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1 A bill to be entitled
2 An act relating to transportation services for persons
3 with disabilities and the transportation
4 disadvantaged; amending s. 341.041, F.S.; revising
5 duties of the Department of Transportation, within
6 specified resources, with respect to required
7 provisions of grants and agreements with entities
8 providing paratransit services; amending s. 427.012,
9 F.S.; revising membership of the Commission for the
10 Transportation Disadvantaged and qualifications
11 therefor; providing length of terms for specified
12 commission members; revising voting and quorum
13 requirements; deleting a requirement for the
14 commission to appoint a specified working group;
15 creating s. 427.02, F.S.; defining the term
16 "transportation service provider"; providing
17 requirements for paratransit service contracts entered
18 into on or after October 1, 2024; requiring that such
19 contracts be competitively procured; prohibiting the
20 awarding of contracts using specified provisions;
21 creating s. 427.021, F.S.; defining the term
22 "transportation service provider"; requiring the
23 commission to establish model procedures for
24 transportation service providers to receive and
25 investigate reports related to adverse incidents;
26 providing requirements for such procedures; requiring
27 investigation of a reported adverse incident to
28 commence within a certain timeframe; requiring reports
29 of adverse incidents to be submitted to the

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30 commission; amending s. 334.065, F.S.; requiring the
31 Center for Urban Transportation Research to deliver a
32 certain report to the department by a specified date;
33 amending s. 334.066, F.S.; requiring the Implementing
34 Solutions from Transportation Research and Evaluating
35 Emerging Technologies Living Lab to deliver a certain
36 report to the Governor, Legislature, and department by
37 a specified date; requiring the department to provide
38 the Governor and the Legislature with a report on the
39 transportation disadvantaged services and the
40 Commission for the Transportation Disadvantaged which
41 includes specified information; providing
42 applicability; providing an effective date.

43
44 Be It Enacted by the Legislature of the State of Florida:

45
46 Section 1. Subsection (16) is added to section 341.041,
47 Florida Statutes, to read:

48 341.041 Transit responsibilities of the department.—The
49 department shall, within the resources provided pursuant to
50 chapter 216:

51 (16) Unless otherwise provided by state or federal law,
52 ensure that all grants and agreements between the department and
53 entities providing paratransit services include, at a minimum,
54 the following provisions:

55 (a) Performance requirements for the delivery of services,
56 including clear penalties for repeated or continuing violations;

57 (b) Minimum liability insurance requirements for all
58 transportation services purchased, provided, or coordinated for

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59 the transportation disadvantaged, as defined in s. 427.011(1),
60 through the contracted vendor or subcontractor thereof;

61 (c) Complaint and grievance processes for paratransit
62 users, including a requirement that all reported complaints,
63 grievances, and resolutions be reported to the department on a
64 quarterly basis; and

65 (d) A requirement that the provisions of paragraphs (a),
66 (b), and (c) must be included in any agreement between an entity
67 receiving a grant or an agreement from the department and such
68 entity's contractors or subcontractors that provide paratransit
69 services.

70 Section 2. Section 427.012, Florida Statutes, is amended to
71 read:

72 427.012 The Commission for the Transportation
73 Disadvantaged.—There is created the Commission for the
74 Transportation Disadvantaged in the Department of
75 Transportation.

76 (1) The commission shall be composed ~~consist~~ of 11 ~~seven~~
77 members, all of whom shall be appointed by the Governor, in
78 accordance with the requirements of s. 20.052, as follows:

79 (a) The Secretary of Transportation or his or her designee.

80 (b) The director of the Agency for Persons with
81 Disabilities or his or her designee.

82 (c) The Secretary of Elderly Affairs or his or her
83 designee.

84 (d) The director of the Division of Blind Services.

85 (e) Two county managers or administrators, one from a rural
86 county and one from a county with a population of more than
87 150,000, according to the last state census.

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88 (f) Five members who have experience in transportation,
89 workforce development, transit services, management, insurance,
90 or service of persons with disabilities or who have a disability
91 and use transportation for the transportation disadvantaged.

92 (2) A member appointed under paragraph (1) (e) or paragraph
93 (1) (f) shall serve a 4-year term and may be reappointed for one
94 additional 4-year term. A member appointed under paragraph
95 (1) (e) or paragraph (1) (f) whose term has expired shall continue
96 to serve on the commission until such time as a replacement is
97 appointed.

98 (3) Each member must be a resident of this state.

