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LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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03/06/2024 10:35 AM

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Senator Gruters moved the following:

**Senate Amendment (with title amendment)**

Delete lines 133 - 433

and insert:

Section 3. Section 316.1575, Florida Statutes, is amended to read:

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

(1) A ~~Any~~ person cycling, walking or driving a vehicle and approaching a railroad-highway grade crossing under any of the circumstances stated in this section must ~~shall~~ stop within 50



857204

12 feet but not less than 15 feet from the nearest rail of such  
13 railroad and may ~~shall~~ not proceed until the railroad tracks are  
14 clear and he or she can do so safely. This subsection applies

15 ~~The foregoing requirements apply~~ when:

16 (a) A clearly visible electric or mechanical signal device  
17 gives warning of the immediate approach of a railroad train or  
18 railroad track equipment;

19 (b) A crossing gate is lowered or a law enforcement officer  
20 or a human flagger gives or continues to give a signal of the  
21 approach or passage of a railroad train or railroad track  
22 equipment;

23 (c) An approaching railroad train or railroad track  
24 equipment emits an audible signal or the railroad train or  
25 railroad track equipment, by reason of its speed or nearness to  
26 the crossing, is an immediate hazard; or

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

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

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

38 (a) either ~~A~~ pedestrian violation; or ~~r~~

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



857204

41           1. For a first violation, the person must pay a fine of  
42 \$500 or perform 25 hours of community service and shall have 6  
43 points assessed against his or her driver license as set forth  
44 in s. 322.27(3) (d) 7.

45           2. For a second or subsequent violation, the person must  
46 pay a fine of \$1,000 and shall have an additional 6 points  
47 assessed against his or her driver license as set forth in s.  
48 322.27(3) (d) 7.

49           Section 4. Section 316.1576, Florida Statutes, is amended  
50 to read:

51           316.1576 Insufficient clearance at a railroad-highway grade  
52 crossing.—

53           (1) A person may not drive a ~~any~~ vehicle through a  
54 railroad-highway grade crossing that does not have sufficient  
55 space to drive completely through the crossing without stopping  
56 or without obstructing the passage of other vehicles,  
57 pedestrians, railroad trains, or other railroad equipment,  
58 notwithstanding any traffic control signal indication to  
59 proceed.

60           (2) A person may not drive a ~~any~~ vehicle through a  
61 railroad-highway grade crossing that does not have sufficient  
62 undercarriage clearance to drive completely through the crossing  
63 without stopping or without obstructing the passage of a  
64 railroad train or other railroad equipment.

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

68           (a) For a first violation, the person must pay a fine of  
69 \$500 or perform 25 hours of community service and shall have 6



857204

70 points assessed against his or her driver license as set forth  
71 in s. 322.27(3)(d)7.

72 (b) For a second or subsequent violation, the person must  
73 pay a fine of \$1,000, shall have an additional 6 points assessed  
74 against his or her driver license as set forth in s.  
75 322.27(3)(d)7., and, notwithstanding s. 322.27(3)(a), (b), and  
76 (c), shall have his or her driving privilege suspended for not  
77 more than 6 months.

78 Section 5. Present subsections (10) through (23) of section  
79 318.18, Florida Statutes, are redesignated as subsections (11)  
80 through (24), respectively, a new subsection (10) is added to  
81 that section, and subsection (9) of that section is amended, to  
82 read:

83 318.18 Amount of penalties.—The penalties required for a  
84 noncriminal disposition pursuant to s. 318.14 or a criminal  
85 offense listed in s. 318.17 are as follows:

86 (9) Five ~~One~~ hundred dollars for a first violation and  
87 \$1,000 for a second or subsequent violation of s. 316.1575.

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

93 Section 6. Paragraph (d) of subsection (3) of section  
94 322.27, Florida Statutes, is amended to read:

95 322.27 Authority of department to suspend or revoke driver  
96 license or identification card.—

97 (3) There is established a point system for evaluation of  
98 convictions of violations of motor vehicle laws or ordinances,



857204

99 and violations of applicable provisions of s. 403.413(6) (b) when  
100 such violations involve the use of motor vehicles, for the  
101 determination of the continuing qualification of any person to  
102 operate a motor vehicle. The department is authorized to suspend  
103 the license of any person upon showing of its records or other  
104 good and sufficient evidence that the licensee has been  
105 convicted of violation of motor vehicle laws or ordinances, or  
106 applicable provisions of s. 403.413(6) (b), amounting to 12 or  
107 more points as determined by the point system. The suspension  
108 shall be for a period of not more than 1 year.

