 cost-effective, statewide, interconnected transportation system
72 that provides for the most efficient and effective multimodality
73 and mobility.

74 (d) Preserving Florida's natural resources and quality of
75 life.—Prioritizing Florida's natural resources and the quality
76 of life of its communities.

77 Section 4. Section 334.61, Florida Statutes, is created to
78 read:

79 334.61 Traffic lane repurposing.—

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

85 (2) If, following the study required by subsection (1),
86 the governmental entity elects to continue with the design of
87 the project, it must notify all affected property owners,
88 impacted municipalities, and the counties in which the project

241181

Approved For Filing: 2/23/2024 6:57:13 PM

Amendment No.

89 is located at least 180 days before the design phase of the
90 project is completed. The notice must provide a written
91 explanation regarding the need for the project, include
92 information on how to review the traffic study required by
93 subsection (1), and indicate that all affected parties will be
94 given an opportunity to provide comments to the proposing entity
95 regarding potential impacts of the change.

96 (3) The governmental entity shall hold at least one public
97 meeting, with at least 30 days' prior notice, before completing
98 the design phase of the project in the jurisdiction where the
99 project is located. At the public meeting, the governmental
100 entity shall explain the purpose of the project and receive
101 public input, including possible alternatives, to determine the
102 manner in which the project will affect the community.

103 (4) The governmental entity shall review all comments from
104 the public meeting and take the comments and any alternatives
105 presented during the meeting into consideration in the final
106 design of the project.

107 Section 5. Paragraph (c) of subsection (3) of section
108 338.231, Florida Statutes, is amended to read:

109 338.231 Turnpike tolls, fixing; pledge of tolls and other
110 revenues.—The department shall at all times fix, adjust, charge,
111 and collect such tolls and amounts for the use of the turnpike
112 system as are required in order to provide a fund sufficient
113 with other revenues of the turnpike system to pay the cost of

241181

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Amendment No.

114 maintaining, improving, repairing, and operating such turnpike
115 system; to pay the principal of and interest on all bonds issued
116 to finance or refinance any portion of the turnpike system as
117 the same become due and payable; and to create reserves for all
118 such purposes.

119 (3)

120 (c) Notwithstanding any other ~~provision of~~ law to the
121 contrary, any prepaid toll account of any kind which has
122 remained inactive for 10 ~~3~~ years is shall be presumed unclaimed,
123 and its disposition shall be handled by the Department of
124 Financial Services in accordance with all applicable provisions
125 of chapter 717 relating to the disposition of unclaimed
126 property, and the prepaid toll account shall be closed by the
127 department.

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

130 339.08 Use of moneys in State Transportation Trust Fund.—

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

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

134 (b) An authority created pursuant to chapter 343, chapter
135 348, or chapter 349;

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

137 (d) A port enumerated in s. 311.09(1)
138

241181

Approved For Filing: 2/23/2024 6:57:13 PM

Amendment No.

139 which is found in violation of s. 381.00316. The department
140 shall withhold state funds until the public transit provider,
141 authority, public-use airport, or port is found in compliance
142 with s. 381.00316.

143 Section 7. Section 339.0803, Florida Statutes, is amended
144 to read:

145 339.0803 Allocation of increased revenues derived from
146 amendments to s. 320.08 by ch. 2019-43.—

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

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

241181

Approved For Filing: 2/23/2024 6:57:13 PM

Amendment No.

164 appropriation for payments under a service contract entered into
165 with the Florida Department of Transportation Financing
166 Corporation pursuant to s. 339.0809(4) to fund arterial highway
167 projects. For the corporation's bonding purposes, two or more of
168 such projects in the department's approved work program may be
169 treated as a single project.

170 Section 8. Subsection (13) of section 339.0809, Florida
171 Statutes, is amended, and subsection (14) is added to that
172 section, to read:

173 339.0809 Florida Department of Transportation Financing
174 Corporation.—

175 (13) The department may enter into a service contract in
176 conjunction with the issuance of debt obligations as provided in
177 this section which provides for periodic payments for debt
178 service or other amounts payable with respect to debt
179 obligations, plus any administrative expenses of the Florida
180 Department of Transportation Financing Corporation. Funds
181 appropriated for payments under a service contract shall be
182 available after funds pledged to payment on bonds but before
183 other statutorily required distributions.