99 ~~(a) Five of the members must have significant experience in~~
100 ~~the operation of a business, and it is the intent of the~~
101 ~~Legislature that, when making an appointment, the Governor~~
102 ~~select persons who reflect the broad diversity of the business~~
103 ~~community in this state, as well as the racial, ethnic,~~
104 ~~geographical, and gender diversity of the population of this~~
105 ~~state.~~

106 ~~(b) Two of the members must have a disability and use the~~
107 ~~transportation disadvantaged system.~~

108 ~~(c) Each member shall represent the needs of the~~
109 ~~transportation disadvantaged throughout the state. A member may~~
110 ~~not subordinate the needs of the transportation disadvantaged in~~
111 ~~general in order to favor the needs of others residing in a~~
112 ~~specific location in the state.~~

113 ~~(d) Each member shall be appointed to a term of 4 years. A~~
114 ~~member may be reappointed for one additional 4-year term.~~

115 ~~(e) Each member must be a resident of the state and a~~
116 ~~registered voter.~~

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117 ~~(f) At any given time, at least one member must be at least~~
118 ~~65 years of age.~~

119 ~~(g) The Secretary of Transportation, the Secretary of~~
120 ~~Children and Families, the Secretary of Economic Opportunity,~~
121 ~~the executive director of the Department of Veterans' Affairs,~~
122 ~~the Secretary of Elderly Affairs, the Secretary of Health Care~~
123 ~~Administration, the director of the Agency for Persons with~~
124 ~~Disabilities, and a county manager or administrator who is~~
125 ~~appointed by the Governor, or a senior management level~~
126 ~~representative of each, shall serve as ex officio, nonvoting~~
127 ~~advisors to the commission.~~

128 ~~(h) A member may not, within the 5 years immediately before~~
129 ~~his or her appointment, or during his or her term on the~~
130 ~~commission, have or have had a financial relationship with, or~~
131 ~~represent or have represented as a lobbyist as defined in s.~~
132 ~~11.045, the following:~~

- 133 ~~1. A transportation operator;~~
- 134 ~~2. A community transportation coordinator;~~
- 135 ~~3. A metropolitan planning organization;~~
- 136 ~~4. A designated official planning agency;~~
- 137 ~~5. A purchaser agency;~~
- 138 ~~6. A local coordinating board;~~
- 139 ~~7. A broker of transportation; or~~
- 140 ~~8. A provider of transportation services.~~

141 ~~(4)(2)~~ The chair of the commission ~~chairperson~~ shall be
142 appointed by the Governor, and the vice chair ~~chairperson~~ of the
143 commission shall be elected annually from the membership of the
144 commission.

145 ~~(5)(3)~~ Members of the commission shall serve without

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146 compensation but shall be allowed per diem and travel expenses,
147 as provided in s. 112.061.

148 (6)~~(4)~~ The commission shall meet at least quarterly, or
149 upon more frequently at the call of the chair ~~chairperson~~. Six
150 ~~Four~~ members of the commission constitute a quorum, and a
151 majority vote of the members present is necessary for any action
152 taken by the commission. A commission member's participation in
153 a meeting via telephone, real-time videoconferencing, or similar
154 real-time telephonic, electronic, or video communication counts
155 toward a quorum, and such member may vote as if physically
156 present.

157 (7)~~(5)~~ The Governor may remove any member of the commission
158 for cause.

159 ~~(6) Each candidate for appointment to the commission must,~~
160 ~~before accepting the appointment, undergo background screening~~
161 ~~under s. 435.04 by filing with the Department of Transportation~~
162 ~~a complete set of fingerprints taken by an authorized law~~
163 ~~enforcement agency. The fingerprints must be submitted to the~~
164 ~~Department of Law Enforcement for state processing, and that~~
165 ~~department shall submit the fingerprints to the Federal Bureau~~
166 ~~of Investigation for federal processing. The Department of~~
167 ~~Transportation shall screen the background results and inform~~
168 ~~the commission of any candidate who does not meet level 2~~
169 ~~screening standards. A candidate who has not met level 2~~
170 ~~screening standards may not be appointed to the commission. The~~
171 ~~cost of the background screening may be borne by the Department~~
172 ~~of Transportation or the candidate.~~

173 (8)~~(7)~~ The commission shall appoint an executive director
174 who shall serve under the direction, supervision, and control of

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175 the commission. The executive director, with the consent of the
176 commission, shall employ such personnel as may be necessary to
177 perform adequately the functions of the commission within
178 budgetary limitations. Employees of the commission are exempt
179 from the Career Service System.

