

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

606-03120-24

20241362c2

1 A bill to be entitled
2 An act relating to aviation; amending s. 330.27, F.S.;
3 revising definitions; amending s. 330.30, F.S.;
4 beginning on a specified date, requiring the owner or
5 lessee of a proposed vertiport to comply with a
6 specified provision in obtaining certain approval and
7 license or registration; requiring the Department of
8 Transportation to conduct a final physical inspection
9 of the vertiport to ensure compliance with specified
10 requirements; conforming a cross-reference; creating
11 s. 332.15, F.S.; providing duties of the department,
12 within specified resources, with respect to
13 vertiports, advanced air mobility, and other advances
14 in aviation technology; reenacting ss. 365.172(13),
15 379.2293(2), 493.6101(22), and 493.6403(1)(c), F.S.,
16 relating to emergency communications, airport
17 activities within the scope of a federally approved
18 wildlife hazard management plan or a federal or state
19 permit or other authorization for depredation or
20 harassment, definitions, and license requirements,
21 respectively, to incorporate the amendment made to s.
22 330.27, F.S., in references thereto; providing an
23 effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

26
27 Section 1. Subsections (1), (2), and (8) of section 330.27,
28 Florida Statutes, are amended to read:

29 330.27 Definitions, when used in ss. 330.29-330.39.—

606-03120-24

20241362c2

30 (1) "Aircraft" means a powered or unpowered machine or
31 device capable of atmospheric flight, including, but not limited
32 to, an airplane, autogyro, glider, gyrodyne, helicopter, lift
33 and cruise, multicopter, paramotor, powered lift, seaplane,
34 tiltrotor, ultralight, and vectored thrust. The term does not
35 include ~~except~~ a parachute or other such device used primarily
36 as safety equipment.

37 (2) "Airport" means an area of land or water used for, or
38 intended to be used for, ~~landing and takeoff of aircraft~~
39 operations, which may include any including appurtenant areas,
40 buildings, facilities, or rights-of-way necessary to facilitate
41 such use or intended use. The term includes, but is not limited
42 to, an airpark, airport, gliderport, heliport, helistop,
43 seaplane base, ultralight flightpark, vertiport, and vertistop.

44 ~~(8) "Ultralight aircraft" means any aircraft meeting the~~
45 ~~criteria established by part 103 of the Federal Aviation~~
46 ~~Regulations.~~

47 Section 2. Present subsections (3) and (4) of section
48 330.30, Florida Statutes, are redesignated as subsections (4)
49 and (5), respectively, a new subsection (3) is added to that
50 section, and paragraph (a) of subsection (1), paragraph (a) of
51 subsection (2), and present subsection (4) of that section are
52 amended, to read:

53 330.30 Approval of airport sites; registration and
54 licensure of airports.—

55 (1) SITE APPROVALS; REQUIREMENTS, EFFECTIVE PERIOD,
56 REVOCATION.—

57 (a) Except as provided in subsection (4) ~~(3)~~, the owner or
58 lessee of a proposed airport shall, before site acquisition or

606-03120-24

20241362c2

59 construction or establishment of the proposed airport, obtain
60 approval of the airport site from the department. Applications
61 for approval of a site shall be made in a form and manner
62 prescribed by the department. The department shall grant the
63 site approval if it is satisfied:

64 1. That the site has adequate area allocated for the
65 airport as proposed.

66 2. That the proposed airport will conform to licensing or
67 registration requirements and will comply with the applicable
68 local government land development regulations or zoning
69 requirements.

70 3. That all affected airports, local governments, and
71 property owners have been notified and any comments submitted by
72 them have been given adequate consideration.

73 4. That safe air-traffic patterns can be established for
74 the proposed airport with all existing airports and approved
75 airport sites in its vicinity.

76 (2) LICENSES AND REGISTRATIONS; REQUIREMENTS, RENEWAL,
77 REVOCATION.—

78 (a) Except as provided in subsection (4) ~~(3)~~, the owner or
79 lessee of an airport in this state shall have a public airport
80 license, private airport registration, or temporary airport
81 registration before the operation of aircraft to or from the
82 airport. Application for a license or registration shall be made
83 in a form and manner prescribed by the department.

