

1 A bill to be entitled
2 An act relating to transportation; amending s. 20.23,
3 F.S.; authorizing the Secretary of Transportation to
4 appoint certain officers; providing that such officers
5 maintain their Senior Management Service status;
6 providing legislative findings; creating and providing
7 membership of the Florida Transportation Research
8 Institute; requiring the Department of Transportation
9 to select an administrative lead for the Institute and
10 periodically assess his or her performance;
11 authorizing the Institute to award certain grants and
12 expend certain funds; providing for the appointment of
13 an executive director and establishing an executive
14 committee; requiring the Institute to provide
15 specified annual reports; requiring at least a
16 specified number of members of the Florida
17 Transportation Commission to represent or have
18 expertise in certain industries; authorizing the
19 commission to monitor certain transit entities;
20 requiring members of the commission to follow
21 specified standards of conduct; removing requirements
22 that the commission's budget be submitted to the
23 Governor and that certain initiatives and revisions be
24 submitted to the commission; revising the department's
25 areas of program responsibility; removing obsolete

26 provisions; amending s. 212.20, F.S.; requiring the
27 department to distribute specified proceeds from a
28 certain tax to the State Transportation Trust Fund
29 beginning on a date certain and reassessed on a
30 specified date monthly; amending s. 311.07, F.S.;
31 adding projects eligible for funding under the Florida
32 Seaport Transportation and Economic Development
33 Program; amending s. 311.09, F.S.; revising the
34 purpose of the Florida Seaport Transportation and
35 Economic Development Council; requiring the department
36 to provide certain administrative support to the
37 council; revising the Florida Seaport Mission Plan;
38 requiring council members to submit specified reports;
39 removing certain authority of council members;
40 amending s. 311.10, F.S.; specifying conditions for
41 specified seaports to receive certain project grants
42 and state funds; defining the term "cargo purposes";
43 amending s. 316.0745, F.S.; specifying that any state
44 funds may be withheld under certain circumstances;
45 amending s. 330.27, F.S.; revising and providing
46 definitions; amending s. 330.30, F.S.; requiring a
47 private airport of public interest to obtain a
48 specified certificate; providing procedures for the
49 issuance of, conditions for the renewal of, and the
50 expiration periods of such certificates;

51 grandfathering in certain airports, but requiring such
52 airports to obtain a certificate by a specified date;
53 amending s. 331.371, F.S.; authorizing the department,
54 in consultation with other entities, to fund certain
55 projects associated with critical infrastructure
56 facilities; amending s. 332.003, F.S.; revising a
57 short title; amending s. 332.005, F.S.; requiring an
58 airport to provide support to the department during a
59 declared state of emergency; amending s. 332.006,
60 F.S.; revising and providing duties of the department;
61 amending s. 332.007, F.S.; requiring airports to
62 submit an annual comprehensive maintenance program
63 report to the department; providing reporting
64 requirements; defining the term "maintenance";
65 requiring airports to retain certain records;
66 authorizing the department to withhold certain state
67 funds under certain circumstances; requiring certain
68 projects to be consistent with the state energy
69 policy; requiring the department to provide priority
70 funding for certain projects and technology;
71 authorizing the department to fund certain projects at
72 postsecondary education institutions; authorizing the
73 department to fund, and match funds provided by the
74 Department of Commerce for, programs that help
75 transition certain military personnel to the aviation

76 industry; authorizing the Department of Transportation
77 to fund strategic airport investment projects to
78 maximize tourism opportunities; amending s. 332.0075,
79 F.S.; revising definitions; requiring certain
80 information to remain on a governing body's website
81 for 5 years; requiring certain information to be
82 updated quarterly rather than annually; revising the
83 information that certain governing bodies must submit
84 to the department; providing requirements for
85 commercial service airports; creating s. 332.15, F.S.;
86 providing requirements for the department relating to
87 advanced air mobility; amending s. 334.044, F.S.;
88 revising certain property and materials the department
89 may purchase, lease, or acquire; requiring certain
90 funds to be annually allocated on a statewide basis;
91 removing the prohibition on the expenditure of funds
92 for certain landscaping without certain approval;
93 requiring the department to develop standards for
94 landscaping materials; requiring certain construction
95 projects to expend a certain percentage of funds in a
96 specified manner; providing an exemption; repealing
97 such exemption upon completion of certain projects;
98 authorizing the department to enter into contracts for
99 insurance; authorizing the department to purchase or
100 acquire heavy equipment and motor vehicles for certain

101 purposes; requiring the department to adopt rules;
102 amending s. 334.045, F.S.; conforming a provision to
103 changes made by the act; creating s. 334.62, F.S.;
104 providing legislative findings; creating the Florida
105 Transportation Academy for a specified purpose;
106 authorizing the department to work with certain
107 entities to support, promote, and sustain certain
108 workforce development efforts; authorizing the
109 department to coordinate with specified entities for
110 certain purposes; amending s. 335.182, F.S.; revising
111 the definition of the term "significant change";
112 defining the term "modification of a connection";
113 amending s. 335.187, F.S.; revising the conditions
114 under which the department may modify or revoke a
115 permit; amending s. 337.027, F.S.; revising the
116 definition of the term "small business"; amending ss.
117 337.11 and 337.251, F.S.; conforming provisions to
118 changes made by the act; amending s. 337.18, F.S.;
119 authorizing the department to require the amount of
120 certain bonds to be less than a certain price;
121 amending s. 337.406, F.S.; providing an exception to
122 the prohibition of camping on any portion of the
123 right-of-way of the State Highway System; amending s.
124 338.227, F.S.; conforming a provision to changes made
125 by the act; providing applicability; amending s.

126 339.08, F.S.; prohibiting the department from
127 expending any state funds to certain entities to
128 support certain projects or programs; defining the
129 term "state energy policy"; amending s. 339.135, F.S.;
130 revising budgetary procedures for the department;
131 requiring the Executive Office of the Governor to
132 modify the original approved operating budget for
133 fixed capital outlay expenditures; removing a
134 scheduled repeal; amending s. 339.2816, F.S.;
135 increasing the required funding for the Small County
136 Road Assistance Program; amending s. 339.2818, F.S.;
137 revising the definition of the term "small county";
138 authorizing specified funding to be used to fund the
139 Small County Outreach Program; amending s. 339.2821,
140 F.S.; conforming provisions to changes made by the
141 act; amending s. 339.55, F.S.; removing authority of
142 the Legislative Budget Commission to approve certain
143 emergency loans; amending s. 339.651, F.S.;
144 authorizing, rather than requiring, the department to
145 make certain funds available each year for certain
146 projects; removing a scheduled repeal; amending s.
147 341.051, F.S.; requiring the department to reallocate
148 certain funds under certain circumstances; amending s.
149 348.754, F.S.; conforming a provision to changes made
150 by the act; amending s. 349.03, F.S.; providing

151 appointment procedures for the governing body of the
 152 Jacksonville Transportation Authority; providing
 153 requirements for the authority; repealing ss.
 154 316.0741, 331.351, 337.125, 337.135, 337.139,
 155 339.0805, and 339.287, F.S., relating to high-
 156 occupancy-vehicle lanes; participation by women,
 157 minorities, and socially and economically
 158 disadvantaged business enterprises; notice
 159 requirements for socially and economically
 160 disadvantaged business enterprises; penalties for
 161 false representation of socially and economically
 162 disadvantaged business enterprises; awarding contracts
 163 to disadvantaged business enterprises; funds to be
 164 expended with certified disadvantaged business
 165 enterprises, the construction management development
 166 program, and the bond guarantee program; and
 167 infrastructure plan development for electric vehicle
 168 charging stations, respectively; amending ss. 110.205,
 169 322.27, 365.172, 379.2293, 493.6101, and 493.6403,
 170 F.S.; conforming cross-references; providing an
 171 effective date.

172

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

174

175 **Section 1. Subsections (2) through (6) of section 20.23,**

176 **Florida Statutes, are renumbered as subsections (3) through (7),**
177 **respectively, paragraph (d) of subsection (1), paragraphs (a),**
178 **(b), (g), and (i) of present subsection (2), and paragraphs (a)**
179 **and (b) of present subsection (3) are amended, and a new**
180 **subsection (2) is added to that section, to read:**

181 20.23 Department of Transportation.—There is created a
182 Department of Transportation which shall be a decentralized
183 agency.

184 (1)

185 (d) The secretary may appoint up to three assistant
186 secretaries who shall serve as the Chief Operations Officer,
187 Chief Finance and Administration Officer, and Chief Strategic
188 Development Officer; be directly responsible to the secretary;
189 and ~~who shall~~ perform such duties as are assigned by the
190 secretary. The secretary may also appoint an Executive Director
191 of Transportation Technology. These assistant secretaries and
192 the Executive Director of Transportation Technology shall
193 maintain their Senior Management Service status and are exempt
194 from career service under s. 110.205(2). The secretary shall
195 designate to an assistant secretary the duties related to
196 enhancing economic prosperity, including, but not limited to,
197 the responsibility of liaison with the head of economic
198 development in the Executive Office of the Governor. Such
199 assistant secretary shall be directly responsible for providing
200 the Executive Office of the Governor with investment

201 opportunities and transportation projects that expand the
202 state's role as a global hub for trade and investment and
203 enhance the supply chain system in the state to process,
204 assemble, and ship goods to markets throughout the eastern
205 United States, Canada, the Caribbean, and Latin America. The
206 secretary may delegate to any assistant secretary the authority
207 to act in the absence of the secretary.

208 (2) The Legislature finds that the transportation industry
209 is critical to the economic future of this state and that the
210 competitiveness of the industry in this state depends upon the
211 development and maintenance of a qualified workforce and
212 cutting-edge research and innovation. The Legislature further
213 finds that the transportation industry in this state has varied
214 and complex workforce needs ranging from technical and
215 mechanical training to continuing education opportunities for
216 workers with advanced degrees and certifications. The timely
217 need also exists for coordinated research and innovation efforts
218 to promote emerging technologies and innovative construction
219 methods and tools and to address alternative funding mechanisms.

220 (a) The Florida Transportation Research Institute (the
221 Institute) is created as a consortium of higher education
222 professionals to drive cutting-edge research, innovation,
223 transformational technologies, and breakthrough solutions and to
224 support workforce development efforts that contribute to this
225 state's transportation system.

226 (b) The Institute shall report to the department and
227 include membership from the University of Florida, Indian River
228 State College, the University of Central Florida, and Florida
229 International University.

230 (c) The department shall select a representative from one
231 of the entities referenced in paragraph (b) to serve as the
232 administrative lead for the Institute. The department shall
233 assess the performance of the administrative lead periodically
234 to ensure accountability and assess the attainment of
235 performance expectations.

236 (d) The Institute may award grants in alignment with its
237 mission of furthering research and innovation and supporting
238 workforce development in this state to support the needs of the
239 transportation industry. Such grants may be directed to member
240 and nonmember institutions that have a proven expertise relevant
241 to the grant, including not-for-profit organizations and
242 institutions of higher education.

243 (e) The Institute may expend state funds as allocated by
244 the department from the State Transportation Trust Fund. Annual
245 funding may be expended for the Institute's operations and
246 programs to support research and innovation projects that
247 provide solutions to this state's transportation needs.

248 (f) The secretary shall appoint a member of the department
249 to serve as the executive director of the Institute. The
250 department shall coordinate with the entities referenced in

251 paragraph (b) to adopt and approve additional policies
252 establishing the Institute's executive committee and mission
253 statement.

254 (g) The Institute shall submit an annual report to the
255 Office of the Secretary and the commission containing
256 performance metrics, including, but not limited to, expenditures
257 of appropriated funds provided by the department, ongoing and
258 proposed research efforts, and the application and success of
259 past research efforts.

260 (3)(2)(a)1. The Florida Transportation Commission is
261 hereby created and shall consist of nine members appointed by
262 the Governor subject to confirmation by the Senate. Members of
263 the commission shall serve terms of 4 years each.

264 2. Members shall be appointed in such a manner as to
265 equitably represent all geographic areas of this the state. At
266 least three members of the commission shall represent or have
267 expertise in higher education, transportation, or workforce
268 development ~~Each member must be a registered voter and a citizen~~
269 ~~of the state. Each member of the commission must also possess~~
270 ~~business managerial experience in the private sector.~~

271 3. A member of the commission shall represent the
272 transportation needs of the state as a whole and may not
273 subordinate the needs of the state to those of any particular
274 area of the state.

275 4. The commission is assigned to the Office of the

276 Secretary of the Department of Transportation ~~for administrative~~
277 ~~and fiscal accountability purposes, but it shall otherwise~~
278 ~~function independently of the control and direction of the~~
279 ~~department.~~

280 (b) The commission shall:

281 1. Recommend major transportation policies for the
282 Governor's approval and assure that approved policies and any
283 revisions are properly executed.

284 2. Periodically review the status of the state
285 transportation system, including highway, transit, rail,
286 seaport, intermodal development, and aviation components of the
287 system, and recommend improvements to the Governor and the
288 Legislature.

289 3. Perform an in-depth evaluation of the annual department
290 budget request, the Florida Transportation Plan, and the
291 tentative work program for compliance with all applicable laws
292 and established departmental policies. Except as specifically
293 provided in s. 339.135(4)(c)2., (d), and (f), the commission may
294 not consider individual construction projects but shall consider
295 methods of accomplishing the goals of the department in the most
296 effective, efficient, and businesslike manner.

297 4. Monitor the financial status of the department on a
298 regular basis to assure that the department is managing revenue
299 and bond proceeds responsibly and in accordance with law and
300 established policy.

301 5. Monitor on at least a quarterly basis the efficiency,
302 productivity, and management of the department using performance
303 and production standards developed by the commission pursuant to
304 s. 334.045.

305 6. Perform an in-depth evaluation of the factors causing
306 disruption of project schedules in the adopted work program and
307 recommend to the Governor and the Legislature methods to
308 eliminate or reduce the disruptive effects of these factors.

309 7. Recommend to the Governor and the Legislature
310 improvements to the department's organization in order to
311 streamline and optimize the efficiency of the department. In
312 reviewing the department's organization, the commission shall
313 determine if the current district organizational structure is
314 responsive to this state's changing economic and demographic
315 development patterns. The report by the commission must be
316 delivered to the Governor and the Legislature by December 15
317 each year, as appropriate. The commission may retain experts as
318 necessary to carry out this subparagraph, and the department
319 shall pay the expenses of the experts.