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

- 112 1. Reckless driving, willful and wanton—4 points.
- 113 2. Leaving the scene of a crash resulting in property  
114 damage of more than \$50—6 points.
- 115 3. Unlawful speed, or unlawful use of a wireless  
116 communications device, resulting in a crash—6 points.
- 117 4. Passing a stopped school bus:
  - 118 a. Not causing or resulting in serious bodily injury to or  
119 death of another—4 points.
  - 120 b. Causing or resulting in serious bodily injury to or  
121 death of another—6 points.
  - 122 c. Points may not be imposed for a violation of passing a  
123 stopped school bus as provided in s. 316.172(1) (a) or (b) when  
124 enforced by a school bus infraction detection system pursuant s.  
125 316.173. In addition, a violation of s. 316.172(1) (a) or (b)  
126 when enforced by a school bus infraction detection system  
127 pursuant to s. 316.173 may not be used for purposes of setting



857204

128 motor vehicle insurance rates.

129 5. Unlawful speed:

130 a. Not in excess of 15 miles per hour of lawful or posted  
131 speed—3 points.

132 b. In excess of 15 miles per hour of lawful or posted  
133 speed—4 points.

134 c. Points may not be imposed for a violation of unlawful  
135 speed as provided in s. 316.1895 or s. 316.183 when enforced by  
136 a traffic infraction enforcement officer pursuant to s.  
137 316.1896. In addition, a violation of s. 316.1895 or s. 316.183  
138 when enforced by a traffic infraction enforcement officer  
139 pursuant to s. 316.1896 may not be used for purposes of setting  
140 motor vehicle insurance rates.

141 6. A violation of a traffic control signal device as  
142 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.  
143 However, points may not be imposed for a violation of s.  
144 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
145 stop at a traffic signal and when enforced by a traffic  
146 infraction enforcement officer. In addition, a violation of s.  
147 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
148 stop at a traffic signal and when enforced by a traffic  
149 infraction enforcement officer may not be used for purposes of  
150 setting motor vehicle insurance rates.

151 7. Unlawfully driving a vehicle through a railroad-highway  
152 grade crossing—6 points.

153 8.7. All other moving violations (including parking on a  
154 highway outside the limits of a municipality)—3 points. However,  
155 points may not be imposed for a violation of s. 316.0741 or s.  
156 316.2065(11); and points may be imposed for a violation of s.



857204

157 316.1001 only when imposed by the court after a hearing pursuant  
158 to s. 318.14(5).

159 ~~9.8.~~ Any moving violation covered in this paragraph,  
160 excluding unlawful speed and unlawful use of a wireless  
161 communications device, resulting in a crash-4 points.

162 ~~10.9.~~ Any conviction under s. 403.413(6)(b)-3 points.

163 ~~11.10.~~ Any conviction under s. 316.0775(2)-4 points.

164 ~~12.11.~~ A moving violation covered in this paragraph which  
165 is committed in conjunction with the unlawful use of a wireless  
166 communications device within a school safety zone-2 points, in  
167 addition to the points assigned for the moving violation.

168 Section 7. Section 334.046, Florida Statutes, is amended to  
169 read:

170 334.046 Department mission, goals, and objectives.-

171 (1) The department shall consider the following prevailing  
172 principles when to be considered in planning and developing the  
173 state's multimodal an integrated, balanced statewide  
174 transportation system are: preserving Florida's the existing  
175 transportation infrastructure; supporting its enhancing  
176 Florida's economic competitiveness; promoting the efficient  
177 movement of people and goods; and preserving Florida's quality  
178 of life improving travel choices to ensure mobility.

179 (2) The mission of the Department of Transportation shall  
180 be to provide a safe statewide transportation system that  
181 promotes the efficient movement ensures the mobility of people  
182 and goods, supports the state's enhances economic  
183 competitiveness, prioritizes Florida's environment and natural  
184 resources prosperity, and preserves the quality of life and  
185 connectedness of the state's our environment and communities.



