

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** CS/HB 7049      PCB TMS 24-01    Transportation  
**SPONSOR(S):** Infrastructure Strategies Committee, Transportation & Modals Subcommittee, McFarland  
**TIED BILLS:**            **IDEN./SIM. BILLS:** CS/CS/SB 1032

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Transportation & Modals Subcommittee	18 Y, 0 N	Walker	Hinshelwood
1) Infrastructure & Tourism Appropriations Subcommittee	13 Y, 0 N	Hicks	Davis
2) Infrastructure Strategies Committee	24 Y, 0 N, As CS	Walker	Harrington

**SUMMARY ANALYSIS**

The bill addresses matters related to transportation. Specifically, the bill:

- Requires a specified working group to develop performance and production measures used by the Florida Transportation Commission and expands the duties of the commission.
- Amends laws relating to railroad-crossing offenses and increases penalties for such offenses.
- Provides express authority for local governments to impose minimum age requirements, require possession of a government-issued photographic identification, and provide training relating to electric bicycles, motorized scooters, and micromobility devices.
- Amends requirements relating to Florida Department of Transportation (FDOT) landscaping expenditures.
- Revises requirements for advisory board membership of the Center for Urban Transportation Research (CUTR) and the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab (I-STREET) and requires specified reports from CUTR and I-STREET.
- Repeals the Metropolitan Planning Organization Advisory Council and requires FDOT to, at least annually, convene M.P.O.s of similar size for the purpose of exchanging best practices.
- Requires that training for new M.P.O. governing board members be provided by FDOT and by either CUTR or I-STREET.
- Allows greater voting membership for M.P.O.'s that merge.
- Revises transportation planning processes for M.P.O.'s.
- Allows each M.P.O. to execute with FDOT a written agreement that clearly establishes the cooperative relationship essential to accomplish the transportation planning requirements of state and federal law.
- Requires FDOT to establish M.P.O. quality performance metrics, evaluate M.P.O. reports relating to meeting its target for the performance measure, and post on FDOT's website whether each M.P.O. has made significant progress toward its target for the applicable reporting period.
- Requires, by February 2025, the M.P.O.s serving Lee and Collier counties to submit a report considering the feasibility of consolidation into a single M.P.O.
- Requires, by October 31, 2024, FDOT to submit a report to the Governor and Legislature that provides a comprehensive review of the boundaries of each of FDOT's districts.
- Requires, by October 1, 2024, the Department of Highway Safety and Motor Vehicles to begin implementation of a redesigned standard state license plate.

The bill will have an indeterminate fiscal impact on the state, local governments, and the private sector. See Fiscal Analysis Section.

The bill has an effective date of July 1, 2024.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### **Florida Transportation Commission (FTC)**

##### Current Situation

The FTC is assigned to the Florida Department of Transportation (FDOT) for administrative and fiscal purposes; otherwise, it functions independently of the control and direction of the FDOT. The FTC is composed of nine commissioners appointed by the Governor and confirmed by the Florida Senate for four-year terms. The FTC is required to meet at least four times per year.<sup>12</sup>

Current Florida law provides FTC's primary functions as summarized below:

- Recommend major transportation policies for the Governor's approval and assure that approved policies and any revisions are properly executed;
- Periodically review the status of the state transportation system, including highway, transit, rail, seaport, intermodal development, and aviation components of the system, and recommend improvements to the Governor and the Legislature;
- Perform an in-depth evaluation of the annual department budget request, the Florida Transportation Plan, and the tentative work program for compliance with all applicable laws and established departmental policies;
- Monitor the financial status of the FDOT on a regular basis to assure that the department is managing revenue and bond proceeds responsibly and in accordance with law and established policy;
- Monitor on at least a quarterly basis the efficiency, productivity, and management of the FDOT using performance and production standards developed by the FTC;
- Perform an in-depth evaluation of the factors causing disruption of project schedules in the adopted work program and recommend to the Governor and the Legislature methods to eliminate or reduce the disruptive effects of these factors;
- Recommend to the Governor and the Legislature improvements to the FDOT's organization in order to streamline and optimize the efficiency of the department;
- Monitor the efficiency, productivity, and management of the agencies and authorities; and
- Conduct periodic reviews of FDOT's and authority's operations and budget, acquisition of property, management of revenue and bond proceeds, and compliance with applicable laws and generally accepted accounting principles.<sup>3</sup>

##### Effect of the Bill

The bill requires the FDOT secretary to establish annual performance and production measures; establish a minimum standard for such measures; and publish a report on actual performance. Such measures must be developed by a working group comprised of transportation industry leaders and stakeholders, including, but not limited to, FTC members, members of academia, department staff, and representatives of the certain agencies and authorities<sup>4</sup>. Such measures, at a minimum, must include the following:

- Safety of the current transportation system in this state;
- Contracts for construction and professional services procured on time and delivered on time and within budget;
- Preservation of the State Highway System;
- Financial management; and
- Effectiveness of other federally and state mandated programs.

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<sup>1</sup> Florida Transportation Commission (FTC), *FTC Overview*, <http://www.ftc.state.fl.us/aboutus.shtm> (last visited Feb. 26, 2024).

<sup>2</sup> S. 20.23(2)(a), F.S.

<sup>3</sup> S. 20.23(2)(b), F.S.

<sup>4</sup> Agencies and authorities associated with highway, transit, rail, seaport, intermodal development, and aviation.

This working group must develop any performance and production measure used by the FTC.

The bill revises the FTC's primary functions by requiring it to:

- Provide its recommendations from the periodic review of the status of the state transportation system to applicable governing boards. This is in addition to the existing requirement to provide such information to the Governor and the Legislature.
- Monitor the efficiency, productivity, and management of any public transit provider<sup>5</sup> and any community transportation coordinator.<sup>6</sup>
- Make recommendations to the Governor, the President of the Senate, the Speaker of the House of Representatives, the FDOT, and the applicable governing board regarding any leadership, process, management, or legislative changes needed to improve performance of agencies and authorities that do not achieve the minimum acceptable performance standards.

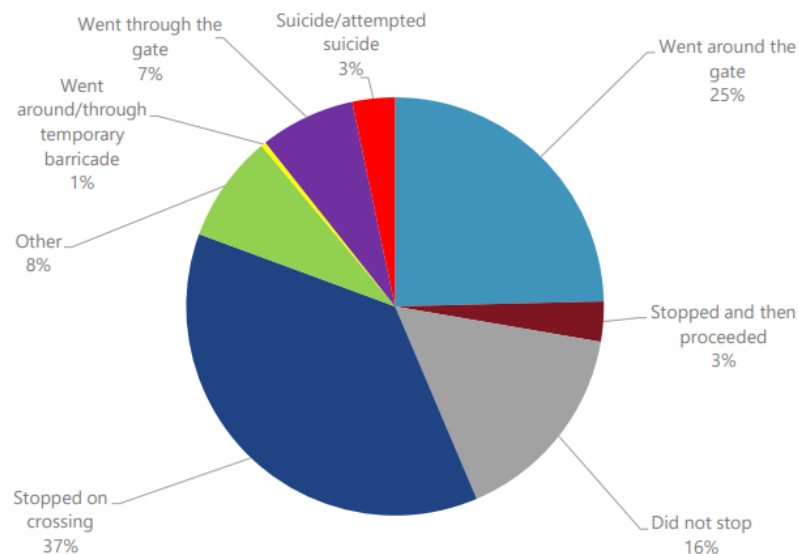
## Railroad-Highway Grade Crossing Traffic Laws and Penalties

### Current Situation

#### *Railroad-Highway Grade Crossing*

Collisions between highway vehicles and trains have been one of the greatest sources of injuries and fatalities in the railroad industry in the United States.<sup>7</sup> During 2016-2020, there were 516 incidents at 408 highway-railroad grade crossings in Florida, accounting for 219 injuries and 89 fatalities.<sup>8</sup> Figure 1 provides a snapshot of the user action that caused such incidents.