320 8. Monitor the efficiency, productivity, and management of
321 the agencies and authorities created under chapters 348 and 349;
322 the Mid-Bay Bridge Authority re-created pursuant to chapter
323 2000-411, Laws of Florida; ~~and~~ any authority formed under
324 chapter 343; and any transit entity that is a recipient of
325 funding from the department's public transit block grant program

326 as created in s. 341.052. The commission shall also conduct
327 periodic reviews of each agency's and authority's operations and
328 budget, acquisition of property, management of revenue and bond
329 proceeds, and compliance with applicable laws and generally
330 accepted accounting principles.

331 (g) A member of the commission shall follow standards of
332 conduct for public officers as provided in s. 112.313 ~~may not~~
333 ~~have any interest, direct or indirect, in any contract,~~
334 ~~franchise, privilege, or other benefit granted or awarded by the~~
335 ~~department~~ during the term of his or her appointment and for 2
336 years after the termination of such appointment.

337 (i) The commission shall develop a budget pursuant to
338 chapter 216. ~~The budget is not subject to change by the~~
339 ~~department, but such budget shall be submitted to the Governor~~
340 ~~along with the budget of the department.~~

341 ~~(4)~~ (3) (a) The central office shall establish departmental
342 policies, rules, procedures, and standards and shall monitor the
343 implementation of such policies, rules, procedures, and
344 standards in order to ensure uniform compliance and quality
345 performance by the districts and central office units that
346 implement transportation programs. ~~Major transportation policy~~
347 ~~initiatives or revisions shall be submitted to the commission~~
348 ~~for review.~~

349 (b) The secretary may appoint positions at the level of
350 deputy assistant secretary or director which the secretary deems

351 necessary to accomplish the mission and goals of the department,
352 including, but not limited to, the areas of program
353 responsibility provided in this paragraph, each of whom shall be
354 appointed by and serve at the pleasure of the secretary. The
355 secretary may combine, separate, or delete offices as needed in
356 consultation with the Executive Office of the Governor. The
357 department's areas of program responsibility include, but are
358 not limited to, all of the following:

- 359 1. Administration.
- 360 2. Planning.
- 361 3. Supply chain and modal development.
- 362 4. Design.
- 363 5. Highway operations.
- 364 6. Right-of-way.
- 365 7. Toll operations.
- 366 8. Transportation technology.
- 367 9. Information technology ~~systems~~.
- 368 10. Motor carrier weight inspection.
- 369 11. Work program and budget.
- 370 12. Comptroller.
- 371 13. Construction.
- 372 14. Statewide corridors.
- 373 15. Maintenance.
- 374 16. Forecasting and performance.
- 375 17. Emergency management.

- 376 18. Safety.
- 377 19. Materials.
- 378 20. Infrastructure and innovation.
- 379 21. Permitting.
- 380 22. Traffic operations.
- 381 23. Operational technology.

382 **Section 2. Paragraph (d) of subsection (6) of section**
 383 **212.20, Florida Statutes, is amended to read:**

384 212.20 Funds collected, disposition; additional powers of
 385 department; operational expense; refund of taxes adjudicated
 386 unconstitutionally collected.—

387 (6) Distribution of all proceeds under this chapter and
 388 ss. 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

389 (d) The proceeds of all other taxes and fees imposed
 390 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)
 391 and (2)(b) shall be distributed as follows:

392 1. In any fiscal year, the greater of \$500 million, minus
 393 an amount equal to 4.6 percent of the proceeds of the taxes
 394 collected pursuant to chapter 201, or 5.2 percent of all other
 395 taxes and fees imposed pursuant to this chapter or remitted
 396 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in
 397 monthly installments into the General Revenue Fund.

398 2. After the distribution under subparagraph 1., 8.9744
 399 percent of the amount remitted by a sales tax dealer located
 400 within a participating county pursuant to s. 218.61 shall be

401 transferred into the Local Government Half-cent Sales Tax
 402 Clearing Trust Fund. Beginning July 1, 2003, the amount to be
 403 transferred shall be reduced by 0.1 percent, and the department
 404 shall distribute this amount to the Public Employees Relations
 405 Commission Trust Fund less \$5,000 each month, which shall be
 406 added to the amount calculated in subparagraph 3. and
 407 distributed accordingly.

408 3. After the distribution under subparagraphs 1. and 2.,
 409 0.0966 percent shall be transferred to the Local Government
 410 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant
 411 to s. 218.65.

412 4. After the distributions under subparagraphs 1., 2., and
 413 3., 2.0810 percent of the available proceeds shall be
 414 transferred monthly to the Revenue Sharing Trust Fund for
 415 Counties pursuant to s. 218.215.

416 5. After the distributions under subparagraphs 1., 2., and
 417 3., 1.3653 percent of the available proceeds shall be
 418 transferred monthly to the Revenue Sharing Trust Fund for
 419 Municipalities pursuant to s. 218.215. If the total revenue to
 420 be distributed pursuant to this subparagraph is at least as
 421 great as the amount due from the Revenue Sharing Trust Fund for
 422 Municipalities and the former Municipal Financial Assistance
 423 Trust Fund in state fiscal year 1999-2000, no municipality shall
 424 receive less than the amount due from the Revenue Sharing Trust
 425 Fund for Municipalities and the former Municipal Financial

426 Assistance Trust Fund in state fiscal year 1999-2000. If the
427 total proceeds to be distributed are less than the amount
428 received in combination from the Revenue Sharing Trust Fund for
429 Municipalities and the former Municipal Financial Assistance
430 Trust Fund in state fiscal year 1999-2000, each municipality
431 shall receive an amount proportionate to the amount it was due
432 in state fiscal year 1999-2000.

433 6. Of the remaining proceeds:

434 a. In each fiscal year, the sum of \$29,915,500 shall be
435 divided into as many equal parts as there are counties in the
436 state, and one part shall be distributed to each county. The
437 distribution among the several counties must begin each fiscal
438 year on or before January 5th and continue monthly for a total
439 of 4 months. If a local or special law required that any moneys
440 accruing to a county in fiscal year 1999-2000 under the then-
441 existing provisions of s. 550.135 be paid directly to the
442 district school board, special district, or a municipal
443 government, such payment must continue until the local or
444 special law is amended or repealed. The state covenants with
445 holders of bonds or other instruments of indebtedness issued by
446 local governments, special districts, or district school boards
447 before July 1, 2000, that it is not the intent of this
448 subparagraph to adversely affect the rights of those holders or
449 relieve local governments, special districts, or district school
450 boards of the duty to meet their obligations as a result of

451 previous pledges or assignments or trusts entered into which
452 obligated funds received from the distribution to county
453 governments under then-existing s. 550.135. This distribution
454 specifically is in lieu of funds distributed under s. 550.135
455 before July 1, 2000.

456 b. The department shall distribute \$166,667 monthly to
457 each applicant certified as a facility for a new or retained
458 professional sports franchise pursuant to s. 288.1162. Up to
459 \$41,667 shall be distributed monthly by the department to each
460 certified applicant as defined in s. 288.11621 for a facility
461 for a spring training franchise. However, not more than \$416,670
462 may be distributed monthly in the aggregate to all certified
463 applicants for facilities for spring training franchises.
464 Distributions begin 60 days after such certification and
465 continue for not more than 30 years, except as otherwise
466 provided in s. 288.11621. A certified applicant identified in
467 this sub-subparagraph may not receive more in distributions than
468 expended by the applicant for the public purposes provided in s.
469 288.1162(5) or s. 288.11621(3).

470 c. The department shall distribute up to \$83,333 monthly
471 to each certified applicant as defined in s. 288.11631 for a
472 facility used by a single spring training franchise, or up to
473 \$166,667 monthly to each certified applicant as defined in s.
474 288.11631 for a facility used by more than one spring training
475 franchise. Monthly distributions begin 60 days after such

476 certification or July 1, 2016, whichever is later, and continue
477 for not more than 20 years to each certified applicant as
478 defined in s. 288.11631 for a facility used by a single spring
479 training franchise or not more than 25 years to each certified
480 applicant as defined in s. 288.11631 for a facility used by more
481 than one spring training franchise. A certified applicant
482 identified in this sub-subparagraph may not receive more in
483 distributions than expended by the applicant for the public
484 purposes provided in s. 288.11631(3).

485 d. The department shall distribute \$15,333 monthly to the
486 State Transportation Trust Fund.

487 e.(I) On or before July 25, 2021, August 25, 2021, and
488 September 25, 2021, the department shall distribute \$324,533,334
489 in each of those months to the Unemployment Compensation Trust
490 Fund, less an adjustment for refunds issued from the General
491 Revenue Fund pursuant to s. 443.131(3)(e)3. before making the
492 distribution. The adjustments made by the department to the
493 total distributions shall be equal to the total refunds made
494 pursuant to s. 443.131(3)(e)3. If the amount of refunds to be
495 subtracted from any single distribution exceeds the
496 distribution, the department may not make that distribution and
497 must subtract the remaining balance from the next distribution.

498 (II) Beginning July 2022, and on or before the 25th day of
499 each month, the department shall distribute \$90 million monthly
500 to the Unemployment Compensation Trust Fund.

501 (III) If the ending balance of the Unemployment
 502 Compensation Trust Fund exceeds \$4,071,519,600 on the last day
 503 of any month, as determined from United States Department of the
 504 Treasury data, the Office of Economic and Demographic Research
 505 shall certify to the department that the ending balance of the
 506 trust fund exceeds such amount.

507 (IV) This sub-subparagraph is repealed, and the department
 508 shall end monthly distributions under sub-sub-subparagraph (II),
 509 on the date the department receives certification under sub-sub-
 510 subparagraph (III).

511 f. Beginning July 1, 2023, in each fiscal year, the
 512 department shall distribute \$27.5 million to the Florida
 513 Agricultural Promotional Campaign Trust Fund under s. 571.26,
 514 for further distribution in accordance with s. 571.265.

515 g. Beginning July 1, 2025, and reassessed on or before the
 516 25th day of each month, the department shall distribute \$6.25
 517 million from the proceeds of the tax imposed under s.
 518 212.05(1)(e)1.c. to the State Transportation Trust Fund to
 519 account for a portion of the impact of electric and hybrid
 520 vehicles on the state highway system.

521 7. All other proceeds must remain in the General Revenue
 522 Fund.

523 **Section 3. Paragraph (b) of subsection (3) of section**
 524 **311.07, Florida Statutes, is amended to read:**

525 311.07 Florida seaport transportation and economic

526 development funding.—

527 (3)

528 (b) Projects eligible for funding by grants under the
529 program are limited to the following port facilities or port
530 transportation projects:

531 1. Transportation facilities within the jurisdiction of
532 the port.

533 2. The dredging or deepening of channels, turning basins,
534 or harbors.

535 3. The construction or rehabilitation of wharves, docks,
536 structures, jetties, piers, storage facilities, cruise
537 terminals, automated people mover systems, or any facilities
538 necessary or useful in connection with any of the foregoing.

539 4. The acquisition of vessel tracking systems, container
540 cranes, or other mechanized equipment used in the movement of
541 cargo or passengers in international commerce.

542 5. The acquisition of land to be used for port purposes.

543 6. The acquisition, improvement, enlargement, or extension
544 of existing port facilities.

545 7. Environmental protection projects which are necessary
546 because of requirements imposed by a state agency as a condition
547 of a permit or other form of state approval; which are necessary
548 for environmental mitigation required as a condition of a state,
549 federal, or local environmental permit; which are necessary for
550 the acquisition of spoil disposal sites and improvements to

551 existing and future spoil sites; or which result from the
552 funding of eligible projects listed in this paragraph.

553 8. Transportation facilities as defined in s. 334.03(30)
554 which are not otherwise part of the Department of
555 Transportation's adopted work program.

556 9. Intermodal access projects.

557 10. Construction or rehabilitation of port facilities as
558 defined in s. 315.02, excluding any park or recreational
559 facilities, in ports listed in s. 311.09(1) with operating
560 revenues of \$5 million or less, provided that such projects
561 create economic development opportunities, capital improvements,
562 and positive financial returns to such ports.

563 11. Seaport master plan or strategic plan development or
564 updates, including the purchase of data to support such plans.

565 12. Spaceport or space industry-related planning or
566 construction of facilities on seaport property which is
567 necessary or useful to advance the space industry in this state
568 when such project provides economic benefit to the community.

569 13. Commercial shipbuilding and manufacturing facilities
570 when such project provides economic benefit to the community.

571 **Section 4. Subsections (1), (2), (3), and (11) of section**
572 **311.09, Florida Statutes, are amended to read:**

573 311.09 Florida Seaport Transportation and Economic
574 Development Council.—

575 (1) The Florida Seaport Transportation and Economic

576 Development Council is created within the Department of
577 Transportation to support the growth of the seaports of this
578 state through the review, development, and financing of port
579 transportation and port facilities. The council is composed
580 ~~consists~~ of the following 18 members: the port director, or the
581 port director's designee, of each of the ports of Jacksonville,
582 Port Canaveral, Port Citrus, Fort Pierce, Palm Beach, Port
583 Everglades, Miami, Port Manatee, St. Petersburg, Putnam County,
584 Tampa, Port St. Joe, Panama City, Pensacola, Key West, and
585 Fernandina; the secretary of the Department of Transportation or
586 his or her designee; and the secretary of the Department of
587 Commerce or his or her designee.

588 (2) The council shall adopt bylaws governing the manner in
589 which the business of the council will be conducted. The bylaws
590 shall specify the procedure by which the chairperson of the
591 council is elected. The Department of Transportation shall
592 provide administrative support to the council on matters
593 relating to the Florida Seaport Transportation and Economic
594 Development Program and the council.

