

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; revising the
22 department's areas of program responsibility; removing
23 obsolete provisions; amending s. 311.07, F.S.; adding
24 projects eligible for funding under the Florida
25 Seaport Transportation and Economic Development

26 Program; amending s. 311.09, F.S.; revising the
27 purpose of the Florida Seaport Transportation and
28 Economic Development Council; revising the
29 recommendations included in the Florida Seaport
30 Mission Plan; requiring council members to submit
31 specified reports; amending s. 316.0745, F.S.;
32 specifying that any state funds may be withheld under
33 certain circumstances; amending s. 330.27, F.S.;
34 revising and providing definitions; amending s.
35 330.30, F.S.; requiring a private airport of public
36 interest to obtain a specified certificate; providing
37 procedures for the issuance of, conditions for the
38 renewal of, and the expiration periods of such
39 certificates; grandfathering in certain airports, but
40 requiring such airports to obtain a certificate by a
41 specified date; amending s. 331.371, F.S.; authorizing
42 the department, in consultation with other entities,
43 to fund certain projects associated with critical
44 infrastructure facilities; amending s. 332.003, F.S.;
45 revising a short title; amending s. 332.005, F.S.;
46 requiring an airport to provide support to the
47 department during a declared state of emergency;
48 amending s. 332.006, F.S.; revising duties of the
49 department; amending s. 332.007, F.S.; requiring
50 airports to submit an annual comprehensive maintenance

51 program report to the department; providing reporting
52 requirements; defining the term "maintenance";
53 requiring airports to retain certain records;
54 authorizing the department to withhold certain state
55 funds under certain circumstances; requiring the
56 department to provide priority funding for certain
57 projects and technology; authorizing the department to
58 fund certain projects at postsecondary education
59 institutions; authorizing the department to fund, and
60 match funds provided by the Department of Commerce
61 for, programs that help transition certain military
62 personnel to the aviation industry; authorizing the
63 Department of Transportation to fund strategic airport
64 investment projects to maximize tourism opportunities;
65 amending s. 332.0075, F.S.; revising definitions;
66 requiring certain information to remain on a governing
67 body's website for 5 years; requiring certain
68 information to be updated quarterly rather than
69 annually; revising the information that certain
70 governing bodies must submit to the department;
71 providing requirements for commercial service
72 airports; creating s. 332.15, F.S.; providing
73 requirements for the department relating to advanced
74 air mobility; amending s. 334.044, F.S.; revising and
75 providing powers and duties of the department;

76 | amending s. 334.045, F.S.; conforming a provision to
77 | changes made by the act; creating s. 334.62, F.S.;
78 | providing legislative findings; creating the Florida
79 | Transportation Academy for a specified purpose;
80 | authorizing the department to work with certain
81 | entities to support, promote, and sustain certain
82 | workforce development efforts; authorizing the
83 | department to coordinate with specified entities for
84 | certain purposes; amending s. 335.182, F.S.; revising
85 | the definition of the term "significant change";
86 | defining the term "modification of a connection";
87 | amending s. 335.187, F.S.; revising the conditions
88 | under which the department may modify or revoke a
89 | permit; amending s. 337.027, F.S.; revising the
90 | definition of the term "small business"; amending ss.
91 | 337.11 and 337.251, F.S.; conforming provisions to
92 | changes made by the act; amending s. 337.18, F.S.;
93 | authorizing the department to require the amount of
94 | certain bonds to be less than a certain price;
95 | amending s. 337.406, F.S.; providing an exception to
96 | the prohibition of camping on any portion of the
97 | right-of-way of the State Highway System; amending s.
98 | 338.227, F.S.; conforming a provision to changes made
99 | by the act; providing applicability; amending s.
100 | 339.2816, F.S.; increasing the required funding for

101 the Small County Road Assistance Program; amending s.
102 339.2818, F.S.; revising the definition of the term
103 "small county"; authorizing specified funding to be
104 used to fund the Small County Outreach Program;
105 amending s. 339.2821, F.S.; conforming provisions to
106 changes made by the act; amending s. 339.651, F.S.;
107 authorizing, rather than requiring, the department to
108 make certain funds available each year for certain
109 projects; removing a scheduled repeal; amending s.
110 341.051, F.S.; requiring the department to reallocate
111 certain funds under certain circumstances; amending s.
112 348.754, F.S.; conforming a provision to changes made
113 by the act; amending s. 349.03, F.S.; providing
114 appointment procedures for the governing body of the
115 Jacksonville Transportation Authority; providing
116 requirements for the authority; repealing ss.
117 316.0741, 331.351, 337.125, 337.135, 337.139,
118 339.0805, and 339.287, F.S., relating to high-
119 occupancy-vehicle lanes; participation by women,
120 minorities, and socially and economically
121 disadvantaged business enterprises; notice
122 requirements for socially and economically
123 disadvantaged business enterprises; penalties for
124 false representation of socially and economically
125 disadvantaged business enterprises; awarding contracts

126 to disadvantaged business enterprises; funds to be
127 expended with certified disadvantaged business
128 enterprises, the construction management development
129 program, and the bond guarantee program; and
130 infrastructure plan development for electric vehicle
131 charging stations, respectively; amending ss. 110.205,
132 322.27, 365.172, 379.2293, 493.6101, and 493.6403,
133 F.S.; conforming cross-references; providing an
134 effective date.

135
136 Be It Enacted by the Legislature of the State of Florida:

137
138 **Section 1. Subsections (2) through (6) of section 20.23,**
139 **Florida Statutes, are renumbered as subsections (3) through (7),**
140 **respectively, paragraph (d) of subsection (1), paragraphs (a),**
141 **(b), and (g) of present subsection (2), and paragraph (b) of**
142 **present subsection (3) are amended, and a new subsection (2) is**
143 **added to that section, to read:**

144 20.23 Department of Transportation.—There is created a
145 Department of Transportation which shall be a decentralized
146 agency.

147 (1)

148 (d) The secretary may appoint up to three assistant
149 secretaries who shall serve as the Chief Operations Officer,
150 Chief Finance and Administration Officer, and Chief Strategic

151 Development Officer; be directly responsible to the secretary;
152 and ~~who shall~~ perform such duties as are assigned by the
153 secretary. The secretary may also appoint an Executive Director
154 of Transportation Technology. These assistant secretaries and
155 the Executive Director of Transportation Technology shall
156 maintain their Senior Management Service status and are exempt
157 from career service under s. 110.205(2). The secretary shall
158 designate to an assistant secretary the duties related to
159 enhancing economic prosperity, including, but not limited to,
160 the responsibility of liaison with the head of economic
161 development in the Executive Office of the Governor. Such
162 assistant secretary shall be directly responsible for providing
163 the Executive Office of the Governor with investment
164 opportunities and transportation projects that expand the
165 state's role as a global hub for trade and investment and
166 enhance the supply chain system in the state to process,
167 assemble, and ship goods to markets throughout the eastern
168 United States, Canada, the Caribbean, and Latin America. The
169 secretary may delegate to any assistant secretary the authority
170 to act in the absence of the secretary.

171 (2) The Legislature finds that the transportation industry
172 is critical to the economic future of this state and that the
173 competitiveness of the industry in this state depends upon the
174 development and maintenance of a qualified workforce and
175 cutting-edge research and innovation. The Legislature further

176 finds that the transportation industry in this state has varied
177 and complex workforce needs ranging from technical and
178 mechanical training to continuing education opportunities for
179 workers with advanced degrees and certifications. The timely
180 need also exists for coordinated research and innovation efforts
181 to promote emerging technologies and innovative construction
182 methods and tools and to address alternative funding mechanisms.

183 (a) The Florida Transportation Research Institute (the
184 Institute) is created as a consortium of higher education
185 professionals to drive cutting-edge research, innovation,
186 transformational technologies, and breakthrough solutions and to
187 support workforce development efforts that contribute to this
188 state's transportation system.

189 (b) The Institute shall report to the department and
190 include membership from the University of Florida, Indian River
191 State College, the University of Central Florida, and Florida
192 International University.

193 (c) The department shall select a representative from one
194 of the entities referenced in paragraph (b) to serve as the
195 administrative lead for the Institute. The department shall
196 assess the performance of the administrative lead periodically
197 to ensure accountability and assess the attainment of
198 performance expectations.

199 (d) The Institute may award grants in alignment with its
200 mission of furthering research and innovation and supporting

201 workforce development in this state to support the needs of the
202 transportation industry. Such grants may be directed to member
203 and nonmember institutions that have a proven expertise relevant
204 to the grant, including not-for-profit organizations and
205 institutions of higher education.

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

211 (f) The secretary shall appoint a member of the department
212 to serve as the executive director of the Institute. The
213 department shall coordinate with the entities referenced in
214 paragraph (b) to adopt and approve additional policies
215 establishing the Institute's executive committee and mission
216 statement.

217 (g) The Institute shall submit an annual report to the
218 Office of the Secretary and the commission containing
219 performance metrics, including, but not limited to, expenditures
220 of appropriated funds provided by the department, ongoing and
221 proposed research efforts, and the application and success of
222 past research efforts.

223 (3)~~(2)~~(a)1. The Florida Transportation Commission is
224 hereby created and shall consist of nine members appointed by
225 the Governor subject to confirmation by the Senate. Members of

226 | the commission shall serve terms of 4 years each.

227 | 2. Members shall be appointed in such a manner as to
 228 | equitably represent all geographic areas of this ~~the~~ state. At
 229 | least three members of the commission shall represent or have
 230 | expertise in higher education, transportation, or workforce
 231 | development ~~Each member must be a registered voter and a citizen~~
 232 | ~~of the state. Each member of the commission must also possess~~
 233 | ~~business managerial experience in the private sector.~~

234 | 3. A member of the commission shall represent the
 235 | transportation needs of the state as a whole and may not
 236 | subordinate the needs of the state to those of any particular
 237 | area of the state.

238 | 4. The commission is assigned to the Office of the
 239 | Secretary of the Department of Transportation for administrative
 240 | and fiscal accountability purposes, but it shall otherwise
 241 | function independently of the control and direction of the
 242 | department.

243 | (b) The commission shall:

244 | 1. Recommend major transportation policies for the
 245 | Governor's approval and assure that approved policies and any
 246 | revisions are properly executed.

247 | 2. Periodically review the status of the state
 248 | transportation system, including highway, transit, rail,
 249 | seaport, intermodal development, and aviation components of the
 250 | system, and recommend improvements to the Governor and the

251 Legislature.

252 3. Perform an in-depth evaluation of the annual department
253 budget request, the Florida Transportation Plan, and the
254 tentative work program for compliance with all applicable laws
255 and established departmental policies. Except as specifically
256 provided in s. 339.135(4)(c)2., (d), and (f), the commission may
257 not consider individual construction projects but shall consider
258 methods of accomplishing the goals of the department in the most
259 effective, efficient, and businesslike manner.

260 4. Monitor the financial status of the department on a
261 regular basis to assure that the department is managing revenue
262 and bond proceeds responsibly and in accordance with law and
263 established policy.

