

1 A bill to be entitled

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

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

Section 1. Section 427.02, Florida Statutes, is created to read:

427.02 Transportation services for persons with disabilities.—

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

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

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

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

(d) "Transportation service provider" or "provider" means an organization or entity that contracts with a local government to provide paratransit service for persons with disabilities.

(2) A transportation service provider must:

(a) Require each driver of a motor vehicle used to provide

51 paratransit service to persons with disabilities and each
52 applicant for employment as a driver to successfully pass a
53 level 2 background screening as provided in s. 435.04. Each such
54 driver and applicant for employment as a driver must meet level
55 2 screening standards as provided in s. 435.04 before
56 employment and as a condition of continued employment.

57 (b) Provide training to each driver of a motor vehicle
58 used to provide paratransit service to persons with disabilities
59 which, at a minimum, meets requirements established by the
60 Agency for Persons with Disabilities for training and
61 professional development of staff providing direct services to
62 clients of the agency.

63 (c)1. Install an interior video camera monitoring system
64 in each motor vehicle used to provide paratransit service to
65 persons with disabilities. Each component of the interior video
66 camera monitoring system must be mounted securely inside the
67 motor vehicle, must be located outside the head protection zone
68 as described in 49 C.F.R. s. 571.222, must be located in an area
69 in which the component is not likely to cause injury, and must
70 have no sharp edges or projections.

71 2. Upon request, provide access to footage captured by an
72 interior video camera monitoring system to the local government,
73 the Department of Transportation, the Agency for Persons with
74 Disabilities, or a parent, legal guardian, caretaker, or
75 immediate family member of a person who receives paratransit

76 service from the transportation service provider.

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

86 (3) A transportation service provider, in collaboration
87 with the local government with which the provider contracts,
88 shall establish:

89 (a) Reasonable time periods between a request for service
90 and the arrival of the transportation service provider at the
91 location specified in the request, taking into account the
92 number of persons requesting paratransit service on the same
93 date, the distance between locations, usual or expected traffic
94 conditions during the provision of paratransit service, and any
95 other factor deemed necessary by the provider or the local
96 government. If a transportation service provider exhibits a
97 pattern of late arrivals based on such established reasonable
98 time periods, the local government may authorize another
99 provider to provide such paratransit service, including the
100 acceptance of any prepaid vouchers for future paratransit

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101 service, notwithstanding the terms of the contract with the
102 original provider.

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

111 (c) Transparency regarding the quality of paratransit
112 service provided by the transportation service provider,
113 including, but not limited to, data relating to the timeliness
114 of paratransit service provided and the handling of complaints.

115 (d) An efficient system for the reporting of adverse
116 incidents occurring during the provision of paratransit service
117 to persons with disabilities. Such system may include the
118 assignment of a quick-response (QR) code to each motor vehicle
119 used to provide such service for the purpose of reporting
120 adverse incidents with a smartphone or other mobile device.
121 Reports of adverse incidents received by the local government or
122 the transportation service provider shall be submitted to the
123 Agency for Persons with Disabilities and the Department of
124 Transportation.

125 (4) The Agency for Persons with Disabilities, in

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126 collaboration with the Department of Transportation, shall
127 establish requirements for the investigation of adverse
128 incidents reported pursuant to paragraph (3)(d), including
129 periodic review of ongoing investigations and documentation of
130 final outcomes thereof. The investigation of a reported adverse
131 incident must commence within 48 hours after receipt of the
132 report by the agency and the department.

133 (5) The provisions of s. 287.057 which exempt the purchase
134 of contractual services from competitive bidding requirements do
135 not apply to contracts entered into by local governments and
136 transportation service providers for the provision of
137 paratransit service to persons with disabilities under this
138 section.

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