857204

186 (3) ~~The department shall document in the Florida~~  
187 ~~Transportation Plan, in accordance with s. 339.155 and based~~  
188 ~~upon the prevailing principles outlined in this section shall be~~  
189 ~~incorporated into all of preserving the existing transportation~~  
190 ~~infrastructure, enhancing Florida's economic competitiveness,~~  
191 ~~and improving travel choices to ensure mobility, the goals and~~  
192 objectives that provide statewide policy guidance for  
193 accomplishing the department's mission, including the Florida  
194 Transportation Plan outlined in s. 339.155.

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

197 (a) ~~Maintaining investments Preservation.~~-Protecting the  
198 state's transportation infrastructure investment, ~~which-~~  
199 ~~Preservation~~ includes:

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

202 2. Ensuring that 90 percent of department-maintained  
203 bridges meet department standards; and

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

206 (b) ~~Economic competitiveness.~~-Ensuring that the state has a  
207 clear understanding of the return on investment and economic  
208 impacts consequences of transportation infrastructure  
209 investments, and how such investments affect the state's  
210 economic competitiveness. The department must develop a  
211 macroeconomic analysis of the linkages between transportation  
212 investment and economic performance, as well as a method to  
213 quantifiably measure the economic benefits of the district-work-  
214 program investments. Such an analysis must analyze:





857204

215 1. The state's and district's economic performance relative  
216 to the competition.

217 2. The business environment as viewed from the perspective  
218 of companies evaluating the state as a place in which to do  
219 business.

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

221 (c) Connected transportation system Mobility.—Ensuring a  
222 cost-effective, statewide, interconnected transportation system  
223 that provides for the most efficient and effective multimodality  
224 and mobility.

225 (d) Preserving Florida's natural resources and quality of  
226 life.—Prioritizing Florida's natural resources and the quality  
227 of life of its communities.

228 Section 8. Section 334.61, Florida Statutes, is created to  
229 read:

230 334.61 Traffic lane repurposing.—

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

236 (2) If, following the study required by subsection (1), the  
237 governmental entity elects to continue with the design of the  
238 project, it must notify all affected property owners, impacted  
239 municipalities, and the counties in which the project is located  
240 at least 180 days before the design phase of the project is  
241 completed. The notice must provide a written explanation  
242 regarding the need for the project, include information on how  
243 to review the traffic study required by subsection (1), and



857204

244 indicate that all affected parties will be given an opportunity  
245 to provide comments to the proposing entity regarding potential  
246 impacts of the change.

247 (3) The governmental entity shall hold at least one public  
248 meeting, with at least 30 days' prior notice, before completing  
249 the design phase of the project in the jurisdiction where the  
250 project is located. At the public meeting, the governmental  
251 entity shall explain the purpose of the project and receive  
252 public input, including possible alternatives, to determine the  
253 manner in which the project will affect the community.

254 (4) The governmental entity shall review all comments from  
255 the public meeting and take the comments and any alternatives  
256 presented during the meeting into consideration in the final  
257 design of the project.

258 Section 9. Paragraph (c) of subsection (3) of section  
259 338.231, Florida Statutes, is amended to read:

260 338.231 Turnpike tolls, fixing; pledge of tolls and other  
261 revenues.—The department shall at all times fix, adjust, charge,  
262 and collect such tolls and amounts for the use of the turnpike  
263 system as are required in order to provide a fund sufficient  
264 with other revenues of the turnpike system to pay the cost of  
265 maintaining, improving, repairing, and operating such turnpike  
266 system; to pay the principal of and interest on all bonds issued  
267 to finance or refinance any portion of the turnpike system as  
268 the same become due and payable; and to create reserves for all  
269 such purposes.

270 (3)

271 (c) Notwithstanding any other ~~provision of~~ law to the  
272 contrary, any prepaid toll account of any kind which has



857204

273 remained inactive for 10 ~~3~~ years is ~~shall be~~ presumed unclaimed,  
274 and its disposition shall be handled by the Department of  
275 Financial Services in accordance with all applicable provisions  
276 of chapter 717 relating to the disposition of unclaimed  
277 property, and the prepaid toll account shall be closed by the  
278 department.

279 Section 10. Subsection (5) is added to section 339.08,  
280 Florida Statutes, to read:

281 339.08 Use of moneys in State Transportation Trust Fund.—

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

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

285 (b) An authority created pursuant to chapter 343, chapter  
286 348, or chapter 349;

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

288 (d) A port enumerated in s. 311.09(1)

289

290 which is found in violation of s. 381.00316. The department  
291 shall withhold state funds until the public transit provider,  
292 authority, public-use airport, or port is found in compliance  
293 with s. 381.00316.