**Figure 1: Highway-Rail Grade Crossing Incidents by Highway User Action, 2016-2020<sup>9</sup>**



<sup>5</sup> S. 341.031(1), F.S., defines "public transit provider" to mean a public agency providing public transit service, including rail authorities created in ch. 343, F.S.

<sup>6</sup> S. 427.011(5), F.S., defines "community transportation coordinator" to mean a transportation entity recommended by a metropolitan planning organization, or by the appropriate designated official planning agency in an area outside the purview of a metropolitan planning organization, to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area.

<sup>7</sup> Highway-railroad grade crossings are intersections where a highway crosses a railroad at-grade. Warning or control devices are required at grade crossings just like intersecting roads need stop signs or traffic signals. See U.S. Department of Transportation, *Highway-Rail Grade Crossings Overview*, <https://railroads.dot.gov/program-areas/highway-rail-grade-crossing/highway-rail-grade-crossings-overview> (last visited Feb. 26, 2024).

<sup>8</sup> Florida Department of Transportation, *Overview of Florida's Highway Railroad Grade State Action Plan*, [https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/rail/plans/safety-action-plan/florida's-state-action-plan-public-webinar.pdf?sfvrsn=e4cc7d82\\_2](https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/rail/plans/safety-action-plan/florida's-state-action-plan-public-webinar.pdf?sfvrsn=e4cc7d82_2) (last visited Feb. 26, 2024).

<sup>9</sup> *Id.*

## *Obedience to Traffic Control Devices at Railroad-Highway Grade Crossings*

Current Florida law requires any person walking or driving a vehicle and approaching a railroad-highway grade crossing under any of the circumstances stated below to stop within 50 feet but not less than 15 feet from the nearest rail of such railroad and to not proceed until he or she can do so safely:

- A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;
- A crossing gate is lowered or a law enforcement officer or a human flagger gives or continues to give a signal of the approach or passage of a railroad train;
- An approaching railroad train emits an audible signal or the railroad train, by reason of its speed or nearness to the crossing, is an immediate hazard; or
- An approaching railroad train is plainly visible and is in hazardous proximity to the railroad-highway grade crossing, regardless of the type of traffic control devices installed at the crossing.<sup>10</sup>

Florida law prohibits a person from driving any vehicle through, around, or under any crossing gate or barrier at a railroad-highway grade crossing while the gate or barrier is closed or is being opened or closed.<sup>11</sup>

A violation of the above law is a noncriminal traffic infraction, punishable pursuant to ch. 318, F.S., as either a pedestrian violation<sup>12</sup> or, if the infraction resulted from the operation of a vehicle, as a moving violation.<sup>131415</sup>

## *Insufficient Clearance at Railroad-Highway Grade Crossings*

Florida law prohibits a person from driving any vehicle through a railroad-highway grade crossing that does not have sufficient:

- Space to drive completely through the crossing without stopping;<sup>16</sup> and
- Undercarriage clearance to drive completely through the crossing without stopping.<sup>17</sup>

A violation of the above law is a noncriminal traffic infraction, punishable as a moving violation.<sup>18</sup> The statutory base fine is \$60<sup>19</sup>, but with additional fees and surcharges, the total penalty may be up to \$158.<sup>20</sup>

## Effect of the Bill

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<sup>10</sup> S. 316.1575(1), F.S.

<sup>11</sup> S. 316.1575(2), F.S.

<sup>12</sup> S. 318.18(1)(a), F.S., provides that all infractions of pedestrian regulations have a statutory base fine of \$15. With additional fees and surcharges, the total penalty may be up to \$56.50. See also Florida Association of Clerk of Courts, *2023 Distribution Schedule of Court-Related Filing Fees, Service Charges, Costs and Fines, Including a Fee Schedule for Recording*, p. 38,

[https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2023\\_Distribution\\_Schedule\\_e.pdf](https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2023_Distribution_Schedule_e.pdf) (last visited Feb. 26, 2024)

<sup>13</sup> S. 318.18(3)(a), F.S., provides that a noncriminal traffic infraction, punishable as a moving violation has a statutory base fine of \$60. With additional fees and surcharges, the total penalty may be up to \$158. See also Florida Association of Clerk of Courts, *2023 Distribution Schedule of Court-Related Filing Fees, Service Charges, Costs and Fines, Including a Fee Schedule for Recording*, p. 42,

[https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2023\\_Distribution\\_Schedule\\_e.pdf](https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2023_Distribution_Schedule_e.pdf) (last visited Feb. 26, 2024)

<sup>14</sup> S. 316.1575(3), F.S.

<sup>15</sup> S. 318.18, F.S., provides \$100 for a violation of 316.1575 relating to obedience to traffic control devices at railroad-highway grade crossings.

<sup>16</sup> S. 316.1576(1), F.S.

<sup>17</sup> S. 316.1576(2), F.S.

<sup>18</sup> S. 316.1576(3), F.S.

<sup>19</sup> S. 318.18(3)(a), F.S.

<sup>20</sup> Florida Association of Clerk of Courts, *2023 Distribution Schedule of Court-Related Filing Fees, Service Charges, Costs and Fines, Including a Fee Schedule for Recording*, p. 42,

[https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2023\\_Distribution\\_Schedule\\_e.pdf](https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2023_Distribution_Schedule_e.pdf) (last visited Feb. 26, 2024)

### *Obedience to Traffic Control Devices at Railroad-Highway Grade Crossings*

The bill clarifies that a person may not proceed until the railroad tracks are clear after stopping within 50 feet but not less than 15 feet from a railroad-highway grade crossing under the specified circumstances aforementioned. The bill adds that railroad track equipment must be treated as a railroad train in such circumstances.

The bill revises the penalties of violating the law relating to obedience to traffic control devices at crossings by providing that for a:

- First violation the person must pay a fine of \$500 and have 6 points assessed against his or her driver license; and
- Second or subsequent violation, the person must pay a fine of \$1,000 and have 6 points assessed against his or her driver license.

### *Insufficient Clearance at Railroad-Highway Grade Crossings*

The bill adds that a person may not drive a vehicle through a railroad-highway grade crossing that does not have sufficient:

- Space to drive completely through the crossing without obstructing the passage of other vehicles, pedestrians, railroad trains, or other railroad equipment, notwithstanding any traffic control signal indication to proceed; and
- Undercarriage clearance to drive completely through the crossing without obstructing the passage of a railroad train or other railroad equipment.