180 ~~(8) The commission shall appoint a technical working group~~
181 ~~that includes representatives of private paratransit providers.~~
182 ~~The technical working group shall advise the commission on~~
183 ~~issues of importance to the state, including information,~~
184 ~~advice, and direction regarding the coordination of services for~~
185 ~~the transportation disadvantaged. The commission may appoint~~
186 ~~other technical working groups whose members may include~~
187 ~~representatives of community transportation coordinators;~~
188 ~~metropolitan planning organizations; regional planning councils;~~
189 ~~experts in insurance, marketing, economic development, or~~
190 ~~financial planning; and persons who use transportation for the~~
191 ~~transportation disadvantaged, or their relatives, parents,~~
192 ~~guardians, or service professionals who tend to their needs.~~

193 (9) The commission is assigned to the office of the
194 secretary of the Department of Transportation for administrative
195 and fiscal accountability purposes, but it shall otherwise
196 function independently of the control, supervision, and
197 direction of the department.

198 (10) The commission shall develop a budget pursuant to
199 chapter 216. The budget is not subject to change by the
200 department staff after it has been approved by the commission,
201 but it shall be transmitted to the Governor, as head of the
202 department, along with the budget of the department.

203 Section 3. Section 427.02, Florida Statutes, is created to

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204 read:

205 427.02 Paratransit service contracts for transportation
206 service providers.-

207 (1) For purposes of this section, the term "transportation
208 service provider" means an organization or entity that contracts
209 with a local government to provide paratransit service to
210 persons with disabilities.

211 (2) For contracts entered into or renewed on or after
212 October 1, 2024, a transportation service provider must agree
213 to:

214 (a) Provide training to each driver of a motor vehicle used
215 to provide paratransit service to persons with disabilities
216 which, at a minimum, meets requirements established by the
217 Agency for Persons with Disabilities for training and
218 professional development of staff providing direct services to
219 clients of the agency.

220 (b) Establish reasonable time periods between a request for
221 service and the arrival of the transportation service provider
222 at the location specified in the request, taking into account
223 the number of persons requesting paratransit service on the same
224 date, the distance between locations, usual or expected traffic
225 conditions during the provision of paratransit service, and any
226 other factor deemed necessary by the provider or the local
227 government. If a transportation service provider exhibits a
228 pattern of late arrivals based on such established reasonable
229 time periods, the contract must allow the local government to
230 authorize another provider to provide such paratransit service,
231 including the acceptance of any prepaid vouchers for future
232 paratransit service.

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233 (c) Provide for transparency regarding the quality of
234 paratransit service provided by the transportation service
235 provider, including, but not limited to, data relating to the
236 timeliness of paratransit service provided and the handling of
237 complaints.

238 (3) Contracts entered into or renewed on or after October
239 1, 2024, with transportation service providers for the provision
240 of paratransit service to persons with disabilities must be
241 competitively procured pursuant to s. 287.057. The procurement
242 must use competitive sealed bids, competitive sealed proposals,
243 or competitive sealed replies. The contract may not be awarded
244 using an exceptional purchase provision provided for in s.
245 287.057(3).

246 Section 4. Section 427.021, Florida Statutes, is created to
247 read:

248 427.021 Adverse incidents of transportation service
249 providers.—

250 (1) For purposes of this section, the term “transportation
251 service provider” means an organization or entity that contracts
252 with a local government to provide paratransit service to
253 persons with disabilities. This term does not include the
254 department.

255 (2) The Commission for the Transportation Disadvantaged
256 shall establish model procedures for transportation service
257 providers to receive and investigate reports related to adverse
258 incidents during the provision of services to persons with
259 disabilities. The procedures must include a periodic review of
260 ongoing investigations and documentation of final outcomes
261 thereof. At a minimum, the investigation of a reported adverse

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262 incident must commence within 48 hours after receipt of the
263 report.

264 (3) Reports of adverse incidents received by the local
265 government or the transportation service provider shall be
266 submitted on a quarterly basis to the Commission for the
267 Transportation Disadvantaged.

268 Section 5. Subsection (4) of section 334.065, Florida
269 Statutes, is renumbered as subsection (5), and a new subsection
270 (4) is added to that section to read:

271 334.065 Center for Urban Transportation Research.—

272 (4) By January 1, 2025, the center must deliver a report to
273 the department on model policies and procedures or best
274 practices for paratransit providers to complete trips within an
275 acceptable time after pickup.