294 Section 11. Section 339.0803, Florida Statutes, is amended  
295 to read:

296 339.0803 Allocation of increased revenues derived from  
297 amendments to s. 320.08 by ch. 2019-43.—

298 (1) Beginning in the 2021-2022 fiscal year and each fiscal  
299 year thereafter, funds that result from increased revenues to  
300 the State Transportation Trust Fund derived from the amendments  
301 to s. 320.08 made by chapter 2019-43, Laws of Florida, and



857204

302 deposited into the fund pursuant to s. 320.20(5)(a) must be used  
303 to fund arterial highway projects identified by the department  
304 in accordance with s. 339.65 and may be used for projects as  
305 specified in ss. 339.66 and 339.67. For purposes of the funding  
306 provided in this section, the department shall prioritize use of  
307 existing facilities or portions thereof when upgrading arterial  
308 highways to limited or controlled access facilities. However,  
309 this section does not preclude use of the funding for projects  
310 that enhance the capacity of an arterial highway. The funds  
311 allocated as provided in this section shall be in addition to  
312 any other statutory funding allocations provided by law.

313 (2) Revenues deposited into the State Transportation Trust  
314 Fund pursuant to s. 320.20(5)(a) shall first be available for  
315 appropriation for payments under a service contract entered into  
316 with the Florida Department of Transportation Financing  
317 Corporation pursuant to s. 339.0809(4) to fund arterial highway  
318 projects. For the corporation's bonding purposes, two or more of  
319 such projects in the department's approved work program may be  
320 treated as a single project.

321 Section 12. Subsection (13) of section 339.0809, Florida  
322 Statutes, is amended, and subsection (14) is added to that  
323 section, to read:

324 339.0809 Florida Department of Transportation Financing  
325 Corporation.—

326 (13) The department may enter into a service contract in  
327 conjunction with the issuance of debt obligations as provided in  
328 this section which provides for periodic payments for debt  
329 service or other amounts payable with respect to debt  
330 obligations, plus any administrative expenses of the Florida



331 Department of Transportation Financing Corporation. Funds  
332 appropriated for payments under a service contract shall be  
333 available after funds pledged to payment on bonds but before  
334 other statutorily required distributions.

335 (14) The department may enter into a service contract to  
336 finance the projects authorized in s. 215 of ch. 2023-239, Laws  
337 of Florida, and in Budget Amendment EOG# 2024-B0112, and  
338 subsequently adopted into the 5-year work program. Service  
339 contract payments may not exceed 7 percent of the funds  
340 deposited in the State Transportation Trust Fund in each fiscal  
341 year. The annual payments under such service contract shall be  
342 included in the department's work program and legislative budget  
343 request developed pursuant to s. 339.135. The department shall  
344 ensure that the annual payments are programmed for the life of  
345 the service contract before execution of the service contract  
346 and shall remain programmed until fully paid.

347 Section 13. Subsection (8) is added to section 339.2818,  
348 Florida Statutes, to read:

349 339.2818 Small County Outreach Program.—

350 (8) Subject to specific appropriation in addition to funds  
351 appropriated for projects under this section, a local government  
352 either wholly or partially within the Everglades Agricultural  
353 Area as defined in s. 373.4592(15), the Peace River Basin, or  
354 the Suwannee River Basin may compete for additional funding  
355 using the criteria listed in paragraph (4)(c) at up to 100  
356 percent of project costs on state or county roads used primarily  
357 as farm-to-market connections between rural agricultural areas  
358 and market distribution centers, excluding capacity improvement  
359 projects.



857204

360 Section 14. Subsection (6) of section 341.051, Florida  
361 Statutes, is amended, paragraphs (c) and (d) are added to  
362 subsection (2), and subsection (8) is added to that section, to  
363 read:

364 341.051 Administration and financing of public transit and  
365 intercity bus service programs and projects.—

366 (2) PUBLIC TRANSIT PLAN.—

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

371 (d) Any action of eminent domain for acquisition of public  
372 transit facilities carried out by a public transit provider must  
373 be discussed by the public transit provider at a public meeting  
374 with a 30-day public notice.