The bill revises the penalties of violating the law relating to insufficient clearance at a railroad-highway grade crossing by providing that for a:

- First violation, the person must pay a fine of \$500 and have 6 points assessed against his or her driver license; and
- Second or subsequent violation, the person must:
  - Pay a fine of \$1,000;
  - Have 6 points assessed against his or her driver license; and
  - Have his or her driving privilege suspended for not more than 6 months.

## **Electric Bicycles, Motorized Scooters, and Micromobility Devices**

### Current Situation

Under Florida law, the operator of an electric bicycle or motorized scooter has all of the rights, privileges, and duties applicable to the rider of a bicycle.<sup>21</sup> These devices are defined in Florida law as follows:

- Electric bicycle:<sup>22</sup> A bicycle or tricycle equipped with fully operable pedals, a seat or saddle for the use of the rider, and an electric motor of less than 750 watts which meets the requirements of one of the following three classifications:
  - “Class 1 electric bicycle” means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.
  - “Class 2 electric bicycle” means an electric bicycle equipped with a motor that may be used exclusively to propel the electric bicycle and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.
  - “Class 3 electric bicycle” means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 28 miles per hour.

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<sup>21</sup> Ss. 316.20655 and 316.2128, F.S.

<sup>22</sup> S. 316.003(23), F.S.

- Motorized scooter:<sup>23</sup> Any vehicle or micromobility device that is powered by a motor with or without a seat or saddle for the use of the rider, which is designed to travel on not more than three wheels, and which is not capable of propelling the vehicle at a speed greater than 20 miles per hour on level ground. The term does not include an electric bicycle.
- Micromobility device:<sup>24</sup> Any motorized transportation device made available for private use by reservation through an online application, website, or software for point-to-point trips and which is not capable of traveling at a speed greater than 20 miles per hour on level ground. This term includes motorized scooters and bicycles as defined in ch. 316, F.S.

An electric bicycle must operate in a manner so that the electric motor is disengaged or ceases to function when the rider stops pedaling or when the brakes are applied.<sup>25</sup>

An operator of an electric bicycle, motorized scooter, or micromobility device is not required to register the device with the Department of Highway Safety and Motor Vehicles (DHSMV), carry minimum insurance, or have a driver license to operate a motorized scooter.<sup>26</sup> Helmets are required for operators under the age of 16.<sup>27</sup>

Local governments have authority to regulate electric bicycles, motorized scooters and micromobility devices, including authority to:

- Enact an ordinance to permit, control, or regulate the operation of electric bicycles and motorized scooters on sidewalks or sidewalk areas when such use is permissible under federal law.<sup>28</sup> The ordinance must restrict such vehicles or devices to a maximum speed of 15 miles per hour in such areas.<sup>29</sup>
- Adopt an ordinance governing the operation of electric bicycles on streets, highways, sidewalks, and sidewalk areas under the local government's jurisdiction; to prevent a municipality, county, or agency of the state having jurisdiction over a bicycle path, multiuse path, or trail network from restricting or prohibiting the operation of an electric bicycle on a bicycle path, multiuse path, or trail network; or to prevent a municipality, county, or agency of the state having jurisdiction over a beach or a dune from restricting or prohibiting the operation of an electric bicycle on such beach or dune.<sup>30</sup>
- Adopt an ordinance governing the operation of motorized scooters on streets, highways, sidewalks, and sidewalk areas under the local government's jurisdiction.<sup>31</sup>

### Effect of the Bill

The bill further specifies the authority of local governments over electric bicycles, motorized scooters, and micromobility devices to expressly include the authority to:

- Adopt an ordinance providing one or more minimum age requirements for such devices.
- Adopt an ordinance requiring an operator of such devices to possess a government-issued photographic identification.
- Provide training on safe operation of such devices and compliance with the traffic laws of this state which are applicable to such devices.

## **FDOT Landscape Requirement**

### Current Situation

One of the many duties of FDOT is to provide for the enhancement of environmental benefits, including air and water quality; to prevent roadside erosion; to conserve the natural roadside growth and scenery; and to provide for the implementation and maintenance of roadside conservation, enhancement, and

<sup>23</sup> S. 316.003(48), F.S.

<sup>24</sup> S. 316.003(41), F.S.

<sup>25</sup> S. 316.20655(6), F.S.

<sup>26</sup> Ss. 316.20655(2) and 316.2128(2)&(3), F.S.

<sup>27</sup> S. 316.2065(3)(d), F.S.

<sup>28</sup> S. 316.008(7)(a), F.S.

<sup>29</sup> *Id.*

<sup>30</sup> S. 316.2128(1), F.S.

<sup>31</sup> S. 316.2128(1), F.S.

stabilization programs.<sup>32</sup> To accomplish these goals, at least 1.5 percent of the amount contracted for construction projects must be allocated by FDOT on a statewide basis for the purchase of plant materials.<sup>33</sup>

To the greatest extent practical, at least 50 percent of the funds allocated for the purchase of plant materials must be allocated for large plant materials and the remaining funds for other plant materials.<sup>34</sup> Except as prohibited by applicable federal law or regulation, all plant materials must be purchased from Florida commercial nursery stock in this state on a uniform competitive bid basis.<sup>35</sup> FDOT must develop grades and standards for landscaping materials purchased through this process.<sup>36</sup> FDOT districts may not expend funds for landscaping in connection with any project that is limited to resurfacing existing lanes unless the expenditure has been approved by FDOT's secretary or the secretary's designee.<sup>37</sup>

#### Effect of the Bill

In order to increase cost predictability and programming needs, the bill provides that a project with a total contracted construction cost greater than \$500 million must have 0.5 percent of the total construction cost expended in the fiscal year the project is planned for construction, and the remaining 1 percent may be planned and expended over 4 fiscal years.

### **Florida Center for Urban Transportation Research (CUTR)**

#### Current Situation

Florida law establishes CUTR at the University of South Florida, to be administered by the Board of Governors of the State University System.<sup>38</sup> CUTR is responsible for conducting and facilitating research on issues related to urban transportation problems in this state and serving as an information exchange and depository for the most current information pertaining to urban transportation and related issues.<sup>39</sup> Additionally, CUTR is responsible for the promotion of intercampus transportation and related research activities among Florida's universities in order to enhance the ability of these universities to attract federal and private sector funding for transportation and related research.<sup>40</sup>

Under Florida law, an advisory board is created to periodically and objectively review and advise CUTR concerning its research program. The membership of the board must consist of nine experts in transportation-related areas, including the secretaries of the Florida Department of Transportation (FDOT), the Department of Environmental Protection, and the Department of Economic Opportunity, or their designees, and a member of the Florida Transportation Commission (FTC). The nomination of the remaining members of the board must be made to the President of the University of South Florida by the College of Engineering at the University of South Florida, and the appointment of these members must be reviewed and approved by the FTC and confirmed by the Board of Governors.<sup>41</sup>

#### Effect of the Bill

The bill revises the membership of the nine board members with expertise in transportation-related areas, including electrical engineering, enterprise and infrastructure information technology, design architecture drafting, and workforce development, as follows:

- A member appointed by the President of the Senate;
- A member appointed by the Speaker of the House of Representatives;
- The Secretary of Transportation or his or her designee;
- The Secretary of Commerce or his or her designee;
- A member of the FTC; and

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<sup>32</sup> S. 334.044(26), F.S.