84 1. For a public airport, upon granting site approval, the
85 department shall issue a license after a final airport
86 inspection finds the airport to be in compliance with all
87 requirements for the license. The license may be subject to any

606-03120-24

20241362c2

88 reasonable conditions the department deems necessary to protect
89 the public health, safety, or welfare.

90 2. For a private airport, upon granting site approval, the
91 department shall provide controlled electronic access to the
92 state aviation facility data system to permit the applicant to
93 complete the registration process. Registration shall be
94 completed upon self-certification by the registrant of
95 operational and configuration data deemed necessary by the
96 department.

97 3. For a temporary airport, the department must publish
98 notice of receipt of a completed registration application in the
99 next available publication of the Florida Administrative
100 Register and may not approve a registration application less
101 than 14 days after the date of publication of the notice. The
102 department must approve or deny a registration application
103 within 30 days after receipt of a completed application and must
104 issue the temporary airport registration concurrent with the
105 airport site approval. A completed registration application that
106 is not approved or denied within 30 days after the department
107 receives the completed application is considered approved and
108 shall be issued, subject to such reasonable conditions as are
109 authorized by law. An applicant seeking to claim registration by
110 default under this subparagraph must notify the agency clerk of
111 the department, in writing, of the intent to rely upon the
112 default registration provision of this subparagraph and may not
113 take any action based upon the default registration until after
114 receipt of such notice by the agency clerk.

115 (3) VERTIPOINTS.—On or after July 1, 2024, the owner or
116 lessee of a proposed vertiport must comply with subsection (1)

606-03120-24

20241362c2

117 in obtaining site approval and with subsection (2) in obtaining
118 an airport license or registration. In conjunction with the
119 granting of site approval, the department must conduct a final
120 physical inspection of the vertiport to ensure compliance with
121 all requirements for airport licensure or registration.

122 (5)~~(4)~~ EXCEPTIONS.—Private airports with 10 or more based
123 aircraft may request to be inspected and licensed by the
124 department. Private airports licensed according to this
125 subsection shall be considered private airports as defined in s.
126 330.27 ~~s. 330.27(5)~~ in all other respects.

127 Section 3. Section 332.15, Florida Statutes, is created to
128 read:

129 332.15 Advanced air mobility.—The Department of
130 Transportation shall, within the resources provided pursuant to
131 chapter 216:

132 (1) Address the need for vertiports, advanced air mobility,
133 and other advances in aviation technology in the statewide
134 aviation system plan as required under s. 332.006(1) and, as
135 appropriate, in the department's work program.

136 (2) Designate a subject matter expert on advanced air
137 mobility within the department to serve as a resource for local
138 jurisdictions navigating advances in aviation technology.

139 (3) Lead a statewide education campaign for local officials
140 to provide education on the benefits of advanced air mobility
141 and advances in aviation technology and to support the efforts
142 to make this state a leader in aviation technology.

143 (4) Provide local jurisdictions with a guidebook and
144 technical resources to support uniform planning and zoning
145 language across this state related to advanced air mobility and

606-03120-24

20241362c2

146 other advances in aviation technology.

147 (5) Ensure that a political subdivision of the state does
148 not exercise its zoning and land use authority to grant or
149 permit an exclusive right to one or more vertiport owners or
150 operators and authorize a political subdivision to use its
151 authority to promote reasonable access to advanced air mobility
152 operators at public use vertiports within the jurisdiction of
153 the subdivision.

154 (6) Conduct a review of airport hazard zone regulations
155 and, as needed, make recommendations to the Legislature
156 proposing any changes to regulations as a result of the review.