184 (14) The department may enter into a service contract to
185 finance the projects authorized in s. 215 of ch. 2023-239, Laws
186 of Florida, and in Budget Amendment EOG# 2024-B0112, and
187 subsequently adopted into the 5-year work program. Service
188 contract payments may not exceed 7 percent of the funds

241181

Approved For Filing: 2/23/2024 6:57:13 PM

Amendment No.

189 deposited in the State Transportation Trust Fund in each fiscal
190 year. The annual payments under such service contract shall be
191 included in the department's work program and legislative budget
192 request developed pursuant to s. 339.135. The department shall
193 ensure that the annual payments are programmed for the life of
194 the service contract before execution of the service contract
195 and shall remain programmed until fully paid.

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

198 339.2818 Small County Outreach Program.—

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

209 Section 10. Subsection (6) of section 341.051, Florida
210 Statutes, is amended, paragraphs (c) and (d) are added to
211 subsection (2), and subsection (8) is added to that section, to
212 read:

213 341.051 Administration and financing of public transit and

241181

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Amendment No.

214 intercity bus service programs and projects.—

215 (2) PUBLIC TRANSIT PLAN.—

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

220 (d) Any action of eminent domain for acquisition of public
221 transit facilities carried out by a public transit provider must
222 be discussed by the public transit provider at a public meeting
223 with a 30-day public notice.

224 (6) ANNUAL APPROPRIATION.—Funds paid into the State
225 Transportation Trust Fund pursuant to s. 201.15 for the New
226 Starts Transit Program are hereby annually appropriated for
227 expenditure to support the New Starts Transit Program. The
228 remaining unallocated New Starts Transit Program funds as of
229 June 30 of each fiscal year shall be reallocated for the purpose
230 of the Strategic Intermodal System within the State
231 Transportation Trust Fund.

232 (8) EXTERIOR VEHICLE WRAP, TINTING, PAINT, MARKETING, AND
233 ADVERTISING.—

234 (a) As a condition of receiving funds from the department,
235 a public transit provider may not expend department funds for
236 marketing or advertising activities, including any wrap,
237 tinting, paint, or other medium displayed, attached, or affixed
238 on a bus, commercial motor vehicle, or motor vehicle that is

241181

Approved For Filing: 2/23/2024 6:57:13 PM

Amendment No.

239 owned, leased, or operated by a public transit provider is
240 limited to displaying a brand or logo of the public transit
241 provider, the official seal of the jurisdictional government
242 entity, or a state agency public service announcement.

243 (b) The department shall incorporate guidelines for the
244 activities allowed under paragraph (a) in the public
245 transportation grant agreement entered into with each public
246 transit provider.

247 (c) Any new wrap, tinting, paint, medium, or advertisement
248 on the passenger windows of a vehicle used by a public transit
249 provider may not be darker than the legally allowed window
250 tinting requirements as provided in s. 316.2954.

251
252 For purposes of this section, the term "net operating costs"
253 means all operating costs of a project less any federal funds,
254 fares, or other sources of income to the project.

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

257 341.071 Transit productivity and performance measures;
258 reports.—

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

260 1. "General administration costs" includes, but is not
261 limited to, costs related to transit service development,
262 injuries and damages, safety, personnel administration, legal
263 services, data processing, finance and accounting, purchasing

241181

Approved For Filing: 2/23/2024 6:57:13 PM

Amendment No.

264 and stores, engineering, real estate management, office
265 management and services, customer service, promotion, market
266 research, and planning. The term does not include insurance
267 costs.

268 2. "Public transit provider" means a public agency
269 providing public transit service, including an authority created
270 pursuant to part II of chapter 343 or chapter 349. The term does
271 not include the Central Florida Commuter Rail or the authority
272 created pursuant to part I of chapter 343.

273 3. "Tier I provider" has the same meaning as in 49 C.F.R.
274 part 625.

275 4. "Tier II provider" has the same meaning as in 49 C.F.R.
276 part 625.

277 (b) Beginning November 1, 2024, and annually thereafter,
278 each public transit provider, during a publicly noticed meeting,
279 shall:

280 1. Certify that its budgeted and general administration
281 costs are not greater than 20 percent above the annual state
282 average of administrative costs for its respective tier.

283 2. Present a line-item budget report of its budgeted and
284 actual general administration costs.

285 3. Disclose all salaried executive and management level
286 employees' total compensation packages, ridership performance
287 and metrics, and any gift as defined in s. 112.312 accepted in
288 exchange for contracts. This disclosure shall be posted annually

241181

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Amendment No.

289 on the public transit provider's website.