264 5. Monitor on at least a quarterly basis the efficiency,
265 productivity, and management of the department using performance
266 and production standards developed by the commission pursuant to
267 s. 334.045.

268 6. Perform an in-depth evaluation of the factors causing
269 disruption of project schedules in the adopted work program and
270 recommend to the Governor and the Legislature methods to
271 eliminate or reduce the disruptive effects of these factors.

272 7. Recommend to the Governor and the Legislature
273 improvements to the department's organization in order to
274 streamline and optimize the efficiency of the department. In
275 reviewing the department's organization, the commission shall

276 determine if the current district organizational structure is
277 responsive to this state's changing economic and demographic
278 development patterns. The report by the commission must be
279 delivered to the Governor and the Legislature by December 15
280 each year, as appropriate. The commission may retain experts as
281 necessary to carry out this subparagraph, and the department
282 shall pay the expenses of the experts.

283 8. Monitor the efficiency, productivity, and management of
284 the agencies and authorities created under chapters 348 and 349;
285 the Mid-Bay Bridge Authority re-created pursuant to chapter
286 2000-411, Laws of Florida; ~~and~~ any authority formed under
287 chapter 343; and any transit entity that is a recipient of
288 funding from the department's public transit block grant program
289 as created in s. 341.052. The commission shall also conduct
290 periodic reviews of each agency's and authority's operations and
291 budget, acquisition of property, management of revenue and bond
292 proceeds, and compliance with applicable laws and generally
293 accepted accounting principles.

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

300 (4) ~~(3)~~

301 (b) The secretary may appoint positions at the level of
 302 deputy assistant secretary or director which the secretary deems
 303 necessary to accomplish the mission and goals of the department,
 304 including, but not limited to, the areas of program
 305 responsibility provided in this paragraph, each of whom shall be
 306 appointed by and serve at the pleasure of the secretary. The
 307 secretary may combine, separate, or delete offices as needed in
 308 consultation with the Executive Office of the Governor. The
 309 department's areas of program responsibility include, but are
 310 not limited to, all of the following:

- 311 1. Administration.
- 312 2. Planning.
- 313 3. Supply chain and modal development.
- 314 4. Design.
- 315 5. Highway operations.
- 316 6. Right-of-way.
- 317 7. Toll operations.
- 318 8. Transportation technology.
- 319 9. Information technology ~~systems~~.
- 320 10. Motor carrier weight inspection.
- 321 11. Work program and budget.
- 322 12. Comptroller.
- 323 13. Construction.
- 324 14. Statewide corridors.
- 325 15. Maintenance.

326 16. Forecasting and performance.

327 17. Emergency management.

328 18. Safety.

329 19. Materials.

330 20. Infrastructure and innovation.

331 21. Permitting.

332 22. Traffic operations.

333 23. Operational technology.

334 **Section 2. Paragraph (b) of subsection (3) of section**
 335 **311.07, Florida Statutes, is amended to read:**

336 311.07 Florida seaport transportation and economic
 337 development funding.—

338 (3)

339 (b) Projects eligible for funding by grants under the
 340 program are limited to the following port facilities or port
 341 transportation projects:

342 1. Transportation facilities within the jurisdiction of
 343 the port.

344 2. The dredging or deepening of channels, turning basins,
 345 or harbors.

346 3. The construction or rehabilitation of wharves, docks,
 347 structures, jetties, piers, storage facilities, cruise
 348 terminals, automated people mover systems, or any facilities
 349 necessary or useful in connection with any of the foregoing.

350 4. The acquisition of vessel tracking systems, container

351 cranes, or other mechanized equipment used in the movement of
352 cargo or passengers in international commerce.

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

354 6. The acquisition, improvement, enlargement, or extension
355 of existing port facilities.

356 7. Environmental protection projects which are necessary
357 because of requirements imposed by a state agency as a condition
358 of a permit or other form of state approval; which are necessary
359 for environmental mitigation required as a condition of a state,
360 federal, or local environmental permit; which are necessary for
361 the acquisition of spoil disposal sites and improvements to
362 existing and future spoil sites; or which result from the
363 funding of eligible projects listed in this paragraph.

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

367 9. Intermodal access projects.

368 10. Construction or rehabilitation of port facilities as
369 defined in s. 315.02, excluding any park or recreational
370 facilities, in ports listed in s. 311.09(1) with operating
371 revenues of \$5 million or less, provided that such projects
372 create economic development opportunities, capital improvements,
373 and positive financial returns to such ports.

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

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

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

382 **Section 3. Subsections (1), (3), and (11) of section**
383 **311.09, Florida Statutes, are amended to read:**

384 311.09 Florida Seaport Transportation and Economic
385 Development Council.—

386 (1) The Florida Seaport Transportation and Economic
387 Development Council is created within the Department of
388 Transportation to support the growth of the seaports of this
389 state through the review, development, and financing of port
390 transportation and port facilities. The council is composed
391 ~~consists~~ of the following 18 members: the port director, or the
392 port director's designee, of each of the ports of Jacksonville,
393 Port Canaveral, Port Citrus, Fort Pierce, Palm Beach, Port
394 Everglades, Miami, Port Manatee, St. Petersburg, Putnam County,
395 Tampa, Port St. Joe, Panama City, Pensacola, Key West, and
396 Fernandina; the secretary of the Department of Transportation or
397 his or her designee; and the secretary of the Department of
398 Commerce or his or her designee.

399 (3) The council shall prepare a 5-year Florida Seaport
400 Mission Plan defining the goals and objectives of the council

401 concerning the development of port facilities and an intermodal
402 transportation system consistent with the goals of the Florida
403 Transportation Plan developed pursuant to s. 339.155. The
404 Florida Seaport Mission Plan shall include specific
405 recommendations for the construction of transportation
406 facilities connecting any port to another transportation mode,
407 the construction of transportation facilities connecting any
408 port to the space and aerospace industries, and ~~for~~ the
409 efficient, cost-effective development of transportation
410 facilities or port facilities for the purpose of enhancing
411 trade, promoting cargo flow, increasing cruise passenger
412 movements, increasing port revenues, and providing economic
413 benefits to this ~~the~~ state. The council shall develop a priority
414 list of projects based on these recommendations annually and
415 submit the list to the Department of Transportation. The council
416 shall update the 5-year Florida Seaport Mission Plan annually
417 and shall submit the plan no later than February 1 of each year
418 to the President of the Senate, the Speaker of the House of
419 Representatives, the Department of Commerce, and the Department
420 of Transportation. The council shall develop programs, based on
421 an examination of existing programs in Florida and other states,
422 for the training of ~~minorities~~ and secondary school students in
423 job skills associated with employment opportunities in the
424 maritime industry, and report on progress and recommendations
425 for further action to the President of the Senate and the

426 Speaker of the House of Representatives annually. Each member of
427 the council shall submit semiannual reports to the Department of
428 Transportation relating to seaport operations and their support
429 of this state's economic competitiveness and supply chain. Each
430 report must include information prescribed by the Department of
431 Transportation, in consultation with the Department of Commerce,
432 including, but, not limited to:

- 433 (a) Bulk break capacity.
434 (b) Liquid storage and capacity.
435 (c) Fuel storage and capacity.
436 (d) Container capacity.
437 (e) Supply chain disruptions.

438 (11) Members of the council shall serve without
439 compensation but are entitled to receive reimbursement for per
440 diem and travel expenses as provided in s. 112.061. The council
441 may elect to provide an administrative staff to provide services
442 to the council on matters relating to the Florida Seaport
443 Transportation and Economic Development Program and the council.
444 The cost for such administrative services shall be paid by all
445 ports that receive funding from the Florida Seaport
446 Transportation and Economic Development Program, based upon a
447 pro rata formula measured by each recipient's share of the funds
448 as compared to the total funds disbursed to all recipients
449 during the year. The share of costs for administrative services
450 shall be paid in its total amount by the recipient port upon

451 execution by the port and the Department of Transportation of a
452 joint participation agreement for each council-approved project,
453 and such payment is in addition to the matching funds required
454 to be paid by the recipient port. Except as otherwise exempted
455 by law, all moneys derived from the Florida Seaport
456 Transportation and Economic Development Program shall be
457 expended in accordance with ~~the provisions of~~ s. 287.057.
458 Seaports subject to competitive negotiation requirements of a
459 local governing body shall abide by ~~the provisions of~~ s.
460 287.055.

461 **Section 4. Subsection (7) of section 316.0745, Florida**
462 **Statutes, is amended to read:**

463 316.0745 Uniform signals and devices.—

464 (7) The Department of Transportation may, upon receipt and
465 investigation of reported noncompliance and after hearing
466 pursuant to 14 days' notice, direct the removal of any purported
467 traffic control device that fails to meet the requirements of
468 this section, wherever the device is located and without regard
469 to assigned responsibility under s. 316.1895. The public agency
470 erecting or installing the same shall immediately bring it into
471 compliance with the requirements of this section or remove said
472 device or signal upon the direction of the Department of
473 Transportation and may not, for a period of 5 years, install any
474 replacement or new traffic control devices paid for in part or
475 in full with revenues raised by the state unless written prior

476 approval is received from the Department of Transportation. Any
477 additional violation by a public body or official shall be cause
478 for the withholding of state funds ~~for traffic control purposes~~
479 until such public body or official demonstrates to the
480 Department of Transportation that it is complying with this
481 section.

482 **Section 5. Section 330.27, Florida Statutes, is amended to**
483 **read:**

484 330.27 Definitions, ~~when used in ss. 330.29-330.39.~~ As
485 used in ss. 330.29-330.39, the term:

486 (1) "Air ambulance operation" means a flight with a
487 patient or medical personnel on board for the purpose of medical
488 transportation.

489 (2)-(1) "Aircraft" means a powered or unpowered machine or
490 device capable of atmospheric flight, including, but not limited
491 to, an airplane, autogyro, glider, gyrodyne, helicopter, lift
492 and cruise, multicopter, paramotor, powered lift, seaplane,
493 tiltrotor, ultralight, or vectored thrust. The term does not
494 include except a parachute or other such device used primarily
495 as safety equipment.

496 (3)-(2) "Airport" means a specific an area of land or water
497 or a structure used for, or intended to be used for, landing and
498 takeoff of aircraft operations, which may include including
499 appurtenant areas, buildings, facilities, or rights-of-way
500 necessary to facilitate such use or intended use. The term

501 includes, but is not limited to, an airpark, airport,
502 gliderport, heliport, helistop, seaplane base, ultralight
503 flightpark, vertiport, or vertistop.

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

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

512 (6)~~(3)~~ "Department" means the Department of
513 Transportation.

514 (7)~~(4)~~ "Limited airport" means any airport limited
515 exclusively to the specific conditions stated on the site
516 approval order or license.

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

523 (9)~~(5)~~ "Private airport" means an airport, publicly or
524 privately owned, which is not open or available for use by the
525 public, but may be made available to others by invitation of the

526 owner or manager.