157 Section 4. For the purpose of incorporating the amendment
158 made by this act to section 330.27, Florida Statutes, in a
159 reference thereto, subsection (13) of section 365.172, Florida
160 Statutes, is reenacted to read:

161 365.172 Emergency communications.—

162 (13) FACILITATING EMERGENCY COMMUNICATIONS SERVICE
163 IMPLEMENTATION.—To balance the public need for reliable
164 emergency communications services through reliable wireless
165 systems and the public interest served by governmental zoning
166 and land development regulations and notwithstanding any other
167 law or local ordinance to the contrary, the following standards
168 shall apply to a local government's actions, as a regulatory
169 body, in the regulation of the placement, construction, or
170 modification of a wireless communications facility. This
171 subsection may not, however, be construed to waive or alter the
172 provisions of s. 286.011 or s. 286.0115. For the purposes of
173 this subsection only, "local government" shall mean any
174 municipality or county and any agency of a municipality or

606-03120-24

20241362c2

175 county only. The term "local government" does not, however,
176 include any airport, as defined by s. 330.27(2), even if it is
177 owned or controlled by or through a municipality, county, or
178 agency of a municipality or county. Further, notwithstanding
179 anything in this section to the contrary, this subsection does
180 not apply to or control a local government's actions as a
181 property or structure owner in the use of any property or
182 structure owned by such entity for the placement, construction,
183 or modification of wireless communications facilities. In the
184 use of property or structures owned by the local government,
185 however, a local government may not use its regulatory authority
186 so as to avoid compliance with, or in a manner that does not
187 advance, the provisions of this subsection.

188 (a) Colocation among wireless providers is encouraged by
189 the state.

190 1.a. Colocations on towers, including nonconforming towers,
191 that meet the requirements in sub-sub-subparagraphs (I), (II),
192 and (III), are subject to only building permit review, which may
193 include a review for compliance with this subparagraph. Such
194 colocations are not subject to any design or placement
195 requirements of the local government's land development
196 regulations in effect at the time of the colocation that are
197 more restrictive than those in effect at the time of the initial
198 antennae placement approval, to any other portion of the land
199 development regulations, or to public hearing review. This sub-
200 subparagraph may not preclude a public hearing for any appeal of
201 the decision on the colocation application.

202 (I) The colocation does not increase the height of the
203 tower to which the antennae are to be attached, measured to the

606-03120-24

20241362c2

204 highest point of any part of the tower or any existing antenna
205 attached to the tower;

206 (II) The colocation does not increase the ground space
207 area, commonly known as the compound, approved in the site plan
208 for equipment enclosures and ancillary facilities; and

209 (III) The colocation consists of antennae, equipment
210 enclosures, and ancillary facilities that are of a design and
211 configuration consistent with all applicable regulations,
212 restrictions, or conditions, if any, applied to the initial
213 antennae placed on the tower and to its accompanying equipment
214 enclosures and ancillary facilities and, if applicable, applied
215 to the tower supporting the antennae. Such regulations may
216 include the design and aesthetic requirements, but not
217 procedural requirements, other than those authorized by this
218 section, of the local government's land development regulations
219 in effect at the time the initial antennae placement was
220 approved.

221 b. Except for a historic building, structure, site, object,
222 or district, or a tower included in sub-subparagraph a.,
223 colocations on all other existing structures that meet the
224 requirements in sub-sub-subparagraphs (I)-(IV) shall be subject
225 to no more than building permit review, and an administrative
226 review for compliance with this subparagraph. Such colocations
227 are not subject to any portion of the local government's land
228 development regulations not addressed herein, or to public
229 hearing review. This sub-subparagraph may not preclude a public
230 hearing for any appeal of the decision on the colocation
231 application.