375 (6) ANNUAL APPROPRIATION.—Funds paid into the State  
376 Transportation Trust Fund pursuant to s. 201.15 for the New  
377 Starts Transit Program are hereby annually appropriated for  
378 expenditure to support the New Starts Transit Program. The  
379 remaining unallocated New Starts Transit Program funds as of  
380 June 30 of each fiscal year shall be reallocated for the purpose  
381 of the Strategic Intermodal System within the State  
382 Transportation Trust Fund.

383 (8) EXTERIOR VEHICLE WRAP, TINTING, PAINT, MARKETING, AND  
384 ADVERTISING.—

385 (a) As a condition of receiving funds from the department,  
386 a public transit provider may not expend department funds for  
387 marketing or advertising activities, including any wrap,  
388 tinting, paint, or other medium displayed, attached, or affixed



857204

389 on a bus, commercial motor vehicle, or motor vehicle that is  
390 owned, leased, or operated by a public transit provider that is  
391 limited to displaying a brand or logo of the public transit  
392 provider, the official seal of the jurisdictional government  
393 entity, or a state agency public service announcement.

394 (b) The department shall incorporate guidelines for the  
395 activities allowed under paragraph (a) in the public  
396 transportation grant agreement entered into with each public  
397 transit provider.

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

402  
403 For purposes of this section, the term "net operating costs"  
404 means all operating costs of a project less any federal funds,  
405 fares, or other sources of income to the project.

406 Section 15. Subsection (4) is added to section 341.071,  
407 Florida Statutes, to read:

408 341.071 Transit productivity and performance measures;  
409 reports.—

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

411 1. "General administration costs" includes, but is not  
412 limited to, costs related to transit service development,  
413 injuries and damages, safety, personnel administration, legal  
414 services, data processing, finance and accounting, purchasing  
415 and stores, engineering, real estate management, office  
416 management and services, customer service, promotion, market  
417 research, and planning. The term does not include insurance



857204

418 costs.

419 2. "Public transit provider" means a public agency  
420 providing public transit service, including an authority created  
421 pursuant to part II of chapter 343 or chapter 349. The term does  
422 not include the Central Florida Commuter Rail or the authority  
423 created pursuant to part I of chapter 343.

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

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

428 (b) Beginning November 1, 2024, and annually thereafter,  
429 each public transit provider, during a publicly noticed meeting,  
430 shall:

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

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

436 3. Disclose all salaried executive and management level  
437 employees' total compensation packages, ridership performance  
438 and metrics, and any gift as defined in s. 112.312 accepted in  
439 exchange for contracts. This disclosure shall be posted annually  
440 on the public transit provider's website.

441 (c) To support compliance with paragraph (b), the  
442 department shall determine, by tier, the annual state average of  
443 administrative costs by determining the percentage of the total  
444 operating budget that is expended on general administration  
445 costs in this state annually by March 31 to inform the public  
446 transit provider's budget for the following fiscal year. Upon





857204

447 review and certification by the department, costs budgeted and  
448 expended in association with nontransit-related engineering and  
449 construction services may be excluded.

450 (d) A year-over-year cumulative increase of 3 percent or  
451 more in general administration costs must be reviewed before the  
452 start of the next fiscal year and must be reviewed and approved  
453 by the department before approval by the public transportation  
454 provider's governing board.

455 Section 16. Paragraph (a) of subsection (2) of section  
456 341.822, Florida Statutes, is amended to read:

457 341.822 Powers and duties.—

458 (2) (a) In addition to the powers granted to the department,  
459 the enterprise has full authority to exercise all powers granted  
460 to it under this chapter. Powers shall include, but are not  
461 limited to, the ability to plan, construct, maintain, repair,  
462 and operate a high-speed rail system, ~~to acquire corridors, and~~  
463 to coordinate the development and operation of publicly funded  
464 passenger rail systems in the state, and to preserve and acquire  
465 future rail corridors and rights-of-way in coordination with the  
466 department's planning of the State Highway System.

467 Section 17. Subsection (6) of section 28.37, Florida  
468 Statutes, is amended to read:

469 28.37 Fines, fees, service charges, and costs remitted to  
470 the state.—

471 (6) Ten percent of all court-related fines collected by the  
472 clerk, except for penalties or fines distributed to counties or  
473 municipalities under s. 316.0083(1)(b)3. or s. 318.18(16)(a) ~~s.~~  
474 ~~318.18(15)(a)~~, must be deposited into the fine and forfeiture  
475 fund to be used exclusively for clerk court-related functions,



857204

476 as provided in s. 28.35(3)(a).