527 (10) "Private airport of public interest" means a private
528 airport serving any of the following operations: air ambulance
529 operation, commercial air tour operation, commuter operation,
530 on-demand operation, public charter operation, scheduled
531 operation, or supplemental operation.

532 (11)~~(6)~~ "Public airport" means an airport, publicly or
533 privately owned, which is open for use by the public.

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

537 (13) "Scheduled operation" means any common carriage
538 passenger-carrying operation for compensation or hire conducted
539 by an air carrier or commercial operator for which the
540 certificateholder or its representative offers in advance the
541 departure location, departure time, and arrival location.

542 (14) "Supplemental operation" means any common carriage
543 operation for compensation or hire conducted with an aircraft
544 for which the departure time, departure location, and arrival
545 location are specifically negotiated with the customer or
546 customer's representative.

547 (15)~~(7)~~ "Temporary airport" means an airport at which
548 flight operations are conducted under visual flight rules
549 established by the Federal Aviation Administration and which is
550 used for less than 30 consecutive days with no more than 10

551 operations per day.

552 ~~(8) "Ultralight aircraft" means any aircraft meeting the~~
 553 ~~criteria established by part 103 of the Federal Aviation~~
 554 ~~Regulations.~~

555 **Section 6. Paragraphs (a) and (d) of subsection (2) and**
 556 **subsection (4) of section 330.30, Florida Statutes, are amended**
 557 **to read:**

558 330.30 Approval of airport sites; registration,
 559 certification, and licensure of airports.—

560 (2) LICENSES, CERTIFICATES, AND REGISTRATIONS;
 561 REQUIREMENTS, RENEWAL, REVOCATION.—

562 (a) Except as provided in subsection (3), the owner or
 563 lessee of an airport in this state shall have a public airport
 564 license, private airport registration, or temporary airport
 565 registration before the operation of aircraft to or from the
 566 airport. Application for a license or registration shall be made
 567 in a form and manner prescribed by the department.

568 1. For a public airport, upon granting site approval, the
 569 department shall issue a license after a final airport
 570 inspection finds that the airport is ~~to be~~ in compliance with
 571 all requirements for the license. The license may be subject to
 572 any reasonable conditions the department deems necessary to
 573 protect the public health, safety, or welfare.

574 2. For a private airport, upon granting site approval, the
 575 department shall provide controlled electronic access to the

576 state aviation facility data system to permit the applicant to
577 complete the registration process. Registration shall be
578 completed upon self-certification by the registrant of
579 operational and configuration data deemed necessary by the
580 department.

581 3. For a temporary airport, the department must publish
582 notice of receipt of a completed registration application in the
583 next available publication of the Florida Administrative
584 Register and may not approve a registration application less
585 than 14 days after the date of publication of the notice. The
586 department must approve or deny a registration application
587 within 30 days after receipt of a completed application and must
588 issue the temporary airport registration concurrent with the
589 airport site approval. A completed registration application that
590 is not approved or denied within 30 days after the department
591 receives the completed application is considered approved and
592 shall be issued, subject to such reasonable conditions as are
593 authorized by law. An applicant seeking to claim registration by
594 default under this subparagraph must notify the agency clerk of
595 the department, in writing, of the intent to rely upon the
596 default registration provision of this subparagraph and may not
597 take any action based upon the default registration until after
598 receipt of such notice by the agency clerk.

599 4. A private airport of public interest as defined in s.
600 330.27 must obtain a certificate from the department before

601 allowing aircraft operations. The department shall issue a
602 certificate after a final inspection finds that the private
603 airport of public interest is in compliance with all of the
604 requirements for a certificate. The certificate is subject to
605 any reasonable conditions that the department deems necessary to
606 protect the health, safety, or welfare of the public. A private
607 airport that was engaged in operations associated with a private
608 airport of public interest on or before July 1, 2025, may
609 continue its operations but must obtain a certificate from the
610 department before July 1, 2030.

611 (d)1. Each public airport license shall expire no later
612 than 1 year after the effective date of the license, except that
613 the expiration date of a license may be adjusted to provide a
614 maximum license period of 18 months to facilitate airport
615 inspections, recognize seasonal airport operations, or improve
616 administrative efficiency.

617 2. Registration for private airports shall remain valid
618 provided specific elements of airport data, established by the
619 department, are periodically recertified by the airport
620 registrant. The ability to recertify private airport
621 registration data shall be available at all times by electronic
622 submittal. A private airport registration that has not been
623 recertified in the 24-month period following the last
624 certification shall expire, unless the registration period has
625 been adjusted by the department for purposes of informing

626 private airport owners of their registration responsibilities or
627 promoting administrative efficiency. The expiration date of the
628 current registration period will be clearly identifiable from
629 the state aviation facility data system.

630 3. The effective date and expiration date shall be shown
631 on public airport licenses. Upon receiving an application for
632 renewal of an airport license in a form and manner prescribed by
633 the department and receiving a favorable inspection report
634 indicating compliance with all applicable requirements and
635 conditions, the department shall renew the license, subject to
636 any conditions deemed necessary to protect the public health,
637 safety, or welfare.

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

640 5. If the renewal application for a public airport license
641 has not been received by the department or no private airport
642 registration recertification has been accomplished within 15
643 days after the date of expiration, the department may revoke the
644 airport license or registration.

645 6. After initial registration, the department may issue a
646 certificate to a private airport of public interest if the
647 airport is in compliance with all of the requirements for a
648 certificate after a final inspection of the private airport of
649 public interest. The certificate is subject to any reasonable
650 conditions that the department deems necessary to protect the

651 health, safety, or welfare of the public. A certificate issued
652 to a private airport of public interest expires 5 years after
653 the effective date of the certificate.

654 (4) EXCEPTIONS.—Private airports with 10 or more based
655 aircraft may request to be inspected and licensed by the
656 department. Private airports licensed according to this
657 subsection shall be considered private airports as defined in s.
658 330.27 ~~s. 330.27(5)~~ in all other respects.

659 **Section 7. Section 331.371, Florida Statutes, is amended**
660 **to read:**

661 331.371 Strategic space infrastructure investment.—

662 (1) In consultation with Space Florida, the Department of
663 Transportation may fund spaceport discretionary capacity
664 improvement projects, as defined in s. 331.303, at up to 100
665 percent of the project's cost if:

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

668 (b) ~~(2)~~ Capital improvements that strategically position
669 the state to maximize opportunities in international trade are
670 achieved. ~~†~~

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

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

675 (2) In consultation with the Department of Commerce and

676 the Department of Environmental Protection, the Department of
677 Transportation may fund wastewater projects, stormwater
678 projects, water capacity projects, or projects associated with
679 critical infrastructure facilities as defined in s. 692.201
680 within or outside the jurisdictional boundary of a spaceport
681 territory so long as the project supports aerospace or launch
682 support facilities within an adjacent spaceport territory
683 boundary. The Department of Transportation shall coordinate with
684 the Department of Commerce and the Department of Environmental
685 Protection in order to maximize and optimize available funding
686 for such projects.

687 **Section 8. Section 332.003, Florida Statutes, is amended**
688 **to read:**

689 332.003 Florida Airport Development and Accountability
690 ~~Assistance~~ Act; short title.—Sections 332.003–332.007 may be
691 cited as the "Florida Airport Development and Accountability
692 ~~Assistance~~ Act."

693 **Section 9. Section 332.005, Florida Statutes, is amended**
694 **to read:**

695 332.005 Restrictions on authority of Department of
696 Transportation.—

697 (1) This act specifically prohibits the Department of
698 Transportation from regulating commercial air carriers operating
699 within the state pursuant to federal authority and regulations;
700 from participating in or exercising control in the management

701 and operation of a sponsor's airport, except when officially
702 requested by the sponsor; or from expanding the design or
703 operational capability of the department in the area of airport
704 and aviation consultants' contract work, other than to provide
705 technical assistance as requested.

706 (2) Notwithstanding subsection (1), upon the declaration
707 of a state of emergency issued by the Governor in preparation
708 for or in response to a natural disaster, an airport as defined
709 in s. 332.004 must provide the department, at no cost, with the
710 opportunity to use any property not within the air navigation
711 facility as defined in s. 332.01(4) for the staging of equipment
712 and personnel to support emergency preparedness and response
713 operations.

714 **Section 10. Subsection (7) of section 332.006, Florida**
715 **Statutes, is amended to read:**

716 332.006 Duties and responsibilities of the Department of
717 Transportation.—The Department of Transportation shall, within
718 the resources provided pursuant to chapter 216:

719 (7) Develop, promote, and distribute supporting
720 information and educational services, including, but not limited
721 to, educational services with a focus on retention and growth of
722 the aviation industry workforce.

723 **Section 11. Paragraph (a) of subsection (7), subsection**
724 **(8), and paragraph (b) of subsection (9) of section 332.007,**
725 **Florida Statutes, are amended, and paragraph (c) is added to**

726 **subsection (2) of that section, to read:**

727 332.007 Administration and financing of aviation and
728 airport programs and projects; state plan.-

729 (2)

730 (c) Annually, each airport must submit to the department a
731 comprehensive maintenance program report detailing the
732 maintenance and inspection of such airport's infrastructure. At
733 a minimum, the report must include a schedule of inspections,
734 the locations being inspected, any probable cause for such
735 inspection, a list of the airport's required needs, any remedial
736 actions to be taken, and any required follow-up inspections and
737 maintenance. For purposes of this paragraph, the term
738 "maintenance" includes any preventive and regular or recurring
739 work that is necessary to preserve the airport infrastructure in
740 good condition. Timely maintenance and repair, including routine
741 maintenance, rehabilitation, and upgrading, are essential for
742 the safe operation of airport infrastructure. An airport must
743 retain all records of materials and equipment used for the
744 airport's maintenance and repair work. If the department
745 determines, based on the annual comprehensive maintenance
746 program report, that there is evidence that an airport failed to
747 perform routine maintenance, the department may withhold state
748 funds for any of the airport's capital expansion projects until
749 such airport corrects any deficiencies.

750 (7) Subject to the availability of appropriated funds in

751 addition to aviation fuel tax revenues, the department may
752 participate in the capital cost of eligible public airport and
753 aviation discretionary capacity improvement projects. The annual
754 legislative budget request shall be based on the funding
755 required for discretionary capacity improvement projects in the
756 aviation and airport work program.

757 (a) The department shall provide priority funding in
758 support of:

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

762 ~~2.1.~~ Land acquisition which provides additional capacity
763 at the qualifying international airport or at that airport's
764 supplemental air carrier airport.

765 ~~3.2.~~ Runway and taxiway projects that add capacity or are
766 necessary to accommodate technological changes in the aviation
767 industry.

768 ~~4.3.~~ Airport access transportation projects that improve
769 direct airport access and are approved by the airport sponsor.

770 ~~5.4.~~ International terminal projects that increase
771 international gate capacity.