232 (I) The colocation does not increase the height of the

606-03120-24

20241362c2

233 existing structure to which the antennae are to be attached,
234 measured to the highest point of any part of the structure or
235 any existing antenna attached to the structure;

236 (II) The colocation does not increase the ground space
237 area, otherwise known as the compound, if any, approved in the
238 site plan for equipment enclosures and ancillary facilities;

239 (III) The colocation consists of antennae, equipment
240 enclosures, and ancillary facilities that are of a design and
241 configuration consistent with any applicable structural or
242 aesthetic design requirements and any requirements for location
243 on the structure, but not prohibitions or restrictions on the
244 placement of additional colocations on the existing structure or
245 procedural requirements, other than those authorized by this
246 section, of the local government's land development regulations
247 in effect at the time of the colocation application; and

248 (IV) The colocation consists of antennae, equipment
249 enclosures, and ancillary facilities that are of a design and
250 configuration consistent with all applicable restrictions or
251 conditions, if any, that do not conflict with sub-sub-
252 subparagraph (III) and were applied to the initial antennae
253 placed on the structure and to its accompanying equipment
254 enclosures and ancillary facilities and, if applicable, applied
255 to the structure supporting the antennae.

256 c. Regulations, restrictions, conditions, or permits of the
257 local government, acting in its regulatory capacity, that limit
258 the number of colocations or require review processes
259 inconsistent with this subsection do not apply to colocations
260 addressed in this subparagraph.

261 d. If only a portion of the colocation does not meet the

606-03120-24

20241362c2

262 requirements of this subparagraph, such as an increase in the
263 height of the proposed antennae over the existing structure
264 height or a proposal to expand the ground space approved in the
265 site plan for the equipment enclosure, where all other portions
266 of the colocation meet the requirements of this subparagraph,
267 that portion of the colocation only may be reviewed under the
268 local government's regulations applicable to an initial
269 placement of that portion of the facility, including, but not
270 limited to, its land development regulations, and within the
271 review timeframes of subparagraph (d)2., and the rest of the
272 colocation shall be reviewed in accordance with this
273 subparagraph. A colocation proposal under this subparagraph that
274 increases the ground space area, otherwise known as the
275 compound, approved in the original site plan for equipment
276 enclosures and ancillary facilities by no more than a cumulative
277 amount of 400 square feet or 50 percent of the original compound
278 size, whichever is greater, shall, however, require no more than
279 administrative review for compliance with the local government's
280 regulations, including, but not limited to, land development
281 regulations review, and building permit review, with no public
282 hearing review. This sub-subparagraph does not preclude a public
283 hearing for any appeal of the decision on the colocation
284 application.

285 2. If a colocation does not meet the requirements of
286 subparagraph 1., the local government may review the application
287 under the local government's regulations, including, but not
288 limited to, land development regulations, applicable to the
289 placement of initial antennae and their accompanying equipment
290 enclosure and ancillary facilities.

606-03120-24

20241362c2

291 3. If a colocation meets the requirements of subparagraph
292 1., the colocation may not be considered a modification to an
293 existing structure or an impermissible modification of a
294 nonconforming structure.

295 4. The owner of the existing tower on which the proposed
296 antennae are to be colocated shall remain responsible for
297 compliance with any applicable condition or requirement of a
298 permit or agreement, or any applicable condition or requirement
299 of the land development regulations to which the existing tower
300 had to comply at the time the tower was permitted, including any
301 aesthetic requirements, provided the condition or requirement is
302 not inconsistent with this paragraph.

303 5. An existing tower, including a nonconforming tower, may
304 be structurally modified in order to permit colocation or may be
305 replaced through no more than administrative review and building
306 permit review, and is not subject to public hearing review, if
307 the overall height of the tower is not increased and, if a
308 replacement, the replacement tower is a monopole tower or, if
309 the existing tower is a camouflaged tower, the replacement tower
310 is a like-camouflaged tower. This subparagraph may not preclude
311 a public hearing for any appeal of the decision on the
312 application.