477 Section 18. Paragraph (c) of subsection (1) of section  
478 142.01, Florida Statutes, is amended to read:

479 142.01 Fine and forfeiture fund; disposition of revenue;  
480 clerk of the circuit court.-

481 (1) There shall be established by the clerk of the circuit  
482 court in each county of this state a separate fund to be known  
483 as the fine and forfeiture fund for use by the clerk of the  
484 circuit court in performing court-related functions. The fund  
485 shall consist of the following:

486 (c) Court costs pursuant to ss. 28.2402(1)(b),  
487 34.045(1)(b), 318.14(10)(b), 318.18(12)(a) ~~318.18(11)(a)~~,  
488 327.73(9)(a) and (11)(a), and 938.05(3).

489 Section 19. Subsection (4) of section 316.1951, Florida  
490 Statutes, is amended to read:

491 316.1951 Parking for certain purposes prohibited; sale of  
492 motor vehicles; prohibited acts.-

493 (4) A local government may adopt an ordinance to allow the  
494 towing of a motor vehicle parked in violation of this section. A  
495 law enforcement officer, compliance officer, code enforcement  
496 officer from any local government agency, or supervisor of the  
497 department may issue a citation and cause to be immediately  
498 removed at the owner's expense any motor vehicle found in  
499 violation of subsection (1), except as provided in subsections  
500 (2) and (3), or in violation of subsection (5), subsection (6),  
501 subsection (7), or subsection (8), and the owner shall be  
502 assessed a penalty as provided in s. 318.18(22) ~~s. 318.18(21)~~ by  
503 the government agency or authority that orders immediate removal  
504 of the motor vehicle. A motor vehicle removed under this section



857204

505 shall not be released from an impound or towing and storage  
506 facility before a release form prescribed by the department has  
507 been completed verifying that the fine has been paid to the  
508 government agency or authority that ordered immediate removal of  
509 the motor vehicle. However, the owner may pay towing and storage  
510 charges to the towing and storage facility pursuant to s. 713.78  
511 before payment of the fine or before the release form has been  
512 completed.

513 Section 20. Subsection (4) of section 316.306, Florida  
514 Statutes, is amended to read:

515 316.306 School and work zones; prohibition on the use of a  
516 wireless communications device in a handheld manner.—

517 (4) (a) Any person who violates this section commits a  
518 noncriminal traffic infraction, punishable as a moving  
519 violation, as provided in chapter 318, and shall have 3 points  
520 assessed against his or her driver license as set forth in s.  
521 322.27(3)(d)8. ~~s. 322.27(3)(d)7.~~ For a first offense under this  
522 section, in lieu of the penalty specified in s. 318.18 and the  
523 assessment of points, a person who violates this section may  
524 elect to participate in a wireless communications device driving  
525 safety program approved by the Department of Highway Safety and  
526 Motor Vehicles. Upon completion of such program, the penalty  
527 specified in s. 318.18 and associated costs may be waived by the  
528 clerk of the court and the assessment of points must be waived.

529 (b) The clerk of the court may dismiss a case and assess  
530 court costs in accordance with s. 318.18(12)(a) ~~s. 318.18(11)(a)~~  
531 for a nonmoving traffic infraction for a person who is cited for  
532 a first time violation of this section if the person shows the  
533 clerk proof of purchase of equipment that enables his or her



857204

534 personal wireless communications device to be used in a hands-  
535 free manner.

536 Section 21. Subsection (7) of section 316.622, Florida  
537 Statutes, is amended to read:

538 316.622 Farm labor vehicles.—

539 (7) A violation of this section is a noncriminal traffic  
540 infraction, punishable as provided in s. 318.18(17) ~~s.~~  
541 ~~318.18(16)~~.

542 Section 22. Section 318.121, Florida Statutes, is amended  
543 to read:

544 318.121 Preemption of additional fees, fines, surcharges,  
545 and costs.—Notwithstanding any general or special law, or  
546 municipal or county ordinance, additional fees, fines,  
547 surcharges, or costs other than the court costs and surcharges  
548 assessed under s. 318.18(12), (14), (19), (20), and (23) ~~s.~~  
549 ~~318.18(11), (13), (18), (19), and (22)~~ may not be added to the  
550 civil traffic penalties assessed under this chapter.