<sup>33</sup> *Id.*

<sup>34</sup> *Id.*

<sup>35</sup> *Id.*

<sup>36</sup> *Id.*

<sup>37</sup> *Id.*

<sup>38</sup> S. 334.065(1), F.S.

<sup>39</sup> *Id.*

<sup>40</sup> S. 334.065(2), F.S.

<sup>41</sup> S. 334.065(3), F.S.

- Four members nominated to the President of the University of South Florida by the College of Engineering at the University of South Florida.

By January 1, 2025, CUTR must deliver a report to FDOT on model policies and procedures or best practices for paratransit providers to complete trips within an acceptable time after pickup.

By December 1, 2025, CUTR must deliver to the Governor, the President of the Senate, the Speaker of the House of Representatives, and FDOT a report examining alternate revenue sources for the State Transportation Trust Fund.

## **Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab (I-STREET)**

### Current Situation

Florida law establishes I-STREET within the University of Florida.<sup>42</sup> At a minimum, I-STREET is responsible for:

- Conducting and facilitating research on issues related to innovative transportation mobility and safety technology development and deployment in this state;
- Serving as an information exchange and depository for the most current information pertaining to transportation research, education, workforce development, and related issues;
- Being a continuing resource for the Legislature, FDOT, local governments, the nation's metropolitan regions, and the private sector in the area of transportation and related research;
- Promoting intercampus transportation and related research activities among Florida universities to enhance the ability of these universities to attract federal and private sector funding for transportation and related research; and
- Providing, by July 1<sup>st</sup> of each year, to the Governor, the President of the Senate, and the Speaker of the House of Representatives a comprehensive report that outlines I-STREET's clearly defined goals and its efforts and progress on reaching those goals.<sup>43</sup>

I-STREET is currently functioning as a living lab that is testing and deploying advanced technologies such as autonomous vehicles, smart devices, and sensors to enhance mobility and safety.<sup>44</sup>

Under Florida law, I-STREET has an advisory board to periodically review and advise its research program. The board must consist of nine members with expertise in transportation-related areas, as follows:

- A member appointed by the President of the Senate;
- A member appointed by the Speaker of the House of Representatives;
- The Secretary of Transportation or his or her designee;
- The Secretary of Economic Opportunity or his or her designee;
- A member of the Florida Transportation Commission; and
- Four members nominated by the University of Florida's College of Engineering and approved by the university's president.
  - The College of Engineering's nominees may include representatives of the University of Florida, other academic and research institutions, or private entities.<sup>45</sup>

### Effect of the Bill

The bill revises I-STREET's nine advisory board members with expertise in transportation-related areas, including electrical engineering, enterprise and infrastructure information technology, design architecture drafting, and workforce development, by making a technical change to reflect that the

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<sup>42</sup> S. 334.066(1), F.S.

<sup>43</sup> S. 334.066(2), F.S.

<sup>44</sup> University of Florida, Herbert Wertheim College of Engineering, <https://istreet.ce.ufl.edu/about/> (last visited Feb. 7, 2024).

<sup>45</sup> S. 334.066(3), F.S.



Department of Economic Opportunity is now named the Department of Commerce, as passed in the 2023 Legislative Session.<sup>46</sup>

By January 1, 2025, I-STREET must deliver a comprehensive report on technology and training improvements to better support persons with disabilities using paratransit services, including services administered by the federal, state, or local government, to the Governor, the President of the Senate, the Speaker of the House of Representatives, and FDOT. The report must, at a minimum, include recommendations on technology improvements for paratransit providers serving persons with disabilities, including through local, state, and federal funding sources. At a minimum, the report shall include a review of and recommendations on:

- Technology systems to ensure the safety of individuals, including the use of in-cabin camera systems and other technologies to monitor the safety and well-being of individuals using fixed routes.
- Best practices for data retention, including protection of personally identifiable information, length of retention, and location of retained files.
- State-of-the-industry on hardware and software, including camera providers, product specifications, and human-machine interfaces.
- Safety standards of professional engineering organizations on camera-mounting best practices.
- Costs of installation and maintenance of camera systems to paratransit providers.
- The use of Internet, mobile, and application-based interfaces to book, monitor, and seek transportation services. The review must also consider accessibility needs.

By December 1, 2025, I-STREET must deliver to the Governor, the President of the Senate, the Speaker of the House of Representatives, and FDOT a report examining methods of taxation or usage fees for residential charging of electric vehicles.

## **Metropolitan Planning Organizations (M.P.O.s)**

### Current Situation

#### *M.P.O.s and Primary Functions*

Florida law provides that it is the intent of the Legislature to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and through urbanized areas of this state while minimizing transportation-related fuel consumption, air pollution, and greenhouse gas emissions through metropolitan transportation planning processes.<sup>47</sup> To achieve this intent or objective, Florida law provides that M.P.O.s, must develop, in cooperation with the state and public transit operators, transportation plans and programs for metropolitan areas.<sup>48</sup>

M.P.O.s are entities comprised of representatives from local governments and transportation authorities that are responsible for regional transportation planning in urbanized areas with populations of over 50,000 as determined by the U.S. Census.<sup>49</sup> As seen below, Florida has 27 M.P.O.s, and each have their own geographical boundary and board of voting members<sup>50</sup>:

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<sup>46</sup> Ch. 2023-173, Laws of Fla.

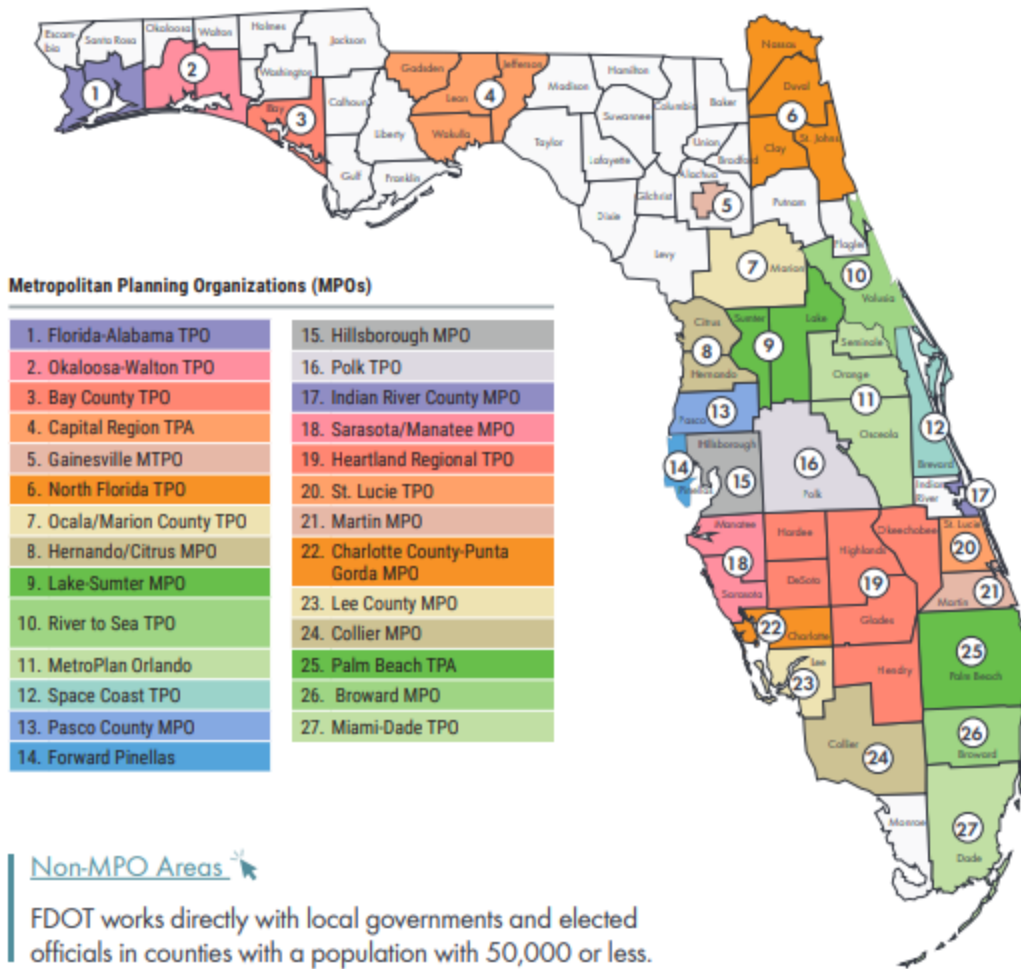
<sup>47</sup> S. 339.175(1), F.S.