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

299 (d) A year-over-year cumulative increase of 3 percent or
300 more in general administration costs must be reviewed before the
301 start of the next fiscal year and must be reviewed and approved
302 by the department before approval by the public transportation
303 provider's governing board.

304 Section 12. Paragraph (a) of subsection (2) of section
305 341.822, Florida Statutes, is amended to read:

306 341.822 Powers and duties.—

307 (2)(a) In addition to the powers granted to the
308 department, the enterprise has full authority to exercise all
309 powers granted to it under this chapter. Powers shall include,
310 but are not limited to, the ability to plan, construct,
311 maintain, repair, and operate a high-speed rail system, ~~to~~
312 ~~acquire corridors, and~~ to coordinate the development and
313 operation of publicly funded passenger rail systems in the

241181

Approved For Filing: 2/23/2024 6:57:13 PM

Amendment No.

314 state, and to preserve and acquire future rail corridors and
315 rights-of-way in coordination with the department's planning of
316 the State Highway System.

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318 -----

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

319 Remove lines 7-73 and insert:
320 general; amending s. 311.101, F.S.; providing an
321 appropriation from the State Transportation Trust Fund
322 for the Intermodal Logistics Center Infrastructure
323 Support Program; requiring the department to include
324 certain projects in the tentative work program;
325 amending s. 334.046, F.S.; revising provisions
326 relating to the department's mission, goals, and
327 objectives; creating s. 334.61, F.S.; requiring a
328 governmental entity that proposes a certain project to
329 conduct a traffic study; requiring notice to affected
330 property owners, impacted municipalities, and counties
331 in which the project is located within a specified
332 timeframe; providing notice requirements; requiring
333 such governmental entity to hold a public meeting
334 before completion of the design phase of such project;
335 providing requirements for such public meeting;
336 requiring such governmental entity to review and take
337 into consideration comments and alternatives presented
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241181

Approved For Filing: 2/23/2024 6:57:13 PM

Amendment No.

339 in such public meeting in the final project design;
340 amending s. 338.231, F.S.; revising the time period
341 for which a prepaid toll account must remain inactive
342 in order to be presumed unclaimed; amending s. 339.08,
343 F.S.; prohibiting the department from expending
344 certain state funds to support certain projects or
345 programs; amending s. 339.0803, F.S.; prioritizing
346 availability of certain revenues deposited into the
347 State Transportation Trust Fund for payments under
348 service contracts with the Florida Department of
349 Transportation Financing Corporation to fund arterial
350 highway projects; authorizing two or more of such
351 projects to be treated as a single project for certain
352 purposes; amending s. 339.0809, F.S.; specifying
353 priority of availability of funds appropriated for
354 payments under a service contract with the
355 corporation; authorizing the department to enter into
356 service contracts to finance certain projects;
357 providing requirements for annual service contract
358 payments; amending s. 339.2818, F.S.; authorizing
359 certain local governments, subject to appropriation,
360 to compete for additional funding for certain county
361 roads; amending s. 341.051, F.S.; providing voting and
362 meeting notice requirements for specified public
363 transit projects; providing meeting notice

241181

Approved For Filing: 2/23/2024 6:57:13 PM

Amendment No.

364 requirements for discussion of specified actions by a
365 public transit provider; requiring certain unallocated
366 funds for the New Starts Transit Program to be
367 reallocated for the purpose of the Strategic
368 Intermodal System; limiting the displays a public
369 transit provider, as a condition of receiving state
370 funds, may display on certain vehicles; providing the
371 department and any state agency priority to contract
372 for certain marketing or advertising activities;
373 providing definitions; providing applicability;
374 requiring the department to incorporate guidelines in
375 the public transportation grant agreement entered into
376 with each public transit provider; prohibiting certain
377 media on passenger windows of public transit provider
378 vehicles from being darker than certain window tinting
379 requirements; amending s. 341.071, F.S.; providing
380 definitions; requiring each public transit provider to
381 annually certify that its budgeted and general
382 administration costs do not exceed the annual state
383 average of administrative costs by more than a certain
384 percentage, to annually present a specified budget
385 report, and to annually post a specified disclosure on
386 its website; specifying the method by which the
387 department is required to determine a certain annual
388 state average; requiring a specified increase in

241181

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Amendment No.

389 | general administration costs to be reviewed and
390 | approved by certain entities; amending s. 341.822,
391 | F.S.; revising powers of the Florida Rail Enterprise;
392 | providing an effective date.

241181

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