551 Section 23. Subsections (13), (16) through (19), and (21)  
552 of section 318.21, Florida Statutes, are amended to read:

553 318.21 Disposition of civil penalties by county courts.—All  
554 civil penalties received by a county court pursuant to the  
555 provisions of this chapter shall be distributed and paid monthly  
556 as follows:

557 (13) Of the proceeds from the fine under s. 318.18(16) ~~s.~~  
558 ~~318.18(15)~~, \$65 shall be remitted to the Department of Revenue  
559 for deposit into the Administrative Trust Fund of the Department  
560 of Health and the remaining \$60 shall be distributed pursuant to  
561 subsections (1) and (2).

562 (16) The proceeds from the fines described in s. 318.18(17)



857204

563 ~~s. 318.18(16)~~ shall be remitted to the law enforcement agency  
564 that issues the citation for a violation of s. 316.622. The  
565 funds must be used for continued education and enforcement of s.  
566 316.622 and other related safety measures contained in chapter  
567 316.

568 (17) Notwithstanding subsections (1) and (2), the proceeds  
569 from the administrative fee surcharge imposed under s.  
570 318.18(18) ~~s. 318.18(17)~~ shall be distributed as provided in  
571 that subsection. This subsection expires July 1, 2026.

572 (18) Notwithstanding subsections (1) and (2), the proceeds  
573 from the administrative fee imposed under s. 318.18(19) ~~s.~~  
574 ~~318.18(18)~~ shall be distributed as provided in that subsection.

575 (19) Notwithstanding subsections (1) and (2), the proceeds  
576 from the fees Article V assessment imposed under s. 318.18(20)  
577 ~~s. 318.18(19)~~ shall be distributed as provided in that  
578 subsection.

579 (21) Notwithstanding subsections (1) and (2), the proceeds  
580 from the additional penalties imposed pursuant to s.  
581 318.18(5)(c) and (21) ~~(20)~~ shall be distributed as provided in  
582 that section.

583 Section 24. Subsection (1) of section 395.4036, Florida  
584 Statutes, is amended to read:

585 395.4036 Trauma payments.—

586 (1) Recognizing the Legislature's stated intent to provide  
587 financial support to the current verified trauma centers and to  
588 provide incentives for the establishment of additional trauma  
589 centers as part of a system of state-sponsored trauma centers,  
590 the department shall utilize funds collected under s. 318.18 and  
591 deposited into the Emergency Medical Services Trust Fund of the



592 department to ensure the availability and accessibility of  
593 trauma services throughout the state as provided in this  
594 subsection.

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

597 1. Twenty percent of the total funds collected during the  
598 state fiscal year shall be distributed to verified trauma  
599 centers that have a local funding contribution as of December  
600 31. Distribution of funds under this subparagraph shall be based  
601 on trauma caseload volume for the most recent calendar year  
602 available.

603 2. Forty percent of the total funds collected shall be  
604 distributed to verified trauma centers based on trauma caseload  
605 volume for the most recent calendar year available. The  
606 determination of caseload volume for distribution of funds under  
607 this subparagraph shall be based on the hospital discharge data  
608 for patients who meet the criteria for classification as a  
609 trauma patient reported by each trauma center pursuant to s.  
610 408.061.

611 3. Forty percent of the total funds collected shall be  
612 distributed to verified trauma centers based on severity of  
613 trauma patients for the most recent calendar year available. The  
614 determination of severity for distribution of funds under this  
615 subparagraph shall be based on the department's International  
616 Classification Injury Severity Scores or another statistically  
617 valid and scientifically accepted method of stratifying a trauma  
618 patient's severity of injury, risk of mortality, and resource  
619 consumption as adopted by the department by rule, weighted based  
620 on the costs associated with and incurred by the trauma center



857204

621 in treating trauma patients. The weighting of scores shall be  
622 established by the department by rule.

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

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

629 2. Thirty-five percent of the total funds collected shall  
630 be distributed to verified trauma centers based on trauma  
631 caseload volume for the most recent calendar year available. The  
632 determination of caseload volume for distribution of funds under  
633 this subparagraph shall be based on the hospital discharge data  
634 for patients who meet the criteria for classification as a  
635 trauma patient reported by each trauma center pursuant to s.  
636 408.061.