313 (b)1. A local government's land development and
314 construction regulations for wireless communications facilities
315 and the local government's review of an application for the
316 placement, construction, or modification of a wireless
317 communications facility shall only address land development or
318 zoning issues. In such local government regulations or review,
319 the local government may not require information on or evaluate

606-03120-24

20241362c2

320 a wireless provider's business decisions about its service,
321 customer demand for its service, or quality of its service to or
322 from a particular area or site, unless the wireless provider
323 voluntarily offers this information to the local government. In
324 such local government regulations or review, a local government
325 may not require information on or evaluate the wireless
326 provider's designed service unless the information or materials
327 are directly related to an identified land development or zoning
328 issue or unless the wireless provider voluntarily offers the
329 information. Information or materials directly related to an
330 identified land development or zoning issue may include, but are
331 not limited to, evidence that no existing structure can
332 reasonably be used for the antennae placement instead of the
333 construction of a new tower, that residential areas cannot be
334 served from outside the residential area, as addressed in
335 subparagraph 3., or that the proposed height of a new tower or
336 initial antennae placement or a proposed height increase of a
337 modified tower, replacement tower, or colocation is necessary to
338 provide the provider's designed service. Nothing in this
339 paragraph shall limit the local government from reviewing any
340 applicable land development or zoning issue addressed in its
341 adopted regulations that does not conflict with this section,
342 including, but not limited to, aesthetics, landscaping, land
343 use-based location priorities, structural design, and setbacks.

344 2. Any setback or distance separation required of a tower
345 may not exceed the minimum distance necessary, as determined by
346 the local government, to satisfy the structural safety or
347 aesthetic concerns that are to be protected by the setback or
348 distance separation.

606-03120-24

20241362c2

349 3. A local government may exclude the placement of wireless
350 communications facilities in a residential area or residential
351 zoning district but only in a manner that does not constitute an
352 actual or effective prohibition of the provider's service in
353 that residential area or zoning district. If a wireless provider
354 demonstrates to the satisfaction of the local government that
355 the provider cannot reasonably provide its service to the
356 residential area or zone from outside the residential area or
357 zone, the municipality or county and provider shall cooperate to
358 determine an appropriate location for a wireless communications
359 facility of an appropriate design within the residential area or
360 zone. The local government may require that the wireless
361 provider reimburse the reasonable costs incurred by the local
362 government for this cooperative determination. An application
363 for such cooperative determination may not be considered an
364 application under paragraph (d).

365 4. A local government may impose a reasonable fee on
366 applications to place, construct, or modify a wireless
367 communications facility only if a similar fee is imposed on
368 applicants seeking other similar types of zoning, land use, or
369 building permit review. A local government may impose fees for
370 the review of applications for wireless communications
371 facilities by consultants or experts who conduct code compliance
372 review for the local government but any fee is limited to
373 specifically identified reasonable expenses incurred in the
374 review. A local government may impose reasonable surety
375 requirements to ensure the removal of wireless communications
376 facilities that are no longer being used.

377 5. A local government may impose design requirements, such

606-03120-24

20241362c2

378 as requirements for designing towers to support colocation or
379 aesthetic requirements, except as otherwise limited in this
380 section, but may not impose or require information on compliance
381 with building code type standards for the construction or
382 modification of wireless communications facilities beyond those
383 adopted by the local government under chapter 553 and that apply
384 to all similar types of construction.

385 (c) Local governments may not require wireless providers to
386 provide evidence of a wireless communications facility's
387 compliance with federal regulations, except evidence of
388 compliance with applicable Federal Aviation Administration
389 requirements under 14 C.F.R. part 77, as amended, and evidence
390 of proper Federal Communications Commission licensure, or other
391 evidence of Federal Communications Commission authorized
392 spectrum use, but may request the Federal Communications
393 Commission to provide information as to a wireless provider's
394 compliance with federal regulations, as authorized by federal
395 law.

396 (d)1. A local government shall grant or deny each properly
397 completed application for a colocation under subparagraph (a)1.
398 based on the application's compliance with the local
399 government's applicable regulations, as provided for in
400 subparagraph (a)1. and consistent with this subsection, and
401 within the normal timeframe for a similar building permit review
402 but in no case later than 45 business days after the date the
403 application is determined to be properly completed in accordance
404 with this paragraph.