595 (3) The council shall prepare a 5-year Florida Seaport
596 Mission Plan defining the goals and objectives of the council
597 concerning the development of port facilities and an intermodal
598 transportation system consistent with the goals of the Florida
599 Transportation Plan developed pursuant to s. 339.155. The
600 Florida Seaport Mission Plan shall include specific

601 recommendations for the construction of transportation
602 facilities connecting any port to another transportation mode,
603 the construction of transportation facilities connecting any
604 port to the space and aerospace industries, and ~~for~~ the
605 efficient, cost-effective development of transportation
606 facilities or port facilities for the purpose of enhancing
607 trade, promoting cargo flow, increasing cruise passenger
608 movements, increasing port revenues, and providing economic
609 benefits to this ~~the~~ state. The council shall develop a priority
610 list of projects based on these recommendations annually and
611 submit the list to the Department of Transportation. The council
612 shall update the 5-year Florida Seaport Mission Plan annually
613 and shall submit the plan no later than February 1 of each year
614 to the President of the Senate, the Speaker of the House of
615 Representatives, the Department of Commerce, and the Department
616 of Transportation. The council shall develop programs, based on
617 an examination of existing programs in Florida and other states,
618 for the training of ~~minorities and~~ secondary school students in
619 job skills associated with employment opportunities in the
620 maritime industry, and report on progress and recommendations
621 for further action to the President of the Senate and the
622 Speaker of the House of Representatives annually. Each member of
623 the council shall submit semiannual reports to the Department of
624 Transportation relating to seaport operations and their support
625 of this state's economic competitiveness and supply chain. Each

626 report must include information prescribed by the Department of
627 Transportation, in consultation with the Department of Commerce,
628 including, but, not limited to:

- 629 (a) Bulk break capacity.
630 (b) Liquid storage and capacity.
631 (c) Fuel storage and capacity.
632 (d) Container capacity.
633 (e) Supply chain disruptions.

634 (11) Members of the council shall serve without
635 compensation but are entitled to receive reimbursement for per
636 diem and travel expenses as provided in s. 112.061. ~~The council~~
637 ~~may elect to provide an administrative staff to provide services~~
638 ~~to the council on matters relating to the Florida Seaport~~
639 ~~Transportation and Economic Development Program and the council.~~
640 ~~The cost for such administrative services shall be paid by all~~
641 ~~ports that receive funding from the Florida Seaport~~
642 ~~Transportation and Economic Development Program, based upon a~~
643 ~~pro rata formula measured by each recipient's share of the funds~~
644 ~~as compared to the total funds disbursed to all recipients~~
645 ~~during the year. The share of costs for administrative services~~
646 ~~shall be paid in its total amount by the recipient port upon~~
647 ~~execution by the port and the Department of Transportation of a~~
648 ~~joint participation agreement for each council-approved project,~~
649 ~~and such payment is in addition to the matching funds required~~
650 ~~to be paid by the recipient port. Except as otherwise exempted~~

651 by law, all moneys derived from the Florida Seaport
652 Transportation and Economic Development Program shall be
653 expended in accordance with ~~the provisions of~~ s. 287.057.
654 Seaports subject to competitive negotiation requirements of a
655 local governing body shall abide by ~~the provisions of~~ s.
656 287.055.

657 **Section 5. Subsection (4) is added to section 311.10,**
658 **Florida Statutes, to read:**

659 311.10 Strategic Port Investment Initiative.—

660 (4) As a condition of receiving a project grant under any
661 program established in this chapter and as a condition of
662 receiving state funds as described in s. 215.31, a seaport
663 located in any county identified in s. 331.304(1) and (5) must,
664 in any agreement with the department, agree that the seaport may
665 not convert any planned or existing land, facility, or
666 infrastructure designated for cargo purposes to any alternative
667 purpose unless express approval is obtained by the Secretary of
668 Transportation and the Secretary of Commerce. For purposes of
669 this section, the term "cargo purposes" includes, but is not
670 limited to, any facility, activity, property, energy source, or
671 infrastructure asset that supports spaceport activities.

672 **Section 6. Subsection (7) of section 316.0745, Florida**
673 **Statutes, is amended to read:**

674 316.0745 Uniform signals and devices.—

675 (7) The Department of Transportation may, upon receipt and

676 investigation of reported noncompliance and after hearing
677 pursuant to 14 days' notice, direct the removal of any purported
678 traffic control device that fails to meet the requirements of
679 this section, wherever the device is located and without regard
680 to assigned responsibility under s. 316.1895. The public agency
681 erecting or installing the same shall immediately bring it into
682 compliance with the requirements of this section or remove said
683 device or signal upon the direction of the Department of
684 Transportation and may not, for a period of 5 years, install any
685 replacement or new traffic control devices paid for in part or
686 in full with revenues raised by the state unless written prior
687 approval is received from the Department of Transportation. Any
688 additional violation by a public body or official shall be cause
689 for the withholding of state funds ~~for traffic control purposes~~
690 until such public body or official demonstrates to the
691 Department of Transportation that it is complying with this
692 section.

693 **Section 7. Section 330.27, Florida Statutes, is amended to**
694 **read:**

695 330.27 Definitions, ~~when used in ss. 330.29-330.39.~~ As
696 used in ss. 330.29-330.39, the term:

697 (1) "Air ambulance operation" means a flight with a
698 patient or medical personnel on board for the purpose of medical
699 transportation.

700 (2)~~(1)~~ "Aircraft" means a powered or unpowered machine or

701 device capable of atmospheric flight, including, but not limited
702 to, an airplane, autogyro, glider, gyrodyne, helicopter, lift
703 and cruise, multicopter, paramotor, powered lift, seaplane,
704 tiltrotor, ultralight, or vectored thrust. The term does not
705 include ~~except~~ a parachute or other such device used primarily
706 as safety equipment.

707 (3)-(2) "Airport" means a specific ~~an~~ area of land or water
708 or a structure used for, or intended to be used for, landing and
709 takeoff of aircraft operations, which may include including
710 appurtenant areas, buildings, facilities, or rights-of-way
711 necessary to facilitate such use or intended use. The term
712 includes, but is not limited to, an airpark, airport,
713 gliderport, heliport, helistop, seaplane base, ultralight
714 flightpark, vertiport, or vertistop.

715 (4) "Commercial air tour operation" means a flight
716 conducted for compensation or hire in an aircraft when the
717 purpose of the flight is sightseeing.

718 (5) "Commuter operation" means any scheduled operation
719 conducted by a person operating an aircraft with a frequency of
720 operations of at least five round trips per week on at least one
721 route between two or more points according to the published
722 flight schedule.

723 (6)-(3) "Department" means the Department of
724 Transportation.

725 (7)-(4) "Limited airport" means any airport limited

726 exclusively to the specific conditions stated on the site
727 approval order or license.

728 (8) "On-demand operation" means any scheduled passenger-
729 carrying operation for compensation or hire conducted by a
730 person operating an aircraft with a frequency of operations of
731 fewer than five round trips per week on at least one route
732 between two or more points according to the published flight
733 schedule.

734 (9)-(5) "Private airport" means an airport, publicly or
735 privately owned, which is not open or available for use by the
736 public, but may be made available to others by invitation of the
737 owner or manager.

738 (10) "Private airport of public interest" means a private
739 airport serving any of the following operations: air ambulance
740 operation, commercial air tour operation, commuter operation,
741 on-demand operation, public charter operation, scheduled
742 operation, or supplemental operation.

743 (11)-(6) "Public airport" means an airport, publicly or
744 privately owned, which is open for use by the public.

745 (12) "Public charter operation" means a one-way or round-
746 trip charter flight performed by one or more direct air carriers
747 which is arranged and sponsored by a charter operator.

748 (13) "Scheduled operation" means any common carriage
749 passenger-carrying operation for compensation or hire conducted
750 by an air carrier or commercial operator for which the

751 certificateholder or its representative offers in advance the
 752 departure location, departure time, and arrival location.

753 (14) "Supplemental operation" means any common carriage
 754 operation for compensation or hire conducted with an aircraft
 755 for which the departure time, departure location, and arrival
 756 location are specifically negotiated with the customer or
 757 customer's representative.

758 (15)-(7) "Temporary airport" means an airport at which
 759 flight operations are conducted under visual flight rules
 760 established by the Federal Aviation Administration and which is
 761 used for less than 30 consecutive days with no more than 10
 762 operations per day.

763 ~~(8) "Ultralight aircraft" means any aircraft meeting the~~
 764 ~~criteria established by part 103 of the Federal Aviation~~
 765 ~~Regulations.~~

766 **Section 8. Paragraphs (a) and (d) of subsection (2) and**
 767 **subsection (4) of section 330.30, Florida Statutes, are amended**
 768 **to read:**

769 330.30 Approval of airport sites; registration,
 770 certification, and licensure of airports.—

771 (2) LICENSES, CERTIFICATES, AND REGISTRATIONS;
 772 REQUIREMENTS, RENEWAL, REVOCATION.—

773 (a) Except as provided in subsection (3), the owner or
 774 lessee of an airport in this state shall have a public airport
 775 license, private airport registration, or temporary airport

776 registration before the operation of aircraft to or from the
777 airport. Application for a license or registration shall be made
778 in a form and manner prescribed by the department.

779 1. For a public airport, upon granting site approval, the
780 department shall issue a license after a final airport
781 inspection finds that the airport is ~~to be~~ in compliance with
782 all requirements for the license. The license may be subject to
783 any reasonable conditions the department deems necessary to
784 protect the public health, safety, or welfare.

785 2. For a private airport, upon granting site approval, the
786 department shall provide controlled electronic access to the
787 state aviation facility data system to permit the applicant to
788 complete the registration process. Registration shall be
789 completed upon self-certification by the registrant of
790 operational and configuration data deemed necessary by the
791 department.

792 3. For a temporary airport, the department must publish
793 notice of receipt of a completed registration application in the
794 next available publication of the Florida Administrative
795 Register and may not approve a registration application less
796 than 14 days after the date of publication of the notice. The
797 department must approve or deny a registration application
798 within 30 days after receipt of a completed application and must
799 issue the temporary airport registration concurrent with the
800 airport site approval. A completed registration application that

801 is not approved or denied within 30 days after the department
802 receives the completed application is considered approved and
803 shall be issued, subject to such reasonable conditions as are
804 authorized by law. An applicant seeking to claim registration by
805 default under this subparagraph must notify the agency clerk of
806 the department, in writing, of the intent to rely upon the
807 default registration provision of this subparagraph and may not
808 take any action based upon the default registration until after
809 receipt of such notice by the agency clerk.

810 4. A private airport of public interest as defined in s.
811 330.27 must obtain a certificate from the department before
812 allowing aircraft operations. The department shall issue a
813 certificate after a final inspection finds that the private
814 airport of public interest is in compliance with all of the
815 requirements for a certificate. The certificate is subject to
816 any reasonable conditions that the department deems necessary to
817 protect the health, safety, or welfare of the public. A private
818 airport that was engaged in operations associated with a private
819 airport of public interest on or before July 1, 2025, may
820 continue its operations but must obtain a certificate from the
821 department before July 1, 2030.

822 (d)1. Each public airport license shall expire no later
823 than 1 year after the effective date of the license, except that
824 the expiration date of a license may be adjusted to provide a
825 maximum license period of 18 months to facilitate airport

826 inspections, recognize seasonal airport operations, or improve
827 administrative efficiency.

828 2. Registration for private airports shall remain valid
829 provided specific elements of airport data, established by the
830 department, are periodically recertified by the airport
831 registrant. The ability to recertify private airport
832 registration data shall be available at all times by electronic
833 submittal. A private airport registration that has not been
834 recertified in the 24-month period following the last
835 certification shall expire, unless the registration period has
836 been adjusted by the department for purposes of informing
837 private airport owners of their registration responsibilities or
838 promoting administrative efficiency. The expiration date of the
839 current registration period will be clearly identifiable from
840 the state aviation facility data system.

841 3. The effective date and expiration date shall be shown
842 on public airport licenses. Upon receiving an application for
843 renewal of an airport license in a form and manner prescribed by
844 the department and receiving a favorable inspection report
845 indicating compliance with all applicable requirements and
846 conditions, the department shall renew the license, subject to
847 any conditions deemed necessary to protect the public health,
848 safety, or welfare.

849 4. The department may require a new site approval for any
850 airport if the license or registration has expired.

851 5. If the renewal application for a public airport license
852 has not been received by the department or no private airport
853 registration recertification has been accomplished within 15
854 days after the date of expiration, the department may revoke the
855 airport license or registration.

856 6. After initial registration, the department may issue a
857 certificate to a private airport of public interest if the
858 airport is in compliance with all of the requirements for a
859 certificate after a final inspection of the private airport of
860 public interest. The certificate is subject to any reasonable
861 conditions that the department deems necessary to protect the
862 health, safety, or welfare of the public. A certificate issued
863 to a private airport of public interest expires 5 years after
864 the effective date of the certificate.

865 (4) EXCEPTIONS.—Private airports with 10 or more based
866 aircraft may request to be inspected and licensed by the
867 department. Private airports licensed according to this
868 subsection shall be considered private airports as defined in s.
869 330.27 ~~s. 330.27(5)~~ in all other respects.

870 **Section 9. Section 331.371, Florida Statutes, is amended**
871 **to read:**

872 331.371 Strategic space infrastructure investment.—

873 (1) In consultation with Space Florida, the Department of
874 Transportation may fund spaceport discretionary capacity
875 improvement projects, as defined in s. 331.303, at up to 100

876 percent of the project's cost if:

877 (a)~~(1)~~ Important access and on-spaceport-territory space
878 transportation capacity improvements are provided.~~†~~

879 (b)~~(2)~~ Capital improvements that strategically position
880 the state to maximize opportunities in international trade are
881 achieved.~~†~~

882 (c)~~(3)~~ Goals of an integrated intermodal transportation
883 system for the state are achieved.~~†~~~~and~~

884 (d)~~(4)~~ Feasibility and availability of matching funds
885 through federal, local, or private partners are demonstrated.

886 (2) In consultation with the Department of Commerce and
887 the Department of Environmental Protection, the Department of
888 Transportation may fund wastewater projects, stormwater
889 projects, water capacity projects, or projects associated with
890 critical infrastructure facilities as defined in s. 692.201
891 within or outside the jurisdictional boundary of a spaceport
892 territory so long as the project supports aerospace or launch
893 support facilities within an adjacent spaceport territory
894 boundary. The Department of Transportation shall coordinate with
895 the Department of Commerce and the Department of Environmental
896 Protection in order to maximize and optimize available funding
897 for such projects.

898 **Section 10. Section 332.003, Florida Statutes, is amended**
899 **to read:**

900 332.003 Florida Airport Development and Accountability

901 ~~Assistance Act~~; short title.—Sections 332.003–332.007 may be
 902 cited as the "Florida Airport Development and Accountability
 903 ~~Assistance Act~~."