637 3. Thirty-five percent of the total funds collected shall  
638 be distributed to verified trauma centers based on severity of  
639 trauma patients for the most recent calendar year available. The  
640 determination of severity for distribution of funds under this  
641 subparagraph shall be based on the department's International  
642 Classification Injury Severity Scores or another statistically  
643 valid and scientifically accepted method of stratifying a trauma  
644 patient's severity of injury, risk of mortality, and resource  
645 consumption as adopted by the department by rule, weighted based  
646 on the costs associated with and incurred by the trauma center  
647 in treating trauma patients. The weighting of scores shall be  
648 established by the department by rule.

649 Section 25. This act shall take effect July 1, 2024.



857204

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

And the title is amended as follows:

Delete lines 12 - 77

and insert:

amending s. 316.1575, F.S.; revising provisions requiring a person approaching a railroad-highway grade crossing to stop within a certain distance from the nearest rail; revising penalties; amending s. 316.1576, F.S.; revising circumstances under which a person is prohibited from driving a vehicle through a railroad-highway grade crossing; revising penalties; amending s. 318.18, F.S.; revising the penalties for certain offenses; amending s. 322.27, F.S.; revising the point system for convictions for violations of motor vehicle laws and ordinances; amending s. 334.046, F.S.; revising provisions relating to the department's mission, goals, and objectives; creating s. 334.61, F.S.; requiring a governmental entity that proposes a certain project to conduct a traffic study; requiring notice to affected property owners, impacted municipalities, and counties in which the project is located within a specified timeframe; providing notice requirements; requiring such governmental entity to hold a public meeting before completion of the design phase of such project; providing requirements for such public meeting; requiring such governmental entity to review and take into consideration comments and alternatives presented in such public meeting in the





857204

679 final project design; amending s. 338.231, F.S.;

680 revising the time period for which a prepaid toll

681 account must remain inactive in order to be presumed

682 unclaimed; amending s. 339.08, F.S.; prohibiting the

683 department from expending certain state funds to

684 support certain projects or programs; amending s.

685 339.0803, F.S.; prioritizing availability of certain

686 revenues deposited into the State Transportation Trust

687 Fund for payments under service contracts with the

688 Florida Department of Transportation Financing

689 Corporation to fund arterial highway projects;

690 authorizing two or more of such projects to be treated

691 as a single project for certain purposes; amending s.

692 339.0809, F.S.; specifying priority of availability of

693 funds appropriated for payments under a service

694 contract with the corporation; authorizing the

695 department to enter into service contracts to finance

696 certain projects; providing requirements for annual

697 service contract payments; amending s. 339.2818, F.S.;

698 authorizing certain local governments, subject to

699 appropriation, to compete for additional funding for

700 certain county roads; amending s. 341.051, F.S.;

701 providing voting and meeting notice requirements for

702 specified public transit projects; providing meeting

703 notice requirements for discussion of specified

704 actions by a public transit provider; requiring

705 certain unallocated funds for the New Starts Transit

706 Program to be reallocated for the purpose of the

707 Strategic Intermodal System; limiting the displays a



708 public transit provider, as a condition of receiving  
709 state funds, may display on certain vehicles;  
710 requiring the department to incorporate guidelines in  
711 the public transportation grant agreement entered into  
712 with each public transit provider; prohibiting certain  
713 media on passenger windows of public transit provider  
714 vehicles from being darker than certain window tinting  
715 requirements; amending s. 341.071, F.S.; providing  
716 definitions; requiring each public transit provider to  
717 annually certify that its budgeted and general  
718 administration costs do not exceed the annual state  
719 average of administrative costs by more than a certain  
720 percentage, to annually present a specified budget  
721 report, and to annually post a specified disclosure on  
722 its website; specifying the method by which the  
723 department is required to determine a certain annual  
724 state average; requiring a specified increase in  
725 general administration costs to be reviewed and  
726 approved by certain entities; amending s. 341.822,  
727 F.S.; revising powers of the Florida Rail Enterprise;  
728 amending ss. 28.37, 142.01, 316.1951, 316.306,  
729 316.622, 318.121, 318.21, and 395.4036, F.S.;

730 conforming cross-references; conforming provisions to  
731 changes made by the act;