405 2. A local government shall grant or deny each properly
406 completed application for any other wireless communications

606-03120-24

20241362c2

407 facility based on the application's compliance with the local
408 government's applicable regulations, including but not limited
409 to land development regulations, consistent with this subsection
410 and within the normal timeframe for a similar type review but in
411 no case later than 90 business days after the date the
412 application is determined to be properly completed in accordance
413 with this paragraph.

414 3.a. An application is deemed submitted or resubmitted on
415 the date the application is received by the local government. If
416 the local government does not notify the applicant in writing
417 that the application is not completed in compliance with the
418 local government's regulations within 20 business days after the
419 date the application is initially submitted or additional
420 information resubmitted, the application is deemed, for
421 administrative purposes only, to be properly completed and
422 properly submitted. However, the determination may not be deemed
423 as an approval of the application. If the application is not
424 completed in compliance with the local government's regulations,
425 the local government shall so notify the applicant in writing
426 and the notification must indicate with specificity any
427 deficiencies in the required documents or deficiencies in the
428 content of the required documents which, if cured, make the
429 application properly completed. Upon resubmission of information
430 to cure the stated deficiencies, the local government shall
431 notify the applicant, in writing, within the normal timeframes
432 of review, but in no case longer than 20 business days after the
433 additional information is submitted, of any remaining
434 deficiencies that must be cured. Deficiencies in document type
435 or content not specified by the local government do not make the

606-03120-24

20241362c2

436 application incomplete. Notwithstanding this sub-subparagraph,
437 if a specified deficiency is not properly cured when the
438 applicant resubmits its application to comply with the notice of
439 deficiencies, the local government may continue to request the
440 information until such time as the specified deficiency is
441 cured. The local government may establish reasonable timeframes
442 within which the required information to cure the application
443 deficiency is to be provided or the application will be
444 considered withdrawn or closed.

445 b. If the local government fails to grant or deny a
446 properly completed application for a wireless communications
447 facility within the timeframes set forth in this paragraph, the
448 application shall be deemed automatically approved and the
449 applicant may proceed with placement of the facilities without
450 interference or penalty. The timeframes specified in
451 subparagraph 2. may be extended only to the extent that the
452 application has not been granted or denied because the local
453 government's procedures generally applicable to all other
454 similar types of applications require action by the governing
455 body and such action has not taken place within the timeframes
456 specified in subparagraph 2. Under such circumstances, the local
457 government must act to either grant or deny the application at
458 its next regularly scheduled meeting or, otherwise, the
459 application is deemed to be automatically approved.

460 c. To be effective, a waiver of the timeframes set forth in
461 this paragraph must be voluntarily agreed to by the applicant
462 and the local government. A local government may request, but
463 not require, a waiver of the timeframes by the applicant, except
464 that, with respect to a specific application, a one-time waiver

606-03120-24

20241362c2

465 may be required in the case of a declared local, state, or
466 federal emergency that directly affects the administration of
467 all permitting activities of the local government.

468 (e) The replacement of or modification to a wireless
469 communications facility, except a tower, that results in a
470 wireless communications facility not readily discernibly
471 different in size, type, and appearance when viewed from ground
472 level from surrounding properties, and the replacement or
473 modification of equipment that is not visible from surrounding
474 properties, all as reasonably determined by the local
475 government, are subject to no more than applicable building
476 permit review.

477 (f) Any other law to the contrary notwithstanding, the
478 Department of Management Services shall negotiate, in the name
479 of the state, leases for wireless communications facilities that
480 provide access to state government-owned property not acquired
481 for transportation purposes, and the Department of
482 Transportation shall negotiate, in the name of the state, leases
483 for wireless communications facilities that provide access to
484 property acquired for state rights-of-way. On property acquired
485 for transportation purposes, leases shall be granted in
486 accordance with s. 337.251. On other state government-owned
487 property, leases shall be granted on a space available, first-
488 come, first-served basis. Payments required by state government
489 under a lease must be reasonable and must reflect the market
490 rate for the use of the state government-owned property. The
491 Department of Management Services and the Department of
492 Transportation are authorized to adopt rules for the terms and
493 conditions and granting of any such leases.