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

774 7. Emerging technology, workforce development projects,
775 and projects that benefit the strategic intermodal system

776 through intermodal connectivity.

777 (8) The department may also fund eligible projects
778 performed by not-for-profit organizations and postsecondary
779 education institutions, as defined in s. 1008.47(1), which
780 support the training of pilots, air traffic control personnel,
781 or aircraft maintenance technical personnel ~~that represent a~~
782 ~~majority of public airports in this state.~~ Eligible projects may
783 include activities associated with aviation master planning,
784 professional education, safety and security planning, enhancing
785 economic development and efficiency at airports in this state,
786 or other planning efforts to improve the viability and safety of
787 airports in this state. The department may also fund programs
788 that support the transition of honorably discharged military
789 personnel to the aviation industry. The department may match
790 funds provided by the Department of Commerce for such programs.

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

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

796 **Section 12. Subsections (1), (2), and (5) of section**
797 **332.0075, Florida Statutes, are amended to read:**

798 332.0075 Commercial service airports; transparency and
799 accountability; penalty.—

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

801 (a) "Commercial service airport" means an airport
802 providing commercial services, including large, medium, small,
803 and nonhub airports as classified ~~a primary airport as defined~~
804 ~~in 49 U.S.C. s. 47102 which is classified as a large, medium, or~~
805 ~~small hub airport~~ by the Federal Aviation Administration.

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

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

811 (d) "Governing body" means the governing body of the
812 county, municipality, or special district that operates a
813 commercial service airport. The term includes an appointed board
814 or oversight entity serving as the governing body on behalf of
815 the county, municipality, or special district.

816 (2) Each governing body shall establish and maintain a
817 website to post information relating to the operation of a
818 commercial service airport, and such information must remain on
819 the website for at least 5 years or for as long as the
820 information is actively in use by the entity. Information that
821 must be posted on the governing body's website includes
822 including:

823 (a) All published notices of meetings and published
824 meeting agendas of the governing body.

825 (b) The official minutes of each meeting of the governing

826 body, which must ~~shall~~ be posted within 7 business days after
827 the date of the meeting in which the minutes were approved.

828 (c) The approved budget for the commercial service airport
829 for the current fiscal year, which shall be posted within 7
830 business days after the date of adoption. Budgets must remain on
831 the website for 5 ~~2~~ years after the conclusion of the fiscal
832 year for which they were adopted.

833 (d) Copies of A link to the current Airport Master Plan
834 and the immediately preceding Airport Master Plan for the
835 commercial service airport and a link to the current Airport
836 Master Plan on the commercial service airport's website.

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

840 (f) Any contract or contract amendment for the purchase of
841 commodities or contractual services executed by or on behalf of
842 the commercial service airport in excess of the threshold amount
843 provided in s. 287.017 for CATEGORY FIVE, which must ~~shall~~ be
844 posted no later than 7 business days after the commercial
845 service airport executes the contract or contract amendment.
846 However, a contract or contract amendment may not reveal
847 information made confidential or exempt by law. Each commercial
848 service airport must redact confidential or exempt information
849 from each contract or contract amendment before posting a copy
850 on its website.

851 (g) Position and rate information for each employee of the
852 commercial service airport, including, at a minimum, the
853 employee's position title, position description, and annual or
854 hourly salary. This information must ~~shall~~ be updated quarterly
855 annually.

856 (5) (a) Each November 1, the governing body of each
857 commercial service airport shall submit the following
858 information to the department:

- 859 1. Its approved budget for the current fiscal year.
- 860 2. Any financial reports submitted to the Federal Aviation
861 Administration during the previous calendar year.
- 862 3. A link to its website.
- 863 4. A statement, verified as provided in s. 92.525, that it
864 has complied with part III of chapter 112, chapter 287, and this
865 section.
- 866 5. The most recent copy of its strategic plan or plans.
- 867 6. Contracts related to financial awards received through
868 federally funded grant programs for the preceding year.

869 (b) The department shall review the information submitted
870 by the governing body of the commercial service airport and
871 posted on the airport's website to determine the accuracy of
872 such information. Each January 15, the department shall submit
873 to the Governor, the President of the Senate, and the Speaker of
874 the House of Representatives a report summarizing commercial
875 service airport compliance with this section.

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

878 1. Notify the department within 48 hours after receiving a
879 communication or directive from a federal agency with respect to
880 accommodating public health testing or the transfer of
881 unauthorized aliens into this state.

882 2. Notify the department as soon as reasonably possible,
883 but no later than 48 hours after discovery, of incidents
884 including, but not limited to, those related to the safety of
885 the public when traveling, potential breaches or security risks
886 associated with cybersecurity, or other issues of statewide
887 concern as defined by the department.

888 **Section 13. Section 332.15, Florida Statutes, is created**
889 **to read:**

890 332.15 Advanced air mobility.—The Department of
891 Transportation shall, within the resources provided pursuant to
892 chapter 216:

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

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

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

901 (4) Work with the Department of Commerce to provide
 902 coordination and assistance for the development of a viable
 903 advanced air mobility system in this state and incorporate those
 904 plans in the statewide aviation system plan as required under s.
 905 332.006(1) in order to develop and identify the statewide
 906 corridors of need and opportunities for growth of the industry.

907 **Section 14. Subsection (5) of section 334.044, Florida**
 908 **Statutes, is amended, and subsections (37), (38), and (39) are**
 909 **added to that section, to read:**

910 334.044 Powers and duties of the department.—The
 911 department shall have the following general powers and duties:

912 (5) To purchase, lease, or otherwise acquire property and
 913 materials, including the purchase of promotional items as part
 914 of public information and education campaigns for the promotion
 915 of environmental management, scenic highways, traffic and train
 916 safety awareness, ~~alternatives to single-occupant vehicle~~
 917 ~~travel~~, commercial motor vehicle safety, workforce development,
 918 ~~electric vehicle use and charging stations, autonomous vehicles,~~
 919 ~~and context~~ classification, ~~design for electric vehicles~~ and
 920 autonomous vehicles; to purchase, lease, or otherwise acquire
 921 equipment and supplies; and to sell, exchange, or otherwise
 922 dispose of any property that is no longer needed by the
 923 department.

924 (37) Notwithstanding s. 287.022 or s. 287.025, to enter
 925 into contracts for insurance that the department is

926 contractually and legally obligated to provide directly from
927 local, national, or international insurance companies.

928 (38) Notwithstanding s. 287.14, to purchase, lease, or
929 acquire heavy equipment and motor vehicles for roadway
930 operations and emergency response purposes, regardless of
931 whether the department has exchanged or ceased the operation of
932 motor vehicles or heavy equipment already under the department's
933 ownership.

934 (39) To adopt rules to comply with the requirements of 49
935 C.F.R. part 26 and applicable federal law.

936 **Section 15. Paragraph (f) of subsection (1) of section**
937 **334.045, Florida Statutes, is amended to read:**

938 334.045 Transportation performance and productivity
939 standards; development; measurement; application.—

940 (1) The Florida Transportation Commission shall develop
941 and adopt measures for evaluating the performance and
942 productivity of the department. The measures may be both
943 quantitative and qualitative and must, to the maximum extent
944 practical, assess those factors that are within the department's
945 control. The measures must, at a minimum, assess performance in
946 the following areas:

947 (f) Small Disadvantaged business enterprise and minority
948 business programs as established in s. 337.027.

949 **Section 16. Section 334.62, Florida Statutes, is created**
950 **to read:**

951 334.62 Florida Transportation Academy.—

952 (1) The Legislature finds that the growth and
953 sustainability of the transportation workforce industry is vital
954 to the continued success and efficiency of this state's supply
955 chain and economic competitiveness. In order to prioritize the
956 continued need for transportation industry workforce development
957 programs, the Florida Transportation Academy is established.

958 (2) In order to support, promote, and sustain workforce
959 development efforts of the transportation sector, the department
960 may work with state agencies referenced in this chapter,
961 industry organizations, and private sector businesses, as
962 appropriate.

963 (3) The department may coordinate with all of the
964 following entities:

965 (a) The Department of Corrections to identify and create
966 certification and training opportunities for nonviolent inmates
967 and create a process to allow the Department of Corrections to
968 notify the department when a nonviolent inmate who is seeking
969 employment has received a scheduled release date.

970 (b) The Department of Juvenile Justice and its educational
971 partners to create certification and training opportunities for
972 eligible youth.

973 (c) Veterans' organizations to encourage honorably
974 discharged veterans to pursue opportunities within the
975 transportation industry, including, but not limited to,

976 employment as pilots, mechanics, and air traffic controllers.

977 (d) The Department of Commerce, CareerSource Florida, and
 978 regional business communities, within and outside of the
 979 transportation industry, to further understand recruitment and
 980 retention needs and job-seeker pipelines.

981 (e) The American Council of Engineering Companies and the
 982 Florida Transportation Builders Association to optimize
 983 workforce recruitment and retention and assess the future needs
 984 of the transportation industry and this state.

985 **Section 17. Subsection (3) of section 335.182, Florida**
 986 **Statutes, is amended to read:**

987 335.182 Regulation of connections to roads on State
 988 Highway System; definitions.—

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

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

993 (b) "Modification of a connection" means relocation,
 994 alteration, or closure of a connection.

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

996 1. A change in the use of the property, including
 997 development of the land, structures, or facilities;~~7~~ or

998 2. An expansion of the size of the property, structures,
 999 or facilities causing an increase in the trip generation of the
 1000 property exceeding 25 percent more trip generation, ~~either peak~~

1001 hour or daily, ~~+~~ and exceeding 100 vehicles per day more than the
 1002 existing use.

1003 **Section 18. Subsections (3) and (4) of section 335.187,**
 1004 **Florida Statutes, are amended to read:**

1005 335.187 Unpermitted connections; existing access permits;
 1006 nonconforming permits; modification and revocation of permits.—

1007 (3) The department may issue a nonconforming access permit
 1008 if denying after finding that to deny an access permit would
 1009 leave the property without a reasonable means of access to the
 1010 State Highway System. The department may specify limits on the
 1011 maximum vehicular use of the connection and may impose
 1012 conditions ~~be conditioned~~ on the availability of future
 1013 alternative means of access for which access permits can be
 1014 obtained.

1015 (4) After written notice and the opportunity for a
 1016 hearing, as provided for in s. 120.60, the department may modify
 1017 or revoke an access permit issued after July 1, 1988, by
 1018 requiring modification ~~relocation, alteration, or closure~~ of an
 1019 existing connection if:

1020 (a) A significant change occurs in the use, design, or
 1021 traffic flow of the connection; or

1022 (b) The connection would jeopardize the safety of the
 1023 public or have a negative impact on the operational
 1024 characteristics of the highway.