276 Section 6. Subsection (4) is added to section 334.066,
277 Florida Statutes, to read:

278 334.066 Implementing Solutions from Transportation Research
279 and Evaluating Emerging Technologies Living Lab.—

280 (4) By January 1, 2025, I-STREET must deliver a
281 comprehensive report on technology and training improvements to
282 better support persons with disabilities using paratransit
283 services, including services administered by the federal, state,
284 or local government, to the Governor, the President of the
285 Senate, the Speaker of the House of Representatives, and the
286 department. The report must, at a minimum, include
287 recommendations on technology improvements for paratransit
288 providers serving persons with disabilities, including through
289 local, state, and federal funding sources. At a minimum, the
290 report shall include a review of and recommendations on:

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291 (a) Technology systems to ensure the safety of individuals,
292 including the use of in-cabin camera systems and other
293 technologies to monitor the safety and well-being of individuals
294 using fixed routes.

295 (b) Best practices for data retention, including protection
296 of personally identifiable information, length of retention, and
297 location of retained files.

298 (c) State-of-the-industry on hardware and software,
299 including camera providers, product specifications, and human-
300 machine interfaces.

301 (d) Safety standards of professional engineering
302 organizations on camera-mounting best practices.

303 (e) Costs of installation and maintenance of camera systems
304 to paratransit providers.

305 (f) The use of Internet, mobile, and application-based
306 interfaces to book, monitor, and seek transportation services.
307 The review must also consider accessibility needs.

308 (g) The use of Internet, mobile, and application-based
309 interfaces to track the location, in real time, of an individual
310 using paratransit services.

311 Section 7. (1) By January 1, 2025, the Department of
312 Transportation shall provide to the Governor, the President of
313 the Senate, and the Speaker of the House of Representatives a
314 comprehensive report on the transportation disadvantaged
315 services offered in this state and the Commission for the
316 Transportation Disadvantaged. The report must include, at a
317 minimum, all of the following:

318 (a) A review of services rendered by community
319 transportation coordinators or transportation operators

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320 coordinated by the commission, specifically outlining:

321 1. Timeliness of services;

322 2. Quality of services;

323 3. Training programs for the drivers and customer service

324 representatives;

325 4. Timeliness of the resolution of complaints; and

326 5. Adherence to performance measures by service providers.

327 (b) A review of transportation delivery models administered

328 by contract by the commission and a review of potential

329 alternative methods. Such review must consider the feasibility

330 and costs related to offering both pre-booking and on-demand

331 service to paratransit service users.

332 (c) The role of paratransit services as used by providers

333 of services for the transportation disadvantaged and the

334 differences between paratransit services and the services

335 provided by the commission. In its review, the department shall

336 also consider the manner in which the use of paratransit

337 services can be leveraged to improve services coordinated by the

338 commission.

339 (d) The role of health care transportation services as used

340 by the users of services for the transportation disadvantaged,

341 and the manner in which coordination of services can be

342 leveraged to improve services administered by the commission.

343 (e) Breakdowns of funding provided by the commission on a

344 contractual level. The report must also include a breakdown of

345 the manner in which the funds are used, by delivery model,

346 including both fixed-route, on-demand, and hybrid models, and

347 through any innovation grant outlined in the General

348 Appropriations Act, and historical funding models and outcomes.

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349 (f) A review of the eligibility criteria by each
350 coordinating entity, including any relevant demographic
351 information.

352 (g) A review of the challenges and potential opportunities
353 to better support rural counties in administering such programs.

354 (h) Recommendations on efficiencies and challenges that may
355 result from adopting an alternative format of delivering
356 commission services to improve services for individuals seeking
357 to thrive in community-based settings, including in a workplace
358 setting, who currently receive services provided by the
359 commission.

360 (i) Best practices for limiting the duration of travel
361 times for persons receiving paratransit service. Consideration
362 must be made for the level of service offered to persons without
363 disabilities by a public entity operating a fixed route as
364 compared to the level of paratransit service offered by the
365 transportation service provider in accordance with 49 C.F.R. s.
366 37.121.

367 (j) A review of emerging and other technology opportunities
368 for the provision of services and to ensure the safety and well-
369 being of individuals using fixed routes, including the use of
370 in-cabin technology. The review must consider passenger safety,
371 equipment installation and maintenance costs, accessibility
372 standards, and data retention and privacy for individuals
373 served.

374 (k) Any additional recommendations relating to areas of
375 review required by paragraphs (a)-(i).

376 (2) The definitions in s. 427.011, Florida Statutes, apply
377 to subsection (1), unless the context clearly indicates

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378 otherwise.

379 Section 8. This act shall take effect upon becoming a law.