606-03120-24

20241362c2

494 (g) If any person adversely affected by any action, or
495 failure to act, or regulation, or requirement of a local
496 government in the review or regulation of the wireless
497 communication facilities files an appeal or brings an
498 appropriate action in a court or venue of competent
499 jurisdiction, following the exhaustion of all administrative
500 remedies, the matter shall be considered on an expedited basis.

501 Section 5. For the purpose of incorporating the amendment
502 made by this act to section 330.27, Florida Statutes, in a
503 reference thereto, subsection (2) of section 379.2293, Florida
504 Statutes, is reenacted to read:

505 379.2293 Airport activities within the scope of a federally
506 approved wildlife hazard management plan or a federal or state
507 permit or other authorization for depredation or harassment.—

508 (2) An airport authority or other entity owning or
509 operating an airport, as defined in s. 330.27(2), is not subject
510 to any administrative or civil penalty, restriction, or other
511 sanction with respect to any authorized action taken in a non-
512 negligent manner for the purpose of protecting human life or
513 aircraft safety from wildlife hazards.

514 Section 6. For the purpose of incorporating the amendment
515 made by this act to section 330.27, Florida Statutes, in a
516 reference thereto, subsection (22) of section 493.6101, Florida
517 Statutes, is reenacted to read:

518 493.6101 Definitions.—

519 (22) "Repossession" means the recovery of a motor vehicle
520 as defined under s. 320.01(1), a mobile home as defined in s.
521 320.01(2), a motorboat as defined under s. 327.02, an aircraft
522 as defined in s. 330.27(1), a personal watercraft as defined in

606-03120-24

20241362c2

523 s. 327.02, an all-terrain vehicle as defined in s. 316.2074,
524 farm equipment as defined under s. 686.402, or industrial
525 equipment, by an individual who is authorized by the legal
526 owner, lienholder, or lessor to recover, or to collect money
527 payment in lieu of recovery of, that which has been sold or
528 leased under a security agreement that contains a repossession
529 clause. As used in this subsection, the term "industrial
530 equipment" includes, but is not limited to, tractors, road
531 rollers, cranes, forklifts, backhoes, and bulldozers. The term
532 "industrial equipment" also includes other vehicles that are
533 propelled by power other than muscular power and that are used
534 in the manufacture of goods or used in the provision of
535 services. A repossession is complete when a licensed recovery
536 agent is in control, custody, and possession of such repossessed
537 property. Property that is being repossessed shall be considered
538 to be in the control, custody, and possession of a recovery
539 agent if the property being repossessed is secured in
540 preparation for transport from the site of the recovery by means
541 of being attached to or placed on the towing or other transport
542 vehicle or if the property being repossessed is being operated
543 or about to be operated by an employee of the recovery agency.

544 Section 7. For the purpose of incorporating the amendment
545 made by this act to section 330.27, Florida Statutes, in a
546 reference thereto, paragraph (c) of subsection (1) of section
547 493.6403, Florida Statutes, is reenacted to read:

548 493.6403 License requirements.—

549 (1) In addition to the license requirements set forth in
550 this chapter, each individual or agency shall comply with the
551 following additional requirements:

606-03120-24

20241362c2

552 (c) An applicant for a Class "E" license shall have at
553 least 1 year of lawfully gained, verifiable, full-time
554 experience in one, or a combination of more than one, of the
555 following:

556 1. Repossession of motor vehicles as defined in s.
557 320.01(1), mobile homes as defined in s. 320.01(2), motorboats
558 as defined in s. 327.02, aircraft as defined in s. 330.27(1),
559 personal watercraft as defined in s. 327.02, all-terrain
560 vehicles as defined in s. 316.2074, farm equipment as defined
561 under s. 686.402, or industrial equipment as defined in s.
562 493.6101(22).

563 2. Work as a Class "EE" licensed intern.

564 Section 8. This act shall take effect July 1, 2024.