904 **Section 11. Section 332.005, Florida Statutes, is amended**
 905 **to read:**

906 332.005 Restrictions on authority of Department of
 907 Transportation.—

908 (1) This act specifically prohibits the Department of
 909 Transportation from regulating commercial air carriers operating
 910 within the state pursuant to federal authority and regulations;
 911 from participating in or exercising control in the management
 912 and operation of a sponsor's airport, except when officially
 913 requested by the sponsor; or from expanding the design or
 914 operational capability of the department in the area of airport
 915 and aviation consultants' contract work, other than to provide
 916 technical assistance as requested.

917 (2) Notwithstanding subsection (1), upon the declaration
 918 of a state of emergency issued by the Governor in preparation
 919 for or in response to a natural disaster, an airport as defined
 920 in s. 332.004 must provide the department, at no cost, with the
 921 opportunity to use any property not within the air navigation
 922 facility as defined in s. 332.01(4) for the staging of equipment
 923 and personnel to support emergency preparedness and response
 924 operations.

925 **Section 12. Section 332.006, Florida Statutes, is amended**

926 **to read:**

927 332.006 Duties and responsibilities of the Department of
928 Transportation.—

929 (1) The Department of Transportation shall, within the
930 resources provided pursuant to chapter 216:

931 (a)~~(1)~~ Provide coordination and assistance for the
932 development of a viable aviation system in this state. To
933 support the system, a statewide aviation system plan shall be
934 developed and periodically updated which summarizes 5-year, 10-
935 year, and 20-year airport and aviation needs within the state.
936 The statewide aviation system plan shall be consistent with the
937 goals of the Florida Transportation Plan developed pursuant to
938 s. 339.155. The statewide aviation system plan shall not preempt
939 local airport master plans adopted in compliance with federal
940 and state requirements.

941 (b)~~(2)~~ Advise and assist the Governor in all aviation
942 matters.

943 (c)~~(3)~~ Upon request, assist airport sponsors, both
944 financially and technically, in airport master planning.

945 (d)~~(4)~~ Upon request, provide financial and technical
946 assistance to public agencies which operate public-use airports
947 by making department personnel and department-owned facilities
948 and equipment available on a cost-reimbursement basis to such
949 agencies for special needs of limited duration. The requirement
950 relating to reimbursement of personnel costs may be waived by

951 the department in those cases in which the assistance provided
952 by its personnel was of a limited nature or duration.

953 ~~(e)-(5)~~ Participate in research and development programs
954 relating to airports.

955 ~~(f)-(6)~~ Administer department participation in the program
956 of aviation and airport grants as provided for in ss. 332.003-
957 332.007.

958 ~~(g)-(7)~~ Develop, promote, and distribute supporting
959 information and educational services, including, but not limited
960 to, educational services with a focus on retention and growth of
961 the aviation industry workforce.

962 ~~(h)-(8)~~ Encourage the maximum allocation of federal funds
963 to local airport projects in this state.

964 ~~(i)-(9)~~ Support the development of land located within the
965 boundaries of airports for the purpose of industrial or other
966 uses compatible with airport operations with the objective of
967 assisting airports in this state to become fiscally self-
968 supporting. Such assistance may include providing state moneys
969 on a matching basis to airport sponsors for capital
970 improvements, including, but not limited to, fixed-base
971 operation facilities, parking areas, industrial park utility
972 systems, and road and rail transportation systems which are on
973 airport property.

974 (2) The Department of Transportation may conduct
975 inspections of all commercial airport facilities that have

976 received state funding, including, but not limited to, the
977 inspection of terminal facilities, baggage systems, and fixed-
978 guideway transportation systems in accordance with s. 341.061.
979 In conducting inspections, the department may enter into
980 agreements with other state regulatory agencies, including the
981 Department of Business and Professional Regulation and the
982 Department of Health, to ensure the safety and security of
983 airports.

984 **Section 13. Subsection (5), paragraph (a) of subsection**
985 **(7), subsection (8), and paragraph (b) of subsection (9) of**
986 **section 332.007, Florida Statutes, are amended, and paragraph**
987 **(c) is added to subsection (2) of that section, to read:**

988 332.007 Administration and financing of aviation and
989 airport programs and projects; state plan.—

990 (2)

991 (c) Annually, each airport must submit to the department a
992 comprehensive maintenance program report detailing the
993 maintenance and inspection of such airport's infrastructure. At
994 a minimum, the report must include a schedule of inspections,
995 the locations being inspected, any probable cause for such
996 inspection, a list of the airport's required needs, any remedial
997 actions to be taken, and any required follow-up inspections and
998 maintenance. For purposes of this paragraph, the term
999 "maintenance" includes any preventive and regular or recurring
1000 work that is necessary to preserve the airport infrastructure in

1001 good condition. Timely maintenance and repair, including routine
1002 maintenance, rehabilitation, and upgrading, are essential for
1003 the safe operation of airport infrastructure. An airport must
1004 retain all records of materials and equipment used for the
1005 airport's maintenance and repair work. If the department
1006 determines, based on the annual comprehensive maintenance
1007 program report, that there is evidence that an airport failed to
1008 perform routine maintenance, the department may withhold state
1009 funds for any of the airport's capital expansion projects until
1010 such airport corrects any deficiencies.

1011 (5) Only those projects or programs provided for in this
1012 act that will contribute to the implementation of the state
1013 aviation system plan, that are consistent with the state energy
1014 policy as defined in s. 339.08(6), that are consistent with and
1015 will contribute to the implementation of any airport master plan
1016 or layout plan, and that are consistent, to the maximum extent
1017 feasible, with the approved local government comprehensive plans
1018 of the units of government in which the airport is located are
1019 eligible for the expenditure of state funds in accordance with
1020 fund participation rates and priorities established herein.

1021 (7) Subject to the availability of appropriated funds in
1022 addition to aviation fuel tax revenues, the department may
1023 participate in the capital cost of eligible public airport and
1024 aviation discretionary capacity improvement projects. The annual
1025 legislative budget request shall be based on the funding

1026 required for discretionary capacity improvement projects in the
1027 aviation and airport work program.

1028 (a) The department shall provide priority funding in
1029 support of:

1030 1. Terminal and parking expansion projects that increase
1031 capacity at airports that provide commercial service in counties
1032 with a population of 500,000 or less.

1033 ~~2.1.~~ Land acquisition which provides additional capacity
1034 at the qualifying international airport or at that airport's
1035 supplemental air carrier airport.

1036 ~~3.2.~~ Runway and taxiway projects that add capacity or are
1037 necessary to accommodate technological changes in the aviation
1038 industry.

1039 ~~4.3.~~ Airport access transportation projects that improve
1040 direct airport access and are approved by the airport sponsor.

1041 ~~5.4.~~ International terminal projects that increase
1042 international gate capacity.

1043 6. Projects that improve the safe and efficient operation
1044 of this state's airports.

1045 7. Emerging technology, workforce development projects,
1046 and projects that benefit the strategic intermodal system
1047 through intermodal connectivity.

1048 (8) The department may also fund eligible projects
1049 performed by not-for-profit organizations and postsecondary
1050 education institutions, as defined in s. 1008.47(1), which

1051 support the training of pilots, air traffic control personnel,
 1052 or aircraft maintenance technical personnel ~~that represent a~~
 1053 ~~majority of public airports in this state.~~ Eligible projects may
 1054 include activities associated with aviation master planning,
 1055 professional education, safety and security planning, enhancing
 1056 economic development and efficiency at airports in this state,
 1057 or other planning efforts to improve the viability and safety of
 1058 airports in this state. The department may also fund programs
 1059 that support the transition of honorably discharged military
 1060 personnel to the aviation industry. The department may match
 1061 funds provided by the Department of Commerce for such programs.

1062 (9) The department may fund strategic airport investment
 1063 projects at up to 100 percent of the project's cost if:

1064 (b) Capital improvements that strategically position the
 1065 state to maximize opportunities in tourism, international trade,
 1066 logistics, and the aviation industry are provided;

1067 **Section 14. Subsections (1), (2), and (5) of section**
 1068 **332.0075, Florida Statutes, are amended to read:**

1069 332.0075 Commercial service airports; transparency and
 1070 accountability; penalty.—

1071 (1) As used in this section, the term:

1072 (a) "Commercial service airport" means an airport
 1073 providing commercial services, including large, medium, small,
 1074 and nonhub airports as classified ~~a primary airport as defined~~
 1075 ~~in 49 U.S.C. s. 47102 which is classified as a large, medium, or~~

1076 ~~small hub airport~~ by the Federal Aviation Administration.

1077 (b) "Consent agenda" means an agenda which consists of
 1078 items voted on collectively or as a group and which does not
 1079 provide the opportunity for public comment on each such item
 1080 before approval or disapproval by the governing body.

1081 (c) "Department" means the Department of Transportation.

1082 (d) "Governing body" means the governing body of the
 1083 county, municipality, or special district that operates a
 1084 commercial service airport. The term includes an appointed board
 1085 or oversight entity serving as the governing body on behalf of
 1086 the county, municipality, or special district.

1087 (2) Each governing body shall establish and maintain a
 1088 website to post information relating to the operation of a
 1089 commercial service airport, and such information must remain on
 1090 the website for at least 5 years or for as long as the
 1091 information is actively in use by the entity. Information that
 1092 must be posted on the governing body's website includes
 1093 including:

1094 (a) All published notices of meetings and published
 1095 meeting agendas of the governing body.

1096 (b) The official minutes of each meeting of the governing
 1097 body, which must ~~shall~~ be posted within 7 business days after
 1098 the date of the meeting in which the minutes were approved.

1099 (c) The approved budget for the commercial service airport
 1100 for the current fiscal year, which shall be posted within 7

1101 business days after the date of adoption. Budgets must remain on
1102 the website for 5 ~~2~~ years after the conclusion of the fiscal
1103 year for which they were adopted.

1104 (d) Copies of ~~A link to~~ the current Airport Master Plan
1105 and the immediately preceding Airport Master Plan for the
1106 commercial service airport and a link to the current Airport
1107 Master Plan on the commercial service airport's website.

1108 (e) A link to all financial and statistical reports for
1109 the commercial service airport on the Federal Aviation
1110 Administration's website.

1111 (f) Any contract or contract amendment for the purchase of
1112 commodities or contractual services executed by or on behalf of
1113 the commercial service airport in excess of the threshold amount
1114 provided in s. 287.017 for CATEGORY FIVE, which must ~~shall~~ be
1115 posted no later than 7 business days after the commercial
1116 service airport executes the contract or contract amendment.
1117 However, a contract or contract amendment may not reveal
1118 information made confidential or exempt by law. Each commercial
1119 service airport must redact confidential or exempt information
1120 from each contract or contract amendment before posting a copy
1121 on its website.

1122 (g) Position and rate information for each employee of the
1123 commercial service airport, including, at a minimum, the
1124 employee's position title, position description, and annual or
1125 hourly salary. This information must ~~shall~~ be updated quarterly

1126 ~~annually.~~

1127 (5) (a) Each November 1, the governing body of each
1128 commercial service airport shall submit the following
1129 information to the department:

1130 1. Its approved budget for the current fiscal year.

1131 2. Any financial reports submitted to the Federal Aviation
1132 Administration during the previous calendar year.

1133 3. A link to its website.

1134 4. A statement, verified as provided in s. 92.525, that it
1135 has complied with part III of chapter 112, chapter 287, and this
1136 section.

1137 5. The most recent copy of its strategic plan or plans.

1138 6. Contracts related to financial awards received through
1139 federally funded grant programs for the preceding year.

1140 (b) The department shall review the information submitted
1141 by the governing body of the commercial service airport and
1142 posted on the airport's website to determine the accuracy of
1143 such information. Each January 15, the department shall submit
1144 to the Governor, the President of the Senate, and the Speaker of
1145 the House of Representatives a report summarizing commercial
1146 service airport compliance with this section.

1147 (c) In addition to the requirements of this section, a
1148 commercial service airport must:

1149 1. Notify the department within 48 hours after receiving a
1150 communication or directive from a federal agency with respect to

1151 accommodating public health testing or the transfer of
1152 unauthorized aliens into this state.

1153 2. Notify the department as soon as reasonably possible,
1154 but no later than 48 hours after discovery, of incidents
1155 including, but not limited to, those related to the safety of
1156 the public when traveling, potential breaches or security risks
1157 associated with cybersecurity, or other issues of statewide
1158 concern as defined by the department.

1159 **Section 15. Section 332.15, Florida Statutes, is created**
1160 **to read:**

1161 332.15 Advanced air mobility.—The Department of
1162 Transportation shall, within the resources provided pursuant to
1163 chapter 216:

1164 (1) Address the need for vertiports, advanced air
1165 mobility, and other advances in aviation technology in the
1166 statewide aviation system plan as required under s. 332.006(1)
1167 and, as appropriate, in the department's work program.

1168 (2) Designate a subject matter expert on advanced air
1169 mobility within the department to serve as a resource for local
1170 jurisdictions navigating advances in aviation technology.

1171 (3) Conduct a review of airport hazard zone regulations.

1172 (4) Work with the Department of Commerce to provide
1173 coordination and assistance for the development of a viable
1174 advanced air mobility system in this state and incorporate those
1175 plans in the statewide aviation system plan as required under s.

1176 332.006(1) in order to develop and identify the statewide
 1177 corridors of need and opportunities for growth of the industry.

1178 **Section 16. Subsections (5) and (26) of section 334.044,**
 1179 **Florida Statutes, are amended, and subsections (37), (38), and**
 1180 **(39) are added to that section, to read:**

1181 334.044 Powers and duties of the department.—The
 1182 department shall have the following general powers and duties:

1183 (5) To purchase, lease, or otherwise acquire property and
 1184 materials, including the purchase of promotional items as part
 1185 of public information and education campaigns for the promotion
 1186 of environmental management, scenic highways, traffic and train
 1187 safety awareness, ~~alternatives to single-occupant vehicle~~
 1188 ~~travel,~~ commercial motor vehicle safety, workforce development,
 1189 ~~electric vehicle use and charging stations, autonomous vehicles,~~
 1190 and context classification, design for electric vehicles and
 1191 autonomous vehicles; to purchase, lease, or otherwise acquire
 1192 equipment and supplies; and to sell, exchange, or otherwise
 1193 dispose of any property that is no longer needed by the
 1194 department.