<sup>48</sup> *Id.*

<sup>49</sup> Federal Transit Administration, *Metropolitan Planning Organization (MPO)*, [https://www.transit.dot.gov/regulations-and-guidance/transportation-planning/metropolitan-planning-organization-mpo#:~:text=Planning%20Organization%20\(MPO\)-\\_Overview,determined%20by%20the%20U.S.%20Census](https://www.transit.dot.gov/regulations-and-guidance/transportation-planning/metropolitan-planning-organization-mpo#:~:text=Planning%20Organization%20(MPO)-_Overview,determined%20by%20the%20U.S.%20Census). (last visited Feb. 7, 2024).

<sup>50</sup> FDOT, *Metropolitan Planning Organization Subject Brief*, [https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/planning/policy/briefing-sheets/briefing\\_sheet\\_mpo\\_102720.pdf?sfvrsn=b17ab46b\\_2](https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/planning/policy/briefing-sheets/briefing_sheet_mpo_102720.pdf?sfvrsn=b17ab46b_2) (last visited Feb. 7, 2024).

Figure 1: Map of Florida's 27 M.P.O.s<sup>51</sup>



### M.P.O. Designation

To the extent possible, only one M.P.O. is designated for each urbanized area or group of contiguous urbanized areas. More than one M.P.O. may be designated within an existing urbanized area only if the Governor and the existing M.P.O. determine that the size and complexity of the existing urbanized area makes the designation of more than one M.P.O. for the area appropriate, in which case each M.P.O. designated for the area must:

- Consult with every other M.P.O. designated for the urbanized area and the state to coordinate plans and transportation improvement programs; and
- Ensure, to the maximum extent practicable, the consistency of data used in the planning process, including data used in forecasting travel demand within the urbanized area.<sup>52</sup>

### Coordination with other M.P.O.s and Political Subdivisions

M.P.O.s are required to develop coordination mechanisms with one another to expand and improve transportation within the state. The appropriate method of coordination between M.P.O.s may vary depending upon the project involved and given local and regional needs. Consequently, discretion is used by M.P.O.s to coordinate with other M.P.O.s and appropriate political subdivisions as circumstances demand.<sup>53</sup>

<sup>51</sup> *Id.*

<sup>52</sup> S. 339.175(2), F.S.

<sup>53</sup> S. 339.175(6)(j), F.S.

FDOT and M.P.O.s are partners in the transportation planning, with FDOT responsible for coordinating the state's long-range transportation goals, the Florida Transportation Plan (FTP),<sup>54</sup> and M.P.O.s responsible for coordinating regional long-range transportation plans.<sup>55</sup> The M.P.O.s develop their Long Range Transportation Plan (LRTP) to implement national and state goals for their metropolitan area.<sup>56</sup> Projects are developed and must be included in the LRTP to be considered for funding.<sup>57</sup> An M.P.O. must also develop its List of Priority Projects (LOPP), which must be consistent with the LRTP and is used to inform the development of the Transportation Improvement Program (TIP).<sup>58</sup> An M.P.O.'s TIP includes a listing of projects planned for the next five fiscal years.<sup>59</sup> TIPs from all 27 M.P.O.s are combined together, along with FDOT's other non-metropolitan statewide projects to form the Statewide Transportation Improvement Program (STIP).<sup>60</sup> To be eligible for federal funding, projects must be included in the LRTP, TIP, and STIP.<sup>61</sup> The projects included in an M.P.O.'s TIP are funded and completed through the Work Program (WP).<sup>62</sup>

In developing the LRTP and the TIP, each M.P.O. must provide for consideration projects and strategies that will:

- Support the economic vitality of the contiguous urbanized metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
- Increase the safety and security of the transportation system for motorized and nonmotorized users;
- Increase the accessibility and mobility options available to people and for freight;
- Protect and enhance the environment, promote energy conservation, and improve quality of life;
- Enhance the integration and connectivity of the transportation system, across and between modes and contiguous urbanized metropolitan areas, for people and freight;
- Promote efficient system management and operation;
- Emphasize the preservation of the existing transportation system; and
- Improve the resilience of transportation infrastructure.<sup>63</sup>

The LRTP must, at a minimum:

- Identify transportation facilities that will function as an integrated metropolitan transportation system.
  - The LRTP must give emphasis to those transportation facilities that serve national, statewide, or regional functions, and must consider the goals and objectives identified in the FTP.
  - If a project is located within the boundaries of more than one M.P.O., the M.P.O.s must coordinate plans regarding the project in the LRTP. Multiple M.P.O.s within a contiguous urbanized area must coordinate the development of LRTPs to be reviewed by the Metropolitan Planning Organization Advisory Council.
- Include a financial plan that demonstrates how the plan can be implemented, indicating resources from public and private sources which are reasonably expected to be available to

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<sup>54</sup> The FTP is a policy document updated at least once every five years and developed in compliance with requirements in s. 339.155, F.S. The FTP establishes and defines the state's long-range transportation goals and objectives to be accomplished over a period of at least 20 years. S. 339.155(1), F.S. It is based upon the prevailing principles of preserving the existing transportation infrastructure, enhancing Florida's economic competitiveness, improving travel choices to ensure mobility, and expanding the state's role as a hub for trade and investment. *Id.* The FTP is the single overarching plan guiding Florida's transportation future. FDOT, *Florida Transportation Plan*, <https://www.fdot.gov/planning/ftp/default.shtm> (last visited Feb. 7, 2024).

<sup>55</sup> FDOT, *supra* note 50.