1025 **Section 19. Subsection (2) of section 337.027, Florida**

1026 **Statutes, is amended to read:**

1027 337.027 Authority to implement a business development
1028 program.—

1029 (2) For purposes of this section, the term "small
1030 business" means a business with yearly average gross receipts of
1031 less than \$25 ~~\$15~~ million for road and bridge contracts and less
1032 than \$10 ~~\$6.5~~ million for professional and nonprofessional
1033 services contracts. A business' average gross receipts is
1034 determined by averaging its annual gross receipts over the last
1035 3 years, including the receipts of any affiliate as defined in
1036 s. 337.165.

1037 **Section 20. Subsection (6) of section 337.11, Florida**
1038 **Statutes, is amended to read:**

1039 337.11 Contracting authority of department; bids;
1040 emergency repairs, supplemental agreements, and change orders;
1041 combined design and construction contracts; progress payments;
1042 records; requirements of vehicle registration.—

1043 (6) (a) If the secretary determines that an emergency in
1044 regard to the restoration or repair of any state transportation
1045 facility exists such that the delay incident to giving
1046 opportunity for competitive bidding would be detrimental to the
1047 interests of the state, the provisions for competitive bidding
1048 do not apply; and the department may enter into contracts for
1049 restoration or repair without giving opportunity for competitive
1050 bidding on such contracts. Within 30 days after such

1051 determination and contract execution, the head of the department
1052 shall file with the Executive Office of the Governor a written
1053 statement of the conditions and circumstances constituting such
1054 emergency.

1055 (b) If the secretary determines that delays on a contract
1056 for maintenance exist due to administrative challenges, bid
1057 protests, defaults or terminations and the further delay would
1058 reduce safety on the transportation facility or seriously hinder
1059 the department's ability to preserve the state's investment in
1060 that facility, competitive bidding provisions may be waived and
1061 the department may enter into a contract for maintenance on the
1062 facility. However, contracts for maintenance executed under the
1063 provisions of this paragraph shall be interim in nature and
1064 shall be limited in duration to a period of time not to exceed
1065 the length of the delay necessary to complete the competitive
1066 bidding process and have the contract in place.

1067 (c) When the department determines that it is in the best
1068 interest of the public for reasons of public concern, economy,
1069 improved operations, or safety, and only when circumstances
1070 dictate rapid completion of the work, the department may, up to
1071 the amount of \$500,000, enter into contracts for construction
1072 and maintenance without advertising and receiving competitive
1073 bids. The department may enter into such contracts only upon a
1074 determination that the work is necessary for one of the
1075 following reasons:

1076 1. To ensure timely completion of projects or avoidance of
 1077 undue delay for other projects;

1078 2. To accomplish minor repairs or construction and
 1079 maintenance activities for which time is of the essence and for
 1080 which significant cost savings would occur; or

1081 3. To accomplish nonemergency work necessary to ensure
 1082 avoidance of adverse conditions that affect the safe and
 1083 efficient flow of traffic.

1084
 1085 The department shall make a good faith effort to obtain two or
 1086 more quotes, if available, from qualified contractors before
 1087 entering into any contract. The department shall give
 1088 consideration to small disadvantaged business enterprise
 1089 participation. However, when the work exists within the limits
 1090 of an existing contract, the department shall make a good faith
 1091 effort to negotiate and enter into a contract with the prime
 1092 contractor on the existing contract.

1093 **Section 21. Paragraph (a) of subsection (1) of section**
 1094 **337.18, Florida Statutes, is amended to read:**

1095 337.18 Surety bonds for construction or maintenance
 1096 contracts; requirement with respect to contract award; bond
 1097 requirements; defaults; damage assessments.—

1098 (1) (a) A surety bond shall be required of the successful
 1099 bidder in an amount equal to the awarded contract price.

1100 However, the department may choose, in its discretion and

1101 applicable only to multiyear maintenance contracts, to allow for
1102 incremental annual contract bonds that cumulatively total the
1103 full, awarded, multiyear contract price. The department may also
1104 choose, in its discretion and applicable only to phased design-
1105 build contracts under s. 337.11(7)(b), to allow the issuance of
1106 multiple contract performance and payment bonds in succession to
1107 align with each phase of the contract to meet the bonding
1108 requirement in this subsection. Notwithstanding any bonding
1109 requirement under this section, the department may require, at
1110 the discretion of the secretary, that the amount of the surety
1111 bond or bonds be less than the contract price.

1112 1. The department may waive the requirement for all or a
1113 portion of a surety bond if:

1114 a. The contract price is \$250,000 or less and the
1115 department determines that the project is of a noncritical
1116 nature and that nonperformance will not endanger public health,
1117 safety, or property;

1118 b. The prime contractor is a qualified nonprofit agency
1119 for the blind or for the other severely handicapped under s.
1120 413.036(2); or

1121 c. The prime contractor is using a subcontractor that is a
1122 qualified nonprofit agency for the blind or for the other
1123 severely handicapped under s. 413.036(2). However, the
1124 department may not waive more than the amount of the
1125 subcontract.

1126 2. If the department determines that it is in the best
1127 interests of the department to reduce the bonding requirement
1128 for a project and that to do so will not endanger public health,
1129 safety, or property, the department may waive the requirement of
1130 a surety bond in an amount equal to the awarded contract price
1131 for a project having a contract price of \$250 million or more
1132 and, in its place, may set a surety bond amount that is a
1133 portion of the total contract price and provide an alternate
1134 means of security for the balance of the contract amount that is
1135 not covered by the surety bond or provide for incremental surety
1136 bonding and provide an alternate means of security for the
1137 balance of the contract amount that is not covered by the surety
1138 bond. Such alternative means of security may include letters of
1139 credit, United States bonds and notes, parent company
1140 guarantees, and cash collateral. The department may require
1141 alternate means of security if a surety bond is waived. The
1142 surety on such bond shall be a surety company authorized to do
1143 business in the state. All bonds shall be payable to the
1144 department and conditioned for the prompt, faithful, and
1145 efficient performance of the contract according to plans and
1146 specifications and within the time period specified, and for the
1147 prompt payment of all persons defined in s. 713.01 furnishing
1148 labor, material, equipment, and supplies for work provided in
1149 the contract; however, whenever an improvement, demolition, or
1150 removal contract price is \$25,000 or less, the security may, in

1151 the discretion of the bidder, be in the form of a cashier's
 1152 check, bank money order of any state or national bank, certified
 1153 check, or postal money order. The department shall adopt rules
 1154 to implement this subsection. Such rules shall include
 1155 provisions under which the department shall refuse to accept
 1156 bonds on contracts when a surety wrongfully fails or refuses to
 1157 settle or provide a defense for claims or actions arising under
 1158 a contract for which the surety previously furnished a bond.

1159 **Section 22. Subsection (3) of section 337.251, Florida**
 1160 **Statutes, is amended to read:**

1161 337.251 Lease of property for joint public-private
 1162 development and areas above or below department property.—

1163 (3) A proposal must be selected by the department based on
 1164 competitive bidding, except that the department may consider
 1165 other relevant factors specified in the request for proposals.
 1166 The department may consider such factors as the value of
 1167 property exchanges, the cost of construction, and other
 1168 recurring costs for the benefit of the department by the lessee
 1169 in lieu of direct revenue to the department if such other
 1170 factors are of equal value including innovative proposals to
 1171 involve small ~~minority~~ businesses. The department may name a
 1172 board of advisers which may be composed of accountants, real
 1173 estate appraisers, design engineers, or other experts
 1174 experienced in the type of development proposed. The board of
 1175 advisers shall review the feasibility of the proposals,

1176 recommend acceptance or rejection of each proposal, and rank
 1177 each feasible proposal in the order of technical feasibility and
 1178 benefit provided to the department. The board of advisers shall
 1179 be reasonably compensated for the services provided and all
 1180 department costs for evaluating the proposals shall be
 1181 reimbursed from a proposal application fee to be set by the
 1182 department and paid by the applicants. The board of advisers
 1183 shall not be subject to selection under the provisions of
 1184 chapter 287.

1185 **Section 23. Subsection (4) of section 337.406, Florida**
 1186 **Statutes, is amended to read:**

1187 337.406 Unlawful use of state transportation facility
 1188 right-of-way; penalties.—

1189 (4) Camping is prohibited on any portion of the right-of-
 1190 way of the State Highway System. This subsection does not apply
 1191 to persons who are actively navigating the federally designated
 1192 Florida National Scenic Trail as recognized in s. 260.012(6) and
 1193 have acquired the associated permits ~~that is within 100 feet of~~
 1194 ~~a bridge, causeway, overpass, or ramp.~~

1195 **Section 24. Subsection (4) of section 338.227, Florida**
 1196 **Statutes, is amended to read:**

1197 338.227 Turnpike revenue bonds.—

1198 (4) The Department of Transportation and the Department of
 1199 Management Services shall create and implement an outreach
 1200 program designed to enhance the participation of small minority

1201 ~~persons and minority~~ business enterprises in all contracts
1202 entered into on or after July 1, 2025, by their respective
1203 departments for services related to the financing of department
1204 projects for the Strategic Intermodal System Plan developed
1205 pursuant to s. 339.64. These services shall include, but are not
1206 limited to, bond counsel and bond underwriters.

1207 **Section 25. Subsection (3) of section 339.2816, Florida**
1208 **Statutes, is amended to read:**

1209 339.2816 Small County Road Assistance Program.—

1210 (3) Beginning in ~~with~~ fiscal year 2025-2026 ~~1999-2000~~
1211 ~~until fiscal year 2009-2010, and beginning again with fiscal~~
1212 ~~year 2012-2013,~~ up to \$50 ~~\$25~~ million annually from the State
1213 Transportation Trust Fund may be used for the purposes of
1214 funding the Small County Road Assistance Program as described in
1215 this section.

1216 **Section 26. Subsections (2), (7), and (8) of section**
1217 **339.2818, Florida Statutes, are amended to read:**

1218 339.2818 Small County Outreach Program.—

1219 (2) For the purposes of this section, the term "small
1220 county" means any county that has a population of 200,000 or
1221 less as determined by the most recent official estimate pursuant
1222 to s. 186.901. The term includes:

1223 (a) A municipality within a rural area of opportunity
1224 designated under s. 288.0656(7)(a), which may compete for the
1225 additional project funding using the criteria listed in

1226 paragraph (4) (c) at up to 100 percent of project costs,
 1227 excluding capacity improvement projects.

1228 (b) A local government either wholly or partially within
 1229 the Everglades Agricultural Area as defined in s. 373.4592(15),
 1230 the Peace River Basin, or the Suwannee River Basin, which may
 1231 compete for additional funding using the criteria listed in
 1232 paragraph (4) (c) at up to 100 percent of project costs on state
 1233 or county roads used primarily as farm-to-market connections
 1234 between rural agricultural areas and market distribution
 1235 centers, excluding capacity improvement projects.