1195 (26) (a) To provide for the enhancement of environmental
 1196 benefits, including air and water quality; to prevent roadside
 1197 erosion; to conserve the natural roadside growth and scenery;
 1198 and to provide for the implementation and maintenance of
 1199 roadside conservation, enhancement, and stabilization programs.
 1200 For these purposes, the department shall annually allocate an

1201 amount equal to at least 1.5 percent of the total amount
1202 contracted for construction projects, including existing
1203 maintenance projects to enhance the rights-of-way and arterial
1204 facilities of the state highway system, shall be allocated by
1205 the department on a statewide basis for the purchase of plant
1206 materials. Such funds must be allocated on a statewide basis.

1207 1. Department districts may not expend funds for
1208 landscaping in connection with any project that is limited to
1209 resurfacing existing lanes unless the expenditure has been
1210 approved by the department's secretary or the secretary's
1211 designee. To the greatest extent practical, at least 50 percent
1212 of the funds allocated under this paragraph must subsection
1213 shall be allocated for large plant materials and the remaining
1214 funds for other plant materials.

1215 2. Except as prohibited by applicable federal law or
1216 regulation, all plant materials shall be purchased from Florida
1217 commercial nursery stock in this state on a uniform competitive
1218 bid basis. The department shall develop grades and standards for
1219 landscaping materials purchased through this process, including
1220 standards for landscaping materials that are native to a
1221 specific region of this state to reflect Florida's heritage and
1222 natural landscapes.

1223 (b) To increase cost predictability and increase
1224 programming needs, a project with a total contracted
1225 construction cost greater than \$500 million must have 0.5

1226 percent of the total construction cost expended in the fiscal
 1227 year in which the project is planned for construction and the
 1228 remaining 1 percent may be planned and expended over the next 5
 1229 fiscal years.

1230 (c) Projects authorized in s. 215, chapter 2023-239, Laws
 1231 of Florida, and in budget amendment EOG #2024-B0112, and
 1232 subsequently adopted into the 5-year work program, are exempt
 1233 from this subsection. This paragraph expires upon the completion
 1234 of the authorized projects.

1235 (37) Notwithstanding s. 287.022 or s. 287.025, to enter
 1236 into contracts for insurance that the department is
 1237 contractually and legally obligated to provide directly from
 1238 local, national, or international insurance companies.

1239 (38) Notwithstanding s. 287.14, to purchase, lease, or
 1240 acquire heavy equipment and motor vehicles for roadway
 1241 operations and emergency response purposes, regardless of
 1242 whether the department has exchanged or ceased the operation of
 1243 motor vehicles or heavy equipment already under the department's
 1244 ownership.

1245 (39) To adopt rules to comply with the requirements of 49
 1246 C.F.R. part 26 and applicable federal law ~~To accomplish these~~
 1247 ~~activities, the department may contract with nonprofit~~
 1248 ~~organizations having the primary purpose of developing youth~~
 1249 ~~employment opportunities.~~

1250 **Section 17. Paragraph (f) of subsection (1) of section**

1251 **334.045, Florida Statutes, is amended to read:**

1252 334.045 Transportation performance and productivity
1253 standards; development; measurement; application.—

1254 (1) The Florida Transportation Commission shall develop
1255 and adopt measures for evaluating the performance and
1256 productivity of the department. The measures may be both
1257 quantitative and qualitative and must, to the maximum extent
1258 practical, assess those factors that are within the department's
1259 control. The measures must, at a minimum, assess performance in
1260 the following areas:

1261 (f) ~~Small Disadvantaged business enterprise and minority~~
1262 ~~business programs as established in s. 337.027.~~

1263 **Section 18. Section 334.62, Florida Statutes, is created**
1264 **to read:**

1265 334.62 Florida Transportation Academy.—

1266 (1) The Legislature finds that the growth and
1267 sustainability of the transportation workforce industry is vital
1268 to the continued success and efficiency of this state's supply
1269 chain and economic competitiveness. In order to prioritize the
1270 continued need for transportation industry workforce development
1271 programs, the Florida Transportation Academy is established.

1272 (2) In order to support, promote, and sustain workforce
1273 development efforts of the transportation sector, the department
1274 may work with state agencies referenced in this chapter,
1275 industry organizations, and private sector businesses, as

1276 appropriate.

1277 (3) The department may coordinate with all of the
1278 following entities:

1279 (a) The Department of Corrections to identify and create
1280 certification and training opportunities for nonviolent inmates
1281 and create a process to allow the Department of Corrections to
1282 notify the department when a nonviolent inmate who is seeking
1283 employment has received a scheduled release date.

1284 (b) The Department of Juvenile Justice and its educational
1285 partners to create certification and training opportunities for
1286 eligible youth.

1287 (c) Veterans' organizations to encourage honorably
1288 discharged veterans to pursue opportunities within the
1289 transportation industry, including, but not limited to,
1290 employment as pilots, mechanics, and air traffic controllers.

1291 (d) The Department of Commerce, CareerSource Florida, and
1292 regional business communities, within and outside of the
1293 transportation industry, to further understand recruitment and
1294 retention needs and job-seeker pipelines.

1295 (e) The American Council of Engineering Companies and the
1296 Florida Transportation Builders Association to optimize
1297 workforce recruitment and retention and assess the future needs
1298 of the transportation industry and this state.

1299 **Section 19. Subsection (3) of section 335.182, Florida**
1300 **Statutes, is amended to read:**

1301 335.182 Regulation of connections to roads on State
 1302 Highway System; definitions.—

1303 (3) As used in this act, the term:

1304 (a) "Connection" means driveways, streets, turnouts, or
 1305 other means of providing for the right of reasonable access to
 1306 or from the State Highway System.

1307 (b) "Modification of a connection" means relocation,
 1308 alteration, or closure of a connection.

1309 (c) ~~(b)~~ "Significant change" means:

1310 1. A change in the use of the property, including
 1311 development of the land, structures, or facilities; ~~or~~

1312 2. An expansion of the size of the property, structures,
 1313 or facilities causing an increase in the trip generation of the
 1314 property exceeding 25 percent more trip generation, ~~(either peak~~
 1315 ~~hour or daily,~~) and exceeding 100 vehicles per day more than the
 1316 existing use.

1317 **Section 20. Subsections (3) and (4) of section 335.187,**
 1318 **Florida Statutes, are amended to read:**

1319 335.187 Unpermitted connections; existing access permits;
 1320 nonconforming permits; modification and revocation of permits.—

1321 (3) The department may issue a nonconforming access permit
 1322 if denying after finding that to deny an access permit would
 1323 leave the property without a reasonable means of access to the
 1324 State Highway System. The department may specify limits on the
 1325 maximum vehicular use of the connection and may impose

1326 conditions ~~be conditioned~~ on the availability of future
1327 alternative means of access for which access permits can be
1328 obtained.

1329 (4) After written notice and the opportunity for a
1330 hearing, as provided for in s. 120.60, the department may modify
1331 or revoke an access permit issued after July 1, 1988, by
1332 requiring modification ~~relocation, alteration, or closure~~ of an
1333 existing connection if:

1334 (a) A significant change occurs in the use, design, or
1335 traffic flow of the connection; or

1336 (b) The connection would jeopardize the safety of the
1337 public or have a negative impact on the operational
1338 characteristics of the highway.

1339 **Section 21. Subsection (2) of section 337.027, Florida**
1340 **Statutes, is amended to read:**

1341 337.027 Authority to implement a business development
1342 program.—

1343 (2) For purposes of this section, the term "small
1344 business" means a business with yearly average gross receipts of
1345 less than \$25 ~~\$15~~ million for road and bridge contracts and less
1346 than \$10 ~~\$6.5~~ million for professional and nonprofessional
1347 services contracts. A business' average gross receipts is
1348 determined by averaging its annual gross receipts over the last
1349 3 years, including the receipts of any affiliate as defined in
1350 s. 337.165.

1351 **Section 22. Subsection (6) of section 337.11, Florida**
 1352 **Statutes, is amended to read:**

1353 337.11 Contracting authority of department; bids;
 1354 emergency repairs, supplemental agreements, and change orders;
 1355 combined design and construction contracts; progress payments;
 1356 records; requirements of vehicle registration.—

1357 (6) (a) If the secretary determines that an emergency in
 1358 regard to the restoration or repair of any state transportation
 1359 facility exists such that the delay incident to giving
 1360 opportunity for competitive bidding would be detrimental to the
 1361 interests of the state, the provisions for competitive bidding
 1362 do not apply; and the department may enter into contracts for
 1363 restoration or repair without giving opportunity for competitive
 1364 bidding on such contracts. Within 30 days after such
 1365 determination and contract execution, the head of the department
 1366 shall file with the Executive Office of the Governor a written
 1367 statement of the conditions and circumstances constituting such
 1368 emergency.

1369 (b) If the secretary determines that delays on a contract
 1370 for maintenance exist due to administrative challenges, bid
 1371 protests, defaults or terminations and the further delay would
 1372 reduce safety on the transportation facility or seriously hinder
 1373 the department's ability to preserve the state's investment in
 1374 that facility, competitive bidding provisions may be waived and
 1375 the department may enter into a contract for maintenance on the

1376 facility. However, contracts for maintenance executed under the
1377 provisions of this paragraph shall be interim in nature and
1378 shall be limited in duration to a period of time not to exceed
1379 the length of the delay necessary to complete the competitive
1380 bidding process and have the contract in place.

1381 (c) When the department determines that it is in the best
1382 interest of the public for reasons of public concern, economy,
1383 improved operations, or safety, and only when circumstances
1384 dictate rapid completion of the work, the department may, up to
1385 the amount of \$500,000, enter into contracts for construction
1386 and maintenance without advertising and receiving competitive
1387 bids. The department may enter into such contracts only upon a
1388 determination that the work is necessary for one of the
1389 following reasons:

1390 1. To ensure timely completion of projects or avoidance of
1391 undue delay for other projects;

1392 2. To accomplish minor repairs or construction and
1393 maintenance activities for which time is of the essence and for
1394 which significant cost savings would occur; or

1395 3. To accomplish nonemergency work necessary to ensure
1396 avoidance of adverse conditions that affect the safe and
1397 efficient flow of traffic.

1398
1399 The department shall make a good faith effort to obtain two or
1400 more quotes, if available, from qualified contractors before

1401 entering into any contract. The department shall give
1402 consideration to small ~~disadvantaged~~ business ~~enterprise~~
1403 participation. However, when the work exists within the limits
1404 of an existing contract, the department shall make a good faith
1405 effort to negotiate and enter into a contract with the prime
1406 contractor on the existing contract.

1407 **Section 23. Paragraph (a) of subsection (1) of section**
1408 **337.18, Florida Statutes, is amended to read:**

1409 337.18 Surety bonds for construction or maintenance
1410 contracts; requirement with respect to contract award; bond
1411 requirements; defaults; damage assessments.—

1412 (1) (a) A surety bond shall be required of the successful
1413 bidder in an amount equal to the awarded contract price.
1414 However, the department may choose, in its discretion and
1415 applicable only to multiyear maintenance contracts, to allow for
1416 incremental annual contract bonds that cumulatively total the
1417 full, awarded, multiyear contract price. The department may also
1418 choose, in its discretion and applicable only to phased design-
1419 build contracts under s. 337.11(7)(b), to allow the issuance of
1420 multiple contract performance and payment bonds in succession to
1421 align with each phase of the contract to meet the bonding
1422 requirement in this subsection. Notwithstanding any bonding
1423 requirement under this section, the department may require, at
1424 the discretion of the secretary, that the amount of the surety
1425 bond or bonds be less than the contract price.

1426 1. The department may waive the requirement for all or a
 1427 portion of a surety bond if:

1428 a. The contract price is \$250,000 or less and the
 1429 department determines that the project is of a noncritical
 1430 nature and that nonperformance will not endanger public health,
 1431 safety, or property;

1432 b. The prime contractor is a qualified nonprofit agency
 1433 for the blind or for the other severely handicapped under s.
 1434 413.036(2); or

1435 c. The prime contractor is using a subcontractor that is a
 1436 qualified nonprofit agency for the blind or for the other
 1437 severely handicapped under s. 413.036(2). However, the
 1438 department may not waive more than the amount of the
 1439 subcontract.

1440 2. If the department determines that it is in the best
 1441 interests of the department to reduce the bonding requirement
 1442 for a project and that to do so will not endanger public health,
 1443 safety, or property, the department may waive the requirement of
 1444 a surety bond in an amount equal to the awarded contract price
 1445 for a project having a contract price of \$250 million or more
 1446 and, in its place, may set a surety bond amount that is a
 1447 portion of the total contract price and provide an alternate
 1448 means of security for the balance of the contract amount that is
 1449 not covered by the surety bond or provide for incremental surety
 1450 bonding and provide an alternate means of security for the

1451 balance of the contract amount that is not covered by the surety
1452 bond. Such alternative means of security may include letters of
1453 credit, United States bonds and notes, parent company
1454 guarantees, and cash collateral. The department may require
1455 alternate means of security if a surety bond is waived. The
1456 surety on such bond shall be a surety company authorized to do
1457 business in the state. All bonds shall be payable to the
1458 department and conditioned for the prompt, faithful, and
1459 efficient performance of the contract according to plans and
1460 specifications and within the time period specified, and for the
1461 prompt payment of all persons defined in s. 713.01 furnishing
1462 labor, material, equipment, and supplies for work provided in
1463 the contract; however, whenever an improvement, demolition, or
1464 removal contract price is \$25,000 or less, the security may, in
1465 the discretion of the bidder, be in the form of a cashier's
1466 check, bank money order of any state or national bank, certified
1467 check, or postal money order. The department shall adopt rules
1468 to implement this subsection. Such rules shall include
1469 provisions under which the department shall refuse to accept
1470 bonds on contracts when a surety wrongfully fails or refuses to
1471 settle or provide a defense for claims or actions arising under
1472 a contract for which the surety previously furnished a bond.

1473 **Section 24. Subsection (3) of section 337.251, Florida**
1474 **Statutes, is amended to read:**

1475 337.251 Lease of property for joint public-private

1476 development and areas above or below department property.-
 1477 (3) A proposal must be selected by the department based on
 1478 competitive bidding, except that the department may consider
 1479 other relevant factors specified in the request for proposals.
 1480 The department may consider such factors as the value of
 1481 property exchanges, the cost of construction, and other
 1482 recurring costs for the benefit of the department by the lessee
 1483 in lieu of direct revenue to the department if such other
 1484 factors are of equal value including innovative proposals to
 1485 involve small ~~minority~~ businesses. The department may name a
 1486 board of advisers which may be composed of accountants, real
 1487 estate appraisers, design engineers, or other experts
 1488 experienced in the type of development proposed. The board of
 1489 advisers shall review the feasibility of the proposals,
 1490 recommend acceptance or rejection of each proposal, and rank
 1491 each feasible proposal in the order of technical feasibility and
 1492 benefit provided to the department. The board of advisers shall
 1493 be reasonably compensated for the services provided and all
 1494 department costs for evaluating the proposals shall be
 1495 reimbursed from a proposal application fee to be set by the
 1496 department and paid by the applicants. The board of advisers
 1497 shall not be subject to selection under the provisions of
 1498 chapter 287.