<sup>56</sup> *Id.*

<sup>57</sup> *Id.*

<sup>58</sup> *Id.*

<sup>59</sup> FDOT, *STIP Information*, <https://www.fdot.gov/workprogram/federal/stip-mpostip.shtm> (last visited Feb. 7, 2024).

<sup>60</sup> FDOT, *supra* note 50.

<sup>61</sup> *Id.*

<sup>62</sup> *Id.*

<sup>63</sup> S. 339.175(6)(b), F.S.  
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carry out the plan, and recommends any additional financing strategies for needed projects and programs.

- The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted LRTP if reasonable additional resources beyond those identified in the financial plan were available. For the purpose of developing the LRTP, the M.P.O. and FDOT must cooperatively develop estimates of funds that will be available to support the plan implementation. Innovative financing techniques may be used to fund needed projects and programs. Such techniques may include the assessment of tolls, the use of value capture financing, or the use of value pricing.
- Assess capital investment and other measures necessary to:
  - Ensure the preservation of the existing metropolitan transportation system including requirements for the operation, resurfacing, restoration, and rehabilitation of major roadways and requirements for the operation, maintenance, modernization, and rehabilitation of public transportation facilities; and
  - Make the most efficient use of existing transportation facilities to relieve vehicular congestion, improve safety, and maximize the mobility of people and goods. Such efforts must include, but are not limited to, consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as automated driving systems and other developments.
- Indicate, as appropriate, proposed transportation enhancement activities, including, but not limited to, pedestrian and bicycle facilities, trails or facilities that are regionally significant or critical linkages for the Florida Shared-Use Nonmotorized Trail Network, scenic easements, landscaping, historic preservation, mitigation of water pollution due to highway runoff, and control of outdoor advertising.
- Coordinate, in metropolitan areas that are classified as nonattainment areas for ozone or carbon monoxide, the development of the LRTP with the State Implementation Plan developed pursuant to the requirements of the federal Clean Air Act.<sup>64</sup>

In the development of its LRTP, each M.P.O. must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the LRTP. The LRTP must be approved by the M.P.O.<sup>65</sup>

#### *Feasibility Studies on Consolidation of Select M.P.O.s*

The M.P.O.s serving Hillsborough, Pasco, and Pinellas Counties were required to submit, by December 31, 2023, a feasibility report to the Governor, the President of the Senate, and the Speaker of the House of Representatives exploring the benefits, costs, and process of consolidation into a single M.P.O. serving the contiguous urbanized area, the goal of which was to:

- Coordinate transportation projects deemed to be regionally significant;
- Review the impact of regionally significant land use decisions on the region; and
- Review all proposed regionally significant transportation projects in the TIPs.<sup>66</sup>

#### *Metropolitan Planning Organization Advisory Council (MPOAC)*

Under Florida law, the MPOAC was established with the purpose to augment, and not supplant, the role of the individual M.P.O.s in the cooperative transportation planning process.<sup>67</sup> The council consists of one representative from each M.P.O. and annually elects a chairperson from its membership.<sup>68</sup>

The main powers and duties of the council are to:

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<sup>64</sup> S. 339.175(7), F.S.

<sup>65</sup> *Id.*

<sup>66</sup> S. 339.175(6)(i), F.S.

<sup>67</sup> S. 339.175(11)(a), F.S.

<sup>68</sup> S. 339.175(11)(b), F.S.

- Establish bylaws by action of its governing board providing procedural rules to guide its proceedings and consideration of matters before the council, or, alternatively, adopt rules to implement provisions of law conferring powers or duties upon the council;
- Assist M.P.O.s in carrying out the urbanized area transportation planning process by serving as the principal forum for collective policy discussion;
- Serve as a clearinghouse for review and comment by M.P.O.s on the FTP and on other issues required to comply with federal or state law in carrying out the urbanized area transportation and systematic planning processes;
- Employ an executive director and such other staff as necessary to perform adequately the functions of the council, within budgetary limitations;
- Deliver training on federal and state program requirements and procedures to M.P.O. board members and M.P.O. staff; and
- Adopt an agency strategic plan that prioritizes steps the agency will take to carry out its mission within the context of the state comprehensive plan and any other statutory mandates and directives.<sup>69</sup>

The council may also enter into contracts to support its duties.<sup>70</sup>

### Effect of the Bill

The bill makes the following changes to laws that govern M.P.O.s:

- Modifies the legislative intent of M.P.O.s to emphasize:
  - The development of multimodal transportation systems, instead of surface transportation systems; and
  - Serving the mobility needs of people and freight and fostering economic growth and development within and through urbanized areas of this state while balancing conservation of natural resources.
- For M.P.O.'s that merge to form a regional M.P.O., allows the voting membership of the resulting regional M.P.O. to consist of up to 35 apportioned members for equitable geographic-population representation, subject to review by FDOT and approval by the Governor.
- Requires each M.P.O. be involved in the planning and prioritization of transportation facilities.
- Requires each M.P.O., in cooperation with FDOT, to develop and timely amend specified planning documents.
- Revises the items that each M.P.O. must consider when developing its LRTP and TIP to include projects and strategies that will conserve natural resources and reduce traffic and congestion where feasible.
- Removes the requirement for specified individuals to be adequately represented on the M.P.O. citizens' advisory committee.
- Requires, by February 28, 2025, the M.P.O.s serving Lee and Collier counties to submit a report considering the feasibility of consolidation into a single M.P.O. and eliminates the obsolete provision that required Hillsborough, Pasco, and Pinellas counties to do so by December 31, 2023.
- Repeals the MPOAC.
- Requires FDOT to, at least annually, convene M.P.O.s of similar size for the purpose of exchanging best practices and allows M.P.O.s to develop committees or working groups as needed to accomplish such purpose. This replaces the provision of law that allows discretion and flexibility to coordinate as they see fit with other M.P.O.s and political subdivisions.
- Provides that training for new M.P.O. governing board members must be provided by FDOT and by either CUTR or I-STREET.
- Revises the requirements for an M.P.O.'s LRTP by:
  - Revising the directive that each M.P.O. is encouraged to consider strategies that integrate transportation and land use planning.
  - Requiring M.P.O.'s within the same urbanized area to develop a regional LRTP and pool resources for regionally significant transportation infrastructure projects.

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<sup>69</sup> S. 339.175(11)(c), F.S.

<sup>70</sup> S. 339.175(11)(d), F.S.

