

By Senator Hutson

7-00687-24

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1 A bill to be entitled
2 An act relating to special transportation services for
3 persons with disabilities; creating s. 427.02, F.S.;
4 defining terms; providing responsibilities of a
5 special transportation service provider with respect
6 to driver training, installation of video camera
7 monitoring systems, and maintenance of a website or
8 mobile application that allows tracking of certain
9 motor vehicles; requiring a special transportation
10 service provider, in collaboration with the local
11 government with which the provider contracts, to
12 establish standards relating to reasonable time
13 periods between a request for service and the arrival
14 of the provider, limitation of the duration of travel
15 times, transparency regarding the quality of service
16 provided, and a system for the reporting of adverse
17 incidents; requiring reports of adverse incidents to
18 be submitted to the Agency for Persons with
19 Disabilities and the Department of Transportation;
20 requiring the agency, in collaboration with the
21 department, to establish requirements for the
22 investigation of adverse incidents; requiring such an
23 investigation to commence within a certain timeframe;
24 providing nonapplicability of provisions exempting the
25 purchase of contractual services from competitive
26 bidding requirements; providing an effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:
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30 Section 1. Section 427.02, Florida Statutes, is created to
31 read:

32 427.02 Special transportation services for persons with
33 disabilities.-

34 (1) As used in this section, the term:

35 (a) "Immediate family member" means a spouse, child,
36 parent, sibling, grandparent, aunt, uncle, or first cousin of a
37 person or the person's spouse or a person who resides in the
38 primary residence of the person.

39 (b) "Paratransit service" means transportation between
40 specific origins and destinations selected by an individual
41 user, with such service being provided at a time that is agreed
42 upon by the user and provider of the service.

43 (c) "Request for service" means a request made to a special
44 transportation service provider by a person with a disability,
45 or by such person's immediate family member, for paratransit
46 service.

47 (d) "Special transportation service provider" or "provider"
48 means an organization or entity that contracts with a local
49 government to provide paratransit service for persons with
50 disabilities.

51 (2) A special transportation service provider must:

52 (a) Provide training to each driver of a motor vehicle used
53 to provide paratransit service to persons with disabilities
54 which, at a minimum, meets requirements established by the
55 Agency for Persons with Disabilities for training and
56 professional development of staff providing direct services to
57 clients of the agency.

58 (b)1. Install an interior video camera monitoring system in

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59 each motor vehicle used to provide paratransit service to
60 persons with disabilities. Each component of the interior video
61 camera monitoring system must be mounted securely inside the
62 motor vehicle, must be located outside the head protection zone
63 as described in 49 C.F.R. s. 571.222, must be located in an area
64 in which the component is not likely to cause injury, and must
65 have no sharp edges or projections.

66 2. Upon request, provide access to video recorded by an
67 interior video camera monitoring system to the local government,
68 the Department of Transportation, the Agency for Persons with
69 Disabilities, or a parent, legal guardian, caretaker, or
70 immediate family member of a person who receives paratransit
71 service from the special transportation service provider.

72 (c) Maintain a website or mobile application that allows
73 tracking of the location or movement of each motor vehicle used
74 to provide paratransit service to persons with disabilities
75 using a global positioning system or another mapping,
76 locational, or directional information system. Access to such
77 website or mobile application must be restricted to the local
78 government and the parents, legal guardians, caretakers, and
79 immediate family members of persons who receive paratransit
80 service from the special transportation service provider.

81 (3) A special transportation service provider, in
82 collaboration with the local government with which the provider
83 contracts, shall establish:

84 (a) Reasonable time periods between a request for service
85 and the arrival of the special transportation service provider
86 at the location specified in the request, taking into account
87 the number of persons requesting service on the same date, the

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88 distance between locations, usual or expected traffic conditions
89 during the provision of service, and any other factor deemed
90 necessary by the provider or the local government. If a special
91 transportation service provider exhibits a pattern of late
92 arrivals based on such established reasonable time periods, the
93 local government may authorize another provider to provide such
94 paratransit service, including the acceptance of any prepaid
95 vouchers for future services, notwithstanding the terms of the
96 contract with the original provider.

97 (b) Best practices for limiting the duration of travel
98 times for persons receiving paratransit service. To avoid
99 unreasonably long travel times, the provider and the local
100 government shall consider the level of service offered to
101 persons without disabilities by a public entity operating a
102 fixed route as compared to the level of paratransit service
103 offered by the special transportation service provider in
104 accordance with 49 C.F.R. s. 37.121.

105 (c) Transparency regarding the quality of service provided
106 by the special transportation service provider, including, but
107 not limited to, data relating to the timeliness of service
108 provided and the handling of complaints.

109 (d) An efficient system for the reporting of adverse
110 incidents occurring during the provision of paratransit service
111 to persons with disabilities. Such system may include the
112 assignment of a quick-response (QR) code to each motor vehicle
113 used to provide such service for the purpose of reporting
114 adverse incidents with a smartphone or other mobile device.
115 Reports of adverse incidents received by the local government or
116 the special transportation service provider must be submitted to

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117 the Agency for Persons with Disabilities and the Department of
118 Transportation.

119 (4) The Agency for Persons with Disabilities, in
120 collaboration with the Department of Transportation, shall
121 establish requirements for the investigation of adverse
122 incidents reported pursuant to paragraph (3)(d), including
123 periodic review of ongoing investigations and documentation of
124 final outcomes thereof. The investigation of a reported adverse
125 incident must commence within 48 hours after receipt of the
126 report by the agency and the department.

127 (5) The provisions of s. 287.057 which exempt the
128 procurement of contractual services from competitive bidding
129 requirements do not apply to contracts entered into by local
130 governments and special transportation service providers for the
131 provision of special transportation services under this section.

132 Section 2. This act shall take effect July 1, 2024.