1499 **Section 25. Subsection (4) of section 337.406, Florida**
 1500 **Statutes, is amended to read:**

1501 337.406 Unlawful use of state transportation facility
 1502 right-of-way; penalties.—

1503 (4) Camping is prohibited on any portion of the right-of-
 1504 way of the State Highway System. This subsection does not apply
 1505 to persons who are actively navigating the federally designated
 1506 Florida National Scenic Trail as recognized in s. 260.012(6) and
 1507 have acquired the associated permits ~~that is within 100 feet of~~
 1508 ~~a bridge, causeway, overpass, or ramp.~~

1509 **Section 26. Subsection (4) of section 338.227, Florida**
 1510 **Statutes, is amended to read:**

1511 338.227 Turnpike revenue bonds.—

1512 (4) The Department of Transportation and the Department of
 1513 Management Services shall create and implement an outreach
 1514 program designed to enhance the participation of small minority
 1515 ~~persons and minority~~ business enterprises in all contracts
 1516 entered into on or after July 1, 2025, by their respective
 1517 departments for services related to the financing of department
 1518 projects for the Strategic Intermodal System Plan developed
 1519 pursuant to s. 339.64. These services shall include, but are not
 1520 limited to, bond counsel and bond underwriters.

1521 **Section 27. Subsection (6) is added to section 339.08,**
 1522 **Florida Statutes, to read:**

1523 339.08 Use of moneys in State Transportation Trust Fund.—

1524 (6) The department may not expend any state funds as
 1525 described in s. 215.31 to any of the following entities to

1526 support a project or program that adopts or promotes energy
 1527 policy goals inconsistent with state energy policy:

1528 (a) A public transit provider as defined in s. 341.031(1);

1529 (b) An authority created pursuant to chapter 343, chapter
 1530 348, or chapter 349;

1531 (c) A public-use airport as defined in s. 332.004; or

1532 (d) A port listed in s. 311.09(1).

1533

1534 For purposes of this subsection, the term "state energy policy"
 1535 means the goals provided in s. 377.601 and includes any intended
 1536 or actual measures, obligations, targets, or timeframes related
 1537 to the reduction in carbon dioxide emissions.

1538 **Section 28. Paragraph (c) of subsection (6) and paragraph**
 1539 **(h) of subsection (7) of section 339.135, Florida Statutes, are**
 1540 **amended to read:**

1541 339.135 Work program; legislative budget request;
 1542 definitions; preparation, adoption, execution, and amendment.—

1543 (6) EXECUTION OF THE BUDGET.—

1544 (c) Notwithstanding ~~the provisions of~~ ss. 216.301(2) and
 1545 216.351, any unexpended balance remaining at the end of the
 1546 fiscal year in the appropriations to the department for special
 1547 categories; aid to local governments; lump sums for project
 1548 phases which are part of the adopted work program, and for which
 1549 contracts have been executed or bids have been let; and for
 1550 right-of-way land acquisition and relocation assistance for

1551 parcels from project phases in the adopted work program for
1552 which appraisals have been completed and approved, may be
1553 certified forward as fixed capital outlay at the end of each
1554 fiscal year, to be certified by the head of the state agency on
1555 or before August 1 of each year to the Executive Office of the
1556 Governor, showing in detail the commitment or to whom obligated
1557 and the amount of such commitment or obligation. On or before
1558 September 1 of each year, the Executive Office of the Governor
1559 shall review and approve or disapprove, consistent with
1560 legislative policy and intent, any ~~or all~~ of the items and
1561 amounts certified by the head of the state agency and shall
1562 furnish the Chief Financial Officer, the legislative
1563 appropriations committees, and the Auditor General a detailed
1564 listing of the items and amounts approved as legal encumbrances
1565 against the undisbursed balances of such appropriations. In the
1566 event such certification is not made and the balance of the
1567 appropriation has reverted and the obligation is proven to be
1568 legal, due, and unpaid, then the same must ~~shall~~ be presented to
1569 the Legislature for its consideration. Such required
1570 certification must ~~as herein required shall~~ be in the form and
1571 on the date approved by the Executive Office of the Governor.
1572 Any project phases in the adopted work program not certified
1573 forward are ~~shall be~~ available for roll forward for the next
1574 fiscal year of the adopted work program. Spending authority
1575 associated with such project phases may be rolled forward to the

1576 next fiscal year ~~upon approval~~ by following the procedures set
1577 forth in s. 216.177. Upon approval, the Executive Office of the
1578 Governor shall modify the original approved operating budget for
1579 fixed capital outlay expenditures ~~the Legislative Budget~~
1580 ~~Commission~~. Increases in spending authority are ~~shall be~~ limited
1581 to amounts of unexpended balances by appropriation category. Any
1582 project phase certified forward for which bids have been let but
1583 subsequently rejected are ~~shall be~~ available for roll forward in
1584 the adopted work program for the next fiscal year. Spending
1585 authority associated with such project phases may be rolled
1586 forward into the current year from funds certified forward. The
1587 amount certified forward may include contingency allowances for
1588 right-of-way acquisition and relocation, asphalt and petroleum
1589 product escalation clauses, and contract overages, which
1590 allowances must ~~shall~~ be separately identified in the
1591 certification detail. Right-of-way acquisition and relocation
1592 and contract overages contingency allowances must ~~shall~~ be based
1593 on documented historical patterns. These contingency amounts
1594 must ~~shall~~ be incorporated in the certification for each
1595 specific category, but when a category has an excess and another
1596 category has a deficiency, the Executive Office of the Governor
1597 is authorized to transfer the excess to the deficient account.

1598 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

1599 (h)1. Any work program amendment that also adds a new
1600 project, or phase thereof, to the adopted work program in excess

1601 of \$3 million is subject to approval by the Legislative Budget
 1602 Commission. Any work program amendment submitted under this
 1603 paragraph must include, as supplemental information, a list of
 1604 projects, or phases thereof, in the current 5-year adopted work
 1605 program which are eligible for the funds within the
 1606 appropriation category being used for the proposed amendment.
 1607 The department shall provide a narrative with the rationale for
 1608 not advancing an existing project, or phase thereof, in lieu of
 1609 the proposed amendment.

1610 2. If the department submits an amendment to the
 1611 Legislative Budget Commission and the commission does not meet
 1612 or consider the amendment within 30 days after its submittal,
 1613 the chair and vice chair of the commission may authorize the
 1614 amendment to be approved pursuant to s. 216.177. ~~This~~
 1615 ~~subparagraph expires July 1, 2025.~~

1616 **Section 29. Subsection (3) of section 339.2816, Florida**
 1617 **Statutes, is amended to read:**

1618 339.2816 Small County Road Assistance Program.—

1619 (3) Beginning in with fiscal year 2025-2026 ~~1999-2000~~
 1620 ~~until fiscal year 2009-2010, and beginning again with fiscal~~
 1621 ~~year 2012-2013, up to \$50 \$25 million annually from the State~~
 1622 Transportation Trust Fund may be used for the purposes of
 1623 funding the Small County Road Assistance Program as described in
 1624 this section.

1625 **Section 30. Subsections (2), (7), and (8) of section**

1626 **339.2818, Florida Statutes, are amended to read:**

1627 339.2818 Small County Outreach Program.—

1628 (2) For the purposes of this section, the term "small
1629 county" means any county that has a population of 200,000 or
1630 less as determined by the most recent official estimate pursuant
1631 to s. 186.901. The term includes:

1632 (a) A municipality within a rural area of opportunity
1633 designated under s. 288.0656(7)(a), which may compete for the
1634 additional project funding using the criteria listed in
1635 paragraph (4)(c) at up to 100 percent of project costs,
1636 excluding capacity improvement projects.

1637 (b) A local government either wholly or partially within
1638 the Everglades Agricultural Area as defined in s. 373.4592(15),
1639 the Peace River Basin, or the Suwannee River Basin, which may
1640 compete for additional funding using the criteria listed in
1641 paragraph (4)(c) at up to 100 percent of project costs on state
1642 or county roads used primarily as farm-to-market connections
1643 between rural agricultural areas and market distribution
1644 centers, excluding capacity improvement projects.

1645 (7) Beginning in fiscal year 2025-2026, and annually
1646 thereafter, at least \$50 million from the State Transportation
1647 Trust Fund may be used for the purposes of funding the Small
1648 County Outreach Program ~~Subject to a specific appropriation in~~
1649 ~~addition to funds annually appropriated for projects under this~~
1650 ~~section, A municipality within a rural area of opportunity or a~~

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1651 ~~rural area of opportunity community designated under s.~~
1652 ~~288.0656(7) (a) may compete for the additional project funding~~
1653 ~~using the criteria listed in subsection (4) at up to 100 percent~~
1654 ~~of project costs, excluding capacity improvement projects.~~

1655 ~~(8) Subject to a specific appropriation in addition to~~
1656 ~~funds appropriated for projects under this section, A local~~
1657 ~~government either wholly or partially within the Everglades~~
1658 ~~Agricultural Area as defined in s. 373.4592(15), the Peace River~~
1659 ~~Basin, or the Suwannee River Basin may compete for additional~~
1660 ~~funding using the criteria listed in paragraph (4) (c) at up to~~
1661 ~~100 percent of project costs on state or county roads used~~
1662 ~~primarily as farm-to-market connections between rural~~
1663 ~~agricultural areas and market distribution centers, excluding~~
1664 ~~capacity improvement projects.~~

1665 **Section 31. Paragraph (b) of subsection (3) and paragraph**
1666 **(c) of subsection (4) of section 339.2821, Florida Statutes, are**
1667 **amended to read:**

1668 339.2821 Economic development transportation projects.—

1669 (3)

1670 (b) The department must ensure that it supports small
1671 businesses as defined in s. 337.027(2) ~~small and minority~~
1672 ~~businesses have equal access to participate in transportation~~
1673 ~~projects funded pursuant to this section.~~

1674 (4) A contract between the department and a governmental
1675 body for a transportation project must:

1676 (c) Require that the governmental body provide the
1677 department with progress reports. Each progress report must
1678 contain:

1679 1. A narrative description of the work completed and
1680 whether the work is proceeding according to the transportation
1681 project schedule.†

1682 2. A description of each change order executed by the
1683 governmental body.†

1684 3. A budget summary detailing planned expenditures
1685 compared to actual expenditures.† and

1686 4. The identity of each small ~~or minority~~ business used as
1687 a contractor or subcontractor.

1688 **Section 32. Paragraph (c) of subsection (2) of section**
1689 **339.55, Florida Statutes, is amended to read:**

1690 339.55 State-funded infrastructure bank.—

1691 (2) The bank may lend capital costs or provide credit
1692 enhancements for:

1693 (c)1. Emergency loans for damages incurred to public-use
1694 commercial deepwater seaports, public-use airports, and other
1695 public-use transit and intermodal facilities that are within an
1696 area that is part of an official state declaration of emergency
1697 pursuant to chapter 252 and all other applicable laws. Such
1698 loans:

1699 a. May not exceed 24 months in duration except in extreme
1700 circumstances, for which the Secretary of Transportation may

1701 grant up to 36 months upon making written findings specifying
 1702 the conditions requiring a 36-month term.

1703 b. Require application from the recipient to the
 1704 department that includes documentation of damage claims filed
 1705 with the Federal Emergency Management Agency or an applicable
 1706 insurance carrier and documentation of the recipient's overall
 1707 financial condition.

1708 c. Are subject to approval by the Secretary of
 1709 Transportation ~~and the Legislative Budget Commission.~~

1710 2. Loans provided under this paragraph must be repaid upon
 1711 receipt by the recipient of eligible program funding for damages
 1712 in accordance with the claims filed with the Federal Emergency
 1713 Management Agency or an applicable insurance carrier, but no
 1714 later than the duration of the loan.

1715 **Section 33. Subsections (3) and (7) of section 339.651,**
 1716 **Florida Statutes, are amended to read:**

1717 339.651 Strategic Intermodal System supply chain demands.—

1718 (3) The department may ~~shall~~ make up to \$20 million
 1719 available each year ~~for fiscal years 2023-2024 through 2027-~~
 1720 ~~2028,~~ from existing work program revenues, to fund projects that
 1721 meet the public purpose of providing increased capacity and
 1722 enhanced capabilities to move and store construction aggregate
 1723 and transportation infrastructure-related materials. Applicants
 1724 eligible for project funding under this section are seaports
 1725 listed in s. 311.09 and rail lines and rail facilities.

1726 ~~(7) This section shall stand repealed on July 1, 2028.~~

1727 **Section 34. Paragraph (b) of subsection (6) of section**
 1728 **341.051, Florida Statutes, is amended to read:**

1729 341.051 Administration and financing of public transit and
 1730 intercity bus service programs and projects.—

1731 (6) ANNUAL APPROPRIATION.—

1732 (b) If funds are allocated to projects that qualify for
 1733 the New Starts Transit Program in the current fiscal year and a
 1734 project will not be ready for production by June 30, the
 1735 department must reallocate such funds for the purpose of the
 1736 Strategic Intermodal System within the State Transportation
 1737 Trust Fund for the next fiscal year ~~The remaining unallocated~~
 1738 ~~New Starts Transit Program funds as of June 30, 2024, shall be~~
 1739 ~~reallocated for the purpose of the Strategic Intermodal System~~
 1740 ~~within the State Transportation Trust Fund. This paragraph~~
 1741 ~~expires June 30, 2026.~~

1742
 1743 For purposes of this section, the term "net operating costs"
 1744 means all operating costs of a project less any federal funds,
 1745 fares, or other sources of income to the project.

1746 **Section 35. Subsection (5) of section 348.754, Florida**
 1747 **Statutes, is amended to read:**

1748 348.754 Purposes and powers.—

1749 (5) The authority shall encourage the inclusion of local
 1750 and small, ~~small~~, ~~minority~~, and ~~women-owned~~ businesses in its

1751 procurement and contracting opportunities.