1236 (7) Beginning in fiscal year 2025-2026, and annually
 1237 thereafter, at least \$50 million from the State Transportation
 1238 Trust Fund may be used for the purposes of funding the Small
 1239 County Outreach Program ~~Subject to a specific appropriation in~~
 1240 ~~addition to funds annually appropriated for projects under this~~
 1241 ~~section, A municipality within a rural area of opportunity or a~~
 1242 ~~rural area of opportunity community designated under s.~~
 1243 ~~288.0656(7) (a) may compete for the additional project funding~~
 1244 ~~using the criteria listed in subsection (4) at up to 100 percent~~
 1245 ~~of project costs, excluding capacity improvement projects.~~

1246 ~~(8) Subject to a specific appropriation in addition to~~
 1247 ~~funds appropriated for projects under this section, A local~~
 1248 ~~government either wholly or partially within the Everglades~~
 1249 ~~Agricultural Area as defined in s. 373.4592(15), the Peace River~~
 1250 ~~Basin, or the Suwannee River Basin may compete for additional~~

1251 ~~funding using the criteria listed in paragraph (4) (c) at up to~~
 1252 ~~100 percent of project costs on state or county roads used~~
 1253 ~~primarily as farm-to-market connections between rural~~
 1254 ~~agricultural areas and market distribution centers, excluding~~
 1255 ~~capacity improvement projects.~~

1256 **Section 27. Paragraph (b) of subsection (3) and paragraph**
 1257 **(c) of subsection (4) of section 339.2821, Florida Statutes, are**
 1258 **amended to read:**

1259 339.2821 Economic development transportation projects.—

1260 (3)

1261 (b) The department must ensure that it supports small
 1262 businesses as defined in s. 337.027(2) ~~small and minority~~
 1263 ~~businesses have equal access to participate in transportation~~
 1264 ~~projects funded pursuant to this section.~~

1265 (4) A contract between the department and a governmental
 1266 body for a transportation project must:

1267 (c) Require that the governmental body provide the
 1268 department with progress reports. Each progress report must
 1269 contain:

1270 1. A narrative description of the work completed and
 1271 whether the work is proceeding according to the transportation
 1272 project schedule. †

1273 2. A description of each change order executed by the
 1274 governmental body. †

1275 3. A budget summary detailing planned expenditures

1276 compared to actual expenditures. ~~and~~

1277 4. The identity of each small ~~or minority~~ business used as
1278 a contractor or subcontractor.

1279 **Section 28. Subsections (3) and (7) of section 339.651,**
1280 **Florida Statutes, are amended to read:**

1281 339.651 Strategic Intermodal System supply chain demands.—

1282 (3) The department may ~~shall~~ make up to \$20 million
1283 available each year ~~for fiscal years 2023-2024 through 2027-~~
1284 ~~2028,~~ from existing work program revenues, to fund projects that
1285 meet the public purpose of providing increased capacity and
1286 enhanced capabilities to move and store construction aggregate
1287 and transportation infrastructure-related materials. Applicants
1288 eligible for project funding under this section are seaports
1289 listed in s. 311.09 and rail lines and rail facilities.

1290 ~~(7) This section shall stand repealed on July 1, 2028.~~

1291 **Section 29. Paragraph (b) of subsection (6) of section**
1292 **341.051, Florida Statutes, is amended to read:**

1293 341.051 Administration and financing of public transit and
1294 intercity bus service programs and projects.—

1295 (6) ANNUAL APPROPRIATION.—

1296 (b) If funds are allocated to projects that qualify for
1297 the New Starts Transit Program in the current fiscal year and a
1298 project will not be ready for production by June 30, the
1299 department must reallocate such funds for the purpose of the
1300 Strategic Intermodal System within the State Transportation

1301 Trust Fund for the next fiscal year ~~The remaining unallocated~~
 1302 ~~New Starts Transit Program funds as of June 30, 2024, shall be~~
 1303 ~~reallocated for the purpose of the Strategic Intermodal System~~
 1304 ~~within the State Transportation Trust Fund. This paragraph~~
 1305 ~~expires June 30, 2026.~~

1306
 1307 For purposes of this section, the term "net operating costs"
 1308 means all operating costs of a project less any federal funds,
 1309 fares, or other sources of income to the project.

1310 **Section 30. Subsection (5) of section 348.754, Florida**
 1311 **Statutes, is amended to read:**

1312 348.754 Purposes and powers.—

1313 (5) The authority shall encourage the inclusion of local
 1314 and small, ~~small, minority, and women-owned~~ businesses in its
 1315 procurement and contracting opportunities.

1316 **Section 31. Subsection (2) of section 349.03, Florida**
 1317 **Statutes, is amended, and subsection (4) is added to that**
 1318 **section, to read:**

1319 349.03 Jacksonville Transportation Authority.—

1320 (2) The governing body of the authority shall consist of
 1321 seven members. Four ~~Three~~ members shall be appointed by the
 1322 Governor and confirmed by the Senate. Of the four members
 1323 appointed by the Governor, one member must be a resident of the
 1324 City of Jacksonville and the remaining three members must be
 1325 residents of Clay County, Duval County, or St. Johns County.

1326 Three members shall be appointed by the mayor of the City of
 1327 Jacksonville subject to confirmation by the council of the City
 1328 of Jacksonville. All ~~The seventh member shall be the district~~
 1329 ~~secretary of the Department of Transportation serving in the~~
 1330 ~~district that contains the City of Jacksonville. Except for the~~
 1331 ~~seventh member,~~ members appointed by the mayor of the City of
 1332 Jacksonville must shall be residents and qualified electors of
 1333 Duval County.

1334 (4) The authority shall:

1335 (a) Follow the department's small business program as
 1336 described in s. 337.027.

1337 (b) Establish protocols and systems in accordance with the
 1338 requirements established in s. 112.061(16) and s. 215.985(6) and
 1339 (14) and post all related information on its publicly available
 1340 website.

1341 **Section 32.** Sections 316.0741, 331.351, 337.125, 337.135,
 1342 337.139, 339.0805, and 339.287, Florida Statutes, are repealed.

1343 **Section 33. Paragraphs (j) and (m) of subsection (2) of**
 1344 **section 110.205, Florida Statutes, are amended to read:**

1345 110.205 Career service; exemptions.—

1346 (2) EXEMPT POSITIONS.—The exempt positions that are not
 1347 covered by this part include the following:

1348 (j) The appointed secretaries and the State Surgeon
 1349 General, assistant secretaries, deputy secretaries, and deputy
 1350 assistant secretaries of all departments; the executive

1351 | directors, assistant executive directors, deputy executive
 1352 | directors, and deputy assistant executive directors of all
 1353 | departments; the directors of all divisions and those positions
 1354 | determined by the department to have managerial responsibilities
 1355 | comparable to such positions, which positions include, but are
 1356 | not limited to, program directors, assistant program directors,
 1357 | district administrators, deputy district administrators, the
 1358 | Director of Central Operations Services of the Department of
 1359 | Children and Families, the State Transportation Development
 1360 | Administrator, the State Public Transportation and Modal
 1361 | Administrator, district secretaries, district directors of
 1362 | transportation development, transportation operations,
 1363 | transportation support, and the managers of the offices of the
 1364 | Department of Transportation specified in s. 20.23(4)(b) ~~s.~~
 1365 | ~~20.23(3)(b)~~. Unless otherwise fixed by law, the department shall
 1366 | set the salary and benefits of these positions and the positions
 1367 | of county health department directors and county health
 1368 | department administrators of the Department of Health in
 1369 | accordance with the rules of the Senior Management Service.

1370 | (m) All assistant division director, deputy division
 1371 | director, and bureau chief positions in any department, and
 1372 | those positions determined by the department to have managerial
 1373 | responsibilities comparable to such positions, which include,
 1374 | but are not limited to:

1375 | 1. Positions in the Department of Health and the

1376 Department of Children and Families which are assigned primary
 1377 duties of serving as the superintendent or assistant
 1378 superintendent of an institution.

1379 2. Positions in the Department of Corrections which are
 1380 assigned primary duties of serving as the warden, assistant
 1381 warden, colonel, or major of an institution or that are assigned
 1382 primary duties of serving as the circuit administrator or deputy
 1383 circuit administrator.

1384 3. Positions in the Department of Transportation which are
 1385 assigned primary duties of serving as regional toll managers and
 1386 managers of offices, as specified in s. 20.23(4) (b) and (5) (c)
 1387 ~~s. 20.23(3) (b) and (4) (c)~~.

1388 4. Positions in the Department of Environmental Protection
 1389 which are assigned the duty of an Environmental Administrator or
 1390 program administrator.

1391 5. Positions in the Department of Health which are
 1392 assigned the duties of Environmental Administrator, Assistant
 1393 County Health Department Director, and County Health Department
 1394 Financial Administrator.

1395 6. Positions in the Department of Highway Safety and Motor
 1396 Vehicles which are assigned primary duties of serving as
 1397 captains in the Florida Highway Patrol.

1398
 1399 Unless otherwise fixed by law, the department shall set the
 1400 salary and benefits of the positions listed in this paragraph in

1401 accordance with the rules established for the Selected Exempt
 1402 Service.

1403 **Section 34. Paragraph (d) of subsection (3) of section**
 1404 **322.27, Florida Statutes, is amended to read:**

1405 322.27 Authority of department to suspend or revoke driver
 1406 license or identification card.—

1407 (3) There is established a point system for evaluation of
 1408 convictions of violations of motor vehicle laws or ordinances,
 1409 and violations of applicable provisions of s. 403.413(6) (b) when
 1410 such violations involve the use of motor vehicles, for the
 1411 determination of the continuing qualification of any person to
 1412 operate a motor vehicle. The department is authorized to suspend
 1413 the license of any person upon showing of its records or other
 1414 good and sufficient evidence that the licensee has been
 1415 convicted of violation of motor vehicle laws or ordinances, or
 1416 applicable provisions of s. 403.413(6) (b), amounting to 12 or
 1417 more points as determined by the point system. The suspension
 1418 shall be for a period of not more than 1 year.

1419 (d) The point system shall have as its basic element a
 1420 graduated scale of points assigning relative values to
 1421 convictions of the following violations:

- 1422 1. Reckless driving, willful and wanton—4 points.
- 1423 2. Leaving the scene of a crash resulting in property
 1424 damage of more than \$50—6 points.
- 1425 3. Unlawful speed, or unlawful use of a wireless

1426 | communications device, resulting in a crash—6 points.

1427 | 4. Passing a stopped school bus:

1428 | a. Not causing or resulting in serious bodily injury to or

1429 | death of another—4 points.

1430 | b. Causing or resulting in serious bodily injury to or

1431 | death of another—6 points.

1432 | c. Points may not be imposed for a violation of passing a

1433 | stopped school bus as provided in s. 316.172(1)(a) or (b) when

1434 | enforced by a school bus infraction detection system pursuant to

1435 | s. 316.173. In addition, a violation of s. 316.172(1)(a) or (b)

1436 | when enforced by a school bus infraction detection system

1437 | pursuant to s. 316.173 may not be used for purposes of setting

1438 | motor vehicle insurance rates.

1439 | 5. Unlawful speed:

1440 | a. Not in excess of 15 miles per hour of lawful or posted

1441 | speed—3 points.