- Removing the provision that requires the Metropolitan Planning Organization Council to review the LRTPs.
- Allowing, in the financial plan requirement, public-private partnerships to be included as an innovative financing technique to be used to fund needed projects and programs.
- Revising the list of proposed transportation enhancement activities that an M.P.O. must indicate, as appropriate, to include integration of advanced air mobility and integration of autonomous, electric, and alternative-fuel vehicles, electric bicycles, and motorized scooters used for freight, commuter, or micromobility purposes. The list of such activities is no longer required to indicate historic preservation, mitigation of water pollution due to highway runoff, and control of outdoor advertising.
- Provides that it is the M.P.O.'s responsibility, in collaboration with FDOT, to identify, prioritize, and present to FDOT a complete list of multimodal transportation projects consistent with the needs of the metropolitan planning area, and it is FDOT's responsibility to program projects in the STIP.
- Revises the requirements for an M.P.O.'s LOPP by:
  - Eliminating the ability for FDOT and an M.P.O. to agree to an alternative due date for the M.P.O.'s LOPP.
  - Requiring an M.P.O. selecting projects for the LOPP to consider essential projects to update the state's transportation network, address congestion, enhance safety, ensure resiliency, and facilitate supply chain needs.
- Revises the requirements for an M.P.O.'s TIP by:
  - Requiring that projects included in the TIP be consistent with the Strategic Intermodal System Plan.<sup>71</sup>
  - For any project removed from or rescheduled in a subsequent TIP, which current law prohibits an M.P.O. from rescheduling within the following 4 years of the TIP, requiring that funding for the previously committed phases be reprogrammed for other projects within the LOPP.
- Creates the following M.P.O. accountability and transparency provisions:
  - Allows each M.P.O. to execute a written agreement with FDOT, which must be reviewed, and updated as necessary, every 5 years, which clearly establishes the cooperative relationship essential to accomplish the transportation planning requirements of state and federal law. Roles, responsibilities, and expectations for accomplishing consistency with federal and state requirements and priorities must be described and formalized in the agreement. The agreement must describe and formalize the M.P.O.'s responsibility, in collaboration with FDOT, to identify, prioritize, and present to FDOT a complete list of multimodal transportation projects consistent with the needs of the metropolitan planning area. It is FDOT's responsibility to program projects in the STIP.
  - Requires FDOT to establish, in collaboration with the M.P.O.'s, quality performance metrics such as safety, infrastructure condition, congestion relief, and mobility. Each M.P.O. must, as part of its LRTP, in direct coordination with FDOT, develop targets for each performance measure within the metropolitan planning area boundary. The performance targets must support efficient and safe movement of people and goods both within the metropolitan planning area and between regions. Each M.P.O. must report progress toward establishing performance targets for each measure annually in its TIP. FDOT must evaluate and post on its website whether each M.P.O. has made significant progress toward its target for the applicable reporting period.

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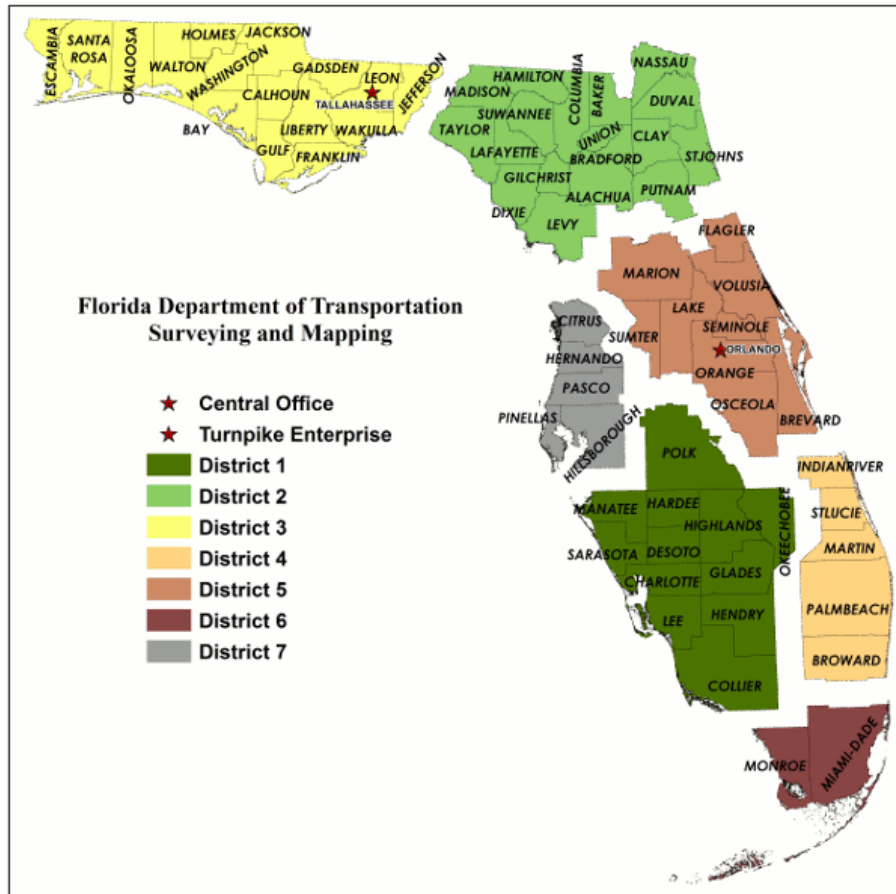
<sup>71</sup> The Strategic Intermodal System (SIS) is Florida's high priority network of transportation facilities important to the state's economy and mobility. The Governor and Legislature established the SIS in 2003 to focus the state's limited transportation resources on the facilities most significant for interregional, interstate, and international travel. The SIS is the state's highest priority for transportation capacity investments and a primary focus for implementing the Florida Transportation Plan, the state's long-range transportation vision and policy plan. FDOT, *Florida's Strategic Intermodal System (SIS)*, <https://www.fdot.gov/planning/systems/sis> (last visited Feb. 26, 2024).

## Comprehensive Review of FDOT Districts

### Current Situation

Under Florida law, the operations of FDOT are organized into seven districts, each headed by a district secretary, and a turnpike enterprise and a rail enterprise, each enterprise headed by an executive director.<sup>72</sup> The districts and their boundaries are shown below in Figure 2. FDOT's districts and their boundaries and headquarters were comprehensively reviewed most recently in 2017.<sup>73</sup>

Figure 2: Map of FDOT Districts<sup>74</sup>



### Effect of the Bill

The bill provides that, by October 31, 2024, FDOT must submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report that provides a comprehensive review of the boundaries of each of FDOT's districts and whether any district boundaries should be redrawn as a result of population growth and increased urban density.

## Redesign of Florida License Plate

### Current Situation

Under Florida law, registration license plates must be:

- Made of metal specially treated with a retroreflection material, as specified by DHSMV;
- Designed to increase nighttime visibility and legibility;

<sup>72</sup> S. 20.23(4)(a), F.S.

<sup>73</sup> Florida Department of Transportation, *Review of Boundaries and Headquarters of the Florida Department of Transportation Districts & Creation of a New District Headquartered in Fort Myers (Executive Summary)* (Oct. 31, 2017), [https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/content/legislative/documents/fdotdistrictstudy.pdf?sfvrsn=7a3aab8f\\_0](https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/content/legislative/documents/fdotdistrictstudy.pdf?sfvrsn=7a3aab8f_0) (last visited Feb. 7, 2024).

<sup>74</sup> FDOT, *Staff Directory*, <https://www.fdot.gov/geospatial/staff.shtm> (last visited Feb. 7, 2024).