1752 **Section 36. Subsection (2) of section 349.03, Florida**
 1753 **Statutes, is amended, and subsection (4) is added to that**
 1754 **section, to read:**

1755 349.03 Jacksonville Transportation Authority.—

1756 (2) The governing body of the authority shall consist of
 1757 seven members. Four ~~Three~~ members shall be appointed by the
 1758 Governor and confirmed by the Senate. Of the four members
 1759 appointed by the Governor, one member must be a resident of the
 1760 City of Jacksonville and the remaining three members must be
 1761 residents of Clay County, Duval County, or St. Johns County.
 1762 Three members shall be appointed by the mayor of the City of
 1763 Jacksonville subject to confirmation by the council of the City
 1764 of Jacksonville. All ~~The seventh member shall be the district~~
 1765 ~~secretary of the Department of Transportation serving in the~~
 1766 ~~district that contains the City of Jacksonville. Except for the~~
 1767 ~~seventh member,~~ members appointed by the mayor of the City of
 1768 Jacksonville must ~~shall~~ be residents and qualified electors of
 1769 Duval County.

1770 (4) The authority shall:

1771 (a) Follow the department's small business program as
 1772 described in s. 337.027.

1773 (b) Establish protocols and systems in accordance with the
 1774 requirements established in s. 112.061(16) and s. 215.985(6) and
 1775 (14) and post all related information on its publicly available

1776 website.

1777 **Section 37.** Sections 316.0741, 331.351, 337.125, 337.135,
 1778 337.139, 339.0805, and 339.287, Florida Statutes, are repealed.

1779 **Section 38. Paragraphs (j) and (m) of subsection (2) of**
 1780 **section 110.205, Florida Statutes, are amended to read:**

1781 110.205 Career service; exemptions.—

1782 (2) EXEMPT POSITIONS.—The exempt positions that are not
 1783 covered by this part include the following:

1784 (j) The appointed secretaries and the State Surgeon
 1785 General, assistant secretaries, deputy secretaries, and deputy
 1786 assistant secretaries of all departments; the executive
 1787 directors, assistant executive directors, deputy executive
 1788 directors, and deputy assistant executive directors of all
 1789 departments; the directors of all divisions and those positions
 1790 determined by the department to have managerial responsibilities
 1791 comparable to such positions, which positions include, but are
 1792 not limited to, program directors, assistant program directors,
 1793 district administrators, deputy district administrators, the
 1794 Director of Central Operations Services of the Department of
 1795 Children and Families, the State Transportation Development
 1796 Administrator, the State Public Transportation and Modal
 1797 Administrator, district secretaries, district directors of
 1798 transportation development, transportation operations,
 1799 transportation support, and the managers of the offices of the
 1800 Department of Transportation specified in s. 20.23(4)(b) ~~s.~~

1801 ~~20.23(3)(b)~~. Unless otherwise fixed by law, the department shall
 1802 set the salary and benefits of these positions and the positions
 1803 of county health department directors and county health
 1804 department administrators of the Department of Health in
 1805 accordance with the rules of the Senior Management Service.

1806 (m) All assistant division director, deputy division
 1807 director, and bureau chief positions in any department, and
 1808 those positions determined by the department to have managerial
 1809 responsibilities comparable to such positions, which include,
 1810 but are not limited to:

1811 1. Positions in the Department of Health and the
 1812 Department of Children and Families which are assigned primary
 1813 duties of serving as the superintendent or assistant
 1814 superintendent of an institution.

1815 2. Positions in the Department of Corrections which are
 1816 assigned primary duties of serving as the warden, assistant
 1817 warden, colonel, or major of an institution or that are assigned
 1818 primary duties of serving as the circuit administrator or deputy
 1819 circuit administrator.

1820 3. Positions in the Department of Transportation which are
 1821 assigned primary duties of serving as regional toll managers and
 1822 managers of offices, as specified in s. 20.23(4)(b) and (5)(c)
 1823 ~~s. 20.23(3)(b) and (4)(e)~~.

1824 4. Positions in the Department of Environmental Protection
 1825 which are assigned the duty of an Environmental Administrator or

1826 program administrator.

1827 5. Positions in the Department of Health which are
 1828 assigned the duties of Environmental Administrator, Assistant
 1829 County Health Department Director, and County Health Department
 1830 Financial Administrator.

1831 6. Positions in the Department of Highway Safety and Motor
 1832 Vehicles which are assigned primary duties of serving as
 1833 captains in the Florida Highway Patrol.

1834
 1835 Unless otherwise fixed by law, the department shall set the
 1836 salary and benefits of the positions listed in this paragraph in
 1837 accordance with the rules established for the Selected Exempt
 1838 Service.

1839 **Section 39. Paragraph (d) of subsection (3) of section**
 1840 **322.27, Florida Statutes, is amended to read:**

1841 322.27 Authority of department to suspend or revoke driver
 1842 license or identification card.—

1843 (3) There is established a point system for evaluation of
 1844 convictions of violations of motor vehicle laws or ordinances,
 1845 and violations of applicable provisions of s. 403.413(6)(b) when
 1846 such violations involve the use of motor vehicles, for the
 1847 determination of the continuing qualification of any person to
 1848 operate a motor vehicle. The department is authorized to suspend
 1849 the license of any person upon showing of its records or other
 1850 good and sufficient evidence that the licensee has been

1851 convicted of violation of motor vehicle laws or ordinances, or
1852 applicable provisions of s. 403.413(6)(b), amounting to 12 or
1853 more points as determined by the point system. The suspension
1854 shall be for a period of not more than 1 year.

1855 (d) The point system shall have as its basic element a
1856 graduated scale of points assigning relative values to
1857 convictions of the following violations:

1858 1. Reckless driving, willful and wanton—4 points.

1859 2. Leaving the scene of a crash resulting in property
1860 damage of more than \$50—6 points.

1861 3. Unlawful speed, or unlawful use of a wireless
1862 communications device, resulting in a crash—6 points.

1863 4. Passing a stopped school bus:

1864 a. Not causing or resulting in serious bodily injury to or
1865 death of another—4 points.

1866 b. Causing or resulting in serious bodily injury to or
1867 death of another—6 points.

1868 c. Points may not be imposed for a violation of passing a
1869 stopped school bus as provided in s. 316.172(1)(a) or (b) when
1870 enforced by a school bus infraction detection system pursuant to
1871 s. 316.173. In addition, a violation of s. 316.172(1)(a) or (b)
1872 when enforced by a school bus infraction detection system
1873 pursuant to s. 316.173 may not be used for purposes of setting
1874 motor vehicle insurance rates.

1875 5. Unlawful speed:

1876 a. Not in excess of 15 miles per hour of lawful or posted
 1877 speed—3 points.

1878 b. In excess of 15 miles per hour of lawful or posted
 1879 speed—4 points.

1880 c. Points may not be imposed for a violation of unlawful
 1881 speed as provided in s. 316.1895 or s. 316.183 when enforced by
 1882 a traffic infraction enforcement officer pursuant to s.
 1883 316.1896. In addition, a violation of s. 316.1895 or s. 316.183
 1884 when enforced by a traffic infraction enforcement officer
 1885 pursuant to s. 316.1896 may not be used for purposes of setting
 1886 motor vehicle insurance rates.

1887 6. A violation of a traffic control signal device as
 1888 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.
 1889 However, points may not be imposed for a violation of s.
 1890 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
 1891 stop at a traffic signal and when enforced by a traffic
 1892 infraction enforcement officer. In addition, a violation of s.
 1893 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
 1894 stop at a traffic signal and when enforced by a traffic
 1895 infraction enforcement officer may not be used for purposes of
 1896 setting motor vehicle insurance rates.

1897 7. Unlawfully driving a vehicle through a railroad-highway
 1898 grade crossing—6 points.

1899 8. All other moving violations (including parking on a
 1900 highway outside the limits of a municipality)—3 points. However,

1901 points may not be imposed for a violation of ~~s. 316.0741~~ or s.
 1902 316.2065(11); and points may be imposed for a violation of s.
 1903 316.1001 only when imposed by the court after a hearing pursuant
 1904 to s. 318.14(5).

1905 9. Any moving violation covered in this paragraph,
 1906 excluding unlawful speed and unlawful use of a wireless
 1907 communications device, resulting in a crash-4 points.

1908 10. Any conviction under s. 403.413(6)(b)-3 points.

1909 11. Any conviction under s. 316.0775(2)-4 points.

1910 12. A moving violation covered in this paragraph which is
 1911 committed in conjunction with the unlawful use of a wireless
 1912 communications device within a school safety zone-2 points, in
 1913 addition to the points assigned for the moving violation.

1914 **Section 40. Subsection (13) of section 365.172, Florida**
 1915 **Statutes, is amended to read:**

1916 365.172 Emergency communications.-

1917 (13) FACILITATING EMERGENCY COMMUNICATIONS SERVICE
 1918 IMPLEMENTATION.-To balance the public need for reliable
 1919 emergency communications services through reliable wireless
 1920 systems and the public interest served by governmental zoning
 1921 and land development regulations and notwithstanding any other
 1922 law or local ordinance to the contrary, the following standards
 1923 shall apply to a local government's actions, as a regulatory
 1924 body, in the regulation of the placement, construction, or
 1925 modification of a wireless communications facility. This

1926 subsection may not, however, be construed to waive or alter the
 1927 provisions of s. 286.011 or s. 286.0115. For the purposes of
 1928 this subsection only, "local government" shall mean any
 1929 municipality or county and any agency of a municipality or
 1930 county only. The term "local government" does not, however,
 1931 include any airport, as defined in s. 330.27 ~~by s. 330.27(2)~~,
 1932 even if it is owned or controlled by or through a municipality,
 1933 county, or agency of a municipality or county. Further,
 1934 notwithstanding anything in this section to the contrary, this
 1935 subsection does not apply to or control a local government's
 1936 actions as a property or structure owner in the use of any
 1937 property or structure owned by such entity for the placement,
 1938 construction, or modification of wireless communications
 1939 facilities. In the use of property or structures owned by the
 1940 local government, however, a local government may not use its
 1941 regulatory authority so as to avoid compliance with, or in a
 1942 manner that does not advance, the provisions of this subsection.

1943 (a) Colocation among wireless providers is encouraged by
 1944 the state.

1945 1.a. Colocations on towers, including nonconforming
 1946 towers, that meet the requirements in sub-sub-subparagraphs (I),
 1947 (II), and (III), are subject to only building permit review,
 1948 which may include a review for compliance with this
 1949 subparagraph. Such colocations are not subject to any design or
 1950 placement requirements of the local government's land

1951 development regulations in effect at the time of the colocation
1952 that are more restrictive than those in effect at the time of
1953 the initial antennae placement approval, to any other portion of
1954 the land development regulations, or to public hearing review.
1955 This sub-subparagraph may not preclude a public hearing for any
1956 appeal of the decision on the colocation application.

1957 (I) The colocation does not increase the height of the
1958 tower to which the antennae are to be attached, measured to the
1959 highest point of any part of the tower or any existing antenna
1960 attached to the tower;

1961 (II) The colocation does not increase the ground space
1962 area, commonly known as the compound, approved in the site plan
1963 for equipment enclosures and ancillary facilities; and

1964 (III) The colocation consists of antennae, equipment
1965 enclosures, and ancillary facilities that are of a design and
1966 configuration consistent with all applicable regulations,
1967 restrictions, or conditions, if any, applied to the initial
1968 antennae placed on the tower and to its accompanying equipment
1969 enclosures and ancillary facilities and, if applicable, applied
1970 to the tower supporting the antennae. Such regulations may
1971 include the design and aesthetic requirements, but not
1972 procedural requirements, other than those authorized by this
1973 section, of the local government's land development regulations
1974 in effect at the time the initial antennae placement was
1975 approved.

1976 b. Except for a historic building, structure, site,
1977 object, or district, or a tower included in sub-subparagraph a.,
1978 colocations on all other existing structures that meet the
1979 requirements in sub-sub-subparagraphs (I)-(IV) shall be subject
1980 to no more than building permit review, and an administrative
1981 review for compliance with this subparagraph. Such colocations
1982 are not subject to any portion of the local government's land
1983 development regulations not addressed herein, or to public
1984 hearing review. This sub-subparagraph may not preclude a public
1985 hearing for any appeal of the decision on the colocation
1986 application.

1987 (I) The colocation does not increase the height of the
1988 existing structure to which the antennae are to be attached,
1989 measured to the highest point of any part of the structure or
1990 any existing antenna attached to the structure;

1991 (II) The colocation does not increase the ground space
1992 area, otherwise known as the compound, if any, approved in the
1993 site plan for equipment enclosures and ancillary facilities;

1994 (III) The colocation consists of antennae, equipment
1995 enclosures, and ancillary facilities that are of a design and
1996 configuration consistent with any applicable structural or
1997 aesthetic design requirements and any requirements for location
1998 on the structure, but not prohibitions or restrictions on the
1999 placement of additional colocations on the existing structure or
2000 procedural requirements, other than those authorized by this

2001 section, of the local government's land development regulations
 2002 in effect at the time of the colocation application; and

2003 (IV) The colocation consists of antennae, equipment
 2004 enclosures, and ancillary facilities that are of a design and
 2005 configuration consistent with all applicable restrictions or
 2006 conditions, if any, that do not conflict with sub-sub-
 2007 subparagraph (III) and were applied to the initial antennae
 2008 placed on the structure and to its accompanying equipment
 2009 enclosures and ancillary facilities and, if applicable, applied
 2010 to the structure supporting the antennae.

2011 c. Regulations, restrictions, conditions, or permits of
 2012 the local government, acting in its regulatory capacity, that
 2013 limit the number of colocations or require review processes
 2014 inconsistent with this subsection do not apply to colocations
 2015 addressed in this subparagraph.