1442 | b. In excess of 15 miles per hour of lawful or posted

1443 | speed—4 points.

1444 | c. Points may not be imposed for a violation of unlawful

1445 | speed as provided in s. 316.1895 or s. 316.183 when enforced by

1446 | a traffic infraction enforcement officer pursuant to s.

1447 | 316.1896. In addition, a violation of s. 316.1895 or s. 316.183

1448 | when enforced by a traffic infraction enforcement officer

1449 | pursuant to s. 316.1896 may not be used for purposes of setting

1450 | motor vehicle insurance rates.

1451 6. A violation of a traffic control signal device as
1452 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.
1453 However, points may not be imposed for a violation of s.
1454 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
1455 stop at a traffic signal and when enforced by a traffic
1456 infraction enforcement officer. In addition, a violation of s.
1457 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
1458 stop at a traffic signal and when enforced by a traffic
1459 infraction enforcement officer may not be used for purposes of
1460 setting motor vehicle insurance rates.

1461 7. Unlawfully driving a vehicle through a railroad-highway
1462 grade crossing—6 points.

1463 8. All other moving violations (including parking on a
1464 highway outside the limits of a municipality)—3 points. However,
1465 points may not be imposed for a violation of ~~s. 316.0741~~ or s.
1466 316.2065(11); and points may be imposed for a violation of s.
1467 316.1001 only when imposed by the court after a hearing pursuant
1468 to s. 318.14(5).

1469 9. Any moving violation covered in this paragraph,
1470 excluding unlawful speed and unlawful use of a wireless
1471 communications device, resulting in a crash—4 points.

1472 10. Any conviction under s. 403.413(6)(b)—3 points.

1473 11. Any conviction under s. 316.0775(2)—4 points.

1474 12. A moving violation covered in this paragraph which is
1475 committed in conjunction with the unlawful use of a wireless

1476 | communications device within a school safety zone—2 points, in
 1477 | addition to the points assigned for the moving violation.

1478 | **Section 35. Subsection (13) of section 365.172, Florida**
 1479 | **Statutes, is amended to read:**

1480 | 365.172 Emergency communications.—

1481 | (13) FACILITATING EMERGENCY COMMUNICATIONS SERVICE
 1482 | IMPLEMENTATION.—To balance the public need for reliable
 1483 | emergency communications services through reliable wireless
 1484 | systems and the public interest served by governmental zoning
 1485 | and land development regulations and notwithstanding any other
 1486 | law or local ordinance to the contrary, the following standards
 1487 | shall apply to a local government's actions, as a regulatory
 1488 | body, in the regulation of the placement, construction, or
 1489 | modification of a wireless communications facility. This
 1490 | subsection may not, however, be construed to waive or alter the
 1491 | provisions of s. 286.011 or s. 286.0115. For the purposes of
 1492 | this subsection only, "local government" shall mean any
 1493 | municipality or county and any agency of a municipality or
 1494 | county only. The term "local government" does not, however,
 1495 | include any airport, as defined in s. 330.27 ~~by s. 330.27(2)~~,
 1496 | even if it is owned or controlled by or through a municipality,
 1497 | county, or agency of a municipality or county. Further,
 1498 | notwithstanding anything in this section to the contrary, this
 1499 | subsection does not apply to or control a local government's
 1500 | actions as a property or structure owner in the use of any

1501 property or structure owned by such entity for the placement,
1502 construction, or modification of wireless communications
1503 facilities. In the use of property or structures owned by the
1504 local government, however, a local government may not use its
1505 regulatory authority so as to avoid compliance with, or in a
1506 manner that does not advance, the provisions of this subsection.

1507 (a) Colocation among wireless providers is encouraged by
1508 the state.

1509 1.a. Colocations on towers, including nonconforming
1510 towers, that meet the requirements in sub-sub-subparagraphs (I),
1511 (II), and (III), are subject to only building permit review,
1512 which may include a review for compliance with this
1513 subparagraph. Such colocations are not subject to any design or
1514 placement requirements of the local government's land
1515 development regulations in effect at the time of the colocation
1516 that are more restrictive than those in effect at the time of
1517 the initial antennae placement approval, to any other portion of
1518 the land development regulations, or to public hearing review.
1519 This sub-subparagraph may not preclude a public hearing for any
1520 appeal of the decision on the colocation application.

1521 (I) The colocation does not increase the height of the
1522 tower to which the antennae are to be attached, measured to the
1523 highest point of any part of the tower or any existing antenna
1524 attached to the tower;

1525 (II) The colocation does not increase the ground space

1526 area, commonly known as the compound, approved in the site plan
1527 for equipment enclosures and ancillary facilities; and

1528 (III) The colocation consists of antennae, equipment
1529 enclosures, and ancillary facilities that are of a design and
1530 configuration consistent with all applicable regulations,
1531 restrictions, or conditions, if any, applied to the initial
1532 antennae placed on the tower and to its accompanying equipment
1533 enclosures and ancillary facilities and, if applicable, applied
1534 to the tower supporting the antennae. Such regulations may
1535 include the design and aesthetic requirements, but not
1536 procedural requirements, other than those authorized by this
1537 section, of the local government's land development regulations
1538 in effect at the time the initial antennae placement was
1539 approved.

1540 b. Except for a historic building, structure, site,
1541 object, or district, or a tower included in sub-subparagraph a.,
1542 colocations on all other existing structures that meet the
1543 requirements in sub-sub-subparagraphs (I)-(IV) shall be subject
1544 to no more than building permit review, and an administrative
1545 review for compliance with this subparagraph. Such colocations
1546 are not subject to any portion of the local government's land
1547 development regulations not addressed herein, or to public
1548 hearing review. This sub-subparagraph may not preclude a public
1549 hearing for any appeal of the decision on the colocation
1550 application.

1551 (I) The colocation does not increase the height of the
1552 existing structure to which the antennae are to be attached,
1553 measured to the highest point of any part of the structure or
1554 any existing antenna attached to the structure;

1555 (II) The colocation does not increase the ground space
1556 area, otherwise known as the compound, if any, approved in the
1557 site plan for equipment enclosures and ancillary facilities;

1558 (III) The colocation consists of antennae, equipment
1559 enclosures, and ancillary facilities that are of a design and
1560 configuration consistent with any applicable structural or
1561 aesthetic design requirements and any requirements for location
1562 on the structure, but not prohibitions or restrictions on the
1563 placement of additional colocations on the existing structure or
1564 procedural requirements, other than those authorized by this
1565 section, of the local government's land development regulations
1566 in effect at the time of the colocation application; and

1567 (IV) The colocation consists of antennae, equipment
1568 enclosures, and ancillary facilities that are of a design and
1569 configuration consistent with all applicable restrictions or
1570 conditions, if any, that do not conflict with sub-sub-
1571 subparagraph (III) and were applied to the initial antennae
1572 placed on the structure and to its accompanying equipment
1573 enclosures and ancillary facilities and, if applicable, applied
1574 to the structure supporting the antennae.

1575 c. Regulations, restrictions, conditions, or permits of

1576 the local government, acting in its regulatory capacity, that
1577 limit the number of colocations or require review processes
1578 inconsistent with this subsection do not apply to colocations
1579 addressed in this subparagraph.

1580 d. If only a portion of the colocation does not meet the
1581 requirements of this subparagraph, such as an increase in the
1582 height of the proposed antennae over the existing structure
1583 height or a proposal to expand the ground space approved in the
1584 site plan for the equipment enclosure, where all other portions
1585 of the colocation meet the requirements of this subparagraph,
1586 that portion of the colocation only may be reviewed under the
1587 local government's regulations applicable to an initial
1588 placement of that portion of the facility, including, but not
1589 limited to, its land development regulations, and within the
1590 review timeframes of subparagraph (d)2., and the rest of the
1591 colocation shall be reviewed in accordance with this
1592 subparagraph. A colocation proposal under this subparagraph that
1593 increases the ground space area, otherwise known as the
1594 compound, approved in the original site plan for equipment
1595 enclosures and ancillary facilities by no more than a cumulative
1596 amount of 400 square feet or 50 percent of the original compound
1597 size, whichever is greater, shall, however, require no more than
1598 administrative review for compliance with the local government's
1599 regulations, including, but not limited to, land development
1600 regulations review, and building permit review, with no public

1601 hearing review. This sub-subparagraph does not preclude a public
1602 hearing for any appeal of the decision on the colocation
1603 application.

1604 2. If a colocation does not meet the requirements of
1605 subparagraph 1., the local government may review the application
1606 under the local government's regulations, including, but not
1607 limited to, land development regulations, applicable to the
1608 placement of initial antennae and their accompanying equipment
1609 enclosure and ancillary facilities.

1610 3. If a colocation meets the requirements of subparagraph
1611 1., the colocation may not be considered a modification to an
1612 existing structure or an impermissible modification of a
1613 nonconforming structure.

1614 4. The owner of the existing tower on which the proposed
1615 antennae are to be colocated shall remain responsible for
1616 compliance with any applicable condition or requirement of a
1617 permit or agreement, or any applicable condition or requirement
1618 of the land development regulations to which the existing tower
1619 had to comply at the time the tower was permitted, including any
1620 aesthetic requirements, provided the condition or requirement is
1621 not inconsistent with this paragraph.

1622 5. An existing tower, including a nonconforming tower, may
1623 be structurally modified in order to permit colocation or may be
1624 replaced through no more than administrative review and building
1625 permit review, and is not subject to public hearing review, if

1626 the overall height of the tower is not increased and, if a
1627 replacement, the replacement tower is a monopole tower or, if
1628 the existing tower is a camouflaged tower, the replacement tower
1629 is a like-camouflaged tower. This subparagraph may not preclude
1630 a public hearing for any appeal of the decision on the
1631 application.

1632 (b)1. A local government's land development and
1633 construction regulations for wireless communications facilities
1634 and the local government's review of an application for the
1635 placement, construction, or modification of a wireless
1636 communications facility shall only address land development or
1637 zoning issues. In such local government regulations or review,
1638 the local government may not require information on or evaluate
1639 a wireless provider's business decisions about its service,
1640 customer demand for its service, or quality of its service to or
1641 from a particular area or site, unless the wireless provider
1642 voluntarily offers this information to the local government. In
1643 such local government regulations or review, a local government
1644 may not require information on or evaluate the wireless
1645 provider's designed service unless the information or materials
1646 are directly related to an identified land development or zoning
1647 issue or unless the wireless provider voluntarily offers the
1648 information. Information or materials directly related to an
1649 identified land development or zoning issue may include, but are
1650 not limited to, evidence that no existing structure can

1651 reasonably be used for the antennae placement instead of the
1652 construction of a new tower, that residential areas cannot be
1653 served from outside the residential area, as addressed in
1654 subparagraph 3., or that the proposed height of a new tower or
1655 initial antennae placement or a proposed height increase of a
1656 modified tower, replacement tower, or colocation is necessary to
1657 provide the provider's designed service. Nothing in this
1658 paragraph shall limit the local government from reviewing any
1659 applicable land development or zoning issue addressed in its
1660 adopted regulations that does not conflict with this section,
1661 including, but not limited to, aesthetics, landscaping, land
1662 use-based location priorities, structural design, and setbacks.