- At least 6 inches wide and not less than 12 inches in length, unless a plate with reduced dimensions is deemed necessary by the DHSMV to accommodate motorcycles, mopeds, or similar smaller vehicles;
- Imprinted with a combination of bold letters and numerals or numerals, not to exceed seven digits, to identify the registration license plate number; and
- Imprinted with the word “Florida” at the top and the name of the county in which it is sold, the state motto, or the words “Sunshine State” at the bottom.<sup>75</sup>

Currently, the State of Florida offers three standard license plate options, all portraying an image of two oranges that symbolize the state’s agricultural heritage and that it historically has been a top producer of oranges.<sup>76</sup> There have been no major redesigns of this license plate since 2004.<sup>77</sup>

#### Effect of the Bill

The bill provides that, by October 1, 2024, the DHSMV must begin implementation of a redesigned registration license plate. Design options must be shared with the President of the Senate and the Speaker of the House of Representatives for input before final selection. This redesign does not apply to specialty license plates. In redesigning the plate, DHSMV must remove the term “MYFLORIDA.COM” and replace it solely with the word “FLORIDA”. Additionally, the DHSMV must coordinate with FDOT to ensure the legibility of the redesigned registration license plate and must also consider adding an additional character to the registration license plate due to Florida’s continued economic growth.

#### **Effective Date**

The bill has an effective date of July 1, 2024.

#### **B. SECTION DIRECTORY:**

- Section 1** Amends s. 20.23, F.S., relating to Department of Transportation.
- Section 2** Amends s. 110.205, F.S., relating to career service; exemptions.
- Section 3** Amends s. 316.1575, F.S., relating to obedience to traffic control devices at railroad-highway grade crossings.
- Section 4** Amends s. 316.1576, F.S., relating to insufficient clearance at a railroad-highway grade crossing.
- Section 5** Amends s. 316.20655, F.S., relating to electric bicycle regulations.
- Section 6** Amends s. 316.2128, F.S., relating to micromobility devices, motorized scooters, and miniature motorcycles; requirements.
- Section 7** Amends s. 318.18, F.S., relating to amount of penalties.
- Section 8** Amends s. 334.044, F.S., relating to powers and duties of the department.
- Section 9** Amends s. 334.065, F.S., relating to Center for Urban Transportation Research.
- Section 10** Amends s. 334.066, F.S., relating to Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab.

<sup>75</sup> S. 320.06(3)(a), F.S.

<sup>76</sup> DHSMV, *License Plates & Registration*, <https://www.flhsmv.gov/motor-vehicles-tags-titles/license-plates-registration/> (last visited Feb. 7, 2024).

<sup>77</sup> Kathy Ciotola, *Florida’s New Tag Features Improved Oranges*, *The Gainesville Sun*, (Apr. 9, 2004), <https://www.gainesville.com/story/news/2004/04/09/floridas-new-tag-features-improved-oranges/64294190007/> (last visited Feb. 7, 2024).



- Section 11** Amends s. 339.135, F.S., relating to work program; legislative budget request; definitions; preparation, adoption, execution, and amendment.
- Section 12** Amends s. 339.175, F.S., relating to metropolitan planning organization.
- Section 13** Amends s. 28.37, F.S., relating to fines, fees, service charges, and costs remitted to the state.
- Section 14** Amends s. 142.01, F.S., relating to fine and forfeiture fund; disposition of revenue; clerk of the circuit court.
- Section 15** Amends s. 316.1951, F.S., relating to parking for certain purposes prohibited; sale of motor vehicles; prohibited acts.
- Section 16** Amends s. 316.306, F.S., relating to school and work zones; prohibition on the use of a wireless communications device in a handheld manner.
- Section 17** Amends s. 316.622, F.S., relating to farm labor vehicles.
- Section 18** Amends s. 318.121, F.S., relating to preemption of additional fees, fines, surcharges, and costs.
- Section 19** Amends s. 318.21, F.S., relating to disposition of civil penalties by county courts.
- Section 20** Amends s. 322.27, F.S., relating to authority of department to suspend or revoke driver license or identification card.
- Section 21** Amends s. 331.3051, F.S., relating to duties of Space Florida.
- Section 22** Amends s. 331.310, F.S., relating to powers and duties of the board of directors.
- Section 23** Amends s. 395.4036, F.S., relating to trauma payments.
- Section 24** Requires FDOT to submit a report that provides a comprehensive review of FDOT's district boundaries by October 31, 2024.
- Section 25** Requires DHSMV to begin the implementation of a redesigned registration license plate by October 1, 2024.
- Section 26** Provides an effective date of July 1, 2024.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

#### **1. Revenues:**

The provisions relating to railroad-crossing offenses may result in increased assessment and collection of civil penalties.

#### **2. Expenditures:**

The bill will likely have an indeterminate negative fiscal impact on the DHSMV due to the need for additional resources to support the redesign of the current standard state license plate for implementation by October 1, 2024.

The bill may have an indeterminate negative fiscal impact on FDOT, as the bill:

- Requires FDOT to develop performance and production measures used by the FTC and expands the duties of the FTC
- Requires FDOT to submit a report by October 31, 2024, to the Governor and Legislature that provides a comprehensive review of the boundaries of each of FDOT's districts and whether any district boundaries should be redrawn as a result of population growth and increased urban density.
- Requires FDOT to convene, at least annually, M.P.O.s of similar size for the purpose of exchanging best practices.
- Requires FDOT to provide training for new M.P.O. governing board members.
- Requires FDOT to establish M.P.O. quality performance metrics, evaluate M.P.O. reports relating to meeting its target for the performance measure, and post on FDOT's website whether each M.P.O. has made significant progress toward its target for the applicable reporting period.

The bill will have an indeterminate negative fiscal impact on DHSMV, as it will likely require the agency to discard any standard state license plates not issued by the October 2024 implementation date.

#### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

##### 1. Revenues:

Indeterminate. See "Fiscal Comments" section below.

##### 2. Expenditures:

Indeterminate. See "Fiscal Comments" section below.

#### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The provisions relating to railroad-crossing offenses will increase penalties for anyone committing specified violations; however, those same provisions may result in greater safety at railroad crossings.

The provisions relating to electric bicycles, motorized scooters, and micromobility devices may result in certain individuals being prohibited from operating such devices.

#### D. FISCAL COMMENTS:

The repeal of the MPOAC will have a negative fiscal impact on individuals connected with the MPOAC.

The various M.P.O. provisions of the bill may have an indeterminate negative fiscal impact on M.P.O.s.

### III. COMMENTS

#### A. CONSTITUTIONAL ISSUES:

##### 1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

##### 2. Other:

None.

#### B. RULE-MAKING AUTHORITY:

Rulemaking may be necessary in order to conform to changes made by the bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

On February 22, 2024, the Infrastructure Strategies Committee adopted two amendments and one amendment to the amendment and reported the bill favorably as a committee substitute. The committee substitute:

- Requires a specified working group to develop performance and production measures used by the FTC and expands the duties of the FTC.
- Amends current law relating to railroad-crossing offenses and increases penalties for such offenses.
- Adds express authority for local governments to impose minimum age requirements, require possession of a government-issued photographic identification, and provide training relating to electric bicycles, motorized scooters, and micromobility devices.
- Amends current law relating to FDOT landscaping expenditures.
- Revises requirements for CUTR and I-STREET board membership and requires specified reports from each entity.
- Revises provisions relating to M.P.O.'s.
- Requires input from the President of the Senate and the Speaker of the House of Representatives before final selection of a redesigned registration license plate.

The analysis is drafted to the committee substitute as approved by the Infrastructure Strategies Committee.