2016 d. If only a portion of the colocation does not meet the
 2017 requirements of this subparagraph, such as an increase in the
 2018 height of the proposed antennae over the existing structure
 2019 height or a proposal to expand the ground space approved in the
 2020 site plan for the equipment enclosure, where all other portions
 2021 of the colocation meet the requirements of this subparagraph,
 2022 that portion of the colocation only may be reviewed under the
 2023 local government's regulations applicable to an initial
 2024 placement of that portion of the facility, including, but not
 2025 limited to, its land development regulations, and within the

2026 review timeframes of subparagraph (d)2., and the rest of the
2027 colocation shall be reviewed in accordance with this
2028 subparagraph. A colocation proposal under this subparagraph that
2029 increases the ground space area, otherwise known as the
2030 compound, approved in the original site plan for equipment
2031 enclosures and ancillary facilities by no more than a cumulative
2032 amount of 400 square feet or 50 percent of the original compound
2033 size, whichever is greater, shall, however, require no more than
2034 administrative review for compliance with the local government's
2035 regulations, including, but not limited to, land development
2036 regulations review, and building permit review, with no public
2037 hearing review. This sub-subparagraph does not preclude a public
2038 hearing for any appeal of the decision on the colocation
2039 application.

2040 2. If a colocation does not meet the requirements of
2041 subparagraph 1., the local government may review the application
2042 under the local government's regulations, including, but not
2043 limited to, land development regulations, applicable to the
2044 placement of initial antennae and their accompanying equipment
2045 enclosure and ancillary facilities.

2046 3. If a colocation meets the requirements of subparagraph
2047 1., the colocation may not be considered a modification to an
2048 existing structure or an impermissible modification of a
2049 nonconforming structure.

2050 4. The owner of the existing tower on which the proposed

2051 antennae are to be colocated shall remain responsible for
2052 compliance with any applicable condition or requirement of a
2053 permit or agreement, or any applicable condition or requirement
2054 of the land development regulations to which the existing tower
2055 had to comply at the time the tower was permitted, including any
2056 aesthetic requirements, provided the condition or requirement is
2057 not inconsistent with this paragraph.

2058 5. An existing tower, including a nonconforming tower, may
2059 be structurally modified in order to permit colocation or may be
2060 replaced through no more than administrative review and building
2061 permit review, and is not subject to public hearing review, if
2062 the overall height of the tower is not increased and, if a
2063 replacement, the replacement tower is a monopole tower or, if
2064 the existing tower is a camouflaged tower, the replacement tower
2065 is a like-camouflaged tower. This subparagraph may not preclude
2066 a public hearing for any appeal of the decision on the
2067 application.

2068 (b)1. A local government's land development and
2069 construction regulations for wireless communications facilities
2070 and the local government's review of an application for the
2071 placement, construction, or modification of a wireless
2072 communications facility shall only address land development or
2073 zoning issues. In such local government regulations or review,
2074 the local government may not require information on or evaluate
2075 a wireless provider's business decisions about its service,

2076 customer demand for its service, or quality of its service to or
 2077 from a particular area or site, unless the wireless provider
 2078 voluntarily offers this information to the local government. In
 2079 such local government regulations or review, a local government
 2080 may not require information on or evaluate the wireless
 2081 provider's designed service unless the information or materials
 2082 are directly related to an identified land development or zoning
 2083 issue or unless the wireless provider voluntarily offers the
 2084 information. Information or materials directly related to an
 2085 identified land development or zoning issue may include, but are
 2086 not limited to, evidence that no existing structure can
 2087 reasonably be used for the antennae placement instead of the
 2088 construction of a new tower, that residential areas cannot be
 2089 served from outside the residential area, as addressed in
 2090 subparagraph 3., or that the proposed height of a new tower or
 2091 initial antennae placement or a proposed height increase of a
 2092 modified tower, replacement tower, or colocation is necessary to
 2093 provide the provider's designed service. Nothing in this
 2094 paragraph shall limit the local government from reviewing any
 2095 applicable land development or zoning issue addressed in its
 2096 adopted regulations that does not conflict with this section,
 2097 including, but not limited to, aesthetics, landscaping, land
 2098 use-based location priorities, structural design, and setbacks.
 2099 2. Any setback or distance separation required of a tower
 2100 may not exceed the minimum distance necessary, as determined by

2101 the local government, to satisfy the structural safety or
2102 aesthetic concerns that are to be protected by the setback or
2103 distance separation.

2104 3. A local government may exclude the placement of
2105 wireless communications facilities in a residential area or
2106 residential zoning district but only in a manner that does not
2107 constitute an actual or effective prohibition of the provider's
2108 service in that residential area or zoning district. If a
2109 wireless provider demonstrates to the satisfaction of the local
2110 government that the provider cannot reasonably provide its
2111 service to the residential area or zone from outside the
2112 residential area or zone, the municipality or county and
2113 provider shall cooperate to determine an appropriate location
2114 for a wireless communications facility of an appropriate design
2115 within the residential area or zone. The local government may
2116 require that the wireless provider reimburse the reasonable
2117 costs incurred by the local government for this cooperative
2118 determination. An application for such cooperative determination
2119 may not be considered an application under paragraph (d).

2120 4. A local government may impose a reasonable fee on
2121 applications to place, construct, or modify a wireless
2122 communications facility only if a similar fee is imposed on
2123 applicants seeking other similar types of zoning, land use, or
2124 building permit review. A local government may impose fees for
2125 the review of applications for wireless communications

2126 facilities by consultants or experts who conduct code compliance
2127 review for the local government but any fee is limited to
2128 specifically identified reasonable expenses incurred in the
2129 review. A local government may impose reasonable surety
2130 requirements to ensure the removal of wireless communications
2131 facilities that are no longer being used.

2132 5. A local government may impose design requirements, such
2133 as requirements for designing towers to support colocation or
2134 aesthetic requirements, except as otherwise limited in this
2135 section, but may not impose or require information on compliance
2136 with building code type standards for the construction or
2137 modification of wireless communications facilities beyond those
2138 adopted by the local government under chapter 553 and that apply
2139 to all similar types of construction.

2140 (c) Local governments may not require wireless providers
2141 to provide evidence of a wireless communications facility's
2142 compliance with federal regulations, except evidence of
2143 compliance with applicable Federal Aviation Administration
2144 requirements under 14 C.F.R. part 77, as amended, and evidence
2145 of proper Federal Communications Commission licensure, or other
2146 evidence of Federal Communications Commission authorized
2147 spectrum use, but may request the Federal Communications
2148 Commission to provide information as to a wireless provider's
2149 compliance with federal regulations, as authorized by federal
2150 law.

2151 (d)1. A local government shall grant or deny each properly
2152 completed application for a colocation under subparagraph (a)1.
2153 based on the application's compliance with the local
2154 government's applicable regulations, as provided for in
2155 subparagraph (a)1. and consistent with this subsection, and
2156 within the normal timeframe for a similar building permit review
2157 but in no case later than 45 business days after the date the
2158 application is determined to be properly completed in accordance
2159 with this paragraph.

2160 2. A local government shall grant or deny each properly
2161 completed application for any other wireless communications
2162 facility based on the application's compliance with the local
2163 government's applicable regulations, including but not limited
2164 to land development regulations, consistent with this subsection
2165 and within the normal timeframe for a similar type review but in
2166 no case later than 90 business days after the date the
2167 application is determined to be properly completed in accordance
2168 with this paragraph.

2169 3.a. An application is deemed submitted or resubmitted on
2170 the date the application is received by the local government. If
2171 the local government does not notify the applicant in writing
2172 that the application is not completed in compliance with the
2173 local government's regulations within 20 business days after the
2174 date the application is initially submitted or additional
2175 information resubmitted, the application is deemed, for

2176 administrative purposes only, to be properly completed and
2177 properly submitted. However, the determination may not be deemed
2178 as an approval of the application. If the application is not
2179 completed in compliance with the local government's regulations,
2180 the local government shall so notify the applicant in writing
2181 and the notification must indicate with specificity any
2182 deficiencies in the required documents or deficiencies in the
2183 content of the required documents which, if cured, make the
2184 application properly completed. Upon resubmission of information
2185 to cure the stated deficiencies, the local government shall
2186 notify the applicant, in writing, within the normal timeframes
2187 of review, but in no case longer than 20 business days after the
2188 additional information is submitted, of any remaining
2189 deficiencies that must be cured. Deficiencies in document type
2190 or content not specified by the local government do not make the
2191 application incomplete. Notwithstanding this sub-subparagraph,
2192 if a specified deficiency is not properly cured when the
2193 applicant resubmits its application to comply with the notice of
2194 deficiencies, the local government may continue to request the
2195 information until such time as the specified deficiency is
2196 cured. The local government may establish reasonable timeframes
2197 within which the required information to cure the application
2198 deficiency is to be provided or the application will be
2199 considered withdrawn or closed.

2200 b. If the local government fails to grant or deny a

2201 properly completed application for a wireless communications
2202 facility within the timeframes set forth in this paragraph, the
2203 application shall be deemed automatically approved and the
2204 applicant may proceed with placement of the facilities without
2205 interference or penalty. The timeframes specified in
2206 subparagraph 2. may be extended only to the extent that the
2207 application has not been granted or denied because the local
2208 government's procedures generally applicable to all other
2209 similar types of applications require action by the governing
2210 body and such action has not taken place within the timeframes
2211 specified in subparagraph 2. Under such circumstances, the local
2212 government must act to either grant or deny the application at
2213 its next regularly scheduled meeting or, otherwise, the
2214 application is deemed to be automatically approved.

2215 c. To be effective, a waiver of the timeframes set forth
2216 in this paragraph must be voluntarily agreed to by the applicant
2217 and the local government. A local government may request, but
2218 not require, a waiver of the timeframes by the applicant, except
2219 that, with respect to a specific application, a one-time waiver
2220 may be required in the case of a declared local, state, or
2221 federal emergency that directly affects the administration of
2222 all permitting activities of the local government.

2223 (e) The replacement of or modification to a wireless
2224 communications facility, except a tower, that results in a
2225 wireless communications facility not readily discernibly

2226 different in size, type, and appearance when viewed from ground
2227 level from surrounding properties, and the replacement or
2228 modification of equipment that is not visible from surrounding
2229 properties, all as reasonably determined by the local
2230 government, are subject to no more than applicable building
2231 permit review.

2232 (f) Any other law to the contrary notwithstanding, the
2233 Department of Management Services shall negotiate, in the name
2234 of the state, leases for wireless communications facilities that
2235 provide access to state government-owned property not acquired
2236 for transportation purposes, and the Department of
2237 Transportation shall negotiate, in the name of the state, leases
2238 for wireless communications facilities that provide access to
2239 property acquired for state rights-of-way. On property acquired
2240 for transportation purposes, leases shall be granted in
2241 accordance with s. 337.251. On other state government-owned
2242 property, leases shall be granted on a space available, first-
2243 come, first-served basis. Payments required by state government
2244 under a lease must be reasonable and must reflect the market
2245 rate for the use of the state government-owned property. The
2246 Department of Management Services and the Department of
2247 Transportation are authorized to adopt rules for the terms and
2248 conditions and granting of any such leases.

2249 (g) If any person adversely affected by any action, or
2250 failure to act, or regulation, or requirement of a local

2251 government in the review or regulation of the wireless
 2252 communication facilities files an appeal or brings an
 2253 appropriate action in a court or venue of competent
 2254 jurisdiction, following the exhaustion of all administrative
 2255 remedies, the matter shall be considered on an expedited basis.

2256 **Section 41. Subsection (2) of section 379.2293, Florida**
 2257 **Statutes, is amended to read:**

2258 379.2293 Airport activities within the scope of a
 2259 federally approved wildlife hazard management plan or a federal
 2260 or state permit or other authorization for depredation or
 2261 harassment.—

2262 (2) An airport authority or other entity owning or
 2263 operating an airport, as defined in s. 330.27 ~~s. 330.27(2)~~, is
 2264 not subject to any administrative or civil penalty, restriction,
 2265 or other sanction with respect to any authorized action taken in
 2266 a non-negligent manner for the purpose of protecting human life
 2267 or aircraft safety from wildlife hazards.

2268 **Section 42. Subsection (22) of section 493.6101, Florida**
 2269 **Statutes, is amended to read:**

2270 493.6101 Definitions.—

2271 (22) "Repossession" means the recovery of a motor vehicle
 2272 as defined under s. 320.01(1), a mobile home as defined in s.
 2273 320.01(2), a motorboat as defined under s. 327.02, an aircraft
 2274 as defined in s. 330.27 ~~s. 330.27(1)~~, a personal watercraft as
 2275 defined in s. 327.02, an all-terrain vehicle as defined in s.

2276 316.2074, farm equipment as defined under s. 686.402, or
 2277 industrial equipment, by an individual who is authorized by the
 2278 legal owner, lienholder, or lessor to recover, or to collect
 2279 money payment in lieu of recovery of, that which has been sold
 2280 or leased under a security agreement that contains a
 2281 repossession clause. As used in this subsection, the term
 2282 "industrial equipment" includes, but is not limited to,
 2283 tractors, road rollers, cranes, forklifts, backhoes, and
 2284 bulldozers. The term "industrial equipment" also includes other
 2285 vehicles that are propelled by power other than muscular power
 2286 and that are used in the manufacture of goods or used in the
 2287 provision of services. A repossession is complete when a
 2288 licensed recovery agent is in control, custody, and possession
 2289 of such repossessed property. Property that is being repossessed
 2290 shall be considered to be in the control, custody, and
 2291 possession of a recovery agent if the property being repossessed
 2292 is secured in preparation for transport from the site of the
 2293 recovery by means of being attached to or placed on the towing
 2294 or other transport vehicle or if the property being repossessed
 2295 is being operated or about to be operated by an employee of the
 2296 recovery agency.

2297 **Section 43. Paragraph (c) of subsection (1) of section**
 2298 **493.6403, Florida Statutes, is amended to read:**

2299 493.6403 License requirements.—

2300 (1) In addition to the license requirements set forth in

2301 | this chapter, each individual or agency shall comply with the
 2302 | following additional requirements:

2303 | (c) An applicant for a Class "E" license shall have at
 2304 | least 1 year of lawfully gained, verifiable, full-time
 2305 | experience in one, or a combination of more than one, of the
 2306 | following:

2307 | 1. Repossession of motor vehicles as defined in s.
 2308 | 320.01(1), mobile homes as defined in s. 320.01(2), motorboats
 2309 | as defined in s. 327.02, aircraft as defined in s. 330.27 ~~s.~~
 2310 | ~~330.27(1)~~, personal watercraft as defined in s. 327.02, all-
 2311 | terrain vehicles as defined in s. 316.2074, farm equipment as
 2312 | defined under s. 686.402, or industrial equipment as defined in
 2313 | s. 493.6101(22).

2314 | 2. Work as a Class "EE" licensed intern.

2315 | **Section 44.** This act shall take effect July 1, 2025.