1663 2. Any setback or distance separation required of a tower
1664 may not exceed the minimum distance necessary, as determined by
1665 the local government, to satisfy the structural safety or
1666 aesthetic concerns that are to be protected by the setback or
1667 distance separation.

1668 3. A local government may exclude the placement of
1669 wireless communications facilities in a residential area or
1670 residential zoning district but only in a manner that does not
1671 constitute an actual or effective prohibition of the provider's
1672 service in that residential area or zoning district. If a
1673 wireless provider demonstrates to the satisfaction of the local
1674 government that the provider cannot reasonably provide its
1675 service to the residential area or zone from outside the

1676 residential area or zone, the municipality or county and
1677 provider shall cooperate to determine an appropriate location
1678 for a wireless communications facility of an appropriate design
1679 within the residential area or zone. The local government may
1680 require that the wireless provider reimburse the reasonable
1681 costs incurred by the local government for this cooperative
1682 determination. An application for such cooperative determination
1683 may not be considered an application under paragraph (d).

1684 4. A local government may impose a reasonable fee on
1685 applications to place, construct, or modify a wireless
1686 communications facility only if a similar fee is imposed on
1687 applicants seeking other similar types of zoning, land use, or
1688 building permit review. A local government may impose fees for
1689 the review of applications for wireless communications
1690 facilities by consultants or experts who conduct code compliance
1691 review for the local government but any fee is limited to
1692 specifically identified reasonable expenses incurred in the
1693 review. A local government may impose reasonable surety
1694 requirements to ensure the removal of wireless communications
1695 facilities that are no longer being used.

1696 5. A local government may impose design requirements, such
1697 as requirements for designing towers to support colocation or
1698 aesthetic requirements, except as otherwise limited in this
1699 section, but may not impose or require information on compliance
1700 with building code type standards for the construction or

1701 modification of wireless communications facilities beyond those
1702 adopted by the local government under chapter 553 and that apply
1703 to all similar types of construction.

1704 (c) Local governments may not require wireless providers
1705 to provide evidence of a wireless communications facility's
1706 compliance with federal regulations, except evidence of
1707 compliance with applicable Federal Aviation Administration
1708 requirements under 14 C.F.R. part 77, as amended, and evidence
1709 of proper Federal Communications Commission licensure, or other
1710 evidence of Federal Communications Commission authorized
1711 spectrum use, but may request the Federal Communications
1712 Commission to provide information as to a wireless provider's
1713 compliance with federal regulations, as authorized by federal
1714 law.

1715 (d)1. A local government shall grant or deny each properly
1716 completed application for a colocation under subparagraph (a)1.
1717 based on the application's compliance with the local
1718 government's applicable regulations, as provided for in
1719 subparagraph (a)1. and consistent with this subsection, and
1720 within the normal timeframe for a similar building permit review
1721 but in no case later than 45 business days after the date the
1722 application is determined to be properly completed in accordance
1723 with this paragraph.

1724 2. A local government shall grant or deny each properly
1725 completed application for any other wireless communications

1726 facility based on the application's compliance with the local
1727 government's applicable regulations, including but not limited
1728 to land development regulations, consistent with this subsection
1729 and within the normal timeframe for a similar type review but in
1730 no case later than 90 business days after the date the
1731 application is determined to be properly completed in accordance
1732 with this paragraph.

1733 3.a. An application is deemed submitted or resubmitted on
1734 the date the application is received by the local government. If
1735 the local government does not notify the applicant in writing
1736 that the application is not completed in compliance with the
1737 local government's regulations within 20 business days after the
1738 date the application is initially submitted or additional
1739 information resubmitted, the application is deemed, for
1740 administrative purposes only, to be properly completed and
1741 properly submitted. However, the determination may not be deemed
1742 as an approval of the application. If the application is not
1743 completed in compliance with the local government's regulations,
1744 the local government shall so notify the applicant in writing
1745 and the notification must indicate with specificity any
1746 deficiencies in the required documents or deficiencies in the
1747 content of the required documents which, if cured, make the
1748 application properly completed. Upon resubmission of information
1749 to cure the stated deficiencies, the local government shall
1750 notify the applicant, in writing, within the normal timeframes

1751 of review, but in no case longer than 20 business days after the
1752 additional information is submitted, of any remaining
1753 deficiencies that must be cured. Deficiencies in document type
1754 or content not specified by the local government do not make the
1755 application incomplete. Notwithstanding this sub-subparagraph,
1756 if a specified deficiency is not properly cured when the
1757 applicant resubmits its application to comply with the notice of
1758 deficiencies, the local government may continue to request the
1759 information until such time as the specified deficiency is
1760 cured. The local government may establish reasonable timeframes
1761 within which the required information to cure the application
1762 deficiency is to be provided or the application will be
1763 considered withdrawn or closed.

1764 b. If the local government fails to grant or deny a
1765 properly completed application for a wireless communications
1766 facility within the timeframes set forth in this paragraph, the
1767 application shall be deemed automatically approved and the
1768 applicant may proceed with placement of the facilities without
1769 interference or penalty. The timeframes specified in
1770 subparagraph 2. may be extended only to the extent that the
1771 application has not been granted or denied because the local
1772 government's procedures generally applicable to all other
1773 similar types of applications require action by the governing
1774 body and such action has not taken place within the timeframes
1775 specified in subparagraph 2. Under such circumstances, the local

1776 government must act to either grant or deny the application at
1777 its next regularly scheduled meeting or, otherwise, the
1778 application is deemed to be automatically approved.

1779 c. To be effective, a waiver of the timeframes set forth
1780 in this paragraph must be voluntarily agreed to by the applicant
1781 and the local government. A local government may request, but
1782 not require, a waiver of the timeframes by the applicant, except
1783 that, with respect to a specific application, a one-time waiver
1784 may be required in the case of a declared local, state, or
1785 federal emergency that directly affects the administration of
1786 all permitting activities of the local government.

1787 (e) The replacement of or modification to a wireless
1788 communications facility, except a tower, that results in a
1789 wireless communications facility not readily discernibly
1790 different in size, type, and appearance when viewed from ground
1791 level from surrounding properties, and the replacement or
1792 modification of equipment that is not visible from surrounding
1793 properties, all as reasonably determined by the local
1794 government, are subject to no more than applicable building
1795 permit review.

1796 (f) Any other law to the contrary notwithstanding, the
1797 Department of Management Services shall negotiate, in the name
1798 of the state, leases for wireless communications facilities that
1799 provide access to state government-owned property not acquired
1800 for transportation purposes, and the Department of

1801 Transportation shall negotiate, in the name of the state, leases
1802 for wireless communications facilities that provide access to
1803 property acquired for state rights-of-way. On property acquired
1804 for transportation purposes, leases shall be granted in
1805 accordance with s. 337.251. On other state government-owned
1806 property, leases shall be granted on a space available, first-
1807 come, first-served basis. Payments required by state government
1808 under a lease must be reasonable and must reflect the market
1809 rate for the use of the state government-owned property. The
1810 Department of Management Services and the Department of
1811 Transportation are authorized to adopt rules for the terms and
1812 conditions and granting of any such leases.

1813 (g) If any person adversely affected by any action, or
1814 failure to act, or regulation, or requirement of a local
1815 government in the review or regulation of the wireless
1816 communication facilities files an appeal or brings an
1817 appropriate action in a court or venue of competent
1818 jurisdiction, following the exhaustion of all administrative
1819 remedies, the matter shall be considered on an expedited basis.

1820 **Section 36. Subsection (2) of section 379.2293, Florida**
1821 **Statutes, is amended to read:**

1822 379.2293 Airport activities within the scope of a
1823 federally approved wildlife hazard management plan or a federal
1824 or state permit or other authorization for depredation or
1825 harassment.—

1826 (2) An airport authority or other entity owning or
1827 operating an airport, as defined in s. 330.27 ~~s. 330.27(2)~~, is
1828 not subject to any administrative or civil penalty, restriction,
1829 or other sanction with respect to any authorized action taken in
1830 a non-negligent manner for the purpose of protecting human life
1831 or aircraft safety from wildlife hazards.

1832 **Section 37. Subsection (22) of section 493.6101, Florida**
1833 **Statutes, is amended to read:**

1834 493.6101 Definitions.—

1835 (22) "Repossession" means the recovery of a motor vehicle
1836 as defined under s. 320.01(1), a mobile home as defined in s.
1837 320.01(2), a motorboat as defined under s. 327.02, an aircraft
1838 as defined in s. 330.27 ~~s. 330.27(1)~~, a personal watercraft as
1839 defined in s. 327.02, an all-terrain vehicle as defined in s.
1840 316.2074, farm equipment as defined under s. 686.402, or
1841 industrial equipment, by an individual who is authorized by the
1842 legal owner, lienholder, or lessor to recover, or to collect
1843 money payment in lieu of recovery of, that which has been sold
1844 or leased under a security agreement that contains a
1845 repossession clause. As used in this subsection, the term
1846 "industrial equipment" includes, but is not limited to,
1847 tractors, road rollers, cranes, forklifts, backhoes, and
1848 bulldozers. The term "industrial equipment" also includes other
1849 vehicles that are propelled by power other than muscular power
1850 and that are used in the manufacture of goods or used in the

1851 provision of services. A repossession is complete when a
1852 licensed recovery agent is in control, custody, and possession
1853 of such repossessed property. Property that is being repossessed
1854 shall be considered to be in the control, custody, and
1855 possession of a recovery agent if the property being repossessed
1856 is secured in preparation for transport from the site of the
1857 recovery by means of being attached to or placed on the towing
1858 or other transport vehicle or if the property being repossessed
1859 is being operated or about to be operated by an employee of the
1860 recovery agency.

1861 **Section 38. Paragraph (c) of subsection (1) of section**
1862 **493.6403, Florida Statutes, is amended to read:**

1863 493.6403 License requirements.—

1864 (1) In addition to the license requirements set forth in
1865 this chapter, each individual or agency shall comply with the
1866 following additional requirements:

1867 (c) An applicant for a Class "E" license shall have at
1868 least 1 year of lawfully gained, verifiable, full-time
1869 experience in one, or a combination of more than one, of the
1870 following:

1871 1. Repossession of motor vehicles as defined in s.
1872 320.01(1), mobile homes as defined in s. 320.01(2), motorboats
1873 as defined in s. 327.02, aircraft as defined in s. 330.27 ~~s.~~
1874 ~~330.27(1)~~, personal watercraft as defined in s. 327.02, all-
1875 terrain vehicles as defined in s. 316.2074, farm equipment as

1876 | defined under s. 686.402, or industrial equipment as defined in
1877 | s. 493.6101(22).

1878 | 2. Work as a Class "EE" licensed intern.

1879 | **Section 39.** This act shall take effect